COUNCIL MEETING MINUTES
March 19, 2012

The regular meeting of the Ontario City Council was called to order by Mayor Joe Dominick at 7:00 p.m. on Monday, March 19, 2012, in the Council Chambers of City Hall. Council members present were Norm Crume, Joe Dominick, Jackson Fox, Charlotte Fugate, Dan Jones, David Sullivan and Ronald Verini.

Members of staff present were Chuck Mickelson, Tori Barnett, Al Higinbotham, Larry Sullivan, Bob Walker, Lisa Hansen, Mark Alexander, Todd Higinbotham, Lonnie Justus, Liz Amazon, Justin Alison, Frank Grimaldo, Sr., and Anita Zink. The meeting was recorded on tape, and the tapes are available at City Hall.

Jackson Fox led everyone in the Pledge of Allegiance.

AGENDA

Ronald Verini moved, seconded by Charlotte Fugate, to adopt the Agenda as presented. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 7/0/0.

AMEND AGENDA

Councilor Jones stated he no longer wanted to have the Executive Session, 7A, under New Business. He would voice his comments during open business.

Jackson Fox moved, seconded by David Sullivan, to removed Item 7A from the Agenda. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 7/0/0.

CONSENT AGENDA

Mayor Dominick and Councilor Crume abstained from voting due to invoices on the bills.

David Sullivan moved, seconded by Ronald Verini, to approve Consent Agenda Item A: Approval of the Regular Minutes of 03/05/2012; Item B: Approval of the Study Session Minutes Excerpt 03/01/2012; and Item C: Approval of the Bills. Roll call vote: Crume-abstain; Fox-yes; Fugate-yes; Jones-yes; Sullivan-yes; Verini-yes; Dominick-abstain. Motion carried 5/0/0/2.

PUBLIC COMMENTS

Heidi Caldwell, New Plymouth: *Thank you Mayor and Council members for allowing me this time for public comments. I come to you this evening with concerns regarding the Ontario Aquatic Center, at which I attended the Total Aquatics Water Aerobics class for the past five years taught by Toni Pointiner, a former employee. I'm concerned about the reasons for which our class was ultimately cancelled given the fact that it is my understanding that this was the most attended and most successful aerobics class that the Aquatic Center had to offer. In recent weeks, the headcount of the class was between 15 to 18 participants every Monday and Wednesday. In the past and until last week, the class has been so full that we have had to split up and take turns in order to accommodate the entire crowd. It is my understanding the trouble began when our instructor Toni was notified by management of the Aquatic Center that we didn't need the full length of the pool for this class, and would have to share with the swimming lessons groups. Over the past two years, many attempts have been made to rectify the problem,*

including following the procedures listed on the City of Ontario website, going through the chain of command and contracting the former City Manager Henry Lawrence.

Henry was given a long list of concerns and letters written on behalf of this group and members of the public. I truly believe Henry tried to make a change but something seemed to be in the way of allowing him to make the change that is still needed. While our efforts did result in the class being reinstated after being cancelled the last time, no further changes in management happened to the problem continued. In more recent months, members of this class were asked to direct any issues with the Aquatic Center to the current Aquatic Center facility Manager, Kathy Daly. Once again, members of the class wrote letters with their concerns. One recent incident occurred when Toni was teaching her class and Kathy decided it was the appropriate time to confront her and began arguing in front of paying participants. It has since been relayed to this group that we are complainers, ultimately resulting in the class being dropped. We as a group feel that Toni has gone out of her way in her attempts to work with the director of the Aquatic Center to rectify the situation. I come to you tonight representing the members of the Total Aquatic Centers Water Aerobics group with these questions: What is the next step in ensuring our voices are heard about the concerns over the management of the Aquatic Center? Why are tax payers footing the bill when there are people wanting to utilize and pay for use of the pool on a regular basis that could bring in revenue to pay for the pools cost of operation? Why does it seem to the swimmers at the pool that the cleanliness and staff management aren't being properly managed?

The pool may be in need of a few repairs to the structural part of the building, but those are minor compared to the repairs and the overhaul needed in regards to the management of the pool. It is the opinion of many in our community that fixing that problem first would have revived the pool and bring in more classes and revenue so the operation of the pool can start on its way to a self-supporting status. With the current management, that will not happen.

We, as a group, have a simple request. I believe if you would see our class, you would see it is made up of mostly mothers and grandmothers and a few men just there for exercise. We have come to know each other and have shared some great times. We are not there to cause trouble. We are there simply to swim for our one hour we are allotted. This class, for many, is time away from family, but the value it brought to our lives and the values Toni, the instructor, gave to us was worth it. We are simply asking for changes to be made. If given the opportunity, some of would show up four nights a week to utilize this pool. Why are we not being given this opportunity?

That's comments on behalf of the Total Aquatics Water Aerobics group.

Joanna Winegar, Fruitland, Idaho: *I am coming to you as a paying customer, and I use the Aquatic Center, and I've been going to the Aquatic Center for the last two years, a little over two years, and I've just observed some things, and I'd like to share some of those things that I've observed, and I'd like to let you know that I do feel like there is a mismanagement of the pool. One of the first things that I thought about when the pool came up was the equipment and the maintenance in the weight room. For those who have, if you use that, the equipment is very old, and I hate to bring this to your attention because I'm scared we'll lose the weights, but it is unsafe. A lot of the things are welded, and they are very old, and I've actually been in the weight room when we've had, there's been an accident there. Somebody was doing a pull-down with the weight in this manner, where you attach the bar to a cable and you pull like this, and the weld broke that attached the bar to the cable and it, the bar came down on somebody's head and it actually did cause someone to have a concussion, and it's quite scary, and whenever, the other thing, let's see, it was shocking and that kind of thing needs to be updated. The other thing that I wanted to bring about was the cleanliness of the bathrooms and the weight room and just in the general area. To my knowledge, I think that the only thing that's being done is the night person cleaning, and I would like to see some of the people who work there could be doing a lot more than what they're doing. I see a lot of sitting, and I know they need to be out there with the, they need to be out there watching the pool, but there's also other things that they could be doing. For instance, when you go into the weight room, if you do take a wipe and wipe, it is filthy. And, if you know anything about physical, being in a gym, I don't know if any of you have heard of MERSA, but it is a staph infection and it's prevalent in gyms because of all the sweating, and it comes from, you can get it just by attaching to your skin, and it's nasty. It's a nasty staph infection, and it's very important, especially in the weight room, and*

in that part of the facility, that those things are cleaned. I have a concern about the lifeguards not being in uniform. If there's an emergency, a lot of them come in in just shorts and a regular t-shirt. How do you know who to go to, if there is an emergency? I know, because of the people that I see there, and I'm assuming that that's who, what their job is. But, a lot of them aren't. I notice in the evening, a lot of them aren't in uniform. A lot of times, when you walk in, you don't feel welcome. There isn't a "hi" or "glad you're here, I hope you have a good work-out". I've also noticed that the staff, as well, is not well-informed. If you have a question, a lot of times they'll say "can you call back when Kathy's here?" Well, when is Kathy here? She's usually here in the morning until noon or whatever. The other thing that was upsetting the other day was when I was working out in the weight room, I wanted to go into the aerobic room and stretch and do ab work, and the room is locked. I don't have access to that. I'm a paying customer. I assume that when I give my membership, and I go in for that day, that I have full access to all of the building. That's where there's mats, that where you can get out of the weight room where it's cramped in there, and you can do your stretching, and you can do your, you can do whatever you want to do. But that room has been locked. I'm not sure how long that's been locked. Overall, I don't feel that the staff, I'm not blaming the staff, I think it's mismanagement, but overall, the staff is not professional, and I think it's a poor representation of the city. There's been times when I've gone in in the morning, first thing, and you go and there's no spray bottles. That should be something that those lifeguards should check and make sure those spray bottles are out there, with that chemical to clean so that the people who use the weight room can clean up after themselves, too. A lot of times that isn't there, or, there's no paper towels. Just things of that nature. There should be a check-list when you first come. They're there early. They're there before those doors open, and those are things that they should be doing. I don't know what they're doing, but those are things that they should be doing. There should be a check-list, there should be some accountability, and I don't know that there is. I would like to know what is being done about these issues, and when we can expect to see changes, or do I need to take my money elsewhere.

Patty Barfield, Ontario: *I'm also a member of the Total Aquatic class. They've pretty much touched on all the issues, but the issue I wanted to address was the difficulty with communications between staff and management, and what appears to be sort of block of access of services, due to a systems issue, a communication issue, and an inability to effectively resolve conflict. Toni taught this class for nearly six years, and it's a crazy successful class. Because of what it seems, I'm on the outside looking in, just to be an issue of an inability to resolve conflict, at the core communication. That's concerning for me. The pool is a valuable resource, and every resource that we have in our community for people to work on wellness, should really be nurtured and facilitated. I work in the profession of basically communication and relationships, so I know this problem could be solved. My plea is that if you, as Council members, or a committee could kind of look in the issues, and see if it can't be some spirited cooperation facilitated and some collaboration.*

NEW BUSINESS

City Manager Company Recruitment Proposals

Joe Dominick, Mayor, stated as discussed at the work session last Thursday, they had received three proposals – League of Oregon Cities, The Waldren Corporation, and the Prothman Corporation. Everyone had the chance to review the proposals, and input was received from each Councilor. Consensus was to set up a contract with Protham, who provided a bid maximum of $24K. He had emailed a copy of the contract to those Councilors with email, which was similar to the one from four years ago.

Councilor Jones questioned the consensus. In reading the Mayor's email from Friday, *"yesterday, at the Ontario City Council work session, the Council, by consensus, chose your firm to work with us on selecting a new City Manager"*. Unless he misunderstood, he had not conceded to Prothman. He asked the Mayor to explain his actions.

Mayor Dominick stated when the majority of the Council was in favor of a proposal, it became the consensus of the Council.

Councilor Jones stated that during the work session, Councilor Fox stated that he had not had time to review his information, and the Mayor stated back that he would give Councilor Fox time to review the information. This was

during a work session. They were supposed to discuss it that night, and vote on it that night, and the Mayor was already giving Prothman, as the Mayor, the authority to move forward. He asked Mr. Sullivan, City Attorney, if that was out of bounds.

Larry Sullivan, City Attorney, stated the City Council had adopted rules that only during limited circumstances could they vote at the work session, and there had been no vote on this. He didn't see the email sent to Prothman, but until a contract was signed, Prothman wasn't hired. Did the Mayor do something binding the city? He didn't believe so. It was up to the Council, in a public meeting, to vote to enter into the contact with Prothman. It didn't appear there was a commitment to enter into the contract without the action of the Council.

Councilor Jones stated he felt the Prothman contract was way overpriced for a town of this size. Since Ontario was a member of the LOC, and having spoken with Jeannie Mesmer of LOC, for that fee, with regard to the size of Ontario, and regarding some other applications that could possibly come in, he felt, and if they capped out at $24K, plus another $3-5K for travel fees, the last time they had done this, it was around $30K. For topic of conversation say $28K, that was two times the price of LOC. LOC had success. LOC placed Henry in Eagle Point.

Councilor Fugate stated that Prothman did that.

Councilor Jones stated he wouldn't support another $30K bill. Within Prothman, their reference for what they were going to advertise the City of Ontario, advertised replacing a City Manager that was only there for three years. So the Council had spent $30K on Mr. Lawrence's position, and now they were going to spend another $30K. With the economic state this country was in, LOC felt they could, it was the same pool that was going to be applying for a town this size, and a town in this location. He questioned the Mayor's actions on giving Prothman the lead up that they were going to get the deal before it was voted on, and he questioned the Council going forward with Prothman in regards to what it's going to cost the city and its taxpayers.

Councilor Fugate asked who put the city in is this position to begin with? Why did they lose the City Manager? He quit under harassment.

Councilor Jones stated that was a matter of opinion.

Councilor Fugate disagreed, it was more than that. You spread negative stuff about Henry [Lawrence] in the community, how inept he was, how he didn't do his job, you and Mr. Fox had done that for the last five months, and you won your deal. She wasn't going to allow the Council to go ahead and have minimal applications for City Manager. She wanted the best City Manager they could have for the money they had.

Councilor Jones stated LOC would give them that.

Councilor Fugate stated he was mistaken.

Councilor Jones stated that was a matter of opinion.

Councilor Fugate agreed, but she got to vote, just like he did.

Councilor Sullivan asked if there was any indication of what LOC was going to charge. Did they receive a solid figure?

Councilor Jones stated the figure was $7,750, which includes their travel expenses, their time here, their time putting the program together, and if he understood it correctly, the only other expense would be bringing the candidates. That's how he read that offer.

Councilor Sullivan confirmed that Councilor Jones had seen where Prothman capped it at $24K.

Mayor Dominick stated Prothman had a not-to-exceed amount of $24K, which included all their expenses, advertising, mailings, consulting, deliveries, printing, consultant travel, background checks, and any client's required licenses or fees. In the LOC proposal, their inclusive fee for the assistance to the City would be $7, 750, exclusive of all actual costs, which would be billed to the city by LOC. Their priced included a maximum of four background checks. Items not included in the LOC fee, was travel for candidates, and related expenses, costs of the interview process, such as meals and facilities. There were additions to the $7,750 with LOC.

Councilor Verini stated in looking at all the proposals, one that stood out was Prothman. The reason being that they did such a good job the last time the Council looked for a City Manager. Prothman was very professional. The really brought the Council and the citizens together to do a tremendous job in the interview process. He believed it was the whole package they were buying. The fact that Prothman reduced the initial amount due to repeat business, and they brought, he believed, such a highly qualified group to see, they deserved, as a city, to get the very best they could get. If they selected LOC to save a few bucks, that's not right for the citizens of this community. Protham had a good process. The Council was comfortable with them, and they provided a good selection to the Council. They had to go with a winner.

Councilor Crume stated that with their last discussion, without having Councilor Fox's knowledge of what was there, and the Mayor had asked for his opinion after reviewing it, he believed there was a consensus to go with Protham. It had been talked about, getting the contract, and he was comfortable with that. The three packets – there were two good ones, and one that was incomplete, in his opinion. With the knowledge gained with being on the Council, and picking out contractors, they had to go with what they believed at the time. LOC was by far the least professional, and least equipped. The other two companies were far superior in their ideas and scope of work. For him, that eliminated LOC, even thought they were the cheapest. Cost was always put in his decisions. The other two were equal in their proposals. Protham was cheaper, and the Council had worked with them before. He liked the three groups that were involved in the interview process last time – the staff, citizens, and Council, and that was very important to continue. That way, it wasn't just the seven Councilors making the decision. Councilor Jones had previously said he would get further information from other cities who had used LOC – had he?

Councilor Jones stated he had not.

Councilor Crume stated they needed to move forward on this as quickly as possible, and dragging their feet could result in no City Manager being hired in a timely manner. That being said, had to go with Prothman.

Councilor Fox stated regarding last Thursday, the letter or email to Protham – he thought that discussion had been done in Executive Session.

Mayor Dominick stated yes, it had been discussed in Executive Session, but after they finished that, they came out in regular session and discussed moving forward on getting a contract with Prothman for review.

Councilor Fox stated for him, it was always about the money, and he believed it was that way for the tax payers as well. He thought they had past experience with LOC, and the city paid dues to them. He was good with LOC, but it was obvious they were outvoted.

Mayor Dominick stated the community expected things to move forward. As Mayor, he was the target, and he accepted that, but at the same time, when they had an important project such as this, they needed to move forward. As he heard through Council discussions, he heard to move forward. He would continue to move forward, and take the heat.

Ronald Verini moved, seconded by Charlotte Fugate, to select Prothman Corporation as the firm to recruit candidates to fill the position of Ontario City Manager. Roll call vote: Crume-yes; Fox-no; Fugate-yes; Jones-no; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 5/2/0.

Contract Award: Pierce Manufacturing Company

Al Higinbotham, Fire Chief, stated the city was awarded a FEMA AFG grant in the amount of $340,000.00 for the purchase of a replacement pumper. To stay within the grant funding, 100% down payment was needed. The city was able to do a Cooperative Procurement purchase through Coburg Fire Protection District allowing staff to proceed without going to competitive bid.

On February 6, 2012, the City Council approved Resolution #2012-102, a resolution authorizing the receipt and expenditure of the $323,000.00 FEMA Assistance to Firefighter's Grant, and the 5% Grant Match of $17,000.00. On March 1, 2012, the Council gave consensus to move forward with the Cooperative Procurement process, authorizing 100% funding for the new Pumper.

The base price for the Pierce apparatus was $340,972.00. The Ontario Volunteer Fire Association has agreed to contribute $972.00, leaving a balance of $340,000.00. FEMA would allow 25% down, or $80,750.00; however, $259,250.00 was needed for a 100% down payment. While this decrease in the city's contingency fund over a period of seven months would result in a loss of $745.00 in interest, it would allow a gain of $15,979.00 in truck value. At the conclusion of the seven month period, FEMA would reimburse the city $247,250.00, leaving only the city cost of $17,000.00, the agreed upon 5% grant match.

Councilor Jones stated when the Chief made his presentation to the Council that was a job well done. They had details behind the summary, he had presented them with the summary, it was easy to follow, and it was easy to make a decision on. That was what he was looking for in presentations. Nice job.

Charlotte Fugate moved, seconded by David Sullivan, that the City Council approve the Contract with Pierce Manufacturing, and authorize the City Manager/Contracting Officer to sign the Contract on behalf of the City of Ontario. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 7/0/0.

Restated Motion for City Manager Recruitment Process

Contract Award: Skyline Reservoir Liner Repair to ACF Construction

Bob Walker, Interim Public Works Director, stated due to winter weather conditions during the project to modify the intake structure as suggested by the City Council, the reservoir liner was damaged in several locations. The best alternative for repair was to replace a 25 foot by 325 foot section of the 60 mil PS HDPE liner and to repair a few tears outside this area. The intake structure modifications were complete and with repair of the liner the reservoir would be available for service prior to irrigation season if this contract was awarded and the liner repairs were made in a timely fashion.

Request for quotes to repair the Skyline Reservoir Liner were sent out in early February. The service requested was to replace a large area of the 60 mil PS HDPE liner (25x325 feet) and to repair additional tears outside of main 25x325 foot area. ACF Construction, also doing business as ACF West of Portland, was the apparent lowest responsive vendor who provided the City with a quote of $10,776.

Contractor	Bid
ACF Construction also dba; ACF West, Portland OR	**$10,776**
Layfield, El Cajon CA	$18,784
BTL Liners, Prineville OR	NA

This project would be paid for from funds available in project 11SEW-13, Parallel Force Main, which was complete and had an unexpended balance of $145,932.80.

Councilor Jones stated had had flown over the site Saturday. Was Mr. Walker confident the riser would be in place, and stay in place?

Mr. Walker stated yes, he was.

Councilor Jones stated with regard to the underground pipe sucking out the water, since being fixed, was it ready to go for irrigation?

Mr. Walker stated yes, it was clean and set to go.

Councilor Jones stated the ditch along the northwest bank seemed narrow, and could run risk, possibly, of overflowing. He suggested checking that drain ditch to ensure enough space when needed.

Mr. Walker would look into that.

Charlotte Fugate moved, seconded by Ronald Verini, that the City Council authorize the City to enter into a Contract with ACF Construction also dba ACF West for the Skyline Reservoir Liner Repair Project. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 7/0/0.

Resolution #2012-104: ODOT 2012 Fund Exchange

Chuck Mickelson, Interim City Manager, stated the State of Oregon offered Fund Exchange programs acting by and through its Department of Transportation, in which Federal funds were exchanged for state funds at a ratio of $94 state dollars for $100 federal dollars. This gave the city the ability to build projects under local control instead of federal control. The process would grant the city $117,951.20 for $125,480 federal funds.

On April 4, 2005, the City Council authorized the Mayor to sign Fund Exchange Agreement #22388, which allowed staff to construct and complete the southwest 4th Avenue and southwest 4th street signal project. On March 16, 2009, Council adopted Resolution #2009-108, approving Fund Exchange #25415, which authorized the Mayor to sign the agreement for the design and construction of North Oregon Street and rehabilitation between Idaho Street and Northwest 1st Street. On August 16, 2010, the Council adopted Resolution #2010-131, approving Fund Exchange #27023, which authorized the Mayor to sign the agreement for chip sealing and landscaping. On January 17, 2012, the Council adopted Resolution #2012-101, approving Fund Exchange #28277, which authorized the Mayor to sign the agreement for chip sealing and equipment purchases

David Sullivan moved, seconded by Jackson Fox, that the City Council adopt Resolution #2012-104: A RESOLUTION APPROVING FUND EXCHANGE AGREEMENT #28370 BETWEEN THE CITY OF ONTARIO AND THE STATE OF OREGON, ACTING BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION FOR FUND DISTRIBUTION FOR CHIP SEALING, DESIGN OF SE 2ND STREET, RECONSTRUCTION OF NE 4TH STREET AND PURCHASE OF CERTAIN EQUIPMENT FOR ROAD MAINTENANCE PURPOSES. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 7/0/0.

Ordinance #2667-2012: Water and Sewer Rates (1st Reading by Title Only)

Larry Sullivan, City Attorney, stated proposed Ordinance 2667-2012 would revise Code sections in Title 8, Chapters 7 (Sewer Use Regulations), 11 (Water Service Regulation) and 12 (Water and Sewer Service Assessments; Annexations). The primary purpose of the revisions was to increase the water and sewer connection fees to reimburse the city for system improvements for un-assessed properties.

Over the years the city has extended water or sewer lines to the city limits and beyond for various projects to serve properties with failing drain fields or to stay ahead of roadway projects such as the Yturri Beltline. These projects came at a time when property owners outside the city limits were not willing to annex into the city and were not included in a local improvement district (LID). When the owners of those properties now requested to connect to the city utility system, the current City Code did not fully compensate the city for prior system improvements.

Ordinance 2667-2012 corrected this through Sections 8-7-3(F) (for sewer connections) and 8-11-10(2) (for water connections). These sections would allow the city to impose new sewer and water connection charges on those properties, as well as parcels already in the city limits that might be acquiring new water or sewer connections.

The new connection charges could be summarized as follows: **ONE:** The new charges would apply only to the extent that a parcel of property was specially benefitted by the improvements. For instance, if the city extended the sewer line to the city limits, and a number of parcels outside the city limits would benefit from that extension if they ever connected to the city sewer system, the city would not impose the entire cost of the extension on the first parcel that connected; it would be imposed only on a pro rata basis with other parcels that connected in the past or that might connect in the future. **TWO:** The new charges would apply only to "un-assessed properties" as defined in 8-7-1 (for sewer connections) and 8-11-1 (for water connections), which meant properties that were not assessed for those particular improvements through a local improvement district, reimbursement district or other special assessment district. In many cases when the city had planned water or sewer extensions, it had required local property owners to pay for those improvements by including the properties in local improvement districts and putting liens against the properties to pay for the improvements. The ordinance did not impose a new charge on those properties, only on properties that were not previously assessed. **THREE:** The new charges would be based on a new construction cost (within the past year) for constructing a similar water or sewer line extension. Staff considered and rejected imposing the new charge based on the historic cost of constructing a particular water or sewer line extension, because this might be impossible to determine if the extension was paid for many years in the past. If it was based on such a historic charge, the City would also be able to charge interest on that cost, which might make the charge prohibitive. **FOUR:** The charges would not apply to city improvements that were fifty years old or more. **FIVE:** Property owners could apply to pay the connection charge in installments. If they did so and the city agreed, any city lien would be subject to current mortgages and other liens on the property. This was different from LID liens, which were superior to other mortgages and liens other than real property taxes. The terms of the city lien (interest rate, etc.) would be set by the City Council by resolution. SIX: Currently there was no Code section in Chapter 12, the annexation chapter that allowed for a reimbursement of water line extensions, only sewer line extensions when the city did an annexation. The new charges would apply instead of the sewer line charges for annexations under Code Sections 8-12-3, 8-12-4 and 8-12-5. Those Code sections would be repealed. The ordinance preserved the additional $0.02 per square foot charge for annexations in Section 8-12-9, but allowed the Council to change that by resolution.

The other changes in the ordinance were mainly housekeeping changes, including new and revised definitions and formatting changes. A new sentence was added to the end of Section 8-12-2(B) allowing the city to require that annexed properties in diverse ownership (multiple owners) pay for various infrastructure improvements as a condition for annexing into the city. This arose as an issue in the Nadine Drive annexation and was one reason why the city had to establish a local improvement district as part of the annexation.

The Council reviewed a draft of this ordinance at the March 8, 2012, work session, and no substantial changes had been made in this version.

The Public Works Committee reviewed these proposed ordinance revisions at several meetings and at their February 16th, 2012 meeting recommended that the City Council approve the changes.

Norm Crume moved, seconded by Charlotte Fugate, that the Mayor and City Council approve ORDINANCE 2667-2012, AN ORDINANCE MODIFYING SEWER AND WATER CONNECTION CHARGES FOR UNASSESSED PROPERTIES, INCLUDING PROPERTIES TO BE ANNEXED INTO THE CITY, AND MAKING OTHER CHANGES, on First Reading by Title Only. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 7/0/0.

Restated Motion with Amendment Re: Prothman Corporation

Ronald Verini moved, seconded by Charlotte Fugate, to select Prothman Corporation as the firm to recruit candidates to fill the position of the Ontario City Manager, *and authorize the Mayor to execute the contract*. Roll call vote: Crume-yes; Fox-no; Fugate-yes; Jones-no; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 5/2/0.

CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS

- Mayor Dominick introduced Chuck Mickelson, [former] Public Works Director as the City Manager pro-tem. Thank you to Mr. Mickelson for stepping in.

- Al Higinbotham stated last Tuesday, they had an incident on North Oregon. Some indigents had started a small fire in a vacant building. Thankfully, the transients flagged down some Public Works crews who were going into the old city shop. They used the fire extinguishers to knock down the external fire down, and Rescue One was dispatched. Fire personal forced the door open and discovered a smoldering fire, and a small flame under the floor in the crawl space. The transients were required to clean up their mess, and they cleaned up more than they had caused. They also asked the police officer if they would be charged with theft of services for putting their debris in a dumpster. Chief appreciated the Public Works crew for slowing the fire down. It might have ended up being a fire in a vacant building. He believed the transients did receive a ticket for reckless burning.

- Mayor Dominick thanked the Fire and Police Departments for their hospitality during the Sister City visit.

- Lisa Hansen stated the Audit was on schedule for presenting at the April 2nd meeting.

- Tori Barnett stated the Statement of Economic Interest should have been received by the Council; it was due back to the state by April 15th. She asked that they bring them in to her, so she could copy them and mail them back out by registered mail.

  Councilor Fox stated he had not received one.

  Ms. Barnett stated she would ask that another one be sent.

- Chuck Mickelson stated the East Idaho project was under way. They were working on both sides of the freeway. Also, NE 4th Street was currently shut down from Idaho to the north about a block. They thought they'd be done sometime in June.

- Larry Sullivan stated the right of way acquisition that was discussed last Thursday was moving forward. He believed they'd have a final resolution, maybe by the next meeting.

- Ron Verini stated there was another group of National Guard being deployed, some from this area - the 1186th MP unit. It was a smaller unit, but it would affect some families in the community.

- David Sullivan stated he had spoken with Teri Lindenburgh, Executive Director Treasure Valley Transit, and they went through the numbers. They had ironed out a lot of issues that had been discussed last Thursday. When they discussed it further, he would share his findings with the Council. He was pleased that they were able to get to the bottom of some of the issues.

- Charlotte Fugate stated the feral cat project was organizing another yard sale, and they were looking for donations of items. She believed it was set for the 1-3 of May. They were always looking for both volunteers and items to sell. If anyone was looking to get rid of things from their basements, attics, wherever, they were always happy to take it.

- Mayor Dominick stated they would be getting information out on the process for the City Manager recruitment and would be inviting and meeting with the key stakeholders, so if there was a citizen who wanted to be involved in the process, please contact a Councilor or the Mayor.

ADJOURN

Ron Verini moved, seconded by Norm Crume, that the meeting be adjourned. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 7/0/0.

APPROVED:

Joe Dominick, Mayor

ATTEST:

Tori Barnett, MMC, City Recorder