

**ONTARIO CITY COUNCIL MEETING MINUTES**

**April 4, 2016**

The regular meeting of the Ontario City Council was called to order by Mayor Ronald Verini at 7:00 p.m. on Monday, April 4, 2016, in the Council Chambers of City Hall. Council members present were Ronald Verini, Norm Crume, Tessa Winebarger, Betty Carter, Marty Justus, Larry Tuttle, and Charlotte Fugate.

Members of staff present were Tori Barnett, Mallory Mallea, Kari Ott, Larry Sullivan, Dan Cummings, Marcy Siriwardene, Steve Mallea, Pete Morgan, Cliff Leeper, and Betsy Roberts.

The meeting was recorded and copies are available at City Hall.

Tessa Winebarger led everyone in the Pledge of Allegiance.

**AGENDA**

The Mayor noted that under department head updates, CH2M was added. Also, two Executive Sessions were added - ORS 192.660(2)(a) and ORS 192.660(2)(e).

Tori Barnett, Interim City Manager, stated the appointment of Bob Quinn to the Budget Board had been added to the Consent Agenda.

Charlotte Fugate moved, seconded by Marty Justus, to adopt the Agenda as amended. Roll call vote: Crume-yes; Winebarger-yes; Carter-yes; Justus-yes; Tuttle-yes; Fugate-yes; Verini-yes. Motion carried 7/0/0.

**CONSENT AGENDA**

Tessa Winebarger moved, seconded by Betty Carter, to adopt Consent Agenda Item 4A) Minutes of March 21, 2016; 4B) Liquor License Application for Bartenders, Boots and Buckles; 4C) Airport Hangar Lease/Transfer – Pete Morgan; 4D) Approval of the Bills; and Item 4E) Appointment to Budget Board – Bob Quinn. Roll call vote: Crume-yes; Winebarger-yes; Carter-yes; Justus-yes; Tuttle-yes; Fugate-yes; Verini-yes. Motion carried 7/0/0.

**DEPARTMENT HEAD UPDATES**

Anita Zink, Human Resource Manager, stated Lieutenant Duncan had finished the background check for the Chief of Police candidate, and asked for Council direction on offering the position to the candidate.

Mayor Verini asked what was offered for the position.

Ms. Barnett stated between \$82,000-84,500 was budgeted. Did the Council want to offer the low amount and go from there?

Mayor Verini suggested starting at the \$82,000, and see what happened.

Council consensus to offer the low end first.

Cliff Leeper, CH2M Hill, Public Works Director and Betsy Roberts, CH2M Hill, City Engineer, stated the street sweeper was on its way, and was scheduled to be here the week of the 15<sup>th</sup>. Staff had fixed the transmission on the current sweeper, too, so things would be moving forward twice as fast. The plan was to go throughout the entire city to try and make up lost ground because of the lack of the sweeper.

Weeds were sprayed at both the airport and golf course, and a secondary spraying for herbicides would not be done until a little bit later in the spring when weeds came up and provided a more active pattern for the herbicide to work. Mowing would be determined once staff understood where they needed to go, and would mow accordingly.

Regarding the Eastside tank, , they were going to replace the 16-inch valve on Tank 3 with a special order valve from Florida. It was not as easy as staff had anticipated because there was a large concrete truss block that required a lot of labor to take care of. Staff would make sure to exercise that valve on a regular basis. As far as the leaking tank on the Eastside, the vendor had been there just a little less than a week, but had the blasting. They are not at a point where they could give detailed results, but they had started to peel the liner off. It was still a little bit difficult to tell where the leak was.

Mayor Verini asked if the timing was on schedule to get it back in operation.

Ms. Roberts stated it was.

Mr. Leeper stated they just completed insulation of the second filter in the water plant. It had not been put online yet, but they did some flushes and disinfected it. Staff was hoping to have it back on line by April 8<sup>th</sup>. This would provide a longer run time before the filter had to be backwashed, and translated into more production capacity.

Councilor Justus wanted to know the ETA on the water rate study; when were they starting that, how long would it take, when was it going to be available for the new budget.

Ms. Roberts stated they would like to present information at the next Council meeting. They were looking at about a \$40,000 dollar budget.

Councilor Justus asked how long it would take to do the study.

Ms. Roberts stated it could be done in two months.

Councilor Justus asked when the budget was done

Kari Ott, Finance, stated the budget would be finalized by the end of June.

Councilor Justus asked Ms. Roberts if she understood where he was going with his questions.

Ms. Roberts stated she understood, but if the Council wanted new rates, it was going to take passing it though the Council and then implementing it. There would not be a whole lot of income coming in for a while. Decisions had to be made, then implementation throughout the community, and then it will slowly be bringing in money. It would be a year before they'd start to see the budget going back up again.

Councilor Justus asked if the Council needed to look at addressing water and sewer issues in the 2017-2018 budget.

Ms. Roberts stated her recommendation would be to implement the rate increase as soon as possible, but reminded the Council the income would start accumulating slowly.

## **NEW BUSINESS**

### **ODOT Jobs and Transportation Act (JTA) Funding Options**

Betsy Roberts, CH2MHill, City Engineer, presented.

There was \$244,000 available from the Oregon Department of Transportation (ODOT) from the NW Washington project. This money had to be spent on the original project. The extension of North Park Boulevard from NW Washington to Malheur Drive was included in the original design of the NW Washington project and could be included as part of the original project.

ODOT needed direction from the City Council on how to use the money - on the original project or send the money back to ODOT.

Councilor Charlotte Fugate asked if the \$102,000 was firm.

Ms. Roberts stated that it was not. First, ODOT would go and begin negotiating right of ways. They then would come back with the Fair Market Value and would then begin negotiations.

Councilor Crume stated he wanted to make sure they had covered the bases where there was a private enterprise with money that was going to be spent from tax payer money. Had it been proven that road improvement caused this issue, rather than a land owner suggesting that it did?

Ms. Roberts stated it was a little bit fuzzy, but when staff looked at the drawings, there was a difference in what was there now. NW Washington did create more of a barrier than what had been in that area before. The existing mapping staff had before was a little difficult to see which way the water was coming off the property to begin with, but staff felt like this didn't make his life any easier with respect to drainage. So, yes, it probably did.

Councilor Crume stated he was okay if it created it, he just wanted to make sure that due diligence had been done so that tax payers money was being spent properly.

Councilor Tuttle asked if the sidewalk was done, would it interfere with any construction out there in the future?

Ms. Roberts stated it should not at this point. That section was paved already, and it has curbs and gutters. It would just be adding the sidewalk.

Norm Crume moved, seconded by Tessa Winebarger, that the City Council authorize Public Works staff to prepare a letter to ODOT from the Mayor stating that the Council would like to direct the remaining JTA funds from the NW Washington project to be spent on the following items that were part of the original project design: Necessary right of way and easements; Storm drainage modifications at the Winner's Circle Casino; Additional sidewalk, and if funds are still available and it is applicable and has not already been covered previously, and Anderson Perry design fee. Roll call vote: Crume-yes; Winebarger-yes; Carter-yes; Justus-Yes; Tuttle-yes; Fugate-yes; Verini-yes. Motion carried 7/0/0.

**Resolution #2016-111: Accept FAA Grant Funds for 2015 Federal Assistance**

Kari Ott, Finance, presented.

The City budgeted for \$95,000 federal grant funds from the Federal Aviation Administration (FAA). However, when the actual grant agreement came through, the grant funds to be received were actually \$196,371. This grant also required a 10% local match, which equated to \$21,819.

Councilor Fugate asked how much money had been expended out of the general fund since the budget – was it less than \$100,000?

Ms. Ott stated yes.

Tessa Winebarger moved, seconded by Charlotte Fugate, that the City Council approve Resolution #2016-111, A RESOLUTION TO RECOGNIZE ADDITIONAL FAA GRANT FUNDS AND AUTHORIZING EXPENDITURE OF THOSE FUNDS. Roll call vote: Crume-yes; Winebarger-yes; Carter-yes; Justus-Yes; Tuttle-yes; Fugate-yes; Verini-yes. Motion carried 7/0/0.

**Resolution #2016-112: Accept/Expend ASD Funds for Fire Department**

Kari Ott, Finance, presented.

The Fire Department had received funds in the amount of \$6,717.20 from the Ambulance Service district for the following items: \$4,820.06 fuel reimbursement (\$4,500 was already budgeted); \$718.15 for a Suction Unit; \$179 for a Sawzall; and \$999.99 for a generator. In order to recognize and expend these unexpected funds, a budget change through a supplemental budget resolution was required.

Charlotte Fugate moved, seconded by Betty Carter, that the Council adopt Resolution 2016-112, A SUPPLEMENTAL BUDGET TO RECOGNIZE ADDITIONAL AMBULANCE SERVICE DISTRICT FUNDS AND AUTHORIZING EXPENDITURE OF THOSE FUNDS. Roll call vote: Crume-yes; Winebarger-yes; Carter-yes; Justus-Yes; Tuttle-yes; Fugate-yes; Verini-yes. Motion carried 7/0/0.

**Resolution #2016-113: Adopt Updated Ontario Personnel Policy Manual**

Tori Barnett, Interim City Manager, presented.

The City of Ontario's Personnel Policy Manual had not been updated since 2003. Several laws had changed since the last update. The Human Resource Manager worked with the City Council and CCIS to update the City of Ontario's Personnel Policy Manual to reflect the current laws and changes requested by City Council. This had been discussed at the study session last Thursday, and a few corrections had been made.

Councilor Tuttle asked if the loans stayed in or were they taken out.

Ms. Barnett stated that was the one piece that has to be discussed. It was her understanding that the Council was going to adopt the Policy, contingent on that piece being amended. They could table this piece until that was settled, if that was the direction the council wanted to go. She and Kari Ott had gotten together and discussed the issue. She then sent an email out to the entire staff, asking their opinion. Staff was aware that it could not continue in the manner it was currently being done. Staff was eliminating the mid-month draw, so that would be out regardless. The email asked what the preference was on pay periods, be it once a month, twice a month, the 1<sup>st</sup> and 15<sup>th</sup>, or 15<sup>th</sup> and 31<sup>st</sup>, that type of thing. By 7:00 p.m. that evening, she had received responses back from thirty-one staff members, out of the 45. Of those who responded, two were eliminated as they wanted it left alone, which wasn't an option; four didn't care; five wanted twice a month, and the remaining said once a month.

Mayor Verini asked what about the additional cost.

Ms. Ott stated it was roughly \$5,307 per year, but that didn't calculate in additional staff time in doing more timesheets. It was just supplies.

Councilor Tuttle asked what the cost was to do the loans.

Ms. Ott stated it probably took her about ten minutes to do the loans.

Councilor Tuttle stated he assume that was one of those no quantified areas. It was interesting to him that nobody knew how much time it took to do something sometimes, like it didn't cost anything

Ms. Barnett stated staff was aware that what was currently being done, was not the route to go. It needed to be fixed.

Councilor Fugate stated if thirty plus people received loans every month, did they understand there would not be a loan anymore? Was that put with the inquiry?

Ms. Barnett stated yes.

Councilor Tuttle asked if the final draft would do away with the loans.

Ms. Barnett stated that was correct, unless the direction of the Council was to do twice a month. But, the draw itself would be gone. Staff would get paid either once a month or twice a month, period.

Councilor Tuttle stated he had no problem with that, if the majority wanted it just once a month.

Ms. Barnett recommended the Council implement this in the fiscal year, so in the July payroll. This would give staff time to make any necessary changes.

Mayor Verini stated that made sense.

Councilor Justus asked Mr. Leeper how CH2 paid their employees.

Mr. Leeper stated they were paid every other week.

Mayor Verini recommended going to the once a month payroll, beginning in July of the new fiscal year.

Councilor Justus strongly advised the Council to go with a bi-monthly payroll. He stated it was the way most people got paid outside of government. He thought it was a better business practice, whether employees were used to getting paid once a month or not. He wanted the city to take on better business practices.

Mayor Verini stated if the employees, their staff, were happy with once a month, and it saved, on a minimum basis \$5,000 a year, he didn't see the problem.

Councilor Crume agreed, and asked if the Council needed to have a resolution or just a consensus.

Ms. Barnett stated they first needed to decide if they were going to move forward with the policy.

Larry Sullivan, City Attorney, noted the language in the resolution or the draft of the changes in the personal policy included that loan. They needed to add a sentence that stated the loan would terminate as of June 30 2016, or eliminate that language now with the understanding staff would be authorized to allow those loans through the end of year. They could do it either way.

Councilor Justus asked Ms. Ott how often she got paid.

Ms. Ott stated they were every other week.

Norm Crume moved, seconded by Betty Carter, that the City Council adopt Resolution 20106-113, A RESOLUTION TO APPROVE THE UPDATED CITY OF ONTARIO PERSONNEL POLICY MANUAL. Roll call vote: Crume-yes; Winebarger-yes; Carter-yes; Justus-Yes; Tuttle-yes; Fugate-yes; Verini-yes. Motion carried 7/0/0.

**Resolution #2016-114: Txf Funds to Complete Well 17 Construction**

Betsy Roberts, CH2MHill, City Engineer, presented.

Staff was requesting additional funding from the Utility Capitalization Fund in order to cover additional costs for Well 17 improvements.

In 2013, Well 17 was drilled and test pumped. However, no well column, valve, controls, piping connecting to existing raw water system, or well building were constructed.

Testing showed the well capable of producing approximately 450 gallons per minute (gpm), potential for over 600,000 gallons in a day. It was a significant benefit to the existing water system by providing more, redundant support for the city's groundwater system.

Specifically, this coming summer, the water treatment plant was scheduled to go through a comprehensive upgrade of the chemical feed system. This upgrade would require close coordination with the contractor in order to allow for construction and to maintain reliable summer flows to the customers. The construction would require

that parts of the existing treatment system would need to be shut down for short periods of time. The addition of 450 gallons per minute from a newly operational Well 17 would help assure that the plant could continue to deliver adequate water during this critical construction period.

The project budget was developed a number of years ago and had been carried forward ever since. To get Well 17 functional would require a combined effort of several contractors (licensed well driller, pump installer, electrical, and controls) in addition to the Public Works staff. During preparation of the budget last spring it was not clear to the City Engineer the extent of work still required to make the well operational. In hindsight, it appeared the budget carried forward only accounted for piping, connections, and relocation of the well building over the well (work to be done by Public Works). A revised cost estimate had not been prepared as the project unfolded.

In late 2015, when completed drawings were sent to several individual contractors (controls, electrical, and well driller) for quotes, the estimates were higher than available funds. After review of the estimates, engineering staff felt comfortable that the contractors understood the work contemplated and that the quotes were reasonable. Based on this review, staff would like to move forward with advertising and bidding the project, recognizing that the \$10,000 budget associated with the project was significantly inadequate.

Councilor Fugate asked if they would be going to ask to drill more wells.

Ms. Roberts stated they may at some point. The city's wells were strongly influenced by the Snake River. The water rights stated that it was basically river water. There was slightly more arsenic in that the river tends to run four parts per billion and the wells tended to run about five. The city was well below the standard. Also, the treatment process actually pulled a little out, too. Staff wasn't finding that issue in terms of quality with arsenic

Councilor Crume appreciated her comments, as he knew Fruitland was having the opposite effect.

Tessa Winebarger moved, seconded by Betty Carter, that the City Council approve Resolution #2016-114, A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS TO COMPLETE WELL 17 CONSTRUCTION. Roll call vote: Crume-yes; Winebarger-yes; Carter-yes; Justus-Yes; Tuttle-yes; Fugate-yes; Verini-yes. Motion carried 7/0/0.

#### **Bid Award: Malheur Farm Lease 2016-2019**

Betsy Roberts, CH2M Hill, City Engineer, presented.

Proposals were received on March 24<sup>th</sup>, 2016, for the Malheur Farm Lease. Both proposals outlined appropriate measures for managing the 380 acre farm, and the review team rated both proposals nearly equally. Staff requested two proposals from each bidder. The first proposal assumed no improvements to the infrastructure (irrigation system) at the farm, while the second proposal included investment by the city in the irrigation system at the farm. The city's investment would result in a reduced lease amount from the farmer back to the city. Doug Stipe responded to both Bid Alternative A and B, and Sage Farms responded only to Bid Alternative B.

Charlotte Fugate moved, seconded by Tessa Winebarger, that the City Council authorize the City Manager to sign the Malheur Farm Lease contract with Doug Stipe. Roll call vote: Crume-yes; Winebarger-yes; Carter-yes; Justus-Yes; Tuttle-yes; Fugate-yes; Verini-yes. Motion carried 7/0/0.

#### **HAND-OUTS/DISCUSSION ITEMS**

Councilor Justus stated he wanted to talk about the computer program for Code Enforcement. Had they already approved those funds: What was the status?

Steve Mallea, Interim Chief of Police, stated he didn't think they have done anything, and was unsure of the costs.

Councilor Justus replied that he believed it was around \$4900.

Councilor Winebarger stated she talked to Dallas, and he said it was \$4900 for two users, plus an additional \$3,000+ or however often the renewal was, but if staff wanted to add more users, the cost would increase significantly.

Ms. Barnett asked if that amount was for the program or just the users.

Councilor Winebarger stated the \$4900 was first cost, than \$3000+ after that, she believed, annually.

Councilor Justus stated the program was also capable of helping in Planning.

Dan Cumming, Community Development Director, stated they had not looked at it, and one reason was the cost. He might not use a new program much at all. He tracked everything on a spreadsheet. The Building Department had a module for that, but, again, they had a pretty decent one now.

Marcy Siriwardene, Planning Technician, stated the cost was \$99 dollars per year, per user, and they had two users.

Mayor Verini asked the City Manager to work with staff to see if they could get something on the next Agenda that really zeroed in on the program. The program seemed to create efficiency for the ordinance people, and the city was going into its high volume period right now. Try to have something by the next work session.

Ms. Barnett stated she wanted to work with Dallas and IT, and if they came across something, she'd get it to Council ahead of time.

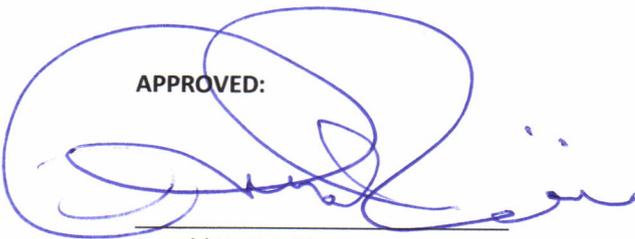
Mayor Verini stated if it was a possibility with the program they had in the Building Department, see if that would possibly be a solution to this problem.

Mr. Cummings stated the building program was written by a local programmer, and Ontario shared it with Fruitland.

**ADJOURN**

Norm Crume moved, seconded by Tessa Winebarger, that the meeting be adjourned. Roll call vote: Crume-yes; Winebarger-yes; Carter-yes; Justus-Yes; Tuttle-yes; Fugate-yes; Verini-yes. Motion carried 7/0/0.

**APPROVED:**



Ronald Verini, Mayor

**ATTEST:**



Tori Barnett, MMC, City Recorder