

COUNCIL MEETING MINUTES

April 18, 2011

The regular meeting of the Ontario City Council was called to order by Council President Norm Crume at 7:00 p.m. on Monday, April 18, 2011, in the Council Chambers of City Hall. Council members present were Norm Crume, Jackson Fox, Charlotte Fugate, Dan Jones, David Sullivan, and Ron Verini. Joe Dominick was excused.

Members of staff present were Henry Lawrence, Tori Barnett, Larry Sullivan, Mark Alexander, Bob Walker, and Dawn Eden. The meeting was recorded on tape, and the tapes are available at City Hall.

Charlotte Fugate led everyone in the Pledge of Allegiance.

AGENDA

David Sullivan 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-out. Motion carried 6/0/1.

CONSENT AGENDA

Ron Verini moved, seconded by Dan Jones, to approve Consent Agenda Item A: Approval of Minutes of Regular Meeting of 04/04/2011; Item B: Proclamation: National Public Safety Telecommunicators Week; and Item C: Approval of the Bills. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Sullivan-yes; Verini-yes; Dominick-out. Motion carried 6/0/1.

Councilor Crume read the Proclamation into the record:

WHEREAS, Emergencies can occur at any time that require police, fire, or ambulance; and

WHEREAS, Professional telecommunicators perform a critical function when an emergency occurs requiring police, fire, or ambulance as well as those related to forestry and conservation operations, highway safety and maintenance activities; and

WHEREAS, Thousands of dedicated telecommunicators daily serve the citizens of the United States by answering their calls for police, fire and emergency medical services, and by dispatching the appropriate assistance as quickly as possible; and

WHEREAS, Professional telecommunicators are critical to our country's emergency response and homeland security services, dispatching law enforcement, firefighters, emergency medical services, and other emergency responders 24 hours a day, seven days a week; and

WHEREAS, Professional telecommunicators are not visible as are the men and women who arrive on the scene of emergencies, but provide the vital link to public safety services as part of the first responder team; and

WHEREAS, Professional telecommunicators exhibit compassion, understanding, and professionalism during the performance of their job throughout the year.

NOW, THEREFORE, I, Norm Crume, Council President of the City of Ontario, Oregon, do hereby proclaim the week of April 10-16, 2011, as NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK in honor and recognition of our telecommunicators and the vital contributions they make to the safety and well-being of our citizens. Telecommunicators for the City of Ontario are Liz Amason, Becky Carter, Michelle Mallea, Kathy Ross, Tauni Thode, Julie Walker, and Melody Weir. Dated this 18th day of April 2011.

PUBLIC COMMENT

John Breidenbach, Chamber of Commerce, stated on May 17th, the Guts to Glory Motorcycle Rally would be starting. They planned to ride 48 states in 11 days, with over 900 bikes participating. They would be raising money for various charities. The ride would be filmed for some type of reality show, or maybe aired on the Discovery Channel, spotlighting towns on their ride. Ontario had been selected as their first stop. On the 17th, they would be coming in from Los Angeles, after riding 850 miles, and checking into the fairgrounds. The film crew would be flying in earlier to shoot some history on the Ontario. The camera crews would be traveling with the riders, and there was also an opportunity to join in as a "leg" rider, riding one or two days of the event. A rider could start with them in LA and end in Ontario, or join in Ontario, riding to Jackson, Wyoming. On the 17th, the riders would be staying in local hotels, or spending the night at the fairgrounds. Their GPS tracking system would log time, and the riders could either choose "Guts" which meant staying at the fairgrounds, or "Glory", which meant they could stay in a hotel. The "Guts" riders would get more points. Winner of the race would receive \$100K and a new motorcycle. Locals could do a fundraiser for the fairgrounds by doing the cooking for the riders. Area cycle shops and tire shops were planning to stay open later, and a business from Boise was going to come over to help any riders in need. As for the local hotels, the first reservation was for the 15th, and last one on the 18th, so the area was going to see some business. Even the runway project at the airport was going to be slightly delayed to allow use of the strip. This was a great opportunity to showcase Ontario and the surrounding area. They wanted to make this an annual event, but the course wouldn't always be the same.

The annual Easter Egg Hunt was scheduled for Ontario High School for zero to ten year olds. Over 5000 eggs would be spread out, with the help of the Origins Church and the OHS Leadership Class.

The annual America's Global Village was on tap for June 4th, again hosted at Lion's Park. There would be the usual concern in the park Friday evening (the 3rd), and the Village would be open all day Saturday.

On June 13th the Nevada Riders Car Club was heading to Ontario for an overnight stay. Last year they were hosted the week after the Global Village, and they hosted a BBQ. This year, they would be staying overnight. There was estimated at about 80 cars, plus the local ones. There would be a no-host dinner at the fairgrounds, with live music, food, and beverage.

He thanked the City for the much more user-friendly website, and he appreciated the link to the Chamber office. There was also a link to the City's site from the Chamber's webpage.

NEW BUSINESS

Septage Receiving Facility Equipment Award

Bob Walker, Deputy Public Works Director, presented new handouts to the Council. It was for the Septage Receiving Facility for local companies to discharge their loads. The problem was that the dumpsites operated on a 8-5 timeframe, which was not always the best hours for the haulers. The proposed new system would operate 24-7 with a card lock system. Staff was seeking approval from the City Council to authorize the City Manager to award the bid for the Septage Receiving Facility Equipment in the amount of \$149,900 to Franklin Miller.

On September 16, 2010, during the Council Work Session, the Public Works Department requested an additional \$65,000 to increase the budgeted amount for the Ontario Septage Receiving Facility from \$240,000 to \$305,000.

Funding was to be provided from budgeted sewer projects which were complete and came in under budget. That request was approved.

Currently, the septic disposal business owners in the area did not have adequate facilities to dispose of their wastewater. They presently used the Clay Peak Landfill in Payette, Idaho or the City of Caldwell Wastewater Treatment Plant in Caldwell, Idaho. There were several issues with the current disposal sites, but the biggest one appeared to be the inability to utilize these facilities on weekends, during holidays, or after hours. As a large percentage of their business was emergencies which happened on weekends or after hours, the inability to dump their loads created problems for the septic business owners. The proposed City of Ontario Septage Receiving Facility would allow access by an electronic card reader system 24 hours per day, seven days per week. With this type of operation available, the septic business owners would make Ontario their prime disposal site.

In order to determine rates to be charged for use of the Ontario Septage Receiving Facility, a rate study of charges assessed by eight surrounding communities was completed. The average rate was \$0.083 per gallon. Based upon that finding, staff was proposing to assess septic disposal business owners \$0.08 per gallon. This rate was approved by the Public Works Committee at their December 16, 2010 meeting. If only three of the nine septic businesses in the surrounding area utilized the Ontario Septage Receiving Facility and had an average disposal rate of 25 loads/month at \$0.08/gallon, the income to the City of Ontario would be approximately \$6,000 monthly, or \$72,000 annually. Based upon those numbers, it would require 4.24 years to pay back the investment. This was a conservative estimate as there were actually six septic businesses that would probably utilize the Ontario Facility.

Revised cost estimates for this project were \$147,000 for site work and equipment installation plus the \$149,900 for the equipment included in the Franklin Miller bid. The resulting total of \$296,900 remained below the \$305,000 budget.

Councilor Jones questioned the need for the 24-hour service system.

Brian Davidson, Anytime Septic, located in Ontario, stated he continually pushed the limits in getting to Clay Peak to dump in time. He was actually busy everyday, but the week-ends were the busiest. In the winter, it was really important to be able to dump in the evenings. It took an extra hour of down time to wait to dump. Overall, it was a time issue, but he really did push that limit daily. Probably held 40-50 gallons overnight to dump the next day, but that was not good. He had been in the business for almost six years, and while some might think this proposed project wouldn't hold interest, that just wasn't the case.

Councilor Fox asked how much Mr. Davidson's trucks held.

Mr. Davidson stated he truck would hold up to 2000 gallons. He had a lot of his calls in the afternoon and evenings, but a lot were on week-ends. The average truck would hold between 1600 and 2000 gallons.

Councilor Fox verified that the numbers proposed in the action were just ballpark; was that correct?

Mr. Davidson has spoken with others, to get their numbers on Septage volume to use as a base. With the economy, it had slowed down somewhat, but Bud's Septic Tank Service was 300,000 gallons per year, AAA Rooter Man, 205,000, A-Team 90,000, Anytime Septic 324,000, and Treasure Valley Septic 300,000. They all only needed an incentive to come to Ontario to dump, as cost was an issue. They would have to calculate out the added fuel to drive to other sites, and if Ontario couldn't keep the costs comparable to what was out there now, it wouldn't work.

Councilor Fugate asked his thoughts on the 8¢ per gallon charge.

Mr. Davidson replied that seemed pretty fair. Emmet charged 3¢, Nampa 3-4¢. The cost needed to be beneficial to both City and haulers. Most companies would have no issues with the charge. Most were used to paying 13¢ a gallon right now, mostly due to gas prices. Payette shipped their waste to Nampa. It would be an increase in

revenue for the City. Not all haulers did portable toilets, and not all haulers did septage. Some just did treated. However, the 24-hour use would certainly be a bonus. The Payette plant was more restrictive on both hours and days. They used an honor system over there, using estimates. It was not cost effective to take a load over if it wasn't a full tank.

Mr. Walker concurred that while the 24-hour use might not be necessary right now, the 7-days a week availability was.

Councilor Crume asked about staffing the facility on the week-ends.

Mr. Walker stated it would be limited, and it was usually only in the mornings.

Councilor Jones stated \$43,000 was a big investment on a piece of equipment – did staff have any idea on the cost for the card lock system?

Mr. Walker replied the box would monitor the ph level, which was operated by the card lock that made the machinery work. To pull that piece out, or the gate...

Councilor Jones stated it was the difference between operating 8-5. They could pull out the paved road. What was the least cost system the city could get started with? Then they could look at the numbers. He wanted to know what they cost would be to get them started now.

Mr. Walker stated equipment-wise, there was not going to be a great deal of savings anywhere, because they needed all the pieces. The fencing and paving the road was an installation piece.

Councilor Crume asked about the necessity to pave the road, as compared to just the gravel.

Mr. Walker stated it would protect the road more, and it was a pretty steep road. With heavily loaded trucks traveling on it, it was going to take a fair amount to maintain the road. There was a gravel road there now.

Councilor Fox asked why they would keep the haulers from using the existing paved road – why send them around a different route? The fence was already there, and they could place the card lock on the existing gate. Big City rigs were every bit as heavy.

Mr. Walker stated the larger City trucks were sent around the back way, due to the weight of the rigs. Staff didn't want them tearing up the pavement.

Councilor Fox asked if there would be a bonding requirement of those with access.

Mr. Davidson stated that septage handling required a bond. He personally had a one million dollar bond. Government agencies also required bonding. His bond cost about \$100 per year. That would be a requirement of any Idaho haulers, too. He didn't know the details of Idaho haulers, but his own \$1M bond was more than sufficient. Most haulers who dumped in multiple states, had bonds for each state.

Councilor Jones asked if Mr. Davidson ever dumped in Nampa.

Mr. Davidson replied that he did sometimes, depending on where he was picking up. He had to try to beat the time, as it took about 20 minutes to unload. Nampa charged by the pound, and it was about 13¢ per pound. He was sent a bill once a month.

Councilor Fox asked who would fix the new equipment at the site.

Mr. Walker stated it would be by the manufacturer. It had a 3-year warranty.

Councilor Fox asked if was in the depreciation scheduled, and would city crews be trained to fix the equipment.

Mr. Walker stated they would be, but the manufacturer would continue to do some. The grinder was good for 7-10 year with Franklin Miller. Also the auger system was better, easier to maintain. Franklin Miller would have to maintain some, but for the most part, it would be city crews.

Councilor Fox confirmed with no major repairs, it would be a six year payoff.

Mr. Walker replied yes, with the 9000 gallons; with the 5-6000 gallons, it would take a bit longer.

Councilor Crume confirmed the money was coming out of the Public Works Sewer Fund, so would the money being made, the profit, go back into the fund?

Mr. Lawrence stated that it would.

Councilor Fox stated he was still unclear about having the haulers drive around, when the street was already there, and designed for equipment.

Mr. Walker stated the city trucks went around; however, it was something that could be looked into. They would definitely want to test the base and the asphalt.

Councilor Fox stated he really wanted to take a field trip to the area.

Mr. Walker stated the motion was for the equipment purchase only. He would have to appear back before Council again for the installation piece of the project.

Councilor Fox asked if the motion was for just the grinder, or all the pieces.

Councilor Jones asked if the installation was a part of the \$300K.

Councilor Sullivan stated the \$149K that was on the table was for the purchase of the equipment only.

Mr. Lawrence explained that the \$300K would be split between the equipment and the installation.

Councilor Fox asked if there would be other bids to the Council for the installation piece.

Mr. Walker stated yes, part of that was the road, and that could all be reviewed. He wanted to do some material sampling. He also wanted to keep the users away from the shop.

Councilor Fox stated with regard to the card lock system, that might be a good thing for the city crews to use, too.

Mr. Davidson stated the card lock system would provide a history, and would track just about anything.

Councilor Fox stated it appeared it would be a good way for the Public Works Director to check on employees. It could be used for other things, besides just the haulers.

Mr. Walker reminded them that there were security cameras already in place, too.

Dan Jones moved, seconded by Charlotte Fugate, that the City Council authorize the City Manager to award the bid for the Septage Receiving Equipment to Franklin Miller for \$149,900. Roll call vote: Crume-yes; Fox- yes; Fugate-yes; Jones-yes; Sullivan-yes; Verini-yes; Dominick-out. Motion carried 6/0/1.

ODOT Intergovernmental Agreement #27208: 2012-2013 Pedestrian and Bicycle Program for Enhanced Pedestrian Crossings (\$207,680)

Dawn Eden, Public Works Engineering Technician I, stated this agreement provided for funding Rapid Flash Beacons at three crosswalk locations. Funds were being provided by the State of Oregon in the amount of \$207,680 and the City's match would be \$32,300 in the form of removal and replacement of sidewalk, ADA detectable warning ramps, curb and gutter, center lane medians and asphalt.

Last summer, the Malheur County Traffic Safety Commission received a request to look into making crosswalks along SW 4th Avenue safer for pedestrians. The Ontario Police Department reported there had been two accidents involving pedestrians at SW 12th Street and SW 4th Avenue, in addition to numerous near misses at several other locations along SW 4th Avenue. After meeting with Ontario School District Transportation Department personnel, they agreed pedestrians needed help crossing SW 4th Avenue, along with one more location between Mallards Grocery Store and the Shady Elms trailer court on North Oregon Street.

After researching several pedestrian crossing systems, it was decided the Rapid Flashing Beacon was the easiest and most economical crossing system available. In July 2010, the City of Ontario applied for an Oregon Department of Transportation (ODOT) Pedestrian and Bicycle Program 2012-2013 Grant for three general areas: SW 4th Avenue and SW 12th Street, SW 4th Avenue and SW 7th Street, and Mallards Corner on North Oregon Street.

The Council could choose to not approve this agreement and the project would not go forward, or the City could install Rapid Flashing Beacons at crosswalks as the Public Works budget allows. This proposed agreement authorized up to \$207,680 of grant funds for the specialized pedestrian crossings. The City's share was \$32,300 either in kind or funded from the Bike Path/Pedestrian Reserve Fund. If the project came in under budget, staff would like to put in a 4th crossing in the area of SW 4th Avenue and SW 24th Street. The Four Rivers Charter School recently requested a crossing near their school, next to the Boys and Girls Club, as children were trying to cross SW 4th Avenue from an apartment complex off SW 24th Street to the south.

Councilor Sullivan questioned the crossing at 12th.

Ms. Eden stated she had contacted the program manager for ODOT and was told that the city could abandon the location at 12th Avenue and put in a crossing down by 24th Street. They had reviewed Ms. Eden's drawing, and it was acceptable.

Councilor Fugate stated 12th led into the Ontario Middle School and Ontario High School areas. What if there was no island there – wasn't the purpose to make it safer for the kids?

Ms. Eden stated that during the discussion at the work session, concerns were voiced about 12th Street in that the 50 foot of stacking distance required by ODOT was not adequate in front of Chevron due to traffic heading to OHS. Alternatively, the city did have the option of installing a rapid flash beacon at an intersection without a median. As part of the grant, the state required a median. Anything beyond that would come out of city funds.

Mr. Lawrence stated his concerns were that they had agreed on the three locations, but there was concern on 12th, as the proposed design only had a stacking distance of 50'. In driving that today, in a large truck, and trying to imagine if there was a center median there, to swoop into and watch for pedestrians, and to take that turn by the chiropractor's office, maybe that 50' was questionable. He recommended looking at alternate designs.

Ms. Eden stated when looking at the other side of 12th Street, the problem was all the driveway cuts for the businesses, and trying to see where they could add in a pedestrian crossing. Businesses were not eager to close off their driveway cuts.

Councilor Sullivan stated if the it was too far east, the kids wouldn't use it.

Councilor Fugate asked about the cost of the flashing beacons.

Ms. Eden stated for the installation of beacons on two corners, plus city crews doing the sidewalk to handicapped standards, plus curb, gutter, asphalt, and crosswalk paint, it would be \$17,382.

Councilor Fox asked what staff wanted for 12th Street, to move it to 24th?

Ms. Eden stated the city's intent would be that they still did something at 12th Street, and later some type of crossing for the Charter School. The state said if the city was under budget, they could use those extra funds at the Charter School.

Councilor Crume verified they couldn't use the grant funds without putting in an island.

Councilor Jones stated they had listened to this issue three times, and returned back to 12th Street, that made him nervous. There was too much traffic there on 12th.

Councilor Crume stated the issue was that there was a lot of pedestrian traffic there, and the intent was to make it safer. However, putting in an island would create a traffic problem.

Captain Alexander stated there had been two pedestrian crashes at that intersection, and he knew of many more near misses.

Mr. Lawrence stated that was what was driving this. He was not convinced the proposed design was good with the 50' of stacking distance. He suggested doing a test area, maybe with cones.

Councilor Fox stated on that corner, the chiropractor's office on 12th stuck way out. Anyone entering an east turn on SW 4th was blind. It just didn't seem logical placing it to the west. That was going to be ineffective, unless it was placed to the east of 12th.

Councilor Jones stated that would affect south of 12th then.

Councilor Sullivan stated the reality was the need for a traffic control device at that location.

Mr. Lawrence asked if they wanted the City to do it, or to take advantage of the grant.

Councilor Sullivan stated to use the grant, but to look for a grant for the device.

Councilor Fox stated he was okay with accepting money, but wanted verbiage in the motion to do a study.

Mr. Breidenbach mentioned that on 12th and 4th, there were several semis that utilized that intersection, and that might have an impact on having a median there.

Ms. Eden stated ODOT had been asking for a signed agreement since last December. ODOT would not pay for any work completed prior to signing the Agreement.

Mr. Sullivan was concerned about the reference to the exhibit. Maybe it could indicate approximate locations.

David Sullivan moved, seconded by Ron Verini, that the City Council approve Intergovernmental Walkway/Bikeway Project Agreement #27208, the 2012-2013 Pedestrian and Bicycle Program Grant for Ontario Enhanced Pedestrian Crossings between the City of Ontario and the State of Oregon, acting by and through its Department of Transportation, and authorize the Mayor to sign the agreement on behalf of the City of Ontario, subject to further negotiations with ODOT as to the specific location of the project. Roll call vote: Crume-yes; Fox- yes; Fugate-yes; Jones-no; Sullivan-yes; Verini-yes; Dominick-out. Motion carried 5/1/1.

Liquor License Application: New Outlet – Vegas Country (Full On-Premises Sales)

Councilor Sullivan asked if he should recuse himself from discussion and action on this item due to a conflict of interest.

Mr. Sullivan indicated Councilor Sullivan was okay to participate in the action.

Mark Alexander, Police Chief, stated Stefan Schachtell purchased the business Saddles & Spurs, and was opening the business under the new name of Vegas Country. Vegas Country LLC, owner of Vegas Country, completed the "New Outlet" application process for "Full On-Premises Sales" liquor license privileges through the Oregon Liquor Control Commission for their new business located at 117 SE 2nd Street, Ontario, Oregon. All necessary paperwork had been approved through OLCC office and was awaiting approval through the Ontario City Council.

The Criminal Record process was completed on Vegas Country LLC owner/manager Stefan Schachtell, and all records returned clear. The application forms were filled out appropriately and required fees were paid. All permit requirements had been met. A review of the application had been completed by the Ontario Police Department, in accordance with the City of Ontario's ordinance regulating this license, and staff was recommending approval of the application.

Councilor Fox asked what the City's ordinances were on strip joints. This owner had some in Boise. Where there any current ordinances which would prohibit that?

Captain Alexander stated there were none in Ontario, but there were some at the state level.

Councilor Fox asked if they voted yes, and the owner received his liquor license, would that allow him to do "whatever"?

Captain Alexander stated the owner had given no indication that would be doing that type of business. It was indicated it would be a bar, with drinks, lottery, and dancing – no adult entertainment.

Mr. Sullivan stated the Oregon Liquor Control Commission did put restrictions on the type of dancing allowed. Most nude dancing places in the state did not have a liquor license. Oregon, under the Constitution, had been targeted to allow nude dancing as long as there were some fairly firm restrictions. However, that did not have anything to do with granting a liquor license. The approval or disapproval of the liquor license would have no bearing on exotic dancing.

Captain Alexander stated he thought no alcohol could be with nude dancing.

Councilor Verini stated he didn't believe one thing had anything to do with the other.

Mr. Sullivan stated he had never looked at the restrictions OLCC put on businesses that had exotic dancers.

Councilor Crume stated they needed to address what the owner was requesting now, not what might happen down the road.

Councilor Fox stated that was exactly why he was asking Mr. Sullivan.

Mr. Sullivan asked if there would be a problem with deferring this action to the next meeting.

Captain Alexander did not believe so.

Councilor Sullivan stated the issues wasn't about what he hadn't applied for.

Councilor Fox wanted Mr. Sullivan to research it.

Councilor Fugate reminded them that every time they asked Mr. Sullivan to do some research on something, it cost the city some money.

Mr. Sullivan stated the OLCC website did not have authority to address the issue of nude dancing, nor did it impose any restrictions on that.

Councilor Jones asked if anyone had asked the Applicant's intent, if he truly did operate that type of business.

Councilor Crume asked if the Council had asked any other liquor license applicant those questions.

Mr. Sullivan stated it was his understanding that nude dancing is a form of expression, and protected under the constitution, but he could do more research. Also, the OLCC's position with regard to local recommendations, could grant a City an additional 45 days before making a motion; however, the City must have a legitimate reason for denying the application.

Councilor Crume stated the City could develop an ordinance which would place limitation on locations or alcohol and the like. This was new business coming in, and his opinion was to move forward.

Councilor Jones asked if the Council had the right to ask the applicant to appear before them.

Councilor Crume stated they might be stepping on the applicant's rights.

Councilor Verini stated if the Applicant indicated he would have a nudey bar, and the Council denied his liquor license, that would be an infringement on the Applicant's rights.

Councilor Sullivan disagreed; bottom line, get it out in the open. He didn't want to see the public coming and slamming the Council for allowing a strip club. He wanted to give the Applicant every right to do what he wanted, but the Council did have the right to speak with him to ask what his intentions were.

Councilor Fox asked why Captain Alexander was not on board with that.

Captain Alexander asked what he was not on board with?

Councilor Fox stated he expected this to raise some concern with the Police.

Captain Alexander stated he hadn't even considered the adult entertainment issue. He was not aware of any other businesses the Applicant had.

Councilor Sullivan reiterated his interest in inviting the Applicant to a meeting so the Council could ask questions.

Ms. Eden stated no PDAC had been done.

Mr. Sullivan stated he had been looking on the web, and saw that the Applicant owned a business called New West Spirits, and the co-founder of Black Rock Spirits out of the Washington area.

Captain Alexander stated he would also do further research.

Councilor Verini was concerned about the nudity issues, but one doesn't have anything to do with the other. If they couldn't restrict the strip clubs in Ontario due to Oregon laws...

Councilor Sullivan stated they could restrict the liquor license application.

Mr. Sullivan stated if the Council wanted to table the issue, he would do further research on regulating nude dancing and the issuance of a liquor license, based upon the types of actions that might occur.

Councilor Verini asked if dealing the issue would raise issues with the Applicant.

Captain Alexander did not know.

Councilor Sullivan stated they had a 30-day response period through OLCC, and the sign has been up about a week.

Mr. Sullivan stated the City had 45-days to respond from receipt of application. The City could also ask for a 45-day extension.

Councilor Fox wanted to postpone the action to allow for further review and research.

Jackson Fox moved, seconded by David Sullivan, to table the issue to the next Council meeting. Roll call vote: Crume=yes; Fox= yes; Fugate=no; Jones=yes; Sullivan=yes; Verini=no; Dominick-out. Motion carried 4/2/1.

CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS

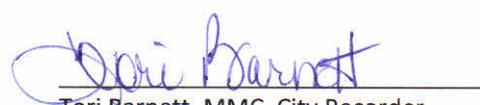
- Larry Sullivan stated at the work session, he had given an update on the issue before Lane County on the charges of violating the Public Meetings Laws. He had informed the Council, via email, that the case had now settled and there would be no appeal. There were \$350K in fines levied. Unfortunately, there was still no clarification on the issues.
- Ron Verini stated the National Guard Troops of the 116th NG would be returning home in 6-9 months, many needing jobs, and many facing family problems in the community. He hoped the job situation improved, and more importantly, that people started thinking about helping their neighbors.
- Jack Fox stated Payette had cut enough out of their budget that they were able to refund \$180K to their taxpayers. Henry had scoffed at that, and said Ontario was going to do better.
- David Sullivan stated the restaurant at the golf course was up and running, and encouraged everyone to give it a try.
- Norm Crume thanked those who had attended the gang awareness seminar conducted by Detective Victor Castro, of Hillsboro. He wanted to give special thanks to the Ontario Police Department for bringing Detective Castro to our area, and to Malheur Council on Families and Children for helping out.

ADJOURN

David Sullivan moved, seconded by Ron Verini, that the meeting be adjourned. Roll call vote: Crume=yes; Fox=yes; Fugate=yes; Jones=yes; Sullivan=yes; Verini=yes; Dominick-out. Motion carried 6/0/1.



Joe Dominick, Mayor

ATTEST:


Tori Barnett, MMC, City Recorder