

**ONTARIO CITY COUNCIL SPECIAL MEETING MINUTES  
Monday, June 30, 2014**

The special meeting of the Ontario City Council was called to order by Mayor LeRoy Cammack at 10:30 a.m. on Monday, June 30, 2014, in the Council Chambers of City Hall. Council members present were LeRoy Cammack, Norm Crume, Jackson Fox, Dan Jones, Larry Tuttle, and Ron Verini. Charlotte Fugate was absent.

Members of staff present were Tori Barnett, Larry Sullivan, Marcy Skinner, and Mark Alexander. The meeting was recorded, and copies are available at City Hall.

**AGENDA**

Tori Barnett, Interim City Manager, asked to remove item (b) under Executive Session and item (d) under New Business, as the information needed for the discussion had not been received.

Larry Sullivan, City Attorney, suggested swapping (a) and (b), under New Business.

Jackson Fox moved, seconded by Dan Jones, to adopt the Agenda as amended. Roll call vote: Crume-yes; Fox-yes; Fugate-out; Jones-yes; Tuttle-yes; Verini-yes; Cammack-yes. Motion carried 6/0/1.

**EXECUTIVE SESSION(S)**

**Executive Session: ORS 192.660(2)(d)**

An executive session was called at 10:37 a.m. under provisions of ORS 192.660(1)(d) to discuss labor negotiations.

**Executive Session: ORS 192.660(2)(a)**

An executive session was called under provisions of ORS 192.660(1)(a) to consider employment of an outside agent. The Council convened into regular session at 11:02 a.m.

**NEW BUSINESS**

**Contract with Ontario Police Association (Telecommunicators)**

Dan Jones moved, seconded by Norm Crume, that the Council authorize the City Manager to execute the PECBA Agreement between the City of Ontario and Ontario Police Association, concerning transfer of communications center employees. [No vote]

Councilor Fox asked if the city's union negotiating attorney, Steven Schuback, had approved this action.

Chief Alexander stated he had.

Councilor Tuttle stated he planned to vote for this, but it was the last time he was going to do it. Staff needed to get their stuff together and get this stuff presented to the Council the way it should be, and in a timely manner. They had two critical documents in front of them, which the Council had to approve. They hadn't even had the chance to go through and look at everything. He realized that some of that went back to earlier discussions, but there had to be better preparation. Not only on the staff side, but so that the Council could be better prepared. He was not happy with the way this came out. He realized they were up against a deadline, but after 13 or 14 months, he didn't know why they ended up on the last day trying to get this passed.

**(Retyped Motion w/Vote)**

Dan Jones moved, seconded by Norm Crume, that the Council authorize the City Manager to execute the PECBA Agreement between the City of Ontario and Ontario Police Association, concerning transfer of communications center employees. Roll call vote: Crume-yes; Fox-yes; Fugate-out; Jones-yes; Tuttle-yes; Verini-no; Cammack-yes. Motion carried 5/1/1.

**Contract with County for 9-1-1**

Larry Sullivan, City Attorney, stated this was the Agreement for the consolidation and transfer of 9-1-1 operations and Telecommunicators to the Malheur County. The MOU was approved in December, 2013, and attached to the MOU was a draft document that had been intended to be a relatively final document for the transfer. There were a number of issues that needed to be resolved. The major one was the union negotiations, not only between the city employees and its bargaining association, but the county had to engage in the same thing with its employees. Based on his discussion with Chief Alexander, through a tremendous amount of work by the Chief and the Police Association, they were able to reach an agreement on all the essentials, just within the last few days. A lot of that was because Chief Alexander had been able to deal directly with the Police Association, and didn't have to go through a lot of intermediaries to get this finalized. Otherwise, it was unlikely they would have been able to get this final document before the Council that day. He had spoken with County Counsel last week, letting her know the city was nearing completion and would be in a position to move forward with the transfer by July 1, but she was skeptical the county would be in a position to move that quickly. However, county staff had bent over backwards to allow this to come before the City Council today in a timely manner so the transfer could occur and avoid the consequences that might have occurred if the transfer wasn't completed by June 30<sup>th</sup>. The IGA was finalized by County Counsel last Friday, with the city receiving it after the noon hour. He had reviewed it and it tracked with the original MOU, which was attached as an exhibit to the IGA. The IGA represented the consolidation of 9-1-1 and a variety of agreements leading up to this. It would also have attached the PECBA Agreement just approved, and the Agreement between the county employees and the county over the terms of their transfer as they absorbed the city's employees. He didn't believe there were any financial implications from the signing of this document that the Council wasn't already aware of, and had approved.

Councilor Verini stated in reading the ICMA report, one thing recommended was the responses to major categories of the calls be reduced. They talked about a system being instituted with the 9-1-1 call takers, and that dispatchers be trained to trigger police responses only when warranted instead of sending out a police response for every call. In the contract, were there any teeth to communicate and work with the training of the 9-1-1 dispatchers to react to that?

Mr. Sullivan stated in the original MOU, the IGA attachment referred to having the city serve on the 9-1-1 User's Board. (Para 7, Page 4). That was the mechanism by which the city was going to have input into the training and work done by the dispatchers.

Councilor Tuttle asked where it was written regarding the payment being made by the city to the county.

Mr. Sullivan stated that was located on Page 3. It read "*City shall pay to County a fee for its services in the amount of \$237,090.00, payable on or before "blank", 2013*". The IGA incorporated that language, so that would be the amount paid. That had not changed since last December.

Councilor Tuttle verified the IGA would become part of the contract between the city and the county.

Mr. Sullivan stated that was correct.

Jackson Fox moved, seconded by Larry Tuttle, that the Council authorize the Mayor to execute the Intergovernmental Agreement between Malheur County and the City of Ontario for consolidation and transfer of the 9-1-1 operations and Telecommunicators. Roll call vote: Crume-yes; Fox-yes; Fugate-out; Jones-yes; Tuttle-yes; Verini-no; Cammack-yes. Motion carried 5/1/1.

Mayor Cammack stated the Council would not be conducting Executive Session (c).

**Prothman**

Tori Barnett, Interim City Manager, stated Council had received the template for the first draft of Prothman's flyer, along with a draft recruitment schedule, a cover letter, and a salary survey for the City Manager position. Those had been emailed and/or hand delivered last week, and she had requested comments back from the Council, but had only heard back from two. Prothman had contacted her Friday asking for an update, and she informed him that she was meeting with the Council that day, and would let him know of any requested changes. One comment both Councilors agreed on was the wage posted of \$105K-130K. She had been asked to lower that to a high of \$120K. There were a few other things that needed changed, such as the city no longer had a biennial budget, and we would soon be handing over the management of Public Works to CH2M Hill. One section she had a question on was under the heading Challenges Facing the New Manager. Under Public Safety Services, the last sentence read *"The Police Department and management is generally considered excellent, but the city's geographic location and no sales tax attracts some to the community who complicate events for what would be an otherwise law-abiding community."* To her, that seemed negative.

Councilor Jones stated Prothman needed to rewrite that. If a candidate wanted to do research, and Ontario was on the bottom of the list, then do the research. But the city didn't need to advertise that we were on the bottom. This town needed to be promoted.

Consensus to change the wording.

Mayor Cammack stated anyone who hadn't commented, and wanted to, please get those to Tori.

Councilor Jones stated when Prothman was there (Bob Jean) it had been requested that they use some Idaho cities for a salary survey, but there were no Idaho cities listed on the chart. He was now asking again that they be added. He wanted to use Burley, Buhl, Jerome, and Emmett. He wanted the City Manager salary of those four cities.

Mayor Cammack thought Mr. Jean had indicated he would do that.

Councilor Crume stated he didn't have a problem with the wage staying at \$130K. It was up to the Council who was hired, and what amount they were hired for. They didn't have to pay that high just because it was listed.

Councilor Fox stated his issue with \$130K was that if that was the amount advertised, and someone applied who wanted a minimum of \$129K, or \$130K, if Prothman sent him out, the city paid for his hotel and travel expenses. Why look at candidates who weren't really going to be considered.

Councilor Crume stated the Council didn't have to interview those candidates, so there would be no expenses.

Councilor Fox didn't like the range in general. He wanted the original \$95K-\$120K. The Governor of Oregon only made \$96K.

Councilor Verini was alright with the range, and asked to see if there was a consensus.

Mayor Cammack: \$105K-\$120K; Councilor Verini: \$105K-\$130K; Councilor Fox: \$120K; Councilor Tuttle: \$120K; Councilor Jones: \$120K; Councilor Crume: \$130K.

Consensus to go with the range of \$105K-\$120K.

Ms. Barnett asked if the Council wanted to review the flyer again after that information had been updated and/or altered, or just go ahead and send back to Prothman?

Councilor Jones stated they needed Idaho's numbers.

Mayor Cammack stated she could clean the flyer up, and when the numbers came in from the Idaho salaries, the Council needed to receive that.

**ADJOURN**

Jackson Fox moved, seconded by Dan Jones, that the meeting be adjourned. Roll call vote: Crume-yes; Fox-yes; Fugate-out; Jones-yes; Tuttle-yes; Verini-yes; Cammack-yes. Motion carried 6/0/1.

**APPROVED:**



LeRoy Cammack, Mayor

**ATTEST:**



Tori Barnett, MMC, City Recorder