

**ONTARIO CITY COUNCIL MEETING MINUTES  
Monday, August 18, 2014**

The regular meeting of the Ontario City Council was called to order by Mayor LeRoy Cammack at 7:00 p.m. on Monday, August 18, 2014, in the Council Chambers of City Hall. Council members present were LeRoy Cammack, Norm Crume, Charlotte Fugate, Dan Jones, Larry Tuttle, and Ron Verini. Jackson Fox participated by telephone.

Members of staff present were Tori Barnett, Marcy Siriwardene, Kari Ott, Mark Alexander, Cliff Leeper, Larry Sullivan, and Dan Cummings. The meeting was recorded, and copies are available at City Hall.

Ron Verini led everyone in the Pledge of Allegiance.

**AGENDA**

Mayor Cammack asked to have two items added to the Agenda: 9)A would now be a Public Hearing (properly advertised) for the Community Development Block Grant Application and 10)L – Union Pacific Railroad Crossing: Possible Closure on SE 6<sup>th</sup> Avenue; and to add an additional bill for approval.

Ron Verini moved, seconded by Norm Crume, to adopt the Agenda as amended. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Tuttle-yes; Verini-yes; Cammack-yes. Motion carried 7/0/0.

**CONSENT AGENDA**

Charlotte Fugate moved, seconded by Norm Crume, to approve Consent Agenda Item A: Minutes of the Council Meeting of August 4, 2014; and Item B: Approval of the Bills. Roll call vote: Crume-yes; Fox-abstain; Fugate-yes; Jones-yes; Tuttle-yes; Verini-yes; Cammack-yes. Motion carried 6/1/0.

Councilor Fox abstained from voting as he was out of town and had not reviewed the minutes or the bills.

**OLD BUSINESS**

**Ordinance #2692-2014: Amend OMC 7-1-1, 4 re: Nuisance and Health Regulations (Final Reading)**

Mark Alexander, Police Chief, stated the Police Department would like to amend Municipal Code Title 7, Chapter 1, Sections 1 and 4 relating to Nuisance and Health Regulations in order to be more effective. There have been no changes since First Reading on August 4, 2014.

Norm Crume moved, seconded by Ron Verini, the Council adopt **Ordinance #2692-2014, AN ORDINANCE AMENDING ONTARIO MUNICIPAL CODE TITLE 7, CHAPTER 1, SECTIONS 1 AND 4, RELATING TO NUISANCE AND HEALTH REGULATIONS, on Second and Final Reading by Title Only**. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Tuttle-yes; Verini-yes; Cammack-yes. Motion carried 7/0/0.

**Options for the Future of the Ontario Golf Course**

Larry Sullivan, City Attorney, stated on August 4, 2014, the Council tabled this action as questions were raised by Council, leading to the request to have the City Attorney present to address legal issues that might arise from this action.

The City golf course was currently being managed by Scott McKinney pursuant to a written contract that would expire on December 31, 2014. Mr. McKinney requested that the city make a commitment to renew that contract for an additional three years. At the July 21, 2014, Council meeting, Councilor Crume made a motion not to renew that contract and to essentially close down the golf course after 2014. Because of concerns expressed by the City Attorney as to the wording of that Agenda item in the notice of the meeting, Councilor Crume withdrew his motion, and the subject was placed on the agenda for the August 4, 2014, meeting.

In both the July 21<sup>st</sup> and August 4<sup>th</sup> meetings, the Council discussed the annual subsidies provided by the city for the operation and maintenance of the golf course, and the likelihood of those continuing into the future. The Council also discussed the declining membership, the proximity of other golf courses to the City of Ontario, and the potential use of the annual golf course subsidy for public safety instead of recreation. On the other hand, Councilors also discussed the large financial investment that the city has made in the golf course which may be lost if funding is withdrawn, and the potential harm that may be done to the city's economic development efforts and the city's quality of life if funding is discontinued.

During the discussion on July 21, 2014, all the Council members expressed satisfaction with the job done by Mr. McKinney in managing the golf course. The primary issue addressed by Councilors was whether the city could justify continuing to fund the course after the 2014 season, or at the end of Mr. McKinney's contract, which is December 31, 2014.

The city was obligated to fulfill its current financial obligations on the golf course to Mr. McKinney through 2014. The proposed motion ended the funding for the commercial operation of the golf course after that time. The city could continue to fund the cost of minimally maintaining and watering the course to avoid its deterioration as a municipal asset, but other funding would be discontinued except by majority vote of the Council.

Potential costs, such as mowing, weed abatement, insurance on property and structures, utilities, etc., would be submitted in detail for discussion by Alan Daniels.

Tori Barnett, Interim City Manager, stated she had spoken with John Forsyth, the city's insurance provider for the golf course, who indicated if the building became vacant, the insurance coverage had the potential to double. If it was utilized at least quarterly, it would not be considered vacant and the insurance would not increase. Currently, the insurance coverage ran about \$4500 a year.

Councilor Fugate stated she did not believe Mr. Daniels' numbers covered all the potential expenses. It was probably closer to \$15K, than \$10K.

Councilor Tuttle agreed. He didn't think it could be sprayed for weeds for the amount listed. That was not a good estimate.

LeRoy Cammack moved, seconded by Norm Crume, that the Ontario City Council discontinue subsidizing the operations of the Ontario Golf Course after December 31, 2014. NO VOTE.

Councilor Jones stated with regard to the money that was budgeted for the second half of the fiscal year, if a motion was made to not use that money, then would that money go back? Did the Budget Committee have to identify where that money would go? Councilor Crume couldn't just take that money and put it in the Police Department, right?

Kari Ott, Finance, stated the Golf Course Fund would become an unnecessary fund, which could potentially be put back into the General Fund, if the Council wanted to do that, without any budget consequences. By budget law, that could legally be done. If they opted to keep the fund open to track it, that could also be done. It did not require approval from the Budget Committee to close an unnecessary fund.

Councilor Jones stated with a regards to the motion, what did the motion really mean? They had a budget allocation for \$187,500, and half would be used. There was a motion to discontinue the subsidy. For example, the contract would expire December 31<sup>st</sup> and there was another proposal brought forward in November, or January. Did that money automatically....please explain how the motion read and how would they enforce the motion?

Mr. Sullivan stated the motion accomplished two things. First, it announces that the Council was not going to be renewing the contract with the current contractor under the terms that had been established to this point because that contract required the city to subsidize the course. The motion announced that there wouldn't be any of that kind of subsidy. It continued that if the course was going to be operated at all, by anyone, after January 1, 2015, it would have to be done without any city funds being contributed for that operation.

Councilor Jones asked if a motion could be made in January to subsidize the course? If another plan came before the Council, could another motion be brought forward that the city would subsidize the course for \$93K? Were they leaving the money were it currently was? How long could those funds remain there before they'd be required to put it back into the General Fund? Could it sit there during an entire fiscal year?

Ms. Ott stated they'd want to address that by the end of the year, whether to close the fund or not. Otherwise, it could sit there for the remainder of the [fiscal] year. By June 30<sup>th</sup>, they needed to determine if they were going to close it out or not. If they were not subsidizing the course any longer, it shouldn't be a proprietary fund.

Mayor Cammack stated they might receive some new ideas, or new activities. The city would just not be involved in the financing of it now. There would be a new Council, and they'd have whole new attitudes.

Councilor Jones stated with the motion on the floor, they now had an issue with the contractor exiting. It needed to be on the next Agenda to figure out an exit strategy to make sure the city knew what was going on with the contractor; that the course was closing. There were issues out there today. Would that be a discussion for that evening, or maybe bring that up as part of contract review or negotiations? There were some issues that needed to be discussed with the contractor in regards to his contract coming to an end and to ensure things were in order on both sides. Expectations and an outline or check-off list that...he wanted the Council to direct the City Manager to ensure things were in order. Regardless if the course closed or not, the city needed to have everything in order when Mr. McKinney stepped out of there. There were other issues regarding the management of the course relating to the next few months, that the city needed to review with the contractor, to make sure he fulfilled his contract obligations.

Mayor Cammack stated they needed to vote on the motion to see if it passed. Following that, if it did pass, the next step would be to determine an exit strategy. There were things like equipment purchases scheduled, or the repair of the retaining wall. Those things needed to be discussed with Mr. McKinney, and the Council needed to decide on how they wanted to handle those type of items.

Councilor Jones asked that issue be on the next work session Agenda.

**RETYPE MOTION:**

LeRoy Cammack moved, seconded by Norm Crume, that the Ontario City Council discontinue subsidizing the operations of the Ontario Golf Course after December 31, 2014. Roll call vote: Crume-yes; Fox-no; Fugate-yes; Jones-no; Tuttle-no; Verini-yes; Cammack-yes. Motion carried 4/3/0.

**NEW BUSINESS**

**Resolution #2014-127: GOBHI Stipend 2014 for OPD Training**

Mark Alexander, Police Chief, stated, the Police Department received unexpected stipend training funding from Greater Oregon Behavioral Health, Inc., (GOBHI) to put toward attendance at the National Crisis Intervention Team (CIT) conference in California in October. The Police Department would like to expend those funds. A budget change would be required to do so.

Contact with individuals suffering from mental health issues by law enforcement was on the increase. Communities across the United States were adopting the National Crisis Intervention Team approach. Law Enforcement in Malheur County started working with Lifeways, through Greater Oregon Behavioral Health Inc., to implement such a program. The goal was to develop a training module for those who encountered individuals with mental illness in order to provide better services to them and the community.

Because of the interest and current investment into the implementation of CIT in Malheur County, GOBHI provided a \$750 stipend to help pay for a representative of the Police Department to attend the National CIT Conference in California in October. The stipend would cover approximately half the cost to attend the conference.

The police department did not budget to expend these funds and would like to make an adjustment in order to do so. It was proposed that the budget change for expenditures be recognized within the Police Department's Training line item.

Councilor Crume asked if the budget had the necessary funds to cover the cost difference?

Chief Alexander stated yes, he'd make adjustments to get that done.

Councilor Tuttle reaffirmed it was in Chief Alexander's budget to attend the conference. What would the total cost be, and for how many people?

Chief Alexander stated it wasn't originally. He had money that would be dedicated toward mental health training, which would be used. If he needed to make any other adjustments, he would do that. He would send one person, and it would run approximately \$1,400. The stipend would cover half. That wasn't bad for a national conference.

Councilor Fox's phone went out at 7:22pm.

Norm Crume moved, seconded by Charlotte Fugate, that the Council adopt **Resolution #2014-127, A RESOLUTION ACKNOWLEDGING RECEIPT OF UNANTICIPATED REVENUE FUNDS AND APPROPRIATING EXPENDITURES WITHIN THE GENERAL FUND FROM GREATER OREGON BEHAVIORAL HEALTH INC. (GOBHI) TO PUT TOWARD ATTENDANCE AT THE NATIONAL CRISIS INTERVENTION TEAM (CIT) CONFERENCE. NO VOTE.**

Councilor Jones asked Chief Alexander to explain the benefits the department would realize for attendance at the conference.

Chief Alexander stated they were putting a team together with Malheur County and they worked closely with Lifeways and other law enforcement agencies. It was something new to this area, so they believed sending an officer to learn how other agencies were dealing with this, and establishing a training curriculum for our local team, would be invaluable. The national model was a 40-hour training curriculum that they wanted to develop and have in Malheur County. The ultimate goal would be to have every police officer in the county trained. There were only two agencies offered that funding from GOBHI.

**RETYPE MOTION:**

Norm Crume moved, seconded by Charlotte Fugate, that the Council adopt **Resolution #2014-127, A RESOLUTION ACKNOWLEDGING RECEIPT OF UNANTICIPATED REVENUE FUNDS AND APPROPRIATING EXPENDITURES WITHIN THE GENERAL FUND FROM GREATER OREGON BEHAVIORAL HEALTH INC. (GOBHI) TO PUT TOWARD ATTENDANCE AT THE NATIONAL CRISIS INTERVENTION TEAM (CIT) CONFERENCE.** Roll call vote: Crume-yes; Fox-out; Fugate-yes; Jones-yes; Tuttle-no; Verini-yes; Cammack-yes. Motion carried 5/1/1.

**Ordinance #2693-2014: Amend OMC 1-5-3 Whistle Blowers Protection (1<sup>st</sup> Reading)**

Larry Sullivan, City Attorney, stated at the City Council work session on July 17, 2014, the Council discussed with the City Attorney amending City Code Section 1-5-3 to prevent future City Managers from prohibiting communications between city employees and Council members, and to give employees who provide information to Council members whistleblower protection. After that session, the City Attorney researched Oregon's whistleblower law, which appeared in ORS 659A.200 to 659A.224 and was officially called the "Whistleblower Law". ORS 659A.203 in particular addressed the issue raised by the Council in its work session. ORS 659A.203 read as follows:

***659A.203 Prohibited conduct by public employer. (1) Subject to ORS 659A.206, except as provided in ORS 659A.200 to 659A.224, it is an unlawful employment practice for any public employer to:***

***(a) Prohibit any employee from discussing, in response to an official request, either specifically or generally with any member of the Legislative Assembly, legislative committee staff acting under the direction of a member of the Legislative Assembly, any member of the elected governing body of a political subdivision in the state or any elected auditor of a city, county or metropolitan service district, the activities of:***

***(A) The state or any agency of or political subdivision in the state; or***

***(B) Any person authorized to act on behalf of the state or any agency of or political subdivision in the state.***

***(b) Prohibit any employee from disclosing, or take or threaten to take disciplinary action against an employee for the disclosure of any information that the employee reasonably believes is evidence of:***

***(A) A violation of any federal or state law, rule or regulation by the state, agency or political subdivision;***

***(B) Mismanagement, gross waste of funds or abuse of authority or substantial and specific danger to public health and safety resulting from action of the state, agency or political subdivision; or***

***(C) Subject to ORS 659A.212 (2), the fact that a person receiving services, benefits or assistance from the state or agency or subdivision, is subject to a felony or misdemeanor warrant for arrest issued by this state, any other state, the federal government, or any territory, commonwealth or governmental instrumentality of the United States.***

***(c) Require any employee to give notice prior to making any disclosure or engaging in discussion described in this section, except as allowed in ORS 659A.206 (1).***

***(d) Discourage, restrain, dissuade, coerce, prevent or otherwise interfere with disclosure or discussions described in this section.***

***(2) No public employer shall invoke or impose any disciplinary action against an employee for employee activity described in subsection (1) of this section or ORS 659A.212.***

The Whistleblower Law generally, and ORS 659A.203 in particular, made it an unlawful employment practice for a City Manager to discipline or otherwise discriminate against an employee who communicated with an elected official about city activities. Amending City Code Section 1-5-3 to specifically refer to the Whistleblower Law would help remind City Managers and employees of this, and prevent future City Managers from restricting communications between Council members and employees except in compliance with the law.

As discussed in the July 17, 2014, work session, the City Attorney also recommends deleting the first sentence of Section 1-5-3, because it authorizes the Council in an open meeting to direct the City Manager to hire or fire an employee. This was not authorized under City Charter Section 4.5.

Charlotte Fugate moved, seconded by Ron Verini, that the City Council approve **Ordinance 2693-2014, AN ORDINANCE AMENDING CITY CODE SECTION 1-5-3 TO AUTHORIZEMPLOYEES TO VOLUNTARILY PROVIDE INFORMATION TO CITY COUNCIL MEMBERS IN ACCORDANCE WITH OREGON'S WHISTLEBLOWER LAW**, on First Reading by Title Only. Roll call vote: Crume-yes; Fox-out; Fugate-yes; Jones-yes; Tuttle-yes; Verini-yes; Cammack-yes. Motion carried 6/0/1.

#### **PUBLIC COMMENT**

Riley Hill, Ontario, stated with regard to Malheur County Poverty to Prosperity, this Council gave the committee \$5,000 and there had been concern by the newspaper on how that money was expending. Most of the money was still in the bank. They had raised \$22K through that effort. Any travel done for the group were paid out of pocket. No money for the project was used for travel. Some money was expended for a grant and some for postage. In the past 12-14 months, they had brought in \$40K for a Regional Achievement Grant, a \$200K grant from the Department of Education; \$10K from the Ford Family; the schools were able to bring in another \$200K; they recently received \$100K Youth Development Grant. Through that, two individuals had been hired as permanent employees, and they had added two classes to the schools. They were working towards a third. The classes were Welding Fabrication, with two classes at 40 students. The Allied Health Care class would begin this fall. They were also in the process for writing a curriculum for Automated Systems. They had checked with various employers with regard to the Automated System classes, and were told they could hire anyone they turned out. He was happy to report that everyone – three school districts, ESD, and TVCC – were on the same wavelength, and were all working very hard. They met weekly, and he was proud to be a part of it. He thanked the City and the County for their individual contributions to get this going. Both entities had stepped up and provided anything requested. It was very much appreciated.

#### **PUBLIC HEARING**

##### **Community Development Block Grant Application**

It being the date advertised for public hearing on the matter of the Community Development Block Grant Application, the Hearing was declared open. There were no objections to the city's jurisdiction to hear the action, no abstentions, ex-parte contact, and no declarations of conflict of interest.

Kathy Markee, Program Representative, Community in Action, stated the City of Ontario was working with Community in Action to provide opportunities for low and moderate income persons. The city intended to apply for a Community Development Block Grant funds from Business Oregon's Infrastructure Finance Authority. The CDBG funds would be used to provide residential rehabilitation grants to low and moderate income home owners, to make necessary, eligible repairs to their owner-occupied homes. The funds would also be used for program management and grant administration. It was estimated the proposed project would benefit at least 50 persons living in the households, 100% would be for low and moderate income. What had to be done with the CDBG funds, they had to take care of health and safety issues, and critical needs. That would be siding, roofs, painting, etc. So many homeowners in our area had experienced a decrease in the values of their homes, even though they might

be keeping them kept up. With the decrease, it made the homeowners lose much of their equity. The CDBG loan fund was based on the available equity in the home. Therefore, they weren't able to exceed 100% of their debt to value of the home, so many of the homeowners were unable to get their homes fixed or repaired. Under this program, it would be administered differently. Those homes that were not able to get repairs done, based on critical, health, and safety issues, they would now be able to help those people. First, within the city limits of Ontario, then beyond. CinA had officially been invited to apply for the grant.

Councilor Verini stated he had attended his first Community in Action meeting, and these folks were going to be doing great things for this community.

The Hearing was opened for public testimony.

Opponents: None.

Proponents: None.

There being no Proponent and no Opponent testimony, the Hearing was closed.

Mayor Cammack moved, seconded by Charlotte Fugate, that the City Council approve the application for the 2014 Community Development Block Grant from the Oregon Business Development Department for residential rehabilitation projects. Roll call vote: Crume-yes; Fox-out; Fugate-yes; Jones-yes; Tuttle-yes; Verini-yes; Cammack-yes. Motion carried 6/0/1.

#### **DISCUSSION/INFORMATION ITEM**

##### **Union Pacific Railroad Crossing: Possible Closure on SE 6<sup>th</sup> Avenue**

Mayor Cammack stated this item had been added because there was a possible closure on SE 6<sup>th</sup> Avenue. There had not been time to discuss this at the previous work session, but Dan Cummings would be informing the Council about what they needed to know.

Dan Cummings, City Planner, stated he had been first contacted by Alan Daniels, Economic Development Director, who indicated that Union Pacific requested close SE 6<sup>th</sup> Avenue due to safety issues related to a proposed new business on the East side of the tracks. He then met with Ralph Poole, who was the owner of the property proposed for development. Mr. Poole expressed his opinion, as an owner on both sides of 6<sup>th</sup>, that he had no objections to UPRR's request to close that crossing. Then Mr. Daniels asked what the procedure would be, or what problems could arise, with that closure. Mr. Cummings sent an email to the City Manager and the City Attorney, following his own research in attempting to determine what was what. Previously, he had done research on 5<sup>th</sup> and 6<sup>th</sup> and the city did not have any right-of-way across either crossings. It was only allowed by UPRR. In the past, when both the city and UPRR had searched documents, they were unable to locate any written permit issued for those years ago. The railroad recognized the city *had* a permit because they exist, but permits could be revoked at any time. But, no actual dedicated right-of-way exists across 5<sup>th</sup> or 6<sup>th</sup>.

Following that, he received an email from a UPRR representative, official requesting the closure of the crossing on 6<sup>th</sup> Street, because they could not provide the services needed for the proposed development and keep it safe. The plan was to put a new spur line in front of that entire portion/length. The proposed loading was a high-end fuel, that was hazardous. That was the reason behind the request for closure. He contacted the City Attorney because the city had no right-of-way, and he needed to know the procedure for the closure. Mr. Cummings' concern, as the City Planner, would be to address the Transportation System Plan (TSP) for connectivity, because that area was shown as one of the main streets connecting the town, and pedestrian connectivity. Mr. Sullivan would be presenting the legal standpoint on the procedures, and then he'd be looking for direction on how the city wanted to proceed. He had a few ideas, but he wanted legal input first.

Mr. Sullivan stated under State Statute, the policy was to direct ODOT to close as many grade crossings as possible. The state didn't like grade crossings. The policy implemented a procedure that ODOT, either on its own or at the request of a third-party, including the railroad, could authorize the closure of any railroad crossing. The city had the right to object, but that Statute gave ODOT broad discretion to make a decision. It would have to be done following a public hearing, if one was requested. Klamath County sued ODOT for trying to close a crossing used by a lot of people in the county, but the Court of Appeals, essentially, stated ODOT's decision, as long as it was supported by substantial evidence to close a crossing, would be upheld. It didn't take much to establish that kind of legal standard. If ODOT had a hearing, the city had a right to object, but if ODOT determined that crossing should be closed, the likelihood was that would be the end of it. Because there was another crossing only one block away from the proposed closure, it might be difficult for the city to prove that crossing was necessary or there weren't other means for getting across the tracks. This was being presented to the Council to make them aware that Council wouldn't directly be determining whether or not the crossing was approved or not for closure, but they would have to go through ODOT, and the Council would have to determine if they opposed the crossing.

Mayor Cammack asked how long the spur line would run to the North?

Mr. Cummings stated he had not received any paperwork yet. He had been asked to request the closure. They wanted it on the Council's radar, and then get some direction on how they wanted him to respond to the request. In looking at the connectivity portion of this, his suggestion would be, to at least ask, that if the city elected not to fight the closure, or file an appeal, since they'd be losing 6<sup>th</sup> Street not just to cars, but to pedestrian traffic as well, then maybe they'd grant a 50-60 foot wide right-of-way, on the UPRR property, to connect 5<sup>th</sup> and 6<sup>th</sup> together, as well as hook 5<sup>th</sup> and 4<sup>th</sup> together, which was the extension of Railroad [sic] Lane. Depot Lane went in front of the old Depot, and turning 90° on 4<sup>th</sup>. There was a lot of foot traffic cutting across from 5<sup>th</sup> through the property owned by UPRR, same with 6<sup>th</sup>. He was trying to justify the connectivity portion of the TSP to see if the city could obtain a right-of-way from UPRR. They could ask them to build a street, too, but chances were slim. But, at a minimum, they should seek a right-of-way. It would benefit everyone. While he had not been given a timeline on this, he was told they were "in a hurry", but who knew what that could mean. He had let them know that he would be meeting with all the necessary jurisdictions to learn about the procedure.

Councilor Crume stated maybe they should also ask to acquire a permit designating the city's right to use 5<sup>th</sup>.

Mr. Cummings stated the city had tried several times to get that, but UPRR said no, things were okay as they were. Basically, they didn't want to give anything, so they could take it back whenever they wanted to. He could ask again.

Councilor Fugate stated behind Andrews Seed, weren't there grain towers back there? Was that connected to the railroad?

Mr. Cummings stated all that property with storage buildings on both sides of the tracks, at one time belonged to the railroad. A lot of it had subsequently been leased.

Mayor Cammack suggested that the Councilors drive over and look at the area being discussed, and then bring this issue back to the next work session.

Councilor Fugate asked what type of overpass Mr. Cummings was talking about.

Mr. Cummings stated it wasn't an overpass. If that area was closed, most likely the streets, curbs, gutters, etc. would be removed. Therefore, for public safety, ask UPRR to give the city a right-of-way for pedestrian traffic walking on 6<sup>th</sup>, could turn North, connect with 5<sup>th</sup>, and then make the crossing.

Councilor Fugate also suggested negotiating to have UPRR clean up the crossing on 4<sup>th</sup> [sic]. Maybe clean it up, do some repainting.

Mr. Cummings stated that was actually Idaho Avenue (there was no crossing on 4<sup>th</sup>). He would ask for whatever the Council wanted him to.

Councilor Crume asked Chief Alexander if he knew of any issues that might arise for police, fire, or ambulance service that the closure might impede.

Chief Alexander stated the Fire Department did not use 5<sup>th</sup> or 6<sup>th</sup> for their responses. OPD did, but had no issues with closing 6<sup>th</sup>.

Mayor Cammack thanked everyone for their input, and indicated this would be back for discussion at the next work session.

Mr. Cummings stated his suggestion would be to have staff meet to discuss this action; however, he didn't want to continue without direction from the Council. He would contact the interested parties, letting them know this was being worked on and would keep them posted.

### **CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS**

Tori Barnett reminded the Council of the Special Meeting next Thursday, that would like to include an Executive Session. It was related to the old City Shop. It would take about 10 minutes.

- ✓ CH2M Hill had submitted a contract amendment for approval, with only two changes. They were asking that an updated Exhibit F be included as the inventory was now current; and to remove any areas where finances were involved. Currently, the cemetery accepted payment at the site, and they wanted that to cease. All transactions would be handled at City Hall.
- ✓ Human Resources was competing the Firefighter negotiations, and anticipated that coming to Council at the next meeting for adoption.
- ✓ The Council had asked if the letter received from DLCD could be run in the paper, but she had been told it was too large and would cost a lot of money. She would put it on the city's website homepage.
- ✓ Sprint had submitted an amendment to their contract for antennas on the water tower at the old city shop. The City Attorney had reviewed the amendment and saw no problem with signing.

Larry Sullivan discussed the franchise fee percentage from Cable One, and suggested the city stay with a 5-year contract and to also ensure all sections were being collected on, not just cable television.

Councilor Jones inquired about Council candidates.

- ✓ Ms. Barnett stated no one had turned in to be certified for name placement on the ballot. The minimum requirements for Council were that a candidate had to be 18 years old, a resident of the City of Ontario for a minimum of one year, and to be a registered voter.

Councilor Jones announced that he would not be rerunning for Council. He thought a lot about it, but unfortunately, or fortunately, he didn't have the time to serve. He asked that the citizens of Ontario to consider the possibility of running for City Council to fill one of the seats. If there weren't enough candidates, or write-ins, it would be by appointment, which would be done by three or four Councilors. That didn't seem the best way to do this. His seat would be vacant, and there was a lot going on.

Councilor Fugate stated Chief Higinbotham had reported on a fire that occurred on the island, with a building being burnt down, possibly by vagrants. Was that area patrolled by the police?

✓ Mayor Cammack stated that area was out of city limits.

Ms. Barnett stated she had distributed a hand-out which outlined everything attributed to North Park Boulevard to date.

**ADJOURN**

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

**APPROVED:**



LeRoy Cammack, Mayor

**ATTEST:**



Tori Barnett, MMC, City Recorder