

**COUNCIL MEETING MINUTES**  
**September 19, 2011**

The regular meeting of the Ontario City Council was called to order by Mayor Joe Dominick at 7:00 p.m. on Monday, September 19, 2011, in the Council Chambers of City Hall. Council members present were Norm Crume, Joe Dominick, Charlotte Fugate, Dan Jones, David Sullivan and Ron Verini. Jackson Fox was excused.

Members of staff present were Henry Lawrence, Larry Sullivan, Mark Alexander, Lisa Hansen, and Marcy Skinner. The meeting was recorded on tape, and the tapes are available at City Hall.

Norm Crume led everyone in the Pledge.

**AGENDA**

Norm Crume moved, seconded by Charlotte Fugate, to adopt the Agenda as presented. Roll call vote: Crume-yes; Fox-out; Fugate-yes; Jones-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 6/0/1.

**CONSENT AGENDA**

Mayor Dominick abstained from voting due to a payment to his corporation on the bills.

David Sullivan moved, seconded by Norm Crume, to approve Consent Agenda Item A: Approval of the Regular Minutes of 09/06/2011; and Item B: Approval of the Bills. Roll call vote: Crume-yes; Fox-out; Fugate-yes; Jones-yes; Sullivan-yes; Verini-yes; Dominick-abstain. Motion carried 5/0/1/1.

**PUBLIC COMMENT**

Kathleen Brit, Ontario, stated she was representing her mother Merlyn Ashby, (2151 SW 2<sup>nd</sup> Avenue) who had been a resident of the City of Ontario for 37 years. Ms. Brit also had a statement that her mother had written and signed. Ms. Brit wanted to make the Council aware of an incident that had happened last week between the City Water Department and her mother. She was engaged in volunteering for a scheduled position at the hospital, when she received a call from a neighbor, advising her that her water had been turned off. She was very surprised and very concerned. She was not scheduled to be off of that position until 5:00, so she called the Water Department to try to resolve the issue, and to find out why the water had been turned off, and what she needed to do to get it turned back on. She was told that she needed to come down to the office here, and to bring her rental agreement and that the office closed at 5:00 p.m. She explained her schedule, but was told that if she needed water that evening, she needed to come down. So, she left that position, and Ms. Brit accompanied her down here to the Water Department, with the same inquiry as to why her water had been turned off, since no notice had been given to her, and how was she going to get it turned back on. She was told by the lady at the front desk that the water had been turned off because she wasn't paying the bill, and she explained that she had not received the bill and thought she had been paying on-line. She's been at that residence for three years. She was then told that it was showing as an inactive account and the City only reads the meters that are inactive once every three years, and that the water had been turned off by direction of the Director of Public Works, and that there was no requirement to notify her of an impending shut-off. She was told that she could take it up with him if she had a problem with it. She again explained that she thought she was paying the bill, and that she was able and willing to pay the bill, but she was concerned about it being turned off with no notice. She was then told that when people are stealing water, and she was quoting that, there was no requirement to notify them of a shut-off. This was quite upsetting to both her and her mother, as the Council could probably imagine, because, as already

mentioned, she thought she was paying the bill, and they were able and willing to pay the bill. Then they were buzzed through the door, at which time the girl that was helping them exchanged a smirk with a police officer that was walking through, like she was quite enjoying this disruption. That felt a little bit disrespectful to them. When they got back behind the counter, behind the door at the counter, my mother had set her purse on the counter, accidentally knocking over the little ceramic name-holder that was there. She apologized to the woman, said, "Gosh, I'm sorry, I'm not trying to attack you", and woman responded, saying "I know you're not going to attack me. There's a police sergeant right there and a police detective as well". Ms. Brit explained that her mother had apologized. Her mother was 78 years old, she had two knee surgeries, and a foot recently fused. She could barely walk, let alone threaten anybody. They stated they were trying to make an inquiry about what had gone on with the account. They continued to try to find out what needed to be done to get the water turned back on. Her mother was told that the water couldn't be turned back on without a deposit being made because she only had one-month credit history with the Department. Ms. Brit explained that there were other addresses that her mother had lived in in Ontario, as she had lived in Ontario for 37 years. Her mother was told that because those were in the name of Ms. Brit's stepfather, who passed away in 2005, the department could not count. Ms. Brit's mother explained that she paid the bills both before he passed away and after, so could an exception be made. They were refused. At this point, Ms. Brit's mother, Mrs. Ashby, was quite upset, and asked to speak to someone above this woman helping them. They ended up speaking with Bob Walker, who was very nice, and he did get her mother's water turned back on. They did, however, find out today that there still hadn't been an account set up. They were calling to find out how much it was so they could get it paid. So, now, they've probably started the cycle all over again, because there wasn't an account set up. In the week that had passed since that incident, they became aware of two other specific businesses that had similar experiences with the Water Department. One of them had gone a year with no notification, and a \$2000 bill, and another had accrued over \$6000 in bills. Both of these businesses had called to find out why they weren't getting billed. The \$6000 bill account holder had been told that the landlord of the building was paying the bill, and not to worry about it. The other one had not had the meter read in over a year. Ms. Brit's mother's account had also not been read in three years. Her mom was upset, and as they were talking to people, she believed it was worth noting that there wasn't one person that they talked to, that didn't report a negative interaction with the Water Department at the front desk. Many of them refused to deal with the person sitting at the front desk, and there are a couple of them, but they wait until the other girl is available to help them. In summary, the three concerns they had were, first, the water being shut-off without notice to addresses where the building was obviously occupied or where residents were obviously residing. Had they been made aware, or given notice that a mistake had been made, they would have dealt with it immediately, without the need to have the water turned off. Her concerns were what if there had been a fire, or medical emergency, or if there was a small child there, and there was not water? She was really concerned, and she would wonder if there wasn't some type of liability, as well as was that in the best interest of the residents. Second issue was in the way they were treated when they came down to make an inquiry. She wondered if there was something's wrong within the procedures and the way they were working that when the result is a mistake was made and unpaid water was being used, the assumption seems to be made that people were trying to steal water, and she doubted that very many people were intentionally trying to steal water. Her concern was the culture that allowed that attitude, especially in a little town like Ontario, for the residents to be dealt with that way. That was their second issue. Their third issue was really just the passage of time before these issues are coming to the attention of the city and the business owners and residents. If the meters are being read monthly by computers, it didn't seem like it would be difficult to read all the meters, and have the system maybe flag or identify inactive ones for further investigation and notification. It seemed like an unfair burden on both the city and residents to have a mistake carry on for a long period of time before being remedied. The city shouldn't have to go without payment, and the business owners and residents really shouldn't be faced with a large, unexpected bill they had to make payment on within a short period of time. She wanted to own that she had some emotion with her interaction with the front desk with regards to the way her mother was treated, and Ms. Brit might not have used her best customer service skills, but the larger purpose in her being before the Council that night was to simply give the city feedback it might be able to use to identify problems that might have been incorrectly labeled, and to look at the policies and procedures that might currently be in place to make sure that they serve both the city and its business owners and residents the best, most effective way. Thank you for the opportunity to speak on her mother's behalf.

Mayor Dominick thanked Ms. Brit for her comments, and for adding some positive solutions to make it better. He asked for a copy of her letter, to be given to the City Manager, so he could look into the customer service policies. They had been working very hard over the past few years, and he was sorry to hear that they had slipped up a few times. They wanted to work on customer service, because the citizens were their customers, and they wanted to do the best for them. He apologized for their inconvenience, and was glad it got straightened out.

Henry Lawrence, City Manager, stated he had been taking notes. He had been unaware of the situation, so he would be looking into it.

**NEW BUSINESS**

**Approve Purchase of Replacement Road Grader: CIP 13STR-08**

Henry Lawrence, City Manager, stated the City of Ontario was in need of a newer Road Grader as the current 1973 John Deere 570A was 38 years old, and had become obsolete when trying to purchase replacement parts. In the last five years, staff had spent nearly \$11,000 on repairs and since had records over \$53,000.

During the 2011-2013 budget process, the Council approved funding of \$50,000 for the purchase of a used road grader to replace the existing 1973 model John Deere. Staff had located a 1992 John Deere 770B Road Grader with 5800 hours on it. This Road Grader had been inspected and evaluated for the City by Cesco Equipment and was said to be in good condition, with a value of \$33,000. The Road Grader was currently owned by Malheur County Road Department. Staff is also proposing to sell the current 1973 John Deere Road Grader, valued by Cesco at approximately \$18,000, by sealed bids.

CAPITAL PROJECTS	PROPOSED AMOUNT	2011-2013 BUDGET	VARIANCE
045-090-712101	\$16,500.00	\$25,000.00	\$ 8,500.00
105-160-712101	\$ 8,250.00	\$12,500.00	\$ 4,250.00
110-165-712101	<u>\$ 8,250.00</u>	<u>\$12,500.00</u>	<u>\$ 4,250.00</u>
<b>TOTAL</b>	<b>\$33,000.00</b>	<b>\$50,000.00</b>	<b>\$17,000.00</b>

Councilor Jones asked how much Mr. Bishop was trying to buy it for?

Mr. Lawrence stated it was \$31K or \$32K. An old appraisal had it at \$33K; a new one showed \$31K. The County set the price at \$33K.

Councilor Jones suggested started the offer below \$30K. Had a discussion been held on what price to sell the old Grader for?

Mr. Lawrence stated it had been appraised by the same company that appraised the county's grader. There was no guarantee they would receive an offer that high, the \$18K.

Councilor Jones stated it might have more value to remain in the fleet to be used for snow removal.

Mr. Lawrence stated that had been discussed at the Thursday work session, and Mr. Bishop's statement had been to get rid of it. It wasn't being used, and it continued to deteriorate. Mr. Michelson had added one could be rented, if necessary, if a second machine was needed.

Charlotte Fugate moved, seconded by Ron Verini, that the Council approve the purchase of a 1992 770B Road Grader with 5800 hours from Malheur County Road Department to replace the city's existing 1973 Road Grader. Roll call vote: Crume-yes; Fox-out; Fugate-yes; Jones-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 6/0/1.

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

- Mayor Dominick stated they had started the process of the City Manager's evaluation a few weeks ago, and he asked that the evaluation sheets be completed and turned in to him no later than October 10<sup>th</sup>, so they could continue the discussion at the next work session, set for October 13<sup>th</sup>.

**ADJOURN**

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

**APPROVED:**



Joe Dominick, Mayor

**ATTEST:**



Tori Barnett, MMC, City Recorder