

COUNCIL MEETING MINUTES

December 6, 2010

The regular meeting of the Ontario City Council was called to order by Mayor Joe Dominick at 7:00 p.m. on Monday, December 6, 2010, in the Council Chambers of City Hall. Council members present were Norm Crume, Joe Dominick, Charlotte Fugate, John Gaskill, Susann Mills, David Sullivan, and Ronald Verini.

Members of staff present were Henry Lawrence, Tori Barnett, Larry Sullivan, Chuck Mickelson, Mark Alexander, Dawn Eden, and camera operator Delaney Kee.

Susann Mills led everyone in the Pledge of Allegiance.

AGENDA

Susann Mills moved, seconded by John Gaskill, to adopt the Agenda as presented. Roll call vote: Crume-yes; Fugate-yes; Gaskill-yes; Mills-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 7/0/0.

CONSENT AGENDA

Councilor Crume recused himself from voting on the consent agenda as his business had a payment on the bills.

John Gaskill moved, seconded by David Sullivan, to approve Consent Agenda Item A: Approval of Minutes of regular meeting of 11/15/2010; Item B: Ordinance #2653-2010: Request for Right-of-Way Vacation – Portion of SE 13th Street (Boyd Yee) – Final Reading; Item C: Meetings Calendar: January-June, 2011; Item D: Liquor License Application-Change of Ownership: El Erradero II; Item E: Resolution #2010-157: Abstract of Votes: November 2, 2010 General Election; and Item F: Approval of the Bills. Roll call vote: Crume-abstain; Fugate-yes; Gaskill-yes; Mills-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 6/0/0/1.

NEW BUSINESS

Resolution #2010-156: Adding to the List of Prohibited Intoxicating Chemicals

Mark Alexander, Interim Police Chief, stated the proposed resolution would add to the list of prohibited intoxicating chemicals established under Ordinance #2651-2010. Section 1 (B) of the ordinance allowed additional intoxicating chemicals to be added by resolution.

On October 4, 2010, the City Council passed Ordinance #2651-2010, which prohibited the possession, sale, distribution and consumption of certain intoxicating chemical compounds. The creation of the ordinance was the result of businesses selling or opening to sell synthetic cannabis, more commonly known as "Spice". Some of these compounds could even be obtained over the Internet. The ordinance banned the use, possession, sale, distribution and display for sale of the intoxicating compounds listed. At the time the ordinance was created, some of the compounds listed were not yet considered illegal by either the Drug Enforcement Administration or the Oregon Pharmaceutical Board.

Law enforcement was challenged with the control of legal substances being used in ways that contributed to illegal behavior and that was detrimental to the health and welfare of the user. The identification, creation, sale and promotion of legal substances that created similar effects to illegal drugs were always being sought. The police department recently became aware of such a new substance - Mephedrone. It was also known as 4-methylmethcathinone (4-MMC), 4-methylephedrone and 3,4-Methylenedioxyprovalerone (MDPV).

Mephedrone was a synthetic stimulant of the amphetamine and cathinone classes. Mephedrone was reportedly manufactured in China and was chemically based on the cathinone compounds found in the khat plant of eastern Africa. Mephedrone came in the form of tablets or powder, which users could swallow, snort, or inject, producing similar effects to amphetamines and cocaine. It was packaged and sold as plant food and bath salt under names such as Ivory White, Vanilla Sky and Purple Wave.

CITY OF ONTARIO 444 SW 4TH STREET ONTARIO OREGON 97914

Under Section 1(B) of Ordinance #2651-2010, the Council had authority to add to the list of prohibited intoxicating chemicals by resolution. Therefore, the police department was asking to add the following prohibited intoxicating chemicals to the exiting list: Mephedrone (2-methylamino-1-p-tolylpropan-1-one) also known as 4-methylmethcathinone (4-MMC), 4-methylephedrone; and 3,4-Methylenedioxypropylvalerone (MDPV).

Ron Verini moved, seconded by Norm Crume, that the Mayor and Council approve Resolution #2010-156, A RESOLUTION ADDING TO THE LIST OF PROHIBITED INTOXICATING CHEMICALS. Roll call vote: Crume-yes; Fugate-yes; Gaskill-yes; Mills-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 7/0/0.

Resolution #2010-158: Declaring Necessity and Intent for Acceptance of Road Right-of-Way from Poole Real Estate Corporation

Dawn Eden, Engineering Technician I, stated as part of the PC Energy development along SE 6th Avenue near the railroad crossing, PC Energy was asked to donate the right of way for SE 6th Avenue adjacent to their development. During the building permit review process for the PC Energy development, it was noted that there was no right of way dedication for SE 6th Avenue at the railroad crossing. Properties on each side of SE 6th Avenue own to the centerline of the street. PC Energy was requested to donate 35 feet of right of way that would become the south half of SE 6th Avenue. With the construction completed on the PC Energy project, the right of way acceptance was being brought before the City Council.

Charlotte Fugate moved, seconded by Susann Mills, that the Mayor and City Council adopt Resolution #2010-158, A RESOLUTION DECLARING THE NECESSITY AND INTENT FOR ACCEPTANCE OF ROAD RIGHT-OF-WAY FROM POOLE REAL ESTATE CORPORATION. Roll call vote: Crume-yes; Fugate-yes; Gaskill-yes; Mills-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 7/0/0.

Bid Award: 18" Force Mainline Repair Project to Titan Technologies, Inc.

Chuck Mickelson, Public Works Director, stated on June 15, 2009, Council approved the 2009-2011 budget, which included the CIP SEW-12, Rehabilitate 18" Force Main. This authorized \$120,000 from the Sewer Fund to complete the rehabilitation of the existing 18" force main from the 8th Avenue Lift Station to the Wastewater Treatment Plant. This project would repair the leak under the culvert crossings that city staff was unable to accomplish due to the size of equipment needed to do the work. It was not known if this project would be the last of the repairs needed on this existing 18" force main, but it put the city closer to reinstating this line for future use. Once the work was complete, city staff would resume testing of the 18" force mainline to complete the rehabilitation work.

Bids were opened November 10, 2010, for the project, which consisted of replacing 100 lineal feet of existing 18-inch diameter sewer force mainline with 18" HDPE pipe at the Dork Canal crossing on Malheur Drive. Also included was the installation of 75 lineal feet of 24-inch steel casing pipe, traffic control, dewatering and surface restoration. The project (SEW-12) included the cleaning, testing and reinstatement of the 8,150 linear foot long 18" force mainline that was mothballed in 1993 when the 8th Avenue lift station was upgraded, and the 20" force main was put into service. City crews found and repaired various leaks along this pipeline. In July of this year, a major leak was discovered under two 48" diameter culvert crossing pipes at the Dork Canal on Malheur Drive.

Titan Technologies, Inc of Boise, Idaho was the apparent lowest responsive and responsible bidder at \$29,550.00. Titan Technologies' bid came in over the engineer's estimate of \$25,000; however, the budget for project SEW-12 was \$120,000.00 and approximately \$1,500.00 had been billed against it to date.

18" Force Mainline Repair Bid Results	
COMPANY	TOTALS
TITAN TECHNOLOGIES, INC	\$29,550.00
WARRINGTON CONSTRUCTION	\$32,611.00
EASTERN OREGON CONSTRUCTION	\$43,800.00
ENGINEERS ESTIMATE	\$25,000.00

Susann Mills moved, seconded by John Gaskill, that the Council award the 18" Force Mainline Repair Project to Titan Technologies, Inc., the lowest responsive and responsible bidder, in the amount of \$29,550.00 and authorize the City Manager to be signatory to an agreement with Titan Technologies, Inc. Roll call vote: Crume-yes; Fugate-yes; Gaskill-yes; Mills-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 7/0/0.

CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS

- Chuck Mickelson stated that there was a crew of 17 people working on the snow removal, which included staff from Public Works, Streets, Utilities, Water Treatment, Wastewater Treatment, and Parks, laying down deicer, plowing and sanding. There was approximately 80 miles of pavement in Ontario, with even more lane miles. Beginning Tuesday and running to Saturday, they worked for 630 hours, 316 as overtime, with crews working 12-16 hours a day. They were running in two 12-hour shifts, 3p-3a and 3a-3p. Equipment was breaking down, as some of the items were old, but the crews were doing a great job. They started with the major arterials, and moved to the minor ones. They were trying to get some residential areas done, but not everyone would be happy. There had been some complaints about plowing driveway entrances, or covering up the path to the mailboxes, but they were doing their best. They had also done the railroad crossings. Now they needed to focus somewhat on the melting, to ensure no flooding in the storm drains.

Mayor Dominick stated he had heard both good and bad comments. There were a lot of thank yous, but some were not happy about being "buried". He encouraged patience to the citizens, and reminded them this was an unusual amount of snow this early, probably in the last five years, and he believed the crews had done a great job.

Councilor Fugate stated her area had been cleared by the 3rd day of the snowfall, and she appreciated that. If more snowfall was received this year, would staff rotate on where the plowing started?

Mr. Mickelson stated they tried to get to areas as quickly as they could. Usually within a few days, the snow became soft and slushy, which was not safe for motorists. Also, during all this, a major water line broke, so his staff was definitely tired.

Henry Lawrence said the crews did an amazing job. Boise didn't even plow residential areas. Friday night, staff was plowing residential areas all night., and he thanked each and every member dealing with all of that mess. Equipment issues would be reviewed this coming budget cycle, as some pieces were extremely old and needed to be replaced.

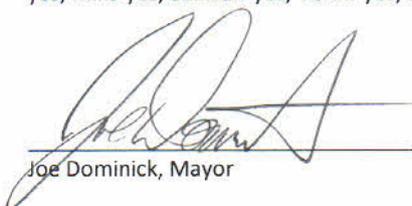
- Councilor Verini stated at the Chamber of Commerce Forum that day, John Breidenbach complimented the city employees for all the work done to enhance the parade. The job was above and beyond the call of duty, and was well received. The community certainly appreciated it. Also, getting all those people out for the tree lighting, to successfully put it all together during the storm, was commendable.
- Mayor Dominick asked about the status of the new Fire Storage Facility. Had the final inspection taken place?

Mr. Mickelson stated staff had received the keys to the building that day. The final payment had just been approved that evening, but the city retained \$25K. That would probably be released soon, following the final of everything, but everything was essentially completed. There were some minor painting issues, and the generator had not received the electrical permit yet as it needed some parts to meet code. The building itself had been turned over to the city. Chief Higinbotham was getting read to move in, and a ribbon-cutting ceremony would be set-up.

- Councilor Verini has a warning for all the veterans in the community, based on information received from Kevin Secore, liaison to the Department of Veteran's Affairs. There was an organization in the area, calling themselves Veteran's Affairs Service, who indicated they were providing benefit information. They were gathering personal information from the veterans; however, they were NOT affiliated with the VA. He cautioned the community, and advised them to be aware and very careful when sharing personal information.

ADJOURN

John Gaskill moved, seconded by David Sullivan, that the meeting be adjourned. Roll call vote: Crume-yes; Fugate-yes; Gaskill-yes; Mills-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 7/0/0.



Joe Dominick, Mayor

ATTEST:



Tori Barnett, MMC, City Recorder