

AGENDA
CITY COUNCIL - CITY OF ONTARIO, OREGON
Monday, April 16, 2012, 7:00 p.m., M.T.

- 1) **Call to order**
Roll Call: Norm Crume _____ Jackson Fox _____ Charlotte Fugate _____ Dan Jones _____
David Sullivan _____ Ron Verini _____ Mayor Joe Dominick _____

2) **Pledge of Allegiance**

This Agenda was posted on Wednesday, April 11, 2012, and a study session was held on Thursday, April 12, 2012. Copies of the Agenda are available at the City Hall Customer Service Counter and on the city's website at www.ontariooregon.org.

3) **Motion to adopt the entire agenda**

4) **Consent Agenda: Motion Action Approving Consent Agenda Items**

- A) Approval of Minutes of Regular Meeting of 04/02/2012 1-9
- B) Proclamation: National Telecommunicators Week April 8 - 14, 2012 10
- C) Chipseal Oil Bid Award 11-13
- D) Lagoon Aerator Repairs 14-16
- E) Approval of the Bills

- 5) **Public Comments:** Citizens may address the Council on items not on the Agenda. Council may not be able to provide an immediate answer or response, but will direct staff to follow up within three days on any question raised. Out of respect to the Council and others in attendance, please limit your comment to three (3) minutes. Please state your name and city of residence for the record.

6) **Joint Meeting:** Malheur County Court regarding Industrial Land Expansion and Economic Development

7) **New Business:**

8) **Discussion Items:**

- A) Treasure Valley Transit, Loni Debban, MCOA&CS

9) **Correspondence, Comments and Ex-Officio Reports**

10) **Executive Sessions:**

- A) ORS 192.660(2)(e) - Real Property
- B) ORS 192.660(2)(h) - Litigation
- C) ORS 192.660(2)(d) - Labor Negotiations

11) **Adjourn**

MISSION STATEMENT: TO PROVIDE A SAFE, HEALTHFUL AND SOUND ECONOMIC ENVIRONMENT, PROGRESSIVELY ENHANCING OUR QUALITY OF LIFE

COUNCIL MEETING MINUTES

April 2, 2012

The regular meeting of the Ontario City Council was called to order by Mayor Joe Dominick at 7:00 p.m. on Monday, April 2, 2012, in the Council Chambers of City Hall. Council members present were Norm Crume, Joe Dominick, Jackson Fox, Charlotte Fugate, Dan Jones, David Sullivan and Ronald Verini.

Members of staff present were Tori Barnett, Larry Sullivan, Bob Walker, Lisa Hansen, Mark Alexander, Yorick de Tassigny, and Greg Bakken. The meeting was recorded on tape, and the tapes are available at City Hall.

Councilor Verini read a comment into the record: *This was a story about Mike Christian. He was a prisoner of war during the Vietnam War. Mike actually made a bamboo needle and over a period of a couple months, sewed an American flag on the inside of his shirt. Before the North Vietnamese brought their ration of soup to these guys, it was a practice of the prisoners to hang Mike's shirt up and recite the Pledge of Allegiance. Repeating this Pledge might not be the most important part of the average American day, today, but for these guys, in this stark prison cell, it was the most important and meaningful event of their day. The North Vietnamese army found the shirt with the flag, confiscated it, and beat Mike severely for the next couple of hours. That night, when they threw him back into the cell, eyes swollen, really in bad shape, he started sewing another American flag. H wasn't making it to make himself feel good, but he knew how important it was for his fellow prisoners to be able to Pledge Allegiance to our flag, and our nation. To Mike, it was the right thing to do. Remember Mike and all the thousands of others that had sacrificed when you recite this Pledge tonight, and every time you recite it.*

Ron Verini led everyone in the Pledge of Allegiance.

AGENDA

Mayor Dominick moved item 8A – Audit Presentation to the last item under New Business.

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

CONSENT AGENDA

Charlotte Fugate moved, seconded by Jackson Fox, to approve Consent Agenda Item A: Approval of the Regular Minutes of 03/19/2012; Item B: Reappointment to Airport Board: Shawn Coleman; Item C: Proclamation: Child Abuse Prevention Month – April 2012; Item D: Request for Sewer Hook-up; and Item E: Approval of the Bills. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 5/0/0/2.

Mayor Dominick read the Proclamation into the record:

Whereas, preventing child abuse and neglect is a community problem that depends on involvement among people throughout the community; and

Whereas, child maltreatment most often occurs when people find themselves in stressful situations, without community resources, and lack of coping skills; and

Whereas, the majority of child abuse cases stem from situations and conditions that are preventable in an engaged and supportive community; and

Whereas, child abuse and neglect can be reduced by making sure each family has the support they need to raise their children in a healthy environment;

Whereas, child abuse and neglect not only directly harm children, but also increase the likelihood of criminal behavior, substance abuse, health problems such as heart disease and obesity, and risky behavior such as smoking; and

Whereas, all citizens should become involved in supporting families in raising their children in a safe, nurturing environment; and

Whereas, effective child abuse prevention programs such as that of the Treasure Valley Children's Relief Nursery succeed because of partnerships created among social service and non-profit agencies, schools, faith communities, civic organizations, law enforcement agencies, and the business community.

Therefore, I do hereby proclaim April as Child Abuse Prevention Month in and call upon all citizens, community agencies, faith groups, medical facilities, and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and strengthening the communities in which we live.

PUBLIC COMMENTS

Kevin Good, tour of Ontario of bicycle stage race, stated his appreciation for the support from the Police Department and the Public Works crew during the activity. There were over 100 racers racing, and for that many it went off without incident – there were no serious injuries. There was a good feel from the city in support. Most of the racers were from out of town, and the feedback was positive, so thank you to Ontario. They were already planning for next year. They learned a lot, much of it being promotion. There was a big race in Walla Walla, so this was a great precursor to that. The city venue was tremendous and support was great. All the city departments helped pull it off.

Mike Smith, Fruitland, stated he started building homes here in November of last year, and had had some really great experiences with most of the city people. There were some issues they had been running into, that could be driving business away from Ontario. Marcy [Skinner] has been awesome; and Dwayne [Hollaway] had, too. The issue was with Public Works. Sometimes, damage was done to sidewalks, which was pretty standard, but it had to be repaired. What they found in Ontario was that they had done minor damage to a gutter panel, chips that were the size of a dime, and John wanted them to cut out the gutter pan, 18 inches into the street, and replace it to the point that they had been averaging \$2-3K per house for the removal that they would not have to do in any other jurisdiction. They tried to meet to resolve this, but it was to the point now where John just went out to the site, used florescent paint, and told them to replace it and that he wasn't going to discuss it. Basically, they had to replace it to receive their CofO for the house. He wanted the Council aware of what was being done. They were looking at developing land in Ontario, and they had no idea what circumstances they were going to run into with Public Works that were not normal. His development people were used to doing certain things, but they were being given wild ideas that could cost several thousand dollars over budget. One thing John made them do was cut into the city sidewalk, or cut into the street whenever they replaced gutter pan, and there was some work that had been done within the couple weeks, in Ontario, that wasn't done that way. He thought it was one rule for the city's work, and one rule when someone else was paying for it, which he didn't think was fair.

Councilor Fox asked where the inequities were? Where was his project?

Mr. Smith stated the corner by Ogawa's was one example. Anytime he wanted to replace a gutter panel, the Public Works Department didn't allow him to pour up against existing paving. He would have to tear 18 inches out into the street and repave it. In other municipalities, you cut the paving and poured it back up to the paving.

(hard to understand) Bill Thompson, Ontario, stated he had a couple issues for Council. The first dealt with garbage accumulation. He cited the city ordinances which referenced refuse accumulating in areas and the potential remedy for it. This particular property had been having problems for a number of years, and had been cited numerous times. This latest instance, beginning around Thanksgiving, was unsightly, smelly, and unsanitary. When there was a hard wind, it blew the garbage around the neighborhood. He asked that something be done.

His second issue was that on the corner of SW 11th Street and SW 5th Avenue, it appeared there was a commercial business – some type of taxi service – with five or six commercial vehicles in that location. It didn't appear the residence was occupied, but they were using the grounds as an office. Now, they were parking on the lawn, and he knew there was an ordinance against that. Also, on SW 5th Avenue, cars parked on that strip were causing a sight obstruction as they were parking right up to the turn. He had almost been in an accident twice. Also, it was zoned as a residential area, not a commercial one.

Mayor Dominick stated he would have the Police Chief look into the issue.

OLD BUSINESS

Ordinance #2667-2012: Water and Sewer Rates (2nd and Final Reading by Title Only)

Larry Sullivan, City Attorney, stated the following changes were made in Ordinance No. 2667-2012 subsequent to the first reading, based on Council discussion and request: **ONE:** Section 8-7-3(F)2 on Ordinance Page 7: The formula for calculating the sewer connection fee was changed. The formula used in the first reading of the ordinance was based only on the average cost of constructing a sewer main for the previous year. This formula did not account for the possibility that the City might not have constructed any sewer mains in the previous year. The formula was reworded to account for this possibility by adding this language: ".....or if no such costs were incurred by the City in the previous year, then upon the Engineering News Record (Seattle) Construction Cost Index, as adjusted for local bid costs". **TWO:** Section 8-11-10(F)2 on Ordinance Page 14: The same change was made in the formula for calculating the water connection fee. **THREE:** Section 8-7-3(O) on Ordinance Page 9: This was a new subsection that made it clear that the sewer connection fee was in addition to any system development charges. And **FOUR:** Section 8-11-10(D) on Ordinance Page 14: This new subsection also differentiated water connection charges from system development charges.

Following the Council's approval of the first reading of the Ordinance at their March 19, 2012 Council meeting, with changes, the Public Works Committee reviewed staff's proposed changes, and recommended that the City Council approve Ordinance No. 2667-2012 with those changes.

Mr. Sullivan stated the Idaho Power document was standard, and was handed out to everyone participating in the program.

David Sullivan moved, seconded by Dan Jones, that the Mayor and City Council approve move that the Mayor and City Council approve **ORDINANCE 2667-2012, AN ORDINANCE MODIFYING SEWER AND WATER CONNECTION CHARGES FOR UNASSESSED PROPERTIES, INCLUDING PROPERTIES TO BE ANNEXED INTO THE CITY, AND MAKING OTHER CHANGES**, including the changes made in the ordinance after the first reading, on Second Reading by Title, on Second and Final Reading by Title Only. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 7/0/0.

NEW BUSINESS

Site Based Energy (SBE) Contracts

Yorick deTassigny, Facilities Manager, stated the purpose of this agenda item was for the Council to approve eight ground leases with SBE for the installation of eight solar panels on city real property, and to enter into an Energy Sales Agreement with Idaho Power. The eight leases were identical, except for the descriptions and maps showing the location of the city property on which the solar panel was to be installed.

On October 17, 2011, the Council approved motions to undertake preliminary negotiations with Idaho Power and SBE to participate in Idaho Power's Oregon Solar Photovoltaic Pilot program. On December 19, 2012, the Council approved the Letter of Intent with SBE to participate in the program.

The terms and conditions of the city's participation in Idaho Power's Oregon Solar Photovoltaic Pilot Program have been discussed by the Council in several meetings. In 2009, this pilot program was mandated by the Oregon legislature to encourage the development of solar energy in the state. Under the program, electrical utility providers operating in Oregon were required to purchase electricity at above-market rates from a limited number of non-commercial participants. With the assistance of SBE, an Idaho solar energy development company, the city applied to participate in the program and received preliminary approval from Idaho Power for the installation of ten solar panels. Since that time, two of the city's potential solar panel sites had been eliminated from consideration by the city or SBE, leaving eight sites for the installation of solar panels. The last financial projection provided to the City Council by SBE was based on the installation of nine panels.

On December 20, 2011, the City Manager, with Council approval, signed a Letter of Intent with SBE to enter into leases of city property for the installation of the panels. SBE representatives met with the Council to review various options for structuring the leases. The Council consensus was to have SBE own the solar panels for the first eight years of the fifteen-year Idaho Power pilot program and have the city own the panels for the final seven years, and thereafter. That is the model incorporated into the Solar Project Ground Lease form.

City staff reviewed several drafts of the proposed lease prepared by SBE, and SBE has incorporated all the changes requested.

If the City Council authorized the signing of the leases, city staff and SBE would work together to satisfy the remaining requirements imposed by Idaho Power for participation in the pilot program, including the execution of an Energy Sales Agreement with Idaho Power as shown as an exhibit to the leases.

Ron Verini moved, seconded by Charlotte Fugate, that the Mayor and City Council approve eight Solar Panel Ground Leases with Site Based Energy, and authorize the Interim City Manager to execute a separate Solar Panel Ground Lease with SBE or its designee for each of the City's eight solar panel sites. Roll call vote: Crume-no; Fox-no; Fugate-yes; Jones-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 5/2/0.

Ron Verini moved, seconded by Charlotte Fugate, that the Mayor and City Council approve the Idaho Power Sales Agreement to the SBE Ground Leases as Exhibit D, and authorize the Interim City Manager to execute the Idaho Power Sales Agreement. Roll call vote: Crume-no; Fox-no; Fugate-yes; Jones-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 5/2/0.

NW Washington Deeds (Brewer, Hart, Valvold, Patel)

Bob Walker, Interim Public Works Director, stated ODOT staff has prepared appraisals and conducted negotiations on many of the parcels that must be acquired for this roadway project. Deeds are attached for the Brewer, Vavold, Hart and Patel properties and must be accepted by the city prior to recording or closing on the property.

On July 6, 2010, the Council approved Agreement No. 26720 with ODOT accepting \$4.5 million for the relocation of NW Washington and constructing Park Blvd to NW 16th Avenue. On November 15, 2010, Council approved Agreement No. 26720-01 with ODOT which was an amendment authorizing the expenditure and reimbursement of funds for the above project. On March 7, 2011, the Council approved Agreement No. 27027 with ODOT authorizing the ODOT right of way staff to proceed with appraisals and acquisition of properties for the NW Washington and Park Blvd roadway project. ON July 18, 2011, the Council approved Agreement No. 27027-01 with ODOT which was an amendment clarifying how funds will be paid by ODOT for the appraisals and acquisition costs.

Councilor Fox stated he had a business and some property in the area, and after speaking with the City Attorney, he was informed he could abstain if it made him more comfortable; therefore, he was opting to abstain on this action.

David Sullivan moved, seconded by Ron Verini, that the City Council authorize the Mayor to sign the Deeds from Jeanne Brewer, Morris and Dixie Vavold, Dennis Raeburn Hart and Margaret Ann Hart and Bharatkumar C. and Tarlikaben B. Patel accepting the property for the NW Washington roadway relocation project, subject to review by the City Attorney. Roll call vote: Crume-yes; Fox-abstain; Fugate-yes; Jones-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 6/0/0/1.

Horning and Crest Way Proposed Sewer and Water Fees

Bob Walker, Public Works Director, stated the City Council directed the Public Works Department to pursue the annexation of the property along Horning and Crest Way. There were a number of steps that needed to be followed before contacting the property owners about annexation. One of the first questions that would be asked by the property owners related to the costs of connecting to the water and or sewer system. The Public Works Committee reviewed the memo at their March 21st meeting and passed the following motion regarding water and sewer fees to be charged to the property owners that have not yet connected. One, that the interior property owners on Horning and Crest Way not be required to pay the assessment or the lift station fee when the remaining property owners connect to the public sewer or public water; Two, that the three lots with existing structures that abut Verde be required to pay the \$.41 per square foot for sewer when they connect to the sewer system and that the same three lots pay a water assessment when they connect to the public water system. That fee has not yet been calculated. No lift station fee would be charged for any of the existing structures in the Horning and Crest Way project; and Three, that in the event the large lot that abuts Verde between Horning and Crest Way was partitioned off and a new building was constructed, that the builder be required to pay the sewer and water assessment along with the lift station fee. This passed with a 6-0-1-1 action, with Mr. Frazier being excused.

If the City Council concurred with the Public Works Committee, staff would prepare a packet explaining the annexation process for the property owners and schedule a meeting. As a reminder, Dan Cummings indicated that his firm had the annexation fees (approximately \$6,500) in a trust fund awaiting action by the property owners and the city.

Councilor Jones verified that lot 1445, the way it was listed now, there were no lift station fees, but if it were to be split into three parcels, there would be on the other two parcels? Was that correct?

Mr. Walker stated yes, that was correct.

Councilor Fox verified this was what the Public Works Committee recommended?

Mr. Walker confirmed it was.

Norm Crume moved, seconded by Dan Jones, that the Council accept the Public Works Committee's recommendation on fees for the Horning and Crest Way neighborhood, and to accept the funds from CK3, LLC, as full payment for the annexation fees for these properties. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 7/0/0.

Audit Presentation

Mary Jo Evers, Oster Professional Group, provided an overview of the city's audit. A copy of the complete audit is attached and incorporated by reference.

Ms. Evers pointed out certain things:

- Reconciliation: When they first came in for field work last September, from what they were able to reconcile from the bank to the city's book showed a large difference. Since that time, Lisa [Hansen] had researched it and found some items that had not been recorded on the city's books, so the difference was now only \$10.
- Voided checks: They inspected voided checks, and the recommendation there was that the signatory portion of the check be removed so it could not be executed in any way.

- Visa cards: Those were an area of expenditures that went outside the normal approval process of the city. Every transaction was tested on those. They found some instances where personal purchases were made, but they were able to verify that those funds were paid back from a non-city account to the credit card. They wanted to point out that the current city policy was to have credit cards for travel for a lot of the employees, and the aggregate limit was \$95K. An option there would be to offer travel advances, or to reimburse expenses with the appropriate receipts.
- Internal control: they were told that there were review procedures in place for visa card usage, payroll summaries, journal entries, but when they physically reviewed the documents, there were no initials or tracking to indicate it happened. They recommended that after a review, it be initialed.
- Internal control: maybe the Finance Director could do all the reconciliations on the balance sheet at the end of the month, instead of having a staff person do it. That would ensure she was overseeing the entire process.

Councilor Sullivan asked what would occur if there were accounts the Finance Director directly worked with?

Ms. Evers stated Ms. Hansen didn't do the accounts payable processing or the revenue reporting. That was done by other staff.

- Budgets: Budget lines could be adjusted by resolution as long as the line item existed in the funds, but what they found was that some budgets were being moved to a line that didn't exist on the original appropriation. That meant it would require the next step up - a supplemental budget. Not doing it that was a procedural violation.
- Budget Officer: The city had not appointed a Budget Officer, so they were recommending the Council do that by Charter, indicating that the City Manager would always be the Budget Officer.

Mayor Dominick asked if the City Manager was always the Budget Officer, or was it just a designated person?

Ms. Evers stated she had seen it as either the City Manager or the Finance Director.

Councilor Fugate stated they had spoken about this issue over a month ago, and they had decided it would be the City Manager.

- Interfund Services: Those should be treated as revenues and expenditures, not transfers in and out.
- System Development Charges: Initially, there had been no report on what projects those fees had been used for; since then, Public Works had developed a report outlining. They recommended issuing the report to the Council by January 1st, per Oregon Statute. They also needed to establish a dedicated account for the deposit of SDCs, and one did not currently exist.
- Deficit Fund Balances: There were several funds that had a deficit balance. The 9-1-1 Fund had a deficit of \$30,429. The transfer from the General Fund would have to increase to bring that out of the negative. Three other funds, the Golf Course Fund, was negative \$537,580; the Storm Sewer Fund was negative \$225,365; and the Grants Fund was negative \$3,948. They recommended transferring money into the Golf Course and the Storm Sewer to account for the deficit. The Grants Fund was just waiting for reimbursement.

Councilor Sullivan stated the Golf Course deficit was substantial.

Ms. Evers stated it was from debt.

Councilor Sullivan stated he was concerned because they were asking that funds be transferred to balance those accounts out, but were the negative funds already recognized in the cash figures already presented?

Ms. Evers states she didn't think so, because she didn't think they had the capital assets booked.

Councilor Sullivan asked if that would significantly impact the reserve funds as they believed them to be?

Ms. Evers stated last year, the Golf Course started out negative \$225K, but there was a large payment of debt this year. That contributed to the negative.

Councilor Sullivan stated at the end of last year, that \$225K deficit, was that ever squared away? Should they be doing that?

Ms. Evers stated it would be a transfer of funds.

Councilor Sullivan stated it would come out of the reserves, so wouldn't the reserves have been overstated because they hadn't been counting the adjustment to pick that up.

Ms. Evers stated yes. The beginning balance from 09-10 was negative \$107K. Then it increased another \$118K. Last year, the deficit increased another \$300K.

Councilor Sullivan stated he didn't understand how they operated showing that as a negative. The checks were written from somewhere.

Ms. Evers stated there was an Interfund loan from a different fund. If the Golf Course went into the negative, the General Fund loaned money.

Councilor Sullivan asked if that counted against the reserves? He wanted to know the reserves were overstated because they hadn't made accounting adjustments.

Ms. Evers stated the ending balance in the General Fund was adjusted for that amount. The General Fund ended with \$3.5M, but \$600K of that was Interfund loans to different funds.

- Capital Accounts: They recommended that the Finance Director establish an allowance procedure, either a percentage of the receivables as the end of the year, or a staggered based on the length of the accrual, something along those lines.
- City Charter: In reviewing the City Charter, they noted two places that referenced the City Manager providing an "annual" budget, when it was actually a biennial budget. That issue had been discussed with the City Recorder.
- Debt Covenants: One covenant in the DEQ loan was that the city supply a copy of the annual audit report to them by December 31st, so they were letting the Council know that would be good to have done for next year.

Councilor Fugate stated the last paragraph of the letter stated the information was intended for the use of management and City Council and should not be used for any other purpose. What did that mean?

Ms. Evers stated that was standard wording, mainly so it couldn't be used negatively. Their purpose was for full disclosure of items to the Council. It was not to be used for litigation or anything, but for communication between them and Council, although it was a public record.

- Internal Control: A material weakness they found was that timely reconciliations on cash weren't done. That was a problem. Banks would only let you fix things so far back before they couldn't be fixed.
- Independent Auditor's Report: *"In our opinion, the financial statements referred to above present fairly, in all material respects..."*. That was a clean audit report. This was the best opinion you could get from an auditor.

Councilor Jones asked what happened with a violation.

Ms. Evers stated it would be reported to the Secretary of State. They would review it, and the city might get a letter. The burden on the city at that point would be to say it wouldn't happen again. In the letter of the law, the Councilors could be held liable for over-expenditures because they public was made aware of the expenditures up

to a certain amount, and more was spent. However, she hadn't seen that happen. Council could be held legally liable for overspending the budget.

Councilor Sullivan stated the Golf Course's \$45K was a debt service payment. The money didn't go outside.

Ms. Evers stated in the future, they should do a supplemental budget to raise the expense.

Councilor Jones stated one of his concerns was that the Council was not made aware of these things happening.

Ms. Evers suggested working with Finance to receive a budget to actual statements.

Councilor Sullivan asked what procedures Ms. Hansen would be implementing for the reconciliation process. Would there be written guidelines that would be followed?

Ms. Hansen stated she was working on that. She was reconciling for this audit so they would have the correct beginning numbers to work with.

Councilor Jones stated he had a suggestion he would like the Council to consider. With Ms. Hansen being new and getting her arms around this – and great job Lisa! – and he was impressed with Oster, would it be wise to have Oster present a proposal that they could work with Lisa, as an outside firm coming into help her design and develop before another City Manager came in, so they didn't get off on another tract? There was an opportunity here. He would be willing to allow Oster to make a presentation to the Council of coming in to help Lisa get some things taken care of so they didn't have violations. It was his goal to have zero violations.

Ms. Oster stated if they came in in June, the main thing they would test would be internal controls. She would like to have the city hire them again, but she didn't want them to spend money that would be covered under a renewed contract.

Councilor Fox stated they wanted to get the Audit Committee together to discuss this, and they needed to follow Oster's recommendations, ideas from the Audit Committee, and to establish a plan of corrective action to streamline a lot of this.

Ms. Oster stated she was done wither presentation.

Mayor Dominick stated in his almost five years as Mayor, this had been the most stable audit presentation they had ever had. He was impressed with them telling the issues, and not sugar coating anything. They would be moving forward with this, as it was the Council's goal to have a balanced budget and clean audit.

CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS

- Chief Alexander stated the OHS baseball team was selling the tiger paws and "O" emblem and some downtown businesses wanted to paint them on their sidewalks. The question came up as to if this was graffiti. The team was trying to sell them to put the paws in front of their storefronts.

Mayor Dominick asked if it should be uniform – the paws or the "O".

It was Council consensus to offer both.

- Chief Alexander stated there was a training being offered on April 26th and 26th, if the Council wanted to participate. It was an interactive video where they could act like a police officer, and the operator of the system would designate the scenario. It would take about an hour down at the old city shop. He encouraged participation.

- Chief Alexander informed the Council the pool had been closed due to a pump failure.
- Tori Barnett reminded everyone to return their Statement of Economic Interest to the state. They were due by the 15th.
- Councilor Verini stated Senator Merkley would be here on April 9th, at 11:30 a.m. at the Josh Brennan Memorial Hall in Nyssa for a town meeting.
- Councilor Jones stated he had concerns about the construction issues that had been talked about earlier that evening. The rules should be the same for both city and private contractors. He asked that the Council be kept more informed regarding complaints and comments. When a citizen came forward, he wanted to know that the issue has been handled and/or resolved.
- Mayor Dominick stated that Senator Wyden would be in town on Sunday, the 22nd at the Four Rivers Cultural Center, beginning at noon.

EXECUTIVE SESSION: ORS 192.660(2)(H)

An executive session was called at 8:52 p.m. under provisions of ORS 192.660(1)(h) current or pending litigation. Council reconvened into regular session at 9:03 p.m.

ADJOURN

Ron Verini moved, seconded by Jackson Fox, that the meeting be adjourned. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 7/0/0.

APPROVED:

ATTEST:

Joe Dominick, Mayor

Tori Barnett, MMC, City Recorder

National Telecommunicator's Week

April 8 - 14, 2012

Whereas emergencies can occur at anytime that require police, fire or emergency medical services;

And Whereas when an emergency occurs the prompt response of police officers, firefighters and paramedics is critical to the protection of life and preservation of property;

And Whereas the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the Ontario 9-1-1 communications center;

And Whereas Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services;

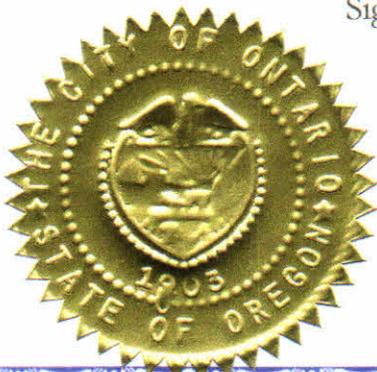
And Whereas Public Safety Telecommunicators are the single vital link for our police officers and firefighters by monitoring their activities by radio, providing them information and insuring their safety;

And Whereas Public Safety Telecommunicators of the Ontario Police Department have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients;

And Whereas each Telecommunicator has exhibited compassion, understanding and professionalism during the performance of their job in the past year;

Therefore Be It Resolved that the Ontario City Council declares the week of April 8th through 14th, 2012 to be National Telecommunicator's Week in Ontario, in honor of the dedicated staff whose diligence and professionalism keep our city and citizens safe.

Signed this 5th day of April, 2012



A handwritten signature in blue ink, appearing to read "Mayor [Name]", written over a horizontal line.

CONSENT AGENDA

April 16, 2011

TO: Mayor and City Council

FROM: Bob Walker, Public Works Director
John Bishop, Public Works Operations Manager

THROUGH: Charles R Mickelson, City Manager Pro-Tem

SUBJECT: CHIPSEAL OIL BID AWARD

DATE: April 9, 2012

SUMMARY:

Attached is the following document:

- Chipseal Oil Bid Tabulation
- 2001-2012 Chipseal Map

Bids were opened on March 7, 2012, for the purchase of an estimated 250 ton of CRS-2R and estimated 30 ton of CSS-1 (QuickSeal oil) to be used in the 2012 chipseal project. There are only two local businesses who supply this type of oil and both companies' submitted bids. A third business from Vancouver, WA was sent a request for quote, but did not submit a bid.

The bid amounts were as follows for approximately 250 tons of CRS-2R and 30 tons of QuickSeal. Spreading charges were also requested and received:

BUSINESS	CRS-2R	QUICK SET	SPREADING CHARGE
IDAHO ASPHALT SUPPLY (P.O. BOX 966, NAMPA)	\$561.73/TON	\$461.73/TON	\$18.00/TON
WESTERN STATES ASPHALT (4304 GEKELER LANE, BOISE)	\$618.23/TON	\$500.23/TON	\$21.00/TON
ALBLINA FUEL (801 MAIN ST, VANCOUVER, WA)	NO BID		

BACKGROUND:

In an effort to preserve the streets in the City, the Street Department has taken on the project of annually chipsealing the streets. This process requires CRS-2R and Quick Set oil plus 5/8" and 3/8" chips. **This year's chipseal area will be SW 4th Ave from S Park Blvd to west of Yturri Beltline.**

FINANCIAL IMPLICATIONS:

Project	2012 Bid Amount	FY 11-13 Budget
STREET SEALING – Chip Seal 045-090-714350 (13STR-01)	Approx. \$159,325	\$317,500 \$173,085 (Avail)

RECOMMENDATION:

Staff recommends the City Manager, Pro-Tem be authorized to be signatory to the agreements to award the chipseal oil contract to Idaho Asphalt Supply, Inc. for Fiscal Year 2012-13.

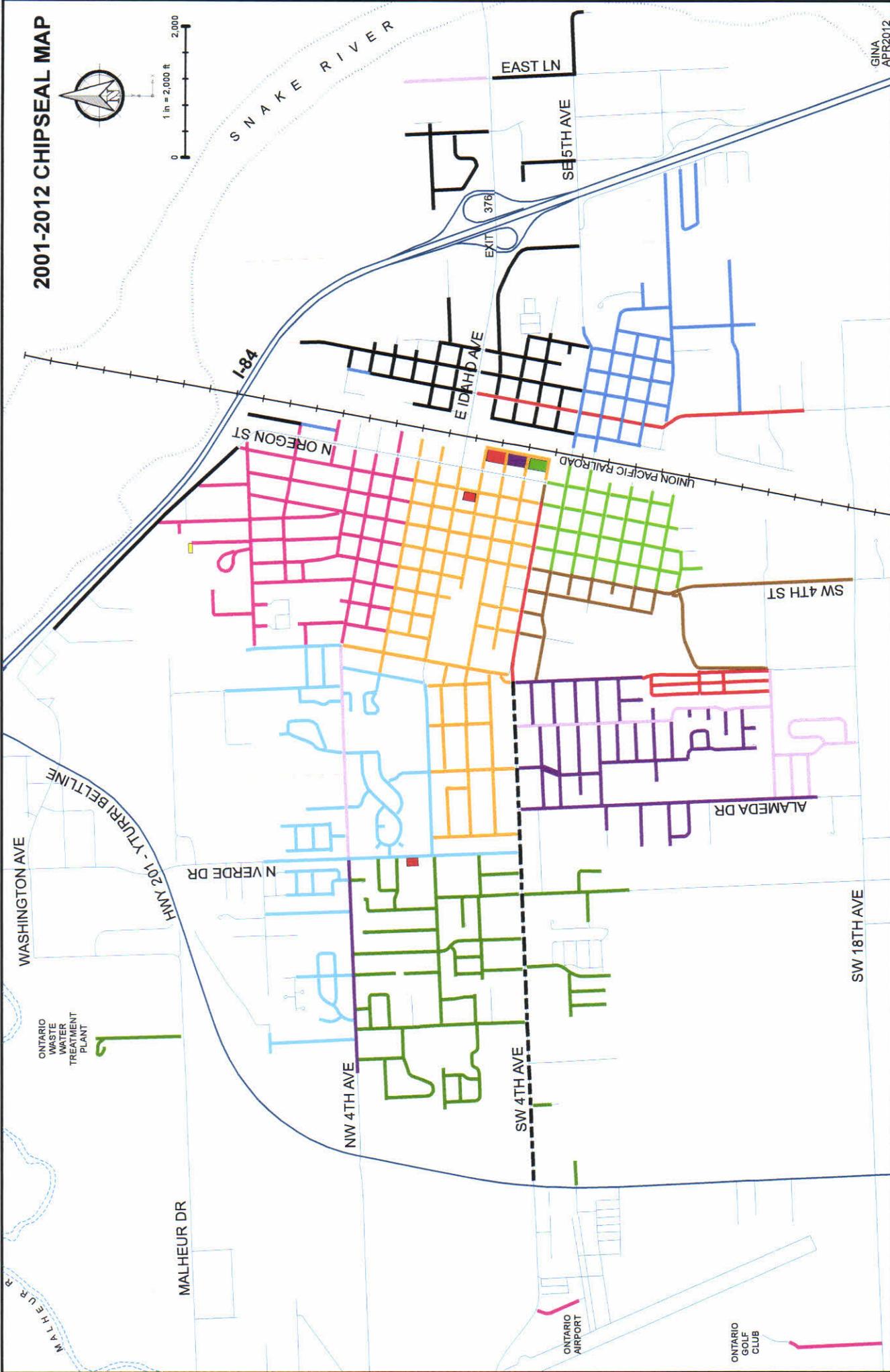
2012 CHIPSEAL PROJECT

Request for Quote - CRS-2R & Quick Set Oil (CSS-1)

Bids Opened 3/7/12 - Operations Shop

	Base Charge	Freight Charge	Anticipated Surcharge	Distributor Charge	Total
Idaho Asphalt Supply					
CRS-2R/Ton	\$545.00	\$13.50	\$3.23	\$18.00	\$579.73
Quickset (CSS-1)/ton	\$445.00	\$13.50	\$3.23	\$18.00	\$479.73
Western States Asphalt					
CRS-2R/Ton	\$615.00	included	\$3.23	\$21.00	\$639.23
Quickset (CSS-1)/ton	\$500.00	included	\$3.23	\$21.00	\$524.23

2001-2012 CHIPSEAL MAP



Chipseal Year - Area, square ft	Chipseal Year - Length, mi	Chipseal Year - Length, mi
2005 - 9,614 sq ft	2004 - 6.827 mi	2008 - 4.551 mi
2002 - 50,310 sqft	2005 - 8.486 mi	2009 - 3.267 mi
2003 - 97,521 sqft	2006 - 7.320 mi	2010 - 2.481 mi
	2007 - 6.308 mi	2011 - 2.676 mi
		2012 - 1.461 mi

GINA
APR2012

AGENDA REPORT

April 16th, 2012

TO: Mayor and City Council

FROM: Bob Walker, Public Works Director

THROUGH: Chuck Mickelson, City Manager Pro-Tem

SUBJECT: LAGOON AERATOR REPAIRS: QUALITY ELECTRIC, CONDUCT NECESSARY REPAIRS TO LAGOON AERATORS: 2, 5, 6, 7, 9 & 18. AERATOR #24 STILL REQUIRES REPAIRS, BUT IS CURRENTLY NON-ACCESSIBLE DUE TO LOW WATER LEVEL.

DATE: April 9, 2012

SUMMARY:

Attached is the following document(s):

- Quality Electric proposal

As required by DEQ; conduct necessary repairs to lagoon aerators: 2, 5, 6, 7, 9 & 18. Aerator #24 still requires repairs, but is currently non-accessible due to low water level. Pursuant to the current contract for electrical services; Quality Electric has provided a written cost estimate of \$5,262.25 for the necessary repairs as noted above.

FINANCIAL:

The Operation & Maintenance Budget amount approved by Budget Committee & Council for the 2011-2013 budget period is listed as \$3,000 for the this item.

The remaining balance of this project (\$2,262.25) will be paid for with funds available in project 11SEW-13, "Parallel Force Main" which is complete and has an unexpended balance of \$135,156.00.

The consequence to the City is the potential fines for non compliance with the Oregon DEQ.

PREVIOUS COUNCIL ACTION:

2011: Council adopted the 2011-2013 biennial budget that included \$3,000 in total for "Aerator Repairs" under GL# 110-165-618310.

BACKGROUND:

Based upon DEQ audits conducted in 2009 and 2010; the aerators must be adequately maintained and operable. Aerator repairs were specifically noted in the 2009 audit as an action item.

RECOMMENDATION:

Staff recommends the City Council authorize the City Manager to sign the requested purchase request for services to be provided pursuant to contract by Quality Electric for the necessary repairs in the amount of \$5,262.25.

PROPOSED MOTION:

I move the City Council authorize the City Manager to sign the Large Purchase Order Request for the Lagoon Aerator Repairs, services provided pursuant to contract by "Quality Electric, Inc." in the amount of \$5,262.25.

[Aerator #24] (Ben + Derrick .5 hrs) (Could not get mtr. to run for more than 2 second before it tripped. Could not launch boat into pond to check mtr.)

[Aerator #14] (Ben + Derrick .25hrs) (Motor started and was running when we left).

[Aerator #18] (Ben + Derrick 1.5hrs) (Motor started and ran for about 5 seconds until it tripped. Amperage was three times the rating of the motor. Found that the cord feeding the motor was worn through at the point of attachment to the aerator pontoon. Recommend moving the aerator pontoon closer to the shore and cutting out the 8' of bad cord and reterminating it to the motor.

[Aerator #2] (Ben + Derrick .25hrs) (Motor started and was running when we left).

[Aerator #5] (Ben + Derrick .25hrs) (Motor started and was running when we left).

[Aerator #7] (Ben + Derrick .5 hrs) (Motor started and ran for 2 seconds before tripping. Found that the starter had lost a phase internally causing the mtr. to single phase and trip.)

[Blower #2] (Ben + Derrick .5 hrs) (Motor started and ran for 2 seconds before tripping. Found that the starter had lost a phase internally causing the mtr. to single phase and trip.)

[Blower #5] (Ben + Derrick .5hrs) (Motor started and ran for 2 seconds before tripping. Found that the starter had lost a phase internally causing the mtr. to single phase and trip.)

[Blower #7] (Ben + Derrick 1.75 hrs) (Reconnected the cord to blower #7. Reterminated wiring inside motor pckevhead with new ring terminals as the old ones were corroded. Reinstalled cover for motor pckevhead and checked for correct rotation. Connected Amp meter to circuit to check for correct range. Motor was running when we left.)