

**AGENDA**  
**ONTARIO CITY COUNCIL - CITY OF ONTARIO, OREGON**  
Monday, April 21, 2014, 7:00 p.m., M.T.

- 1) **Call to order**  
Roll Call: Norm Crume \_\_\_\_\_ Jackson Fox \_\_\_\_\_ Charlotte Fugate \_\_\_\_\_ Dan Jones \_\_\_\_\_  
Larry Tuttle \_\_\_\_\_ Ron Verini \_\_\_\_\_ LeRoy Cammack \_\_\_\_\_

2) **Pledge of Allegiance**

This Agenda was posted on Wednesday, April 16, 2014, and a study session was held Thursday, April 17, 2014. Copies of the Agenda are available at the City Hall Customer Service Counter and on the city's website at [www.ontariooregon.org](http://www.ontariooregon.org).

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

4) **Consent Agenda:**

- A) Minutes of Meeting of April 7, 2014 ..... 1-9  
B) Approval of the Bills

5) **Department Head Updates: *Thursday Only***

6) **Presentation: Ontario Aquatic Center (*Thursday Only*)**

7) **Public Comments:** Citizens may address the Council on items not on the Agenda. Out of respect to the Council and others in attendance, please limit your comment to three (3) minutes. This time limit will be enforced. Please state your name and city of residence for the record.

8) **New Business:**

- A) Resolution #2014-114: Adopt City's Representation in the Updates to the Malheur County Multi-Jurisdictional Natural Hazards Mitigation Plan ..... 10-12

9) **Discussion/Informational/Hand-Out Items (*Thursday Only*)**

- A) Financial Reports for Council  
B) OPD Stats - April  
C) City Manager Contract Template  
D) CH2MHill

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

11) **Executive Session: (*Thursday Only*)**

- A) ORS 192.660(2)(e)  
B) ORS 192.660(2)(a) **to begin at 2:00 p.m.**

12) **Adjourn**

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

**ONTARIO CITY COUNCIL MEETING MINUTES**

**Monday, April 7, 2014**

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

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

Jackson Fox led everyone in the Pledge of Allegiance.

**AGENDA**

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

**CONSENT AGENDA**

Mayor Cammack indicated there were two additional items for the bills.

Jackson Fox asked if the additional items were in the budget.

Mayor Cammack stated they were.

Councilor Crume recused himself from this action as his company had an invoice for approval on the bills.

Chief Alexander stated: *April 13-19 is National Telecommunicator Week and our Mayor will soon read a proclamation declaring so. Before he does that, I wanted to take a moment to recognize our Telecommunicators and tell you a little about what they do and who they are. I started here under the title of Dispatcher. We did not have 9-1-1 or computers. You only had to be 18 years of age and minimal training was required. Since then, there have been great improvements with professional standards and training. The nationally recognized title for these employees is now Telecommunicator. The nationally recognized title for a 9-1-1 or dispatch center is PSAP or Public Safety Answering Point. Telecommunicators are now required to attend training at the Oregon police academy. They must maintain and hold certifications and they must receive annual continuing education. In 2013, our Telecommunicators handled 6,028 9-1-1 calls relating to a variety of emergencies. They answered 50,306 non-emergency and business calls. They answer and manage radio traffic for police, fire and ambulance. They are amazing multi-taskers. They meet visitors face to face assisting with police services, they answer questions, and assist in returning property. They registered 274 sex offenders. The Mission of the Ontario 911 PSAP Center is to provide prompt, courteous communications to our customers to the best of our ability. Our standard is excellence. Our model of success is teamwork. We are always there and always ready. Currently Liz Amason, Michelle Mallea, Tauni Thode and Kathy Ross are Telecommunicators with the City of Ontario. They do a great job for us. They are currently working beside Malheur County Telecommunicators Jim Widmer, Tom Braniff, Cheryl Ziegler, Carissa Jordan, Kathe Peterson, and Robin Wintle. Last year, Liz Amason was honored as a Community Star by Intermountain Community Bank, who donates \$1,000 to a charity or organization of each winner's choice. Volunteers are nominated by fellow community members. Officer Amason donated her winnings*

*to Four Rivers Healthy Communities to help start building a community foundation through that organization. Last year, Michelle Mallea and Rebecca Carter received Telecommunicators of the Year award through the Ontario Elks for some very impressive work they did during massive range fires just outside of Ontario that affected emergency services throughout the region. Tauni Thode was just recognized by Sheriff Wolfe for going above and beyond in assisting an elderly female from Ironside who had called requesting assistance with unwanted scam calls. Officer Thode has great compassion for our elderly population and it shows. Kathy Ross has volunteered at the Owyhee Field Day and is a certified EMT. She has used those EMT skills not only as a Telecommunicator, but at different times when she has come across some bad motor vehicle crashes and other events. We are fortunate to have these Telecommunicators helping our citizens and first responders. I appreciate the time you have given me tonight and for making this recognition part of your meeting.*

Ron Verini moved, seconded by Charlotte Fugate, to approve Consent Agenda Item A: Minutes of the Council Meeting of March 17, 2014; Item B: Proclamation: National Telecommunicator's Week; and Item C: Approval of the Bills. Roll call vote: Crume-abstain; Fox-yes; Fugate-yes; Jones-yes; Tuttle-yes; Verini-yes; Cammack-yes. Motion carried 6/0/0/1.

Mayor Cammack read the Proclamation into the record:

**National Telecommunicator's Week**

**April 13 - 19, 2014**

- Whereas:** Dedicated Telecommunicators serve the citizens of Ontario both night and day, by answering their requests for law enforcement, fire and emergency medical services, and by dispatching the appropriate assistance; 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:** 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 13<sup>th</sup> through 19<sup>th</sup>, 2014 to be National Telecommunicator's Week in Ontario, in honor of the dedicated staff whose diligence and professionalism keep our city and citizens safe.

**PUBLIC COMMENT**

Charlene Pelland, Ontario, extended an invitation to the City Council to attend a celebration for Councilor Ron Verini and his brother Doug Dean. They were recipients of the Governor's Volunteer Award. A small gathering would take place on April 24<sup>th</sup>, from 3-4 pm at the Veteran's Advocate office.

Joe Recla, Laura Gibbs, Jerry Kush, Stormy Ray, and William Lopez all spoke in favor of allowing medical marijuana dispensaries in Ontario, and were against the moratorium to prohibit them. Mr. Recla and Ms. Gibbs indicated if the moratorium was passed, they would be willing to work with the Council on any questions or issues that might arise over the next year.

#### **LOCAL CONTRACT REVIEW BOARD**

##### **G.W. Wilber Professional Services Agreement**

Larry Sullivan, City Attorney, stated after the resignation of Michael Long as Finance Director for the city on February 13, 2014, the City Council met with G.W. Wilber, the principal of G.W. Wilber, Certified Public Accountants, P.C., to discuss providing financial services to the city. The Council consensus was to hire Mr. Wilber's PC for \$6,000 per month to provide various financial services to the city, and instructed the City Manager and the City Attorney to prepare a Memorandum of Understanding between the parties. After a Memorandum of Understanding was prepared by the City Attorney and forwarded to G.W. Wilber, Mr. Wilber's attorney responded with the Professional Services Agreement, along with a Scope of Work to be included. The Council consensus in an executive session was to approve the proposed Professional Services Agreement submitted to the City.

The City Council, acting as a Local Contract Review Board, had the authority under Section 7.1 of the Financial Policies Manual to determine that the G.W. Wilber Professional Services Agreement was a professional services contract that was exempt from the competitive bidding process.

Dan Jones moved, seconded by Norm Crume, that the Mayor and City Council, sitting as a Local Contract Review Board, declare that a contract between the City and G.W. Wilber, Certified Public Accountants, P.C., is a personal services contract under Section 7.1 of the Ontario Financial Policies Manual. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Tuttle-yes; Verini-yes; Cammack-yes. Motion carried 7/0/0.

Jackson Fox moved, seconded by Charlotte Fugate, that the Mayor and City Council, sitting as a Local Contract Review Board, approve a personal services contract with G.W. Wilber, Certified Public Accountants, P.C., to provide various financial services to the City, and authorize the Mayor to sign said contract. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Tuttle-yes; Verini-yes; Cammack-yes. Motion carried 7/0/0.

#### **OLD BUSINESS**

##### **Ordinance #2688-2014: Amend OMC 6-1 Relating to Discharge of Weapons (Final Reading)**

Mark Alexander, Police Chief, stated the Police Department wanted to amend Municipal Code Title 6, Chapter 1, relating to discharge of weapons in order to allow for rodent control on city properties. There had been no changes since First Reading on March 17, 2014.

Ontario Municipal Code Title 6, Chapter 1, prohibited the discharge of pellet or bb guns within the City Limits. The Ontario Golf Course suffered extensive damage from ground squirrels and efforts to reduce rodent numbers had been unsuccessful. Common to this area was shooting of ground squirrels for rodent control. BB or pellet guns could be a safe and effective way of control. Golf course management also believed there could be revenue opportunities by allowing for such rodent control.

Ordinance #2688-2014 provided a waiver process to discharge bb or pellet guns on city property for rodent control. The city could impose conditions such as time period, specific location, requirements for notice of the activity occurring, oversight required for those discharging, reporting of activity and disposal of such animals once destroyed.

Jackson Fox moved, seconded by Larry Tuttle, that the Council adopt Ordinance #2688-2014, AN ORDINANCE AMENDING ONTARIO MUNICIPAL CODE TITLE 6, CHAPTER 1, SECTION 21 RELATING TO WEAPON OFFENSES, 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.

#### **NEW BUSINESS**

##### **Resolution #2014-110: Adopt City's Reference Policy**

Anita Zink, Human Resources Manager, stated this resolution was to establish a policy for reference requests through managers, supervisors, elected officials and employees for current or previous employees of the City of Ontario. The city currently did not have a policy in place for references. This policy would give managers, supervisors, elected officials and employees a consistent way of verifying references for current or former employees by having all requests submitted through the Human Resource Manager.

Charlotte Fugate moved, seconded by Jackson Fox, that the City Council adopt Resolution #2014-110, A RESOLUTION ESTABLISHING A POLICY FOR REFERENCE CHECKS FOR CURRENT AND FORMER EMPLOYEES FOR THE CITY OF ONTARIO. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Tuttle-yes; Verini-yes; Cammack-yes. Motion carried 7/0/0.

##### **Resolution #2014-112: Authorize Changes to Banking Signatories**

Mary Domby, Assistant Finance Director, stated the city currently had various bank accounts with Wells Fargo, Intermountain Community Bank, and various accounts within the Local Government Investment Pool that had terminated employees Jay Henry and Michael Long listed as signatories. This resolution was established to remove Jay Henry and Michael Long as signatories and to add Tori Barnett, Mary Domby, and LeRoy Cammack as signatories to all city bank accounts. Banks and LGIP required minutes of a meeting to make changes to signatories.

On March 17, 2014, the Council approved removing Michael Long and Dan Jones as signatories on the ICB accounts and adding Mary Domby and LeRoy Cammack.

Jackson Fox moved, seconded by Norm Crume, that the City Council approve Resolution #2014-112, A RESOLUTION SPECIFYING SIGNATORIES ON ALL CITY BANK ACCOUNTS. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Tuttle-yes; Verini-yes; Cammack-yes. Motion carried 7/0/0.

##### **Resolution #2014:113: Receive/Expend ODOT Safety Grant**

Mark Alexander, Police Chief, stated Council had approved similar resolutions for the same grant for several years.

On average, 90% of child safety seats in motor vehicles in Oregon were either improper for the age of the child, installed incorrectly, or even under recall. Proper safety seat fitment reduces injuries and saves lives in the event of a motor vehicle crash.

The Oregon Department of Transportation provided grant funding for the purchase of child protection seats and technician training to help with this problem. The Ontario Police Department had been a recipient of that grant funding for several years. ODOT grants were designed to start in October and were operational until September of the next year; however, awards were commonly given several months after the start period.

Once a month, a fitting station was conducted under the direction of the police department in order to assure motorists had the correct child safety seat and they were being used correctly. Grant funded child safety seats were used during those fitting stations.

The Police Department received a \$2650 grant during ODOT's 2012-13 grant period. It was the intent of the Police Department to expend all funds and receive reimbursement during the city's FY 2012-13.

The Police Department had now been awarded a \$2500 grant for ODOT's 2013-14 grant period. It was discovered that \$2,097 from the 2012-13 grant project was billed after July 1, 2013 and therefore applied during the city's FY 2013-14.

Resolution 2014-113 accomplished: First, it recognized expenditures and reimbursed revenue from the 2012-13 ODOT grant that had been applied to the city's FY 2013-14. It also recognized expenses and revenue from ODOT's 2013-14 grant that was expected to be spent and reimbursed during the city's FY 2013-14.

The Council could decline the grant award for 2013-14, but for housekeeping purposes it would need to recognize the expenditures and revenue reimbursements from the ODOT 2012-13 grant.

Larry Tuttle moved, seconded by Jackson Fox, that the Council adopt Resolution 2014-113, A RESOLUTION ACKNOWLEDGING RECEIPT OF ODOT TRAFFIC SAFETY FUNDS AND APPROPRIATING EXPENDITURES FOR CHILD PROTECTION SEATING AND TECHNICIAN TRAINING WITHIN THE GRANT FUND. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Tuttle-yes; Verini-yes; Cammack-yes. Motion carried 7/0/0.

**Ordinance #2689-2014: Add OMC 3-20 re: Moratorium on Medical Marijuana Facilities and Declaring an Emergency Passage**

Larry Sullivan, City Attorney, stated in 2013, the Oregon legislature passed House Bill 3460, allowing the state to license medical marijuana dispensaries. In 2014, the Oregon Legislature passed Senate Bill 1531, authorizing local governments to place a one-year moratorium on the licensing of medical marijuana dispensaries within their jurisdictions. The one year moratorium expires on May 1, 2015.

Ordinance No. 2689-2014 was based upon language prepared by the Oregon League of Cities to address the requirements of SB 1531. SB 1531 required that local governments implement the moratorium by no later than May 1, 2014. Therefore, if the City Council desired to impose a moratorium on the licensing of medical marijuana dispensaries within the city limits, it must pass an ordinance which went into effect by no later than May 1, 2014. Ordinance No. 2689-2014 included an emergency provision allowing the ordinance to become effective immediately upon passage, so that it met the May 1, 2014, deadline set by the Oregon Legislature in SB 1531.

If approved unanimously, the Council had the option of waiving a second reading of the ordinance, which would allow it to go into effect immediately rather than waiting for the next Council meeting for a second reading. The Council was not required to waive a second reading in order to meet the deadline imposed by SB 1531, so long as the second reading occurred before May 1, 2014.

Councilor Verini asked Chief Alexander about his experiences and/or problems with The 45<sup>th</sup> Parallel.

Chief Alexander stated The 45<sup>th</sup> Parallel was currently under litigation, so he'd have to reserve comments.

Councilor Verini stated his concern over being a border town, and the police department already being understaffed. He understood marijuana was useful, but they were not prepared for the problems that could arise.

Dan Jones moved, seconded by Jack Fox, that the City Council approve a first reading of Ordinance No. 2689-2014, AN ORDINANCE ADDING CHAPTER 20 TO TITLE 3 OF THE ONTARIO CITY CODE TO DECLARE A MORATORIUM ON MEDICAL MARIJUANA FACILITIES, AND DECLARING AN EMERGENCY. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Tuttle-yes; Verini-yes; Cammack-yes. Motion carried 7/0/0.

Jackson Fox moved, seconded by Norm Crume, that the City Council waive a second reading of Ordinance No. 2689-2014, AN ORDINANCE ADDING CHAPTER 20 TO TITLE 3 OF THE ONTARIO CITY CODE TO DECLARE A MORATORIUM ON MEDICAL MARIJUANA FACILITIES, AND DECLARING AN EMERGENCY, so that said ordinance shall go into effect immediately. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Tuttle-yes; Verini-yes; Cammack-yes. Motion carried 7/0/0.

**Appointment to Boards**

Tori Barnett, City Recorder/Interim City Manager, stated due to resignations, there were currently openings on the Planning Commission, Recreation Board and Airport Board. Appointments to this board were made by the City Council. To remain on track with overlapping terms of service on each Board, each appointment would complete the existing term on record for the individuals resigning. David Auxier would complete the term of Mr. Susman, (December, 2016); Mr. Meskill and Ms. Swanson would have terms expiring December, 2014. There were no letters received for the Planning Commission, leaving two vacancies.

Jackson Fox moved, seconded by Larry Tuttle, to appoint David Auxier to the Airport Board, and Shay Meskill and Hanna Swanson to the Recreation Board, with terms coinciding with those established by ordinance. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Tuttle-yes; Verini-yes; Cammack-yes. Motion carried 7/0/0.

**Settlement with Chicago Title Insurance Company**

Larry Sullivan, City Attorney, stated on October 1, 2012, the Council authorized the annexation of the residence of John W. Robertson and Carol Robertson, located at 45 North Dorian Drive, into the city limits. As part of the annexation process, the Robertsons executed a restrictive covenant on their property obligating them to share in the costs of extending West Idaho Avenue and widening North Dorian Drive, whenever that project was undertaken. That Agreement was recorded in the Malheur County Deed Records and became a lien on the real property.

The Robertsons later sold the real property to William Deonier, Jr., and Susan Deonier. The Deoniers were not aware of the restrictive covenant when they purchased the property, because it was not disclosed in the title report that the Deoniers purchased from a local title company before the closing of the sale. They learned of the restrictive covenant afterwards and filed a claim with the title insurance carrier, Chicago Title Company. Chicago Title Company wrote a letter to the city demanding that the restrictive covenant be released from the property.

Over the ensuing months, the City Attorney negotiated a proposed settlement with Chicago Title, in the amount of \$138,977.20, which Chicago Title would pay to the city to obtain the city's release of the restrictive covenant on the Deoniers' real property. As part of the settlement, the city would release Chicago Title, the Deoniers, and future owners of their property from any claims or liens in connection with street widening and extension project, whenever that project might occur. Copies of the proposed settlement documents had been reviewed by and tentatively approved by Chicago Title and the Deoniers.

If the Council approved the settlement, the money would be put into a capital improvements fund earmarked for the future street extension and widening project.

Councilor Crume asked if there was a timeframe that the city had to do the street improvements.

Mr. Sullivan stated no. The money would be available to the city, earmarked for the street project anytime the city wanted to move forward.

Councilor Tuttle stated if the city accepted the settlement, and the improvements down the road were in excess of the settlement amount, who paid the difference?

Mr. Sullivan stated it would be paid either by the adjoining property owners or potentially the tax payers, although the city would be able to earn interest on the money between now and when used. It did limit the exposure on the Deoniers to the settlement amount.

Councilor Tuttle asked if it limited the city's obligation.

Mr. Sullivan stated it limited the city's ability to impose additional fees against that particular property. It released that piece of property from the city's right to lien that parcel.

Councilor Jones asked for an explanation on the lien.

Mr. Sullivan stated the original property was owned by the Robertsons, who had their septic system fail, so they were allowed to connect to the city sewer and water, by Council authorization, if they annexed into the city. As part of the annexation, they were required to sign an annexation agreement and restrictive covenants that obligated them to participate in the future street widening project. The Deoniers purchased the property from the Robertsons for \$183K, but were not informed that the Robertsons had entered into the agreement with the city. When they purchased the property, they undertook the obligation to pay no fixed amount for the extension and widening project. The amount arrived at in the proposed settlement was the amount calculated by staff last year to represent their share of costs for street widening and extension in 2013 dollars, with the additional of 2.5% interest, which represented the increase seen over the past few years in construction costs over a 5-year period. If the project was completed within the next five years, that amount should fairly compensate the city for those costs.

Councilor Tuttle confirmed there were other property owners who would be involved in that project, and would be financially obligated to participate.

Mr. Sullivan stated that was correct. There were a total of three lots that could have LID fees assessed against them for this project.

Mayor Cammack stated to Mary (Dombly) when the Finance Department decided where those settlement funds would be placed, please let the Council know.

Larry Tuttle moved, seconded by Jackson Fox, that the City Council approve the Settlement and Release between Chicago Title Company, William Deonier, Jr. Susan Deonier and the City, and authorize the Mayor to sign any documents necessary to complete the settlement. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Tuttle-yes; Verini-yes; Cammack-yes. Motion carried 7/0/0.

**Accept Jay Henry Severance Agreement**

Larry Sullivan, City Attorney, stated this item was to ratify the Mayor's signing of the severance agreement with former City manager Jay Henry and to authorize the funds for Jay Henry's severance.

The Council met in executive session on several occasions to discuss potential litigation under Jay Henry's employment agreement with the City as City Manager. As a result of those discussions, a settlement was reached between the City Council and Mr. Henry for the voluntary termination of his employment. The settlement was reduced to a written Settlement and Release Agreement, which was signed by both the Mayor and Jay Henry on March 31, 2014. By its terms, the Settlement and Release Agreement are confidential and are not subject to public disclosure.

The City Council had not formally approved the Settlement and Release Agreement, nor formally authorized the expenditure of funds necessary to pay the negotiated severance package. The amount of the severance package was subject to public disclosure. The Settlement Agreement required the city to pay to Mr. Henry the following: \$36,000 in cash, less tax withholdings; \$15,000 to be paid into Mr. Henry's retirement plan; and \$7,113.04, less tax withholdings, for unused sick leave and vacation time. The total amount of the severance would be \$58,113.04.

Charlotte Fugate moved, seconded by Norm Crume, that the City Council ratify the Mayor's signing of the Settlement and Release Agreement with Jay Henry effective March 31, 2014, and authorize the payment of \$58,113.04 as severance. Roll call vote: Crume-yes; Fox-no; Fugate-yes; Jones-no; Tuttle-yes; Verini-yes; Cammack-yes. Motion carried 5/2/0.

Mayor Cammack stated that as Mr. Henry was no longer with the city, the city now had Tori Barnett serving as the Interim City Manager. Also, she hit 20 years with the city on April 1<sup>st</sup>. She was doing a great job and they appreciated her taking on this added responsibility.

Tori Barnett informed the Council that Planning and Zoning Technician Marcy Skinner had stepped up and volunteered to help with the City Recorder duties during this time, and that was much appreciated.

#### **PUBLIC HEARING**

##### **Ordinance #2690-2014: Annex/Rezone UGA~RS50 (Saxton) 1<sup>st</sup> Reading**

It being the date advertised for public hearing on the matter of Ordinance #2690-2014, 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.

Marcy Skinner, Planning & Zoning Technician, stated a request was made for the annexation and rezoning of city owned tax lot 2200, Assessor's Map 18S4705AA, totaling 0.24 acres. The property was currently zoned Urban Growth Area Residential and would be rezoned to City Single Family Residential (RS-50). This would be an amendment to the Comprehensive Plan and Zoning Map. On March 10, 2014 the Planning Commission recommended to approve the request for Annexation and Zoning from UGA to RS-50.

Mr. Sullivan stated at the Work Session last Thursday, Councilor Tuttle questioned the map showing the annexation of half of Verde Drive in the property, and wanted to determine whether that was correct. He had informed Councilor Tuttle that he would do some investigation on that to determine the status, if it should be included in the annexation, all or a portion, but he had not been able to get the information from the county to determine the status of Verde Drive was. As this was a first reading, he suggested they take action to approve it, and he would provide the updated information from the County by second reading.

The Hearing was opened for public testimony.

Opponents: None.  
Proponents: None.

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

Jackson Fox moved, seconded by Ron Verini, that the City Council adopt Ordinance #2690-2014, AN ORDINANCE PROCLAIMING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF ONTARIO; AND WITHDRAWING SAID TERRITORY FROM THE ONTARIO RURAL FIRE PROTECTION DISTRICT; AND WITHDRAWING SAID TERRITORY FROM THE ONTARIO RURAL ROAD ASSESSMENT DISTRICT; THE PROPERTY IS ADDRESSED AS 851 N VERDE DRIVE; WITHIN THE ASSESSORS MAP 18S4705AA, TAX LOT 2200, INCLUDING 0.24 ACRES OF PRIVATE LAND AND THE ADJOINING STREET, N VERDE DRIVE, AND ASSIGNING CITY SINGLE FAMILY RESIDENCE, RS-50, ZONING, on First 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.

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

- Norm Crume stated the Aquatic Center Committee have arrived at a plan, which most had maybe seen in the newspaper. The Committee would be at the Council meeting on the 21<sup>st</sup> to explain in more detail.
- Dan Jones asked who had provided the two handouts on water that were in the packet.

Ms. Barnett stated she had received those from Ron Mooney.

- LeRoy Cammack stated representatives from ICMA had been here, who had conducted the Fire Department study. He believed they would be providing some good information to the city. They were very complimentary about the Fire Department, both in service and equipment. They would be returning to conduct the police side of things.
- Ron Verini stated on May 30<sup>th</sup> at noon at the Treasure Valley Community College Science Center, the Undersecretary of Benefits for the Veteran's Administration would be here. Everyone was welcome and she would be answering questions.
- Tori Barnett stated CH2MHill was ready to make their proposal to the city, and it could be done under Executive Session. The Council could either meet after the Work Session on April 17<sup>th</sup>, or they could meet on a separate day. They anticipated it taking about two hours.

Consensus to meet after the Work Session on the 17<sup>th</sup>.

- Ron Verini stated he would be in Salem on the 21<sup>st</sup>, so depending on the Agenda, he might want to participate telephonically.

**ADJOURN**

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

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
LeRoy Cammack, Mayor

\_\_\_\_\_  
Tori Barnett, MMC, City Recorder

## AGENDA REPORT

April 17, 2014

TO: Honorable Mayor and City Council

FROM: Al Higinbotham, Fire Chief

THROUGH: Tori Barnett, Interim City Manager

**SUBJECT: RESOLUTION 2014-114: A RESOLUTION ADOPTING THE CITY OF ONTARIO'S REPRESENTATION IN THE UPDATES TO THE MALHEUR COUNTY MULTI-JURISDICTIONAL NATURAL HAZARDS MITIGATION PLAN**

DATE: April 15, 2014

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### **SUMMARY:**

Attached is the following document:

- Resolution #2014-114

The City of Ontario has fully participated in the FEMA prescribed mitigation planning process to prepare the Malheur County, Multi-Jurisdictional Natural Hazards Mitigation Plan, which has established a comprehensive, coordinated planning process to eliminate or minimize these vulnerabilities.

The Oregon Office of Emergency Management and Federal Emergency Management Agency, Region X officials have reviewed the Plan and pre-approved it (dated April 1, 2014) contingent upon this official adoption of the participating governments.

The City of Ontario will submit this adoption resolution to the Oregon Office of Emergency Management and Federal Emergency Management Agency, Region X officials to enable final approval of the Plan. *A copy of the Plan is available upon request. (438 pages)*

### **FINANCIAL IMPLICATIONS:**

Expected future costs depend on the physical durability and potential economic obsolescence of the investment. Adoption makes the city eligible for future FEMA and State project grants

### **RECOMMENDATION:**

Staff recommends approval of Resolution # 2014-2014.

### **PROPOSED MOTION:**

I move the City Council approve Resolution #2014-2014, A RESOLUTION ADOPTING THE CITY OF ONTARIO'S REPRESENTATION IN THE UPDATES TO THE MALHEUR COUNTY MULTI-JURISDICTIONAL NATURAL HAZARDS MITIGATION PLAN.

## RESOLUTION # 2014-2014

### A RESOLUTION ADOPTING THE CITY OF ONTARIO'S REPRESENTATION IN THE UPDATES TO THE MALHEUR COUNTY MULTI-JURISDICTIONAL NATURAL HAZARDS MITIGATION PLAN

- WHEREAS,** the City of Ontario recognizes the threat that natural hazards pose to people, property and infrastructure within our community; and
- WHEREAS,** undertaking hazard mitigation actions will reduce the potential for harm to people, property and infrastructure from future hazard occurrences; and
- WHEREAS,** an adopted Natural Hazards Mitigation Plan is required as a condition of future funding for mitigation projects under multiple FEMA pre- and post-disaster mitigation grant programs; and
- WHEREAS,** the City of Ontario has fully participated in the FEMA prescribed mitigation planning process to prepare the *Malheur County, Multi-Jurisdictional Natural Hazards Mitigation Plan*, which has established a comprehensive, coordinated planning process to eliminate or minimize these vulnerabilities; and
- WHEREAS,** the City of Ontario has identified natural hazard risks and prioritized a number of proposed actions and programs needed to mitigate the vulnerabilities of the City of Ontario to the impacts of future disasters within the *Malheur County, Multi-Jurisdictional Natural Hazards Mitigation Plan*; and
- WHEREAS,** these proposed projects and programs have been incorporated into the *Malheur County, Multi-Jurisdictional Natural Hazards Mitigation Plan* that has been prepared and promulgated for consideration and implementation by the participating cities of Malheur County; and
- WHEREAS,** the Oregon Office of Emergency Management and Federal Emergency Management Agency, Region X officials have reviewed the *Malheur County, Multi-Jurisdictional Natural Hazards Mitigation Plan* and pre-approved it (dated, April 1, 2014) contingent upon this official adoption of the participating governments and entities;

**NOW, THEREFORE, BE IT RESOLVED,** that the City of Ontario adopts the *Malheur County Multi-Jurisdictional Natural Hazards Mitigation Plan* as an official plan; and

**BE IT FURTHER RESOLVED,** that the City of Ontario will submit this Adoption Resolution to the Oregon Office of Emergency Management and Federal Emergency Management Agency, Region X officials to enable final approval of the *Malheur County Multi-Jurisdictional Natural Hazards Mitigation Plan*.

**EFFECTIVE DATE:** Effective immediately upon passage.

**PASSED AND ADOPTED** by the City Council of Ontario, Oregon, on this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

**AYES:**

**NAYES:**

**ABSENT:**

**APPROVED** by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
LeRoy Cammack, Mayor

**ATTEST:**

\_\_\_\_\_  
Tori Barnett, MMC, City Recorder

# Discussion/Information /Hand-Out Items

City Council Meeting  
April 21, 2014



**City of Ontario**

**POLICE DEPARTMENT**

**Office of the Chief**

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To: Ontario City Council

Date: April 14, 2014

Re: Department Statistics for March, 2014

Activity	Month of March	Previous Month	Year to Date	Prior Year to Date
Calls for Service	796	741	2258	2185
Traffic Stops	189	120	408	396
Cited Traffic Violations	66	73	200	206
Motor Vehicle Crashes	27	33	98	85
Arrests	64	74	222	253
Arrests w/ Use of Force	2	2	6	5
Citizen Complaints	1	1	2	0
Cases to Dist. Attorney	50	32	132	173
Ordinance Cases Total	51	41	131	155
Ordinance-Weeds	0	0	1	0
Ordinance-Garbage	1	10	16	19
Dogs to Ani-Care	7	6	25	21
Junk Vehicles	1	0	2	6
Death Investigations	1	0	1	4
SRO Cases	24	26	95	92
Gang Related Cases	4	5	10	19
Gang Designations	0	0	0	0
Task Force Cases	0	0	0	8
Graffiti	4	6	13	21
Burglary	8	3	18	20
Robbery	1	0	2	2
Larceny	29	32	109	121
Assault	8	11	31	21
Homicide	1	0	1	0
Sex Crimes	0	1	6	5
Sex Offender Registry *	27	27	84	74
Alarms	22	17	48	51
Property Loss/Recover	\$37,008/\$1,023	\$12,599/\$4601	\$86,904/\$12,167	\$188,550/\$76,251

\*Registry includes initial registration along with change of address, occupation and annual registration