

AGENDA
ONTARIO CITY COUNCIL - CITY OF ONTARIO, OREGON
Monday, August 18, 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, August 13, 2014, and a study session was held Thursday, August 14, 2014. 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:**

- A) Minutes: August 4, 2014 Regular Council Meeting 1-11
B) Approval of the Bills

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

- 6) **Public Comments:** Citizens may address the Council on items not on the Agenda. Please limit your comments to three (3) minutes. This time limit will be enforced. Please state your name and city of residence for the record.

7) **Old Business:**

- A) Ordinance #2692-2014: Amend OMC 7-1-1, 4 re: Nuisance and Health Regs (*Final*) 12-17
B) Options for the Future of the Ontario Golf Course 18-24

8) **New Business:**

- A) Resolution #2014-127: GOBHI Stipend 2014 for OPD Training 25-27
B) Ordinance 2693-2014: Amend OMC 1-5-3 Whistle Blower Protection (1st) 28-30

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

- A) Cable One Franchise Agreement: Larry Sullivan
B) CH2M Hill/Public Works Update (w/PowerPoint): Cliff Leeper
C) Set Meeting to Discuss the Ontario Aquatic Center
D) DLCD Letter, dated 08-08-2014 re: Roundtable of 07-24-2014
E) ODOT Project Letter of Understanding
F) OPD/OFR/Rural Monthly Stats: July 2014
G) Statement to Larry Meyer re: Police Budget
H) Priority for Police Department Needs (based on ICMA Study)
I) County Court Minutes: 07-30-2014; 08-06-2014
J) Golf Committee Minutes: 06-03-2014
K) Financial Reports for Council: Kari Ott

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

11) **Executive Session(s) (*Thursday*)**

- A) ORS 192.660(2)(e) Real Property
B) ORS 192.660(2)(j) Negotiations w/Private Business
C) ORS 192.660(2)(d) Labor

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, August 4, 2014**

The regular meeting of the Ontario City Council was called to order by Mayor LeRoy Cammack at 7:00 p.m. on Monday, August 4, 2014, in the Council Chambers of City Hall. Council members present were LeRoy Cammack, Norm Crume, Jackson Fox, Charlotte Fugate, Dan Jones, and Larry Tuttle. Ron Verini participated by telephone.

Members of staff present were Tori Barnett, Marcy Siriwardene, Kari Ott, Mary Dombly, Mark Alexander, Cliff Leeper, Alan Daniels, and Jerry Elliot. The meeting was recorded, and copies are available at City Hall.

Larry Tuttle led everyone in the Pledge of Allegiance.

AGENDA

Mayor Cammack stated there were two additional invoices before the Council to include in the Approval of the Bills.

Councilor Jones asked to move 7E to 7A, to allow Mr. Smith to speak to the Council on SDCs without waiting until the end of the meeting.

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

CONSENT AGENDA

Charlotte Fugate moved, seconded by Dan Jones, to approve Consent Agenda Item A: Minutes of the Council Meeting of July 21, 2014; and Item B: Approval of the Bills. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Tuttle-yes; Verini-yes; Cammack-yes. Motion carried 7/0/0.

NEW BUSINESS

Informational Only: Greg Smith, SDCs

Greg Smith, Malheur County Economic Development (with Alan Daniels, Ontario) stated he was optimistic about Ontario's future and would like to address the current System Development Charges. He explained that Ontario was competing with Idaho and other cities for development, and he offered his staff's help at research and assisting the city. He asked to set up a meeting to further discuss SDCs and any possible changes. It was his opinion that in order to bring in development to Ontario, and to compete with other communities in this area, the SDCs should be radically reduced, if not eliminated in their entirety.

It was the consensus of the Council to conduct a special meeting to address only SDCs on Thursday, August 21, 2014, beginning at 2:00pm.

Resolution #2014-125: Prohibiting the Use of Written Employment Contracts for Department Heads Who Are City Employees

Tori Barnett, Interim City Manager, stated that at the City Council work session on July 17, 2014, the consensus of the Council was to direct the City Attorney to prepare a resolution prohibiting the City Manager from using separate employment contracts or granting separate compensation or benefit packages to department heads. This would apply only to department heads who are employed by the city, not to independent contractors, such as

CH2M Hill and G.W. Wilber, CPAs.

Jackson Fox moved, seconded by Charlotte Fugate, that the Council adopt **Resolution 2014-125, A RESOLUTION PROHIBITING THE USE OF WRITTEN EMPLOYMENT CONTRACTS FOR DEPARTMENT HEADS WHO ARE CITY EMPLOYEES**. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Tuttle-yes; Verini-yes; Cammack-yes. Motion carried 7/0/0.

Resolution #2014-126: Declaring Portions of City Blocks #154 and #155 as Surplus

Tori Barnett, Interim City Manager, explained that for several years the City Council discussed disposing of the real property owned by the city in City Blocks 154 and 155. That real property includes the old City Shop, a portion of which was currently leased to South Georgia Equipment; and the water tower, a portion of which was currently leased to Sprint (Ubiquitel). When the new City Shop was acquired, the Public Works Committee recommended that the old shop building be sold and that the proceeds be used to offset the cost of the new building. The Council never took any formal action on that recommendation. When the Council renewed the Sprint water tower lease in 2013, it discussed the fact that the water tower was old and a potential liability to the city, but it took no formal action to declare it surplus. The subject arose again in the Council Work Session on July 17, 2014, and the consensus of the Council was to move forward with a surplus property declaration for that real property.

Dan Jones moved, seconded by Ron Verini, that the Council adopt **Resolution #2014-126, A RESOLUTION DECLARING PORTIONS OF CITY BLOCKS 154 AND 155 AS SURPLUS PROPERTY**. Roll call vote: Crume-yes; Fox-yes; Fugate-yes; Jones-yes; Tuttle-yes; Verini-yes; Cammack-yes. Motion carried 7/0/0.

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

Mark Alexander, Police Chief, stated this action would amend Municipal Code Title 7, Chapter 1, Sections 1 and 4 relating to Nuisance and Health Regulations in order to be more effective.

Nuisances such as weeds, garbage and debris became unsightly, created fire hazards, reduced property values and inhibited attempts of economic development. On occasion, owners were not proactive in property care and in some cases, it went unaddressed. Ontario City Code identified noxious weeds and weeds over 10" as a nuisance. City code also defined a variety of conditions left upon a property as a nuisance.

Currently, the Code Enforcement Officer could notify a property owner or person in charge that a nuisance existed and give them ten days to remove the issue. If not addressed, the city had the authority to abate the nuisance and charge the property owner for costs incurred. Those failing to pay the costs could be turned to collection or the city could place a lien on the property. The city also had the option to give the property owner or person in charge a citation to appear in court with fines imposed upon conviction.

There were different liability issues involved with properties that were occupied vs. non-occupied with abatement. Staff felt occupied properties could be addressed much quicker than non-occupied properties. Some non-occupied properties were vacant lots that had been abated by the city for years. Some of these properties had rocks, debris or trees that were not defined as a nuisance, but made abatement slow and problematic by those conducting the abatement.

Ordinance #2692-2014 provided language changes to give occupied properties five days to abate nuisances and left ten days for non-occupied properties. This ordinance also allowed those abating properties the ability to remove impediments to allow for future ease of abatement and even for the property to be enhanced visually.

Property owners could receive a larger bill if additional means were made for abatement. This could result in more unpaid bills and more work for the Finance Department for collections and liens. Citations were issued to property owners or persons in charge in occupied properties, which was meant for behavior change, but could also result in an increase in revenue through fines.

Charlotte Fugate moved, seconded by Norm Crume, the Council adopt **Ordinance #2692-2014, AN ORDINANCE AMENDING ONTARIO MUNICIPAL CODE TITLE 7, CHAPTER 1, SECTIONS 1 AND 4, RELATING TO NUISANCE AND HEALTH REGULATIONS, on 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.

Options for the Future of the Ontario Golf Course

Tori Barnett, Interim City Recorder, opened the Golf Course conversation. The purpose of this agenda item was to continue the Council's public discussion on the future of the golf course that began during the Council meeting on July 21, 2014.

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

In the July 21, 2014, meeting, the Council discussed the annual subsidies provided by the city for the operation and maintenance of the golf course, and the likelihood of those continuing into the future. The Council also discussed the declining membership, the proximity of other golf courses to the City of Ontario, and the potential use of the annual golf course subsidy for public safety instead of recreation. On the other hand, Councilors also discussed the large financial investment that the city has made in the golf course which may be lost if funding is withdrawn, and the potential harm that may be done to the city's economic development efforts and the city's quality of life if funding is discontinued.

During the discussion on July 21, 2014, all the Council members expressed satisfaction with the job done by Mr. McKinney in managing the golf course. The primary issue addressed by Councilors was whether the city could justify continuing to fund the course after the 2014 season.

The City Attorney has redrafted the motion made by Councilor Crume in the July 21, 2014, meeting. The city has to fulfill its current financial obligations on the golf course to Mr. McKinney through 2014. The proposed motion ends the funding for the commercial operation of the golf course after that time. The city could continue to fund the cost of minimally maintaining and watering the course to avoid its deterioration as a municipal asset, but other funding would be discontinued except by majority vote of the Council.

Dennis Cornwall, Ontario, stated: *I came here tonight to talk about numbers. When we come to our meetings or work sessions and the Council meetings, we hear a lot of numbers, and so I wanted to address some of the numbers that we have been hearing. Ask some questions, maybe. Maybe enlighten some people as to what I see and what I personally perceive, as well as others. You see we've got a fairly good contingent here tonight. But the first number I would like to address is the number that was thrown out at the work session as to how many tournaments we have had at the golf course. We didn't get a very good report. I come here tonight to tell you as of to date, we have had 17 tournaments, including three high school tournaments. Now that was kind of a separate item, but you certainly need to consider that. We have two teams that use the Ontario Golf Course. The Nyssa golf team and the Ontario golf team. If you close the course, you close down those two athletic programs for those schools. They cannot go across the river to Payette. The Payette Golf Course is home to three teams over there: Fruitland, New Plymouth, and Payette. They can't go up to Scott's course at Country View. He's already doing Vale, and he's only got a nine-hole course. That's all he can handle. So, really, there is no place to go for our two golf teams, and I wonder over the last 50 years, how many students have received scholarships to go to college because of the golf and the golf course that we have out here. We shut it down, and unlike what the paper says, in their editorial, we can't just water it and mow it a little bit to keep it going. You shut it down, those greens are gone and you don't get those back without a whole bunch of money to get them back. But the 17 tournaments that we've had, including the high school tournaments, also includes the St. Peter's tournament. That's a big fund-raiser for that organization. We also had the Elk's Mike Cheatham tournament this year. That raised a lot of money for the Elk's*

and their programs. In addition, there was the TVCC Chukar Classic and they used that tournament to raise money for their athletic program, particularly their baseball team. I know I played in it and the baseball players were our caddies. Great kids. But that'll be shut down. Tomorrow the ladies have what's called "The Pink Day" tournament and they're going to have ladies from all over this valley come to Ontario to play a little tournament, and all of that money raised is going to go to an organization called Angel Wings. Angel Wings is an organization that provides rides to women to go get their mammograms. On Saturday, we will have the 3rd Annual John Schafer Memorial Tournament. That money raised will go to help the Cancer Society. There are five more tournaments planned through the end of October, which brings that total to 24 tournaments at this golf course. We have a lot of people using this golf course, no matter what the numbers say. I know Scott has a sheet there we're supposed to sign it and do all that, and I know at these tournaments that does not happen. I've forgotten myself when I go out to play. That just happens. The next number I would like to address is \$515,762, and that is the increase that the police department got this year. Now when I sat here at the County meeting two weeks ago, and I heard there was a 3% decrease, I kind of felt sorry for the police department. But then I got the budget, and I looked at it, and saw that \$515K+. I figured that out and that was almost a 17% increase. That's the biggest increase any department got. So this public safety issue – how much do we have to put in for the public safety? My word, that's a pretty big increase. Then I looked at the golf course budget. Now you all passed a budget and it included the golf course. You all said okay. It was \$307K. Now it was \$337,500, but it was decided that \$30K should be taken away from the golf course, but I went back into the minutes, and I went back and looked at this stuff: \$187,500 was to be paid to Scott McKinney to manage the course and the other \$150K came from revenue. Us golfers! We were paying it. So it looked to me like the city's commitment was only \$187,500. Now if I'm wrong, tell me. But then you decreased it \$30K, so that makes it \$157,500. Now if you were to close the golf course, what's it gonna cost ya? Just to keep up with your own ordinance about weed abatement, and talking with experts, it's going to cost approximately \$100 per acre, on a 177 acres golf course, and should be done three times a year. That's over \$53K. What is the cost to keep up the clubhouse and the restaurant and the rest of the buildings and the equipment that's out there? There's a cost to that. How much is it? You don't know? I don't know. And if you don't know, and you vote to close the course, that seems to be totally irresponsible to me. We gotta know this stuff. What's it gonna cost to close the course? I'm beginning, as I look at these numbers, beginning to think it's cheaper to keep the course open. You got somebody out there taking care of the weeds, you got somebody out there taking care of the restaurant. If we don't know the numbers, how can you vote to close it? You know, there's something called death by a thousand cuts. And I believe that the city, yeas ago, kind-a strapped the old golf course to the, figuratively speaking, to the gallows and began whacking away on it, to the point, now, we've got about 999. One more cut does it. All I ask you – the daggers in your hand – do you go ahead and plunge it through its heart and also the heart of the two school golf programs? I don't know, but the decisions' yours.

Ken Poole, Ontario, stated: I've been around these parts most of my life. My parents came here in 1961 when I was 7. The golf course was right here where the community college is now. We moved out to the west end of town, out by the airport, in, I think, 1964. I started playing golf in 1964 and I gotta say that was 50 years ago. Puts me right around 60. I have had a good deal of enjoyment, used to ride my bicycle from right here by the college out to the golf course. Ontario was a safe place. My mom, dad, get out of their hair, go out and play golf. It was a good thing for a youngster. I think youngsters ought to have that opportunity. We have had some contacts with businesses that are looking to come to this area, and reflecting on what Greg Smith and Alan Daniels said, one of the first questions that they ask is "What are your SDCs?" One that they ask me is "You got a golf course? We like to play". So do I, I say. Ya, we do have a golf course, and I've brought a number of them out there. So, with that said, the golf course holds a special spot in my heart, my life, my wife, my kids, we've enjoyed it. I think I've been around here to every one of the concessionaires that have been out there. It's been a struggle. But, they've made their way, some better than others. I'm not sure that I knew what a concessionaire, what the word meant, when I started, but you know, Lynn Westcott and company treated me great. He was a supporter of kids and I think Scott's that way today. That helped to shape the way we are, giving youngsters an opportunity to have an outlet for their energy and enthusiasm that's in a positive direction. There's been quite a bit of discussion, and I don't know whether it's hearsay or not, but I'd like to just make a couple of comments regarding some of the comments that I've heard, and that is that we have to decide between public safety and a golf course, maybe a swimming pool. I know Mark Alexander personally, and think he and his crew are doing a good job. I went on the city's website today and looked at his report and it showed the 2013 offense statistics and their relation to 2012 offenses, and he listed 27

categories of offenses and the relationship between 2012 and 2013, out of those 27 categories, two categories had no percentage change. They were basically the same in '12 as '13. Eighteen out of those 27 categories, the percentages were down, which means that there were less offenses committed in '13 than there were in 2012, and seven of those categories were up. So it looks to me like Chief Alexander and his team are doing a fine job. I don't know who has started the outcry that we have to decide between public safety and recreation. I think that probably everybody here would agree that if we are deciding between public safety and recreation, public safety ought to be number one. But, with the statistics that are on the city's website, I think we're moving in a positive direction, not a negative direction. I think that Chief Alexander's team and himself are doing a good job. So I don't really see a reason to take and close the golf course and use those funds, whatever they may be, to additionally bolster the public safety program. I appreciate the opportunity for the time here to speak, and look forward to another 50 years of golf in Ontario.

Nick Adams, Ontario, stated: Mayor and Council, thank you for this opportunity, but I'm not only a golfer, I've played professional sports, but I'm a contractor and a developer. Adams Development, we're participating in major projects all over the west, and one of the main criteria when you build a subdivision, whether it's commercial or whatever you're doing, there's always the question of what amenities are you going to include in that community. A majority of the cities and states require the developers and builders to contribute, to participate in those developments. In this case, the golf course not only serves a purpose of giving the opportunity to play golf, but also the youth themselves are able to go out there and enjoy, at a very reasonable rate, and spend their time out there. You're talking closing down the amenities of your city, which is pretty archaic. You don't want to do that because what are the kids going to do? Your crime rate's moving down, you're taking the activities away from the kids, what's next? You going to close parks? You can't take it away and expect the crime rate for the youth to stay at a decent rate. I've seen a lot of kids, a lot of college and a lot of high school kids, out there playing golf. I belong to Purple Sage, but I travel to Ontario a lot. I play there, I mean I should've bought a season pass. I've probably spent \$600-700 already because there's a great improvement on the course. Scott McKinney has done a great job in developing it, making it respectable and enjoyable. But, as far as the kids, it reaches farther than that. I've seen dads out there with their daughters, their young boys, riding in the carts, playing golf, teaching them the game. If you take the amenities out of the city, what's left? The majority of the time when people move to an area, they want to know "What can we do?" Do we have to go to Idaho to play golf, and enjoy sports? The swimming, I mean, we took great pride when we did parks. We developed water avenues where you could go out and get wet, enjoy it, have a picnic, at no cost. So the people that had, were less fortunate, could go have a good time without it affecting their bottom line. And this is real crucial to any city, and as Councilmen and people that are supposed to represent the public, this thing with the children, you cannot spend your money in a better place than for the kids and to bring them up and show 'em that you'll spread the wealth. You'll show 'em a way they can enjoy things without breaking the bank. I don't know, how many of you have been to the golf course in Ontario? Recently? That's very important because a facility this is in dire stress, and not being taken care of, that takes a certain type of attention. But something that has such a major improvement, that Scott Kinney's [sic] done to that course, you can't, you can't say that it's not in an upward direction. The economy's growing, everything's looking brighter, but it just takes the heart out of the lion if you're going to take those amenities away from your community, it affects so many other things. It's just not fair to the community. And that course, I would chance to say, has been around longer than you guys have been alive. And you're going to take it out of the program. It's just not fair. There's got to be a better avenue. The police department, I think, is doing a great job. To consider closing it, if I was in your position, the obvious avenue, if I thought that way, would be to resign. I would not want to do that to the community. As a developer for 20 years, with Adams Development, we took great pride in building these amenities for the communities. And they thrive. Eagle does it, Meridian does it. You've got water parks, free. Go get wet. And it didn't cost the parents and the kids anything, but they could go have a good time, rather than going to Roaring Springs and pay a large sum of money to where it affects their bottom line. But all of these things are extremely important for this Council to take note of. There's got to be other avenues. You don't need to close the course. It's growing, and everything's thriving. So, your participation and all the amenities in this city are just crucial and it starts right here. And that's your job! Thank you.

Mayor Cammack stated the Council had to make some hard decisions, but he wasn't going to chicken out and resign. They had to analyze the problem, look for solutions, and determine what would be best for the city. In

talking about economic development, and it was said the course was needed for that. But that course wasn't being supported. The city needed the money, not for the golf course, but for public safety. People were not supporting the golf course, but when looking at the public safety statistics, who was the worst city in Oregon? With economic development, when a developer came to town, looking to see if there was a golf course, then looking at crime statistics, the lack of a golf course would be better than a high crime rate. The city needed more money in that area, even though a lot of people didn't want to see it that way. This was not as safe as they wanted their community to be. This golf course issue had been looked at for several years, every year, when the budget was being done, and every year when they had a contract. It was given a lot of time, thought, they listened to the community, and it was always the same problem. Mr. Adams pointed out the course was improving, and they were in respect that the grass is green. Scott had done a great job. But, the numbers for members playing were decreasing. The numbers were less this year than last year. Last December, they held a meeting where this was all discussed, and everyone said if the course was greened up, there would be more golfers, they'd make it work. So, the course was greened up, and there was 17% less golfers. It didn't pay out. Not only did it look like a bad investment, the city didn't have any money to do anything better in public safety. That money had to come from somewhere.

Councilor Crume stated this was a passionate issue, one he did not take lightly. He supported the course four of the five years he'd been a Councilor. This was the first year he'd had not, because it came to the point of the amount of money being used, the amount of use at the course, and foreseeing problems in the budget. The Council elected to fix the problem done with Transient Occupancy Taxes (TOT), which took a half-million dollars from the General Fund, which funded the golf course, recreation, police, fire, administration, etc. That's why he voted no. The city needed the money to move forward. During the budget, many items were cut out. The items had been budgeted by the full Budget Committee. The money was requested and had been allocated, but cuts had to be made to get the city's Contingency Fund to a safe level. A few of those cuts were – even though budgeted – was a Captain position in the police department. Another cut was a \$5,000 Repeater for the fire department for communication between Vale and Ontario. He struggled with the dollars added to the police department, as he had been on the Council for five years and he didn't recall ever adding \$500K to the police department. But, bottom line, the Council had just received the reports [ICMA studies] that evening, and he wanted everyone to take the opportunity to read them. Having read through the draft police department earlier, it had been recommended the hiring of seven new personnel, including a Captain and three Sergeant positions, used as dedicated Detectives. There were currently zero Detectives. The Patrolmen, who should be patrolling, were assigned as a Detective on calls. That didn't sound efficient. There should be dedicated, specifically trained Detectives, doing that work. It was also recommended the hiring of three personnel for clerical use and Code Enforcement. The Council was divided on the number of cops currently on staff. Some believed the city needed more cops in town; others, who believed Ontario had the most cops per capita of any city in Oregon. The Council should be telling the department heads how many firemen or policemen should be on staff. There should be trust in that department to allow the Council to hear what was needed and then to divvy up the available money. Not being fully knowledgeable, the city asked for a \$57K study, to seek professional input on what was needed in both the police and fire departments. They were recommending seven more personnel, and the high end of that wouldn't cover three of what it cost to run the golf course. He asked himself what it would be like to have dedicated on-duty officers whose only job was to be patrol 24/7. Was that reasonable for Ontario? Yes. But, the city was hundreds of thousands of dollars away from being able to have even one dedicated traffic cop 24 hours a day. It was sad for the community, but it was also sad to think of shutting down the golf course. He didn't want to be labeled as part of a Council who did that. But, he wanted to be part of a Council who made a turnaround in shoring up the police department closer to what it used to be, with the Captain and Detectives.

Mayor Cammack stated the statistics on the website were correct, but in comparing the crime statistics for the State of Oregon, Ontario was at the bottom. That was a fact.

Mike Brown asked if that was consistent with other cities the size of Ontario, and how many Oregon cities were this size?

Chief Alexander responded it was per capita across the entire state.

Councilor Crume continued that, in his personal view, you didn't cut a police department down and see crime stats improve. He could drive through town at any time, any day, and rarely see a police officer. That was because they were doing duties a patrol office should be doing. That was taken directly from the ICMA study. He was aware that the city didn't have near the money it would take to do all the recommendations for this community, but his job as a Councilor was to do his best for public safety.

Councilor Fox stated he had no intention of voting to close the golf course. It was the thinking of some of his colleagues on the Council, but not his. It was wrongful thinking, and it lacked foresight. At the work session of Thursday, July 31, he asked what they would do in 10 years, but he received no answers. In his opinion, this was very poor planning, especially since they were half-way through the golf season, there was a contract with a contractor until the end of the year, and this was just telling everyone to leave, and not support that contract. This whole deal was wrongful thinking. There had been no real thought put into it. No one suggested having discussions to get it on the ballot, or get a bond district, something. To just, in the middle of a contract, to decide to close that golf course would poison the water for any future tournaments for this year and for all the members, who would be leaving.

Councilor Verini stated he did not believe anyone had talked about closing the golf course immediately. The suggestion was the possibility of closing it at the end of the season, which was the proposed motion stated. During that time, no matter how the vote went that evening, the community had an opportunity to step up and show what they wanted. To date, they had shown the course was not being supported by the majority of the community.

Councilor Jones asked if there was an actual motion? If not, he'd hold his comments until a motion was made.

Tori Barnett read a letter written by Mary Joe Rhodes, Ontario, into the record: (typed from submitted letter)
My 10 year old great grandson was visiting me last week and said to me. "We don't have a swimming pool here in Ontario any more because the city council gave the money to the golf course". Ontario used to have a very nice 9 hole course located where the college is today. since they moved the course to the middle of the airport and made it 18 holes, it has been nothing but a money pit. That was almost 60 years ago and it is still ugly, dry, hot and won't grow much of anything except gophers. It is located on an alkalai flat. I am an avid golfer for 60 years now and would prefer to play almost anywhere except Ontario. I live in Ontario and I have many golfing friends that live here and play elsewhere. Martha Armstrong's letter to the editor on Sunday, July 27th was right on. The swimming pool and the safety of this community are much more important than the money pit golf course. I say, Close the albatross, but if the council thinks we must have a golf course to bring in business (which I think is nonsense.) Shut down the 9 holes and make an almost decent 9 hole course. I don't know if this is possible but it would be much more cost effective. Forget all that other stuff some people and talking about. Wouldn't work. Never has, Never will. My vote is, close the golf course and open the swimming pool. Thank you for asking my opinion.

Jackson Fox moved, seconded by Dan Jones, to table this issue until the end of that contract. NO VOTE

Councilor Jones stated at the previous Monday night meeting, Councilor Crume made a motion to close the golf course, at the end of the contract. At the last work session, he asked Councilor Crume why did they need to vote on this before the end of the contract. Councilor Crume's response was that they needed the time to analyze the golf course and to figure out what they would do with it. If they took August through March, that was eight months. That was what was wrong with this Council. They weren't getting anything done. This motion had derailed this Council in a direction that they had to get back on track and get back to work. First, there was a contract. The City of Ontario had a contract with Scott McKinney. That contract started January 1, 2014, and expires December 31, 2014. There was an obligation to honor that contract. Scott McKinney spoke to the Council in Executive Session to discuss the possible future of the course. At the next meeting, a motion was made, without any discussion on anything what they'd do with the course, to close the course. The City Attorney was not at the present meeting, but the city was headed down a slippery road with the contract. The city might need the remaining \$75K to go towards litigation if they didn't handle this correctly. The city was in contract with Scott McKinney to run the city's

golf course. The city had yet to sit down with Mr. McKinney to discuss the details, to discuss an exit program, to discuss anything other than a vote to close it down, but not to close it until the end of November. It had absolutely derailed the city, and this Council, again. There were so many issues on the table. This was one of the reasons and the frustration that he continue to have, with regard to the Council not thinking through the process when they wanted to do something. This was why they were unable to get anything done. Again, number one, they had to be very careful, and they'd better table this until they got through this contract. The city would already have to expend \$75K because we had to honor the contract. There was another \$75K payment at the end of November. The Council needed meet with Mr. McKinney, determine a plan, whether exiting or continuing, and they needed to do it legally and aboveboard. He strongly supported Councilor Fox's motion to table this until the end of the contract. They didn't need eight months to figure out what they were going to do with it. It would probably take two, maybe three, meetings, or maybe some work sessions. During that time, and how they would get stuff done, was that until then, start working out the details behind the scenes. Then come forward, in a work session, with a plan. Don't bring it off the cuff and do something like was being done now, and derail the Council again. That was a tip for them about the Aquatic Center. If they wanted to get the Aquatic Center done, come in with a plan, and come with a plan that was workable. Not a \$13M plan, not a \$7M plan. If they wanted to heal the police department, better come with a plan. Start talking about seven people, they just couldn't do that. Word of advice – if you want something done, put a plan together and come forward. They needed four votes to table this, and they needed to make sure this was all legal so the city didn't end up in litigation. Do it right for both parties.

Mayor Cammack stated he didn't believe there was a problem with the legality. The motion only stated that when the contract ended, it wouldn't be renewed. The course would close at the end of the contract. Mr. McKinney would get his money, the course remained open, people could continue to golf.

Mr. Adams stated they were talking about derailing the Council, or derailing the city, and you were probably all businessmen. What kind of affect would it have on your business if you got all the negative publicity that had been going on regarding the golf course? He was trying to run a program, and the negative publicity that had gone out, like mentioning that members would begin to leave. They had already started.

Mayor Cammack stated they had started to leave long before now. It started years ago

Mr. Adams continued that the negative publicity, without a plan, was tough on any business. What they put out there, they better be able to substantiate. The Council shot him in the foot. When talking litigation. He had ample course...

Mayor Cammack stated that was enough.

Councilor Tuttle stated when this began, he asked about the exit strategy, what it would cost to maintain 140 golf cart storage units out there, or the clubhouse, the shop building, how much would that cost? How much to take care of the weeds? Mr. Cornwell started that discussion and he had a very good point. He wanted to know exactly what the strategy was going to be and how much it would cost. There had been no discussion. The questions have been asked. Were they going to exit – then what would it cost? Had anyone answered that question for him? No, no one had attempted. He supported tabling this action, and to discuss further as they went along, finishing it up at the end of the year when the contract was up. He was in agreement with Councilor Jones.

(Retyped Motion)

Jackson Fox moved, seconded by Dan Jones, to table this issue until the end of that contract. Roll call vote: Crume-no; Fox-yes; Fugate-no; Jones-yes; Tuttle-yes; Verini-no; Cammack-no. Motion failed 3/4/0.

Councilor Crume stated he had an idea presented to him earlier that day, which sounded legitimate, that if tonight, the course closed, that they put out an RFP, if there was anyone out there who might be interested in operating a golf course, and he agreed with that idea.

Norm Crume moved, seconded by Charlotte Fugate, that the City Council close the Ontario Golf Course at the end of the 2014 golf season. NO VOTE

Councilor Jones stated he was going to ask three Councilors to join him in voting no on this motion. This motion was the most ridiculous motion he had ever heard. There was a contract. The motion was made to close the golf course at the end of the season. They had August, September, October, to work through some details to see if they wanted to close the course, and then do it the right way. Listen to the motion – I move to close the golf course at the end of the contract in November, and it was August 4th. The Council had no numbers. It was the most absurd thing he'd ever heard of, plus they were sliding down a slope with the contract, with the contractor, with the municipality.

Mayor Cammack stated he'd ask Councilor Crume to consider amending his motion so it didn't read at the end of the golf season, but at the end of the contract.

Councilor Crume agreed, and asked how to do that.

Councilor Fox stated Councilor Jones still had the floor.

Councilor Jones continued with that in Mr. McKinney's contract, Section 11, Defaults and Remedies, Default by the City. The following shall constitute an event of default: The city, under this agreement, provided that Scott McKinney has fulfilled his obligation under this Agreement. It wasn't going to take much of an attorney for Scott McKinney to get the city in a corner. He was guaranteeing them that there was more to this than they thought. All they had to do was postpone it and work through some details. They could make the motion in the first meeting in November.

Councilor Fugate stated in the contract, Terms of Agreement, it read that *the term of this agreement shall commence upon the effective date, unless terminated as provided here within, shall expire on December 31, 2014.*

Councilor Jones reiterated that's what he'd been saying – it would expire. But - loss of business, misleading, hearsay, propaganda? The city had a contract with a contractor by a municipality, who had deep pockets. We'd end up in a lawsuit. All they had to do was postpone this until they could work through some details and get their hands around some numbers. They were supposed to have been informed that evening golf course director as to what they could even use the property for. They hadn't even worked through that. The motion was...

Mayor Cammack stated that didn't make any difference, what the property could be used for. There were restrictions and they were aware of them. It couldn't be sold.

Councilor Jones verified Mayor Cammack wasn't willing to work through the details.

Mayor Cammack stated he was willing, and it was fair, that they let people know what the outcome was going to be. It wasn't just the city or the Council planning, it was others, too.

Councilor Fox stated it was his opinion that Councilor Jones had a good point about loss of revenue. If they voted to close the course now, and Mr. McKinney had records from the previous year, he would only have to prove less revenue from right now compared to last year. That was loss of revenue and that was litigation.

Q: Who was the current concessionaire at the course? Was that city or Scott?

Councilor Jones stated that was between the concessionaire and Scott.

Q: Would the city be liable for that loss of revenue also?

Councilor Jones stated that would be a question for the attorneys.

Norm Crume moved, seconded by Charlotte Fugate, that the City Council close the Ontario Golf Course at the end of the 2014 season, December 31, 2014. NO VOTE

Councilor Jones stated he would ask one more time – he needed three votes with him to vote no, and to postpone this for at least until the end of the season, to allow them time to work through some details.

Mayor Cammack stated he wouldn't agree to that, but he would join in if they postponed it until the next meeting, when they'd have had a chance to speak with the City Attorney about the legal questions.

Councilor Crume stated the City Attorney drew up the report he was making the motion on. He knew exactly what was going on. But he wasn't there to address any of this tonight, but he did draw it up. Postponing it just created more heartache for everyone.

(Retyped Motion)

Norm Crume moved, seconded by Charlotte Fugate, that the City Council close the Ontario Golf Course at the end of the 2014 season, December 31, 2014. Roll call vote: Crume-yes; Fox-no; Fugate-yes; Jones-no; Tuttle-no; Verini-yes; Cammack-no. Motion fails 3/4/0.

Dan Jones moved, seconded by Larry Tuttle, that the Council discuss the possibility of closing the golf course at the end of the contract, during the next work session scheduled for August 14, 2014. Roll call vote: Crume-no; Fox-yes; Fugate-no; Jones-yes; Tuttle-yes; Verini-yes; Cammack-yes. Motion carried 5/2/0.

CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS

- Tori Barnett stated with regard to the City Manager issue, she had distributed a document for the Council's review for the 14th, for the candidate who would be coming in to meet with the Council. She had also spoken with the other candidate who submitted an application directly to the city, but she was out of the area until Thursday, and indicated she would call back on Thursday. It might change the schedule a little, but the only difference would be setting the time set for meeting the other candidate.

Regarding the IT, Firefighter, and Planner positions, those announcements were published and applications were being accepted.

Regarding the ICMA study, those were available for anyone who wanted to read it. She had not heard back from ICMA on rescheduling the presentation date.

- Larry Tuttle stated his comment was, and he'd ask again, he wanted some figures on what it was going to cost to mothball that golf course, and maintain it to some level. Not to play, but it was going to cost the city money no matter what, for weeds or empty buildings. Insurance on empty buildings would possibly double, after a year. He wanted some estimated costs when they had this discussion again. What it was going to cost the city, so they could develop an exit strategy, which had not been done.

Dan Jones asked to add to Councilor Tuttle's request that during the next work session, they'd better offer the possibility of meeting with Scott in Executive Session, to begin figuring out who owes who what, and to get his comments on where he stands, so they'd all understand going forward, where they were at, relationship-wise, with the contractor.

Councilor Fugate stated he had missed the session where Scott had given a presentation.

Councilor Jones disagreed. He had been at the Executive Session during the Thursday work session, but had been out of town for the Monday night meeting. After listening to Scott during his presentation during the Session, he probably needed to come back again, and they all needed to discuss the details.

Ms. Barnett stated that she had asked Mr. Daniels to prepare some data for costs associated with the course, as well as to define what could or could not be done with the golf course property. He was, unfortunately, out ill and was unable to present that information at this meeting.

Mayor Cammack stated he was still in favor of closing the golf course at the end of the season. His only reason for not voting yes on it at the current meeting, was that he wanted to ensure the city had the legal bases covered. That was what his vote would be.

ADJOURN

Jackson Fox moved, seconded by Larry Tuttle, 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 – OLD BUSINESS

August 18, 2014

TO: Mayor and City Council

FROM: Mark Alexander, Chief of Police

Through: Tori Barnett, Interim City Manager

SUBJECT: ORDINANCE #2692-2014: AN ORDINANCE AMENDING ONTARIO MUNICIPAL CODE TITLE 7, CHAPTER 1, SECTIONS 1 and 4, OF NUISANCE AND HEALTH REGULATIONS (FINAL READING)

DATE: August 7, 2014

SUMMARY:

Attached is the following document:

- Ordinance #2692-2014

The Police Department would like to amend Municipal Code Title 7, Chapter 1, Sections 1 and 4 relating to Nuisance and Health Regulations in order to be more effective. There have been no changes since First Reading.

PREVIOUS COUNCIL ACTION:

08-04-2014 Council adopted Ordinance 2692-2014 on First Reading.

RECOMMENDATION:

Staff recommends the City Council adopt Ordinance #2692-2014.

PROPOSED MOTION:

I move the Council adopt Ordinance #2692-2014, AN ORDINANCE AMENDING ONTARIO MUNICIPAL CODE TITLE 7, CHAPTER 1, SECTIONS 1 AND 4, RELATING TO NUISANCE AND HEALTH REGULATIONS, on Second and Final Reading by Title Only.

After recording, return to:
City Recorder
City of Ontario
444 SW 4th Street
Ontario, OR 97914

ORDINANCE NO. 2692-2014

**AN ORDINANCE AMENDING ONTARIO MUNICIPAL CODE
TITLE 7, CHAPTER 1, SECTIONS 1 AND 4**

- WHEREAS,** nuisances such as weeds on properties within the City affect the look of neighborhoods, create fire hazards and reduce property values; and,
- WHEREAS,** there are times when property owners are not proactive and even negligent on week control ; and,
- WHEREAS,** the City of Ontario has established regulations for the identification and abatement of such nuisances; and,
- WHEREAS,** regulations relating to weed control in City Code Sections 7-1-1 and 4 need to be changed in order to be more effective.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Ontario, Oregon, as follows:

Section 7-1-1 of the Ontario City Code is hereby amended by adding that portion which is underlined:

Definitions.

For the purposes of this Chapter the following words and phrases shall mean:

OCCUPIED PROPERTY a property with a building that is currently being used for business or as a dwelling.

PERSON IN CHARGE OF PROPERTY. An agent, occupant, lessee, tenant, contract, purchaser, or other person having possession or control of property or the supervision of any construction project.

PERSON RESPONSIBLE. The person responsible for abating a nuisance shall include:

- (A) The owner.
- (B) The person in charge of property as defined above.
- (C) The person who caused to come into or continue in existence a nuisance as defined in Section 7-1-2 below.

Section 7-1-4 of the Ontario City Code is hereby amended by eliminating those portions which are stricken and adding those which are underlined:

Abatement procedure.

(A) Notice to Abate.

1. For an initial violation of the nuisance provisions of the City Code, the City Manager or the City Manager's designee shall cause a written notice to be served either personally on the property owner or the person responsible, or by registered or certified mail to the address of the property owner noted in the Malheur County Tax Assessor's office for tax notices to be sent. If the property has a structure on it, notice may also be posted on the property. For service by mail, service shall be complete upon deposit in the mail. Notice shall be deemed sufficient if it complies with the procedure set forth herein, whether or not the property owner or person responsible receives actual notice.

2. For any additional violations of the same nuisance prohibition on the same property caused by the same person responsible within twelve (12) months of the date of the initial notice, the City shall not be required to personally serve or mail a written notice against the person responsible. Service of a notice of a second or subsequent violation may be done by posting notice on the property.

3. The initial notice to abate shall contain:

(a) A description of the real property, by street address or otherwise, on which the nuisance exists.

(b) A direction to abate the nuisance within five (5) days for occupied properties and ten (10) days for unoccupied properties from the date of the notice.

(c) A description of the nuisance, a citation to the section(s) of the City Code which are violated, and a description of the corrective action required.

(d) A statement that unless the nuisance is removed, the City may abate the nuisance and the cost of abatement will be charged to the person responsible and assessed as a lien on the property.

(e) A statement that failure to abate a nuisance may result in a fine.

(f) A statement that the person responsible may appeal from the notice to abate by giving notice to the City Manager or his designee within ten (10) days from the date of the notice.

(g) A statement that the City is not required to provide a written notice of a second or subsequent nuisance violation within a twelve (12) month period, and that notice of a second or subsequent violation may be done by posting notice on the property.

4. Upon completion of service of an abatement notice as provided herein, the persons serving the notice shall execute and file certificates stating the date and place of service.

(B) Abatement by Person Responsible.

1. Within the time allowed ~~ten (10) days of the date of the notice~~, the person responsible shall remove the nuisance or show that no nuisance exists, or deliver a written notice of appeal to the City Manager. A written notice of appeal shall specify the basis for the appeal.

2. The Ontario Municipal Court shall conduct a hearing on the appeal of the abatement notice at which the City's designee and the appellant may call witnesses and present evidence. The City shall have the burden of proof to demonstrate by a preponderance of the evidence that a violation has occurred and that the required corrective action is reasonable. The Ontario Municipal Court shall affirm, vacate, or modify the City's decisions regarding the alleged violation and/or the required corrective action, with or without written conditions.

(C) Abatement by City.

1. If after the time allowed, the nuisance has not been abated by the person responsible, the City may cause the nuisance to be abated and may make efforts toward the elimination or ease of future abatements by such means as spraying, debris removal and leveling of land.

2. The officer charged with abatement of the nuisance shall have the right, at reasonable times, to enter into or upon property, in accordance with law, to investigate or cause the removal of a nuisance.

3. The City Manager or his designee shall keep an accurate record of the expense incurred by the City in physically abating the nuisance, including incidental expenses set forth in subsection (E) below.

(D) Joint Responsibility. If more than one person is responsible, they shall be jointly and severally liable for abating the nuisance or for the costs incurred by the City in abating the nuisance.

(E) Assessment of Costs.

1. The cost, including incidental expenses, of correcting the violation shall be billed to the person responsible for the violation and/or the owner, lessor, tenant or other person entitled to control, use and/or occupancy of the property and shall become due and payable to the City of Ontario within ten (10) calendar days of the bill being issued. A minimum administrative fee of not less than one hundred dollars (\$100.00) shall be imposed for each abatement notice issued. The City Council may, by resolution, change the minimum fee from time to time. The term "incidental expense" shall include, but not be limited to personnel costs, both direct and indirect; attorney's fees; costs incurred in documenting the violation; hauling, storage and disposal expenses; and actual expenses and costs of the City in preparing notices, specifications and contracts, and in accomplishing and/or contracting and inspecting the work, and the costs of any required printing and mailing. The City Manager or his designee, by registered or certified mail, postage prepaid, shall forward to the person responsible a notice stating:

(a) The total cost of abatement, including incidental expenses.

(b) That the cost as indicated will be either referred to collection or be assessed to and become a lien against the property unless paid within thirty (30) days from the date of the notice.

(c) That if the person, responsible objects to the cost of the abatement as indicated, he may file a notice of objection with the City Manager or his designee not more than ten (10) days from the date of the notice. Objections shall be heard by the Ontario Municipal Court and shall be limited to the question of whether the amount of the abatement assessment is reasonable.

2. If the costs of the abatement are not paid within thirty (30) days from the date of the notice or thirty (30) days from the date of the Ontario Municipal Court's decision on objections, the City may cause the assessment to be filed as a lien in the Malheur County Deed records against the property of any property owner who was served with the initial notice of abatement pursuant to Section 7-1-4(A)1. set forth above.

3. The lien shall be enforced in the same manner as liens for street improvements and shall bear interest at the rate of six percent (6%) per annum, or at such other rate as may be fixed by resolution of the City Council. The interest shall commence thirty (30) days from the date of the notice.

4. An error in the name of the person responsible or property owner shall not void the assessment nor will a failure to receive the notice of the proposed assessment render the assessment void, but it shall remain a valid lien against the property.

5. In lieu of a lien against the property, the city may refer the account to collections once the account is more than sixty (60) days past due. In addition, a late fee set by Fee Resolution to offset the administrative expenses incurred due to the late payment, shall be due and owing on any payment received after the due date and in coordination with the completion of the payment processing grace period.

(F) Separate Violations. The requirements to abate a nuisance are not a penalty for violating the Code but are an additional remedy. The imposition of a penalty does not relieve a person of the duty to abate the nuisance; however, abatement by the person responsible of a nuisance within the allowed time of the date of notice to abate, or within ten (10) days of the determination by the Ontario Municipal Court upon an appeal therefrom, will excuse the person responsible from the imposition of any fine.

(G) Summary Abatement. The procedure provided by subsections (A) through (F) is not exclusive but is in addition to procedure provided by other law and the City Manager, or other officer delegated responsibilities therefor, may proceed summarily to abate a health or other nuisance which unmistakably exists and which imminently endangers human life, health or property.

APPROVED AND ADOPTED by the Common Council of the City of Ontario this _____ day of _____, 2014, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED by the Mayor this _____ day of _____, 2014.

ATTEST:

LeRoy Cammack, Mayor

Tori Barnett, MMC, City Recorder

AGENDA REPORT - OLD BUSINESS

August 18, 2014

TO: Mayor and City Council

FROM: Tori Barnett, MMC, Interim City Manager
Larry Sullivan, City Attorney

SUBJECT: FUTURE OF THE GOLF COURSE – DISCUSSION OF OPTIONS

DATE: August 18, 201

SUMMARY:

Attached are the following documents:

- Golf Course Historical Data (2005-2014) Revenues / Expenditures

PREVIOUS COUNCIL ACTION:

08-04-2014 Council tabled this action as questions were raised by Council, leading to the request to have the City Attorney present to address legal issues that might arise from this action.

BACKGROUND:

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

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

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

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

FINANCIAL IMPLICATIONS:

Potential costs, such as mowing, weed abatement, insurance on property and structures, utilities, etc., will be discussed in detail by Alan Daniels at the meeting.

RECOMMENDATION:

Staff makes no recommendation on this action.

PROPOSED MOTION: (SUBMITTED BY COUNCILOR NORM CRUME)

I move that the Ontario City Council discontinue subsidizing the operations of the Ontario Golf Course after December 31, 2014.

GOLF COURSE HISTORICAL DATA

	2008	2007	2006	2005
REVENUES				
ECE GRANT PROJECT	\$ 16,100.00	\$ -	\$ -	\$ -
LOAN PROCEEDS	-	(228.43)	461.02	11,106.00
INTEREST INCOME	-	-	-	354.71
LESSON FEES	-	-	-	-
DRIVING RANGE	3,087.99	3,351.60	3,047.00	4,323.30
MISC REVENUES	2,285.05	(124.84)	2,553.67	7,274.69
PRO SHOP SALES	-	-	-	-
RENT - PRO SHOP	2,008.36	2,091.62	932.24	-
RESTAURANT SALES	-	-	-	-
RESTAURANT RENTAL REVENUE	-	235.45	2,059.70	-
SEASONS TICKETS	27,080.40	28,994.20	32,069.58	34,464.21
CART STORAGE	7,144.00	9,486.97	7,697.33	10,139.17
CART PATH FEES	3,570.00	4,710.15	3,838.67	2,433.33
CART RENTAL	3,838.40	6,475.18	7,327.60	8,337.53
TOURNAMENT FEES	6,816.20	4,318.40	188.00	1,464.40
TRAIL FEES	-	29.33	62.00	21.50
GREEN FEES	12,084.38	17,381.72	19,950.88	25,259.60
TOTAL REVENUE	\$ 84,014.78	\$ 76,721.35	\$ 80,187.69	\$ 105,178.44

	2008	2007	2006	2005
EXPENDITURES				
PAYROLL				
BANK CHARGES	918.45	708.78	234.70	-
BLDG MAINT & REPAIR	1,481.58	1,336.99	2,420.45	1,315.20
CHEMICAL / FERT / SEED	3,685.94	6,820.81	13,879.85	11,855.48
DATA PROCESSING	-	-	-	-
LICENSES / PERMITS / FEES	-	-	-	-
ELECTRICITY	18,908.80	21,237.51	18,923.36	16,414.67
EQUIPMENT LEASE	3,850.55	980.23	1,043.83	2,964.17
FUEL HEAT	5,185.55	5,177.41	5,922.18	1,884.35
GARBAGE SERVICE	669.90	566.71	697.79	949.85
GENERAL SUPPLIES & MAINT	8,641.83	5,151.78	6,679.50	9,571.38
TOPDRESSING MATERIAL	-	-	1,721.74	4,436.32
COURSE MAINTENANCE	-	-	-	-
HVAC MAINTENANCE CONT	1,356.60	1,343.33	671.70	-
INS PREM & SURETY BOND	3,742.12	3,906.14	4,554.44	4,853.81
OFFICE SUPPLIES	108.87	5.04	555.85	956.15
PETROLEUM SUPPLIES	12,303.34	10,562.74	15,164.03	12,506.55
PRINT / AD / RECORD	754.93	58.20	3,141.05	2,637.89
CLUB HOUSE EXPENSE	602.00	343.98	2,970.00	2,906.53
SALES & MARKETING	-	-	-	-
COURSE OPERATIONS EXPENSE	-	-	-	-
PURCHASE OF GOODS FOR SALE	-	-	-	-
CONTRACT SERVICES	100.00	1,604.24	3,024.72	856.31

GOLF COURSE HISTORICAL DATA

	2008	2007	2006	2005
REFUND	-	-	90.00	-
COURSE UTILITIES	-	-	-	-
SPRINKLER HEAD REPLACEMENT	2,700.80	55.78	3,420.85	2,689.21
TELEPHONE	3,156.93	3,049.14	3,290.22	3,096.07
UNEMPLOYMENT	-	-	-	-
EQUIP REPAIR	17,346.22	12,838.33	20,073.04	21,580.15
LAND LEASES	8,028.00	8,026.00	8,028.00	8,027.00
BAD DEBT EXPENSE	-	-	-	-
CAPITAL OUTLAY	32,408.56	-	-	13,719.48
DEBT SERVICE	106,512.35	104,124.84	106,682.35	101,353.65
TOTAL EXPENDITURES	\$ 232,463.32	\$ 187,897.98	\$ 223,189.65	\$ 224,574.22
TOTAL	\$ (148,448.54)	\$ (111,176.63)	\$ (143,001.96)	\$ (119,395.78)
GENERAL FUND SUBSIDY	185,715.35	108,722.16	112,106.66	109,380.65
TOTAL	\$ 37,266.81	\$ (2,454.47)	\$ (30,895.30)	\$ (10,015.13)

GOLF COURSE HISTORICAL DATA

	2014	2013	2012	2011	2010	2009
REVENUES						
ECE GRANT PROJECT	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
LOAN PROCEEDS	-	-	-	-	-	-
INTEREST INCOME	-	-	-	-	-	-
LESSON FEES	-	-	65.00	410.00	-	-
DRIVING RANGE	-	2,860.85	8,242.00	9,195.50	8,124.50	6,558.20
MISC REVENUES	-	429.62	16,252.33	2,059.61	7,794.27	10,236.79
PRO SHOP SALES	-	(974.74)	773.04	12,969.49	11,058.53	10,540.51
RENT - PRO SHOP	-	-	-	-	-	-
RESTAURANT SALES	-	-	-	4,732.64	6,841.02	688.25
RESTAURANT RENTAL REVENUE	-	1,197.78	5,923.67	2,692.33	-	-
SEASONS TICKETS	-	1,733.89	63,753.00	62,120.80	52,125.00	61,880.60
CART STORAGE	-	300.00	31,716.00	30,502.00	28,218.00	24,410.67
CART PATH FEES	-	-	-	-	-	453.33
CART RENTAL	-	5,199.00	15,916.00	16,381.00	11,971.50	14,197.90
TOURNAMENT FEES	-	6,532.00	12,847.99	8,517.20	2,082.00	4,153.60
TRAIL FEES	-	-	-	-	-	4,716.00
GREEN FEES	-	11,349.35	36,185.66	40,121.74	30,650.13	31,078.11
TOTAL REVENUE	\$ -	\$ 28,627.75	\$ 191,674.69	\$ 189,702.31	\$ 158,864.95	\$ 168,913.96
EXPENDITURES						
PAYROLL	\$ -	\$ 56,222.52	\$ 86,377.56	\$ 129,096.37	\$ 150,992.18	\$ 66,183.60
BANK CHARGES	-	919.44	2,605.16	2,176.19	2,062.16	2,179.43
BLDG MAINT & REPAIR	-	1,013.19	4,972.10	2,247.67	4,188.90	3,958.39
CHEMICAL / FERT / SEED	-	8,175.32	13,721.00	2,010.01	36,444.52	17,766.44
DATA PROCESSING	-	-	-	323.99	-	-
LICENSES / PERMITS / FEES	341.00	-	-	1,105.61	2,855.00	-
ELECTRICITY	32,403.13	32,352.78	30,480.08	18,474.60	23,660.21	19,689.41
EQUIPMENT LEASE	-	3,371.78	3,334.20	7,750.47	4,146.13	3,460.68
FUEL HEAT	3,438.81	2,937.78	5,668.09	4,240.83	5,393.40	6,232.14
GARBAGE SERVICE	982.10	1,380.80	3,138.30	830.51	507.15	536.05
GENERAL SUPPLIES & MAINT	-	6,003.18	19,134.02	19,519.72	19,801.82	8,879.31
TOPDRESSING MATERIAL	-	-	-	-	-	2,703.24
COURSE MAINTENANCE	-	3,291.53	7,030.65	2,730.82	2,298.20	-
HVAC MAINTENANCE CONT	2,975.59	1,579.60	1,579.60	1,179.60	884.70	1,343.32
INS PREM & SURETY BOND	8,527.41	7,369.54	3,817.30	3,130.03	3,829.64	6,644.67
OFFICE SUPPLIES	-	267.09	788.22	809.96	1,105.03	1,592.04
PETROLEUM SUPPLIES	-	5,770.52	15,175.45	12,604.02	8,499.36	5,814.45
PRINT / AD / RECORD	-	-	-	-	-	1,967.50
CLUB HOUSE EXPENSE	-	-	-	-	-	5,201.94
SALES & MARKETING	-	1,029.60	415.00	1,704.49	1,924.52	-
COURSE OPERATIONS EXPENSE	-	524.74	4,642.07	739.81	793.42	-
PURCHASE OF GOODS FOR SALE	-	-	-	7,499.88	10,323.56	5,895.57
CONTRACT SERVICES	47,091.76	91,425.73	117,672.31	44,003.70	2,364.42	5,260.00

GOLF COURSE HISTORICAL DATA

	2014	2013	2012	2011	2010	2009
REFUND	-	-	2,801.58	3,847.81	6,024.82	-
COURSE UTILITIES	-	-	-	-	-	57.68
SPRINKLER HEAD REPLACEMENT	-	-	-	-	-	3,586.86
TELEPHONE	2,583.11	2,812.86	3,807.69	3,187.18	2,890.54	-
UNEMPLOYMENT	5,354.24	5,555.16	4,510.99	8,176.14	6,254.75	-
EQUIP REPAIR	29,398.05	72,858.41	38,806.29	20,014.80	36,878.50	19,004.90
LAND LEASES	22,099.10	8,146.21	8,028.00	8,028.00	8,028.00	8,028.00
BAD DEBT EXPENSE	-	5,660.00	-	-	-	-
CAPITAL OUTLAY	-	7,665.10	13,200.00	5,400.00	-	65,582.12
DEBT SERVICE	-	-	-	199,405.82	13,458.85	100,998.66
TOTAL EXPENDITURES	\$ 155,194.30	\$ 326,332.88	\$ 391,705.66	\$ 510,238.03	\$ 355,609.78	\$ 362,566.40
TOTAL	\$ (155,194.30)	\$ (297,705.13)	\$ (200,030.97)	\$ (320,535.72)	\$ (196,744.83)	\$ (193,652.44)
GENERAL FUND SUBSIDY	125,000.00	799,184.50	124,392.50	8,028.00	266,766.35	109,026.66
TOTAL	\$ (30,194.30)	\$ 501,479.37	\$ (75,638.47)	\$ (312,507.72)	\$ 70,021.52	\$ (84,625.78)

GOLF COURSE HISTORICAL DATA

	2014	2013	2012	2011	2010	2009	2008	2007	2006	2005
TOTAL REVENUE	\$ -	\$ 28,627.75	\$ 191,674.69	\$ 189,702.31	\$ 158,864.95	\$ 168,913.96	\$ 84,014.78	\$ 76,721.35	\$ 80,187.69	\$ 105,178.44
TOTAL EXPENDITURES	\$ 155,194.30	\$ 326,332.88	\$ 391,705.66	\$ 510,238.03	\$ 355,609.78	\$ 362,566.40	\$ 232,463.32	\$ 187,897.98	\$ 223,189.65	\$ 224,574.22
TOTAL	\$ (155,194.30)	\$ (297,705.13)	\$ (200,030.97)	\$ (320,535.72)	\$ (196,744.83)	\$ (193,652.44)	\$ (148,448.54)	\$ (111,176.63)	\$ (143,001.96)	\$ (119,395.78)
GENERAL FUND SUBSIDY	125,000.00	799,184.50	124,392.50	8,028.00	266,766.35	109,026.66	185,715.35	108,722.16	112,106.66	109,380.65
TOTAL	\$ (30,194.30)	\$ 501,479.37	\$ (75,638.47)	\$ (312,507.72)	\$ 70,021.52	\$ (84,625.78)	\$ 37,266.81	\$ (2,454.47)	\$ (30,895.30)	\$ (10,015.13)

AGENDA REPORT
August 18, 2014

TO: Mayor and City Council

FROM: Mark Alexander, Police Chief

THROUGH: Tori Barnett, Interim City Manager

SUBJECT: RESOLUTION NO. 2014-127: GENERAL FUND BUDGET CHANGE FOR UNANTICIPATED REVENUE

DATE: August 11, 2014

SUMMARY:

Attached is the following document:

- Resolution 2014-127

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

BACKGROUND:

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

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

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

ALTERNATIVE:

The Council could decline the change and training opportunity.

FINANCIAL IMPLICATIONS:

It is proposed that the revenues be recognized and expenditures be budgeted as an increase within the City's General Fund.

RECOMMENDATION:

Staff recommends the Council adopt Resolution 2014-127.

PROPOSED MOTION:

I MOVE THE COUNCIL ADOPT RESOLUTION 2014-127, A RESOLUTION ACKNOWLEDGING RECEIPT OF UNANTICIPATED REVENUE FUNDS AND APPROPRIATING EXPENDITURES WITHIN THE GENERAL FUND FROM GREATER OREGON BEHAVIORAL HEALTH INC. (GOBHI) TO PUT TOWARD ATTENDANCE AT THE NATIONAL CRISIS INTERVENTION TEAM (CIT) CONFERENCE.

RESOLUTION NO. 2014-127

A RESOLUTION ACKNOWLEDGING RECEIPT OF AN UNANTICIPATED GOBHI TRAINING STIPEND AND APPROPRIATING EXPENDITURES WITHIN THE GENERAL FUND

WHEREAS, the 2014-2015 Biennial Budget was adopted without the recognition of funding from Greater Oregon Behavioral Health, Inc. (GOBHI); and

WHEREAS, the Police Department was awarded stipend funds to put toward attendance at a National Crisis Intervention training conference; and

WHEREAS, the City desires to modify the 2014-2015 Budget, acknowledging revenue of \$750 and appropriating expenditures within the General Fund.

NOW THEREFORE, BE IT RESOLVED by the Ontario City Council to approve the following adjustments to the 2014-2015 Biennial Budget:

Line Item	Item Description	FY 14-15 Budget	Amount of Change	Adjusted Budget
GENERAL FUND				
Revenue				
001-000-469210	Misc Police Revenue	\$5500	\$750	\$6250
Expenses				
001-024-618000	Travel, Dues and School	\$19,001	\$750	\$19,751

Effective Date: Upon adoption

Passed and adopted by the Ontario City Council this _____ day of _____ 2014.

Ayes:

Nays:

Absent:

Approved by the Mayor this _____ day of _____ 2014.

LeRoy Cammack, Mayor

ATTEST:

Tori Barnett, MMC, City Recorder

Resolution 2014-127: Accept/Expend GOBHI Grant for OPD Training

AGENDA REPORT

August 18, 2014

TO: Mayor and City Council

FROM: Larry Sullivan, City Attorney

THROUGH: Tori Barnett, Interim City Manager

SUBJECT: ORDINANCE 2693-2014, AN ORDINANCE AMENDING CITY CODE SECTION 1-5-3 TO AUTHORIZE EMPLOYEES TO VOLUNTARILY PROVIDE INFORMATION TO CITY COUNCIL MEMBERS IN ACCORDANCE WITH OREGON'S WHISTLEBLOWER LAW

DATE: August 11, 2014

SUMMARY:

Attached is the following document:

- Ordinance 2693-2014 Amending City Code Section 1-5-3 To Authorize Employees To Voluntarily Provide Information To City Council Members.

BACKGROUND:

At the City Council work session on July 17, 2014, the Council discussed with the City attorney amending City Code Section 1-5-3 to prevent future City managers from prohibiting communications between City employees and Council members, and to give employees who provide information to Council members whistleblower protections. After that session, the City attorney researched Oregon's whistleblower law, which appears in ORS 659A.200 to 659A.224 and is officially called the "Whistleblower Law". ORS 659A.203 in particular addresses the issue raised by the Council in its work session. ORS 659A.203 reads as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

RECOMMENDATION:

Staff recommends that the City Council enact Ordinance 2693-2014.

PROPOSED MOTION:

I move that the City Council approve Ordinance 2693-2014, AN ORDINANCE AMENDING CITY CODE SECTION 1-5-3 TO AUTHORIZE EMPLOYEES TO VOLUNTARILY PROVIDE INFORMATION TO CITY COUNCIL MEMBERS IN ACCORDANCE WITH OREGON'S WHISTLEBLOWER LAW, on First Reading by Title Only.

ORDINANCE NO. 2693-2014

**AN ORDINANCE AMENDING CITY CODE SECTION 1-5-3 TO AUTHORIZE
EMPLOYEES TO VOLUNTARILY PROVIDE INFORMATION TO CITY COUNCIL MEMBERS
IN ACCORDANCE WITH OREGON'S WHISTLEBLOWER LAW**

- WHEREAS,** City Code Section 1-5-3 is intended to implement Section 4.5 of the City Charter by establishing a chain of command within the administrative service and by prohibiting City Council members from interfering with that chain of command; and
- WHEREAS,** The first sentence of City Code Section 1-5-3 conflicts with Section 4.5 of the City Charter and should be stricken; and
- WHEREAS,** Some City managers have broadly construed Section 1-5-3 to authorize them to restrict employees from voluntarily communicating directly with City Council members about factual matters pertaining to the City without obtaining the City manager's permission; and
- WHEREAS,** As authorized by ORS 659A.200 to 659A.224, Oregon's Whistleblower Law, City employees are allowed to voluntarily communicate with City Council members about City business, and any restriction on their doing so may be an unlawful employment practice.

NOW THEREFORE, the Common Council for the City of Ontario ordains as follows:

Section 1. Section 1-5-3 of the Ontario City Code is amended by adding those portions that are underlined and by deleting those portions that are stricken:

1-5-3 Council interference with ~~appointments or removals~~ administrative service

~~Except by formal action at an open meeting, neither the Council nor any of its members shall direct the appointment of any person to, or his removal from, office by the City Manager or any of his subordinates.~~ Except for the purpose of inquiry, the Council and its members shall deal with the administrative service solely through the City Manager and neither the Council nor any member thereof shall give orders to any subordinates of the City Manager, either publicly or privately. A Council member may request factual information directly from any employee about any City activity, and the City Manager shall not restrict employees from voluntarily providing that information in accordance with ORS 659A.200 to 659A.224, Oregon's Whistleblower Law.

PASSED AND ADOPTED by the Common Council of the City of Ontario this ____ day of _____, 2014, by the following vote:

AYES:
NAYS:
ABSENT:

APPROVED by the Mayor this ____ day of _____, 2014.

ATTEST:

LeRoy Cammack, Mayor

Tori Barnett, MMC, City Recorder

Discussion/Information /Hand-Out Items

City Council Meeting
August 18, 2014

PUBLIC WORKS UPDATES

August 11, 2014

A. Water System

- Process optimization; Jar testing and chemical evaluation
- Security issues & fencing
- Training provided by in house resources
- Preparing to hire new water system operator
-

B. Wastewater

- Aerators: 80 % now fully functional
- Machine guarding
- Moving forward with continued training

C. Streets

- CMMS training for the next 2 weeks in house resources
- Chip Seal to begin early next week.
- Preparing to hire new utility worker
- Meter Leaks

D. Parks – Cemetery

- Parks Porta-Potty fences completed : Systems in place by mid-week.
- Weed abatement with Police



2101 East Karcher Rd.
Nampa, Idaho 83687
PH: 208•455•5555

November 12, 2013

City of Ontario
444 SW 4th St.
Ontario, OR 97914
Attn: City Manager

Dear Mr. Henry:

Cable One is proud to provide cable television service to the citizens of Ontario Oregon and highly values its enduring relationship with the City and its residents. We strive to provide the City with the high quality cable television service that it deserves and we look forward to providing this service for many years to come. Our current franchise agreement with the City is due to be renewed on or before December 2014, we would like to provide you with this formal notification that we seek renewal of our cable television franchise with the City of Ontario.

Cable One has made a substantial investment in the community and will continue to make capital improvements as new technology and equipment becomes available. We are planning to move towards an all-digital platform for our system which will enable us to provide more video channels and more bandwidth for internet and voice operations for our customers.

I believe our mutual goal of high quality cable television, internet and phone service rests on the continuing partnership of Cable One and the City. The decision to make significant capital expenditures is much easier when we are assured of a long-term franchise with the City.

I look forward to discussing this matter with you. I would like to set up a meeting with you at your convenience to begin working on an agreement. I can be reached at 208-455-5575 or via email at Cheryl.goettsche@cableone.biz.

Best Regards,

A handwritten signature in blue ink, appearing to read "C. Goettsche".

Cheryl Goettsche
General Manager
Cable One, Western Idaho, Eastern Oregon



Oregon

John Kitzhaber, Governor

Land Conservation and Development Commission

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: (503) 373-0050

Fax: (503) 378-5518

www.oregon.gov/LCD



August 8, 2014

Land Conservation & Development Commission Roundtable Guests:

Thank you for participating in the roundtable discussion held by the Land Conservation and Development Commission (LCDC) on July 24 as part of our recent meeting in Ontario. Although LCDC has not previously provided written follow-up comments to roundtable participants, we decided to do so this time in an attempt to make the experience more useful to those who joined us and to the commission.

First, I can speak for all members of the LCDC in thanking Malheur County and the communities of Ontario, Nyssa and Vale for their hospitality. Our visit was interesting and informative, a highlight of our unpaid volunteer service.

We appreciate the candor with which many of you expressed your concerns in the roundtable. Some of those concerns, such as the rate of poverty in Malheur County and decline of neighborhoods and schools, while technically not part of our core functions, are indirectly addressed by our emphasis on ensuring every city and county in Oregon an adequate supply of employment land. With that in mind, I would like to focus on three topics addressed at the roundtable that are within the core functions of our mission.

1. Industrial Land

As I noted during the roundtable, over 1,000 acres of industrial land have been added to the designation of such lands in Ontario, Nyssa and Vale since 2006. This includes 575 acres added in the past two years in response to advocacy by local officials. We heard in the roundtable that, while the addition of these industrial lands is appreciated, the communities would like to have even more additional industrial land designated, including 1,000 acre parcels.

The statutes governing our land use program require that conversion of lands from natural resource uses to urban uses be based on demonstrated need. In designating additional industrial lands in Malheur County, our program has already stretched this point by creating an inventory of available industrial lands that is significantly higher per capita than other communities around the state. As to the desire for parcels of 1,000 acres, this too requires a demonstration that there

are users that could realistically be expected to locate facilities of such a scale in the county. We are not aware that such a demonstration has been made.

We recommend that the communities of Malheur County focus now on assuring that the already available industrial lands have the infrastructure of services that enable them to be used. As these lands fill up, it will be possible to demonstrate a need for more land.

2. Rural Homesites

Several of you expressed a desire to have more homesites created outside the urban growth boundaries of Ontario, Nyssa and Vale. You stated that they would be attractive to affluent residents who are now locating on such homesites nearby in Idaho.

Oregon land use statutes and the statewide planning goals adopted under them do not recognize rural homesites as a housing need. The need for housing is generally to be met inside urban growth boundaries where delivery of services is more efficient, wildfire risk is minimal, and less fossil fuel is consumed by transportation. At the same time, our program recognizes that a number of rural homesites are available around the state based on the rights accorded lots of record that pre-date the statewide planning system and to property owners who made claims under Measure 49. We suggest that Malheur County property owners explore whether they have these rights. For example, there are 16 new dwellings authorized in Malheur County as a result of Measure 49 claims.

We recognize that people in Northern Malheur County are frustrated seeing the difference in the approach to land use taken by their neighboring state. The same frustration exists for Multnomah County residents about neighboring Clark County Washington where rural residential development is widespread. Under our system of government, where each state is sovereign on matters not assigned to the federal government, such differences between states are inevitable.

3. Sage Grouse

We also heard in the roundtable that listing of sage grouse under the federal Endangered Species Act could be devastating to the economy of Malheur County by interfering with development of its mineral resources and other uses of rural lands. LCDC has been briefed several times about the sage grouse issue, including an update at our Ontario meeting.

We will use our statewide land use program to address this concern in two ways. First, we will continue to urge federal agencies not to list Oregon sage grouse under the ESA on the ground that our program's protections of natural resource lands already do much of what a listing would accomplish. Second, if the sage grouse is listed under the ESA, we will urge that our program's protections be deemed sufficient to satisfy the law's requirements in order to avoid draconian new federal restrictions.

As I stated in the roundtable, a key aspect of our statewide planning system is that land outside urban growth boundaries be available for natural resource uses. We are committed to helping Malheur County and the rest of southeast Oregon avoid, or cope with, an ESA listing that could impair this availability.

Thank you again for taking the time to share your perspectives with us. I don't expect you will agree with all aspects of our program or with all these comments. But I believe your time and your candor deserve an honest and considered response.

Very truly yours,

Greg Macpherson
Chair, Land Conservation and Development Commission



Oregon

John A. Kitzhaber, M.D., Governor

Department of Transportation
ODOT Region 5 Headquarters
3012 Island Avenue
La Grande, OR 97850
Phone: (541) 963-3177

August 12, 2014

Tori Barnett
Interim City Manager
City of Ontario
444 SW 4th Street
Ontario, OR 97914

Subject: Project Letter of Understanding - 2015-2018 STIP Enhance Project
Project Name: SE 2ND STREET: SE 14TH AVE-E IDAHO AVE
KN: 18900

We are pleased to announce the above project has been placed on the Oregon Transportation Commission preliminary award list. This list is referred to as the STIP Enhance 100% list and is moving forward in the process.

While the project will not be "officially" awarded funding until final approval by the OTC, ODOT has been working with you to finalize the details of your project. Based on the application, the project scoping visits, and the information received from the Pre-Award Letter, our final understanding of the project details are listed below.

It is important to note that this letter is not a legal agreement. The intent, of this letter, is to document each parties understanding of the project details and the timeline for moving forward. The details of your project as stated below will be used to prepare the Intergovernmental Agreement (IGA), if applicable.

Final Project Details

Project Financials:	
Enhance STIP Funding Amount:	\$2,893,500.00
Required Non-federal Minimum Match (10.27%):	\$331,174.00
Additional Match:	\$214,384.00
Other Funding:	\$0.00
Estimated Total Project Cost:	\$3,439,058.00
*Funding Ratio:	MTEP - 84.14% Agency - 15.86%
Match Type:	Cash
Match Provided By:	LPA
Project Details:	
STIP Project:	Requires - New IGA
Project Scope (IGA Exhibit B SOW):	Reconstruction of SE 2nd Street from SE 14th Avenue to SE 5th Avenue in Ontario. The project will consist of full reconstruction of the roadway section and will add storm drainage, sidewalks, bike lanes, street lighting, roadway widening, and landscaping.
Delivery Method:	State Administered-Region Technical Center
**Estimated Obligation Month/Year – PE:	1/30/2016
Estimated Obligation Month/Year – ROW:	NA
Estimated Obligation Month/Year – Construction:	NA
Date IGA must be executed by:	12/1/2015 = 60 days prior to Estimated Obligation Month/Year – PE: or 1 st phase, above, (or sooner).
State Contact Information:	
- Signature Authority Contact Name:	Tori Barnett
Title:	Interim City Manager
Email:	tori.barnett@ontariooregon.org
Phone:	(541) 889-7684
Mailing Address:	444 SW 4th Street
City:	Ontario
State:	OR
Zip:	97914

- LAL/PM Contact Name:	Sean Maloney
Email:	Sean.Maloney@odot.state.or.us
Phone:	(541) 823-4025
Mailing Address:	1390 SE 1st Ave
City:	Ontario
State:	OR
Zip Code:	97914

*Funding Ratio is defined as the relationship between STIP Enhance funds and total project cost and Agency funds and the total project cost.

**If Delivery method is "State Administered-Region Technical Center", PE date is only used to generate IGA draft in timely manner.

We are asking that a representative from your Agency sign and return a scanned copy of this letter via Email to Craig.A.SIPP@odot.state.or.us and CC: the ODOT mailbox at STIP-Enhance@odot.state.or.us. within 30 days of receipt. If we do not hear back from your Agency within 30 days the funds may be in jeopardy of redistribution to another recipient.

Please don't hesitate to contact me if you have any questions, (541) 963-1328.

Regards,
 Craig Sipp
 Area Manger

Please check one of the following:

- Upon final approval by the OTC - My agency will accept the STIP Enhance Award for this project and has secured the match for this project.
- My agency has decided to decline the STIP Enhance Award



Agency Representative & Title

Date:

ODOT Representative - Title

Date:

[Handwritten Signature]

Region Manager

8/7/14



City of Ontario

POLICE DEPARTMENT

Office of the Chief

444 SW 4th Street

Ontario, OR 97914

Voice (541)889-5312 Ext. 2303

Fax (541)889-3026

mark.alexander@ontariooregon.org

To: Ontario City Council

Date: August 8, 2014

Re: Department Statistics for July, 2014

Activity	Month of July	Previous Month	Year to Date	Prior Year to Date
Calls for Service	923	876	5873	5781
Traffic Stops	134	119	955	935
Cited Traffic Violations	76	62	486	577
Motor Vehicle Crashes	38	23	219	200
Arrests	82	71	551	622
Arrests w/ Use of Force	0	2	12	13
Citizen Complaints	0	2	4	2
Cases to Dist. Attorney	39	55	328	434
Ordinance Cases Total	68/142 follow-up	72/154 follow-up	406	477
Ordinance-Weeds	23	24	105	128
Ordinance-Garbage	1	1	22	21
Dogs to Ani-Care	4	8	51	50
Junk Vehicles	0	0	4	13
Death Investigations	2	3	7	11
SRO Cases	0	0	174	158
Gang Related Cases	1	5	46	52
Gang Designations	0	0	2	0
Task Force Cases	5	4	24	8
Graffiti	2	6	62	78
Burglary	8	6	47	61
Robbery	0	1	9	8
Larceny	41	50	305	348
Assault	7	7	58	48
Homicide	0	1	2	0
Sex Crimes	2	3	15	13
Sex Offender Registry *	29	16	164	161
Alarms	7	22	118	133
Property Loss/Recover	\$53,702/\$4264	\$93,424/\$38,068	\$373,030/\$87,400	\$392,427/\$123,806

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

ONTARIO FIRE & RESCUE



Ontario Fire & Rescue

July 2014 CITY Activity Report

Emergency Medical:

City -136-

(Types of medical calls responded to: Accident leg amputation, falls with injury, falls lift assists, auto accidents with injuries, medical emergencies, medical alarms, assaults to name a few).

Hazmat Team Calls: -0-

Fire Related Emergency Calls:

City -22- CITY GENERAL ALARMS = -2-

- 1 – Grass fire / unknown cause
- 3 – Burn barrel violations / burning during burn ban
- 3 – Open debris fires / burning during burn ban
- 1 – Brush fire / fireworks caused
- 3 – Grass fires / fireworks caused*
- 1 – Dumpster fire / fireworks caused
- 1 – Dry weed fire / possible cigarette caused
- 2 – Fire alarm activations / canceled en route
- 1 – BBQ grill fire / propane leak
- 1 – Open back yard cooking fire
- 1 – Vehicle fire / out upon arrival
- 1 – Accidental alarm activation / no fire
- 1 – Elevator stuck / assist removing victims*
- 1 – Hazardous condition / possible propane leak – found to be water tank
- 1 – Grease fire in local restaurant *

***In narrative section**

7-6-2104 SE 6th AVE. Vacant lot / grass fire Rescue 1, Rural Brush 156, Brush 157 and Chief 100 responded.

Dispatched to smoke in the area of SE 6th Ave and 7th St.; once in the area we saw a large grass fire with 4 ft. flame lengths. Rescue called for a Rural general alarm. Rescue anchored into the black and knocked down the perimeter. 156 & 157 arrived on scene and began mop up operations. Witnesses stated that their neighbor was shooting off illegal fireworks minutes before the fire. The neighbor would not answer his door. OPD officers made contact and took a statement from the individuals possibly responsible.

7-12-2014 609 SW 3rd St. Power line down Duty crew responded with Rescue 1

Called to power line down. On scene, a tree branch had fallen and taken down the meter mast of the neighboring property. R-1 stayed to scene until turned over to Idaho Power.

Tree limb fell across power line to resident weather heads causing line to break.



Live power line fell across vehicle & structures.

Weather head damaged when limb fell across power line.



7-17-2014 1947 SW 6th Ave grass fire behind D&B Supply Rescue 1 & 100 responded.

Called out to a grass fire smoldering behind D&B Supply. Arrived on scene with staff using a garden hose to put the fire out which was approximately 10' x 10' spot. Contacted dispatch to contact Idaho power due to a power pole that was involved in the fire. Pole number #4545 at the 1947 SW 6th Ave property address. After investigation could not find the cause of the fire. Cleared the scene.

Photo of small fire area around power pole. Staff looking for cause.



Fire was adjacent to D & B Supply staff exterior break area. Cause was not found, however multiple cigarette remains were noted on the ground around the area.

7-18-2014 650 College BLVD TVCC Dorm elevator Rescue 1 responded & duty crew handled.

Dispatched to TVCC Dormitory for report of 5 people trapped inside a stalled elevator, no medical needed. On scene we found an elevator stalled between the 1st and 2nd floors, with 5 male teenagers inside. An elevator key was used to open the outer doors. The fire service keys were used to move the elevator to a height that the students could climb out. The master relief valve could not be found. The RP was informed and the elevator was secured and locked out until it could be repaired. There were no injuries from the incident.

7-29-2014 111 SW 1st St. Stove top fire in local restaurant Duty staff responded with Rescue 1 and Chief 100.

Dispatched for a fire alarm going off at a local restaurant. Arrived on scene and determined that there was a fire under the range hood which caused a lot of smoke setting off the fire alarm. The fire was put out by the hood fire suppression system. It was evident that there was considerable grease build up around the grill top and deep fat fryer. The grease buildup ignited, spreading flames to two pot holders with wooden handles prior to the suppression system activation. Went through the grill and hood area with the thermo imaging camera checking for possible fire extension. Took pictures and we cleared the scene.



Cooking area / fire went up back of range, around oven and into hood above. Suppression system did its job and suppressed the fire before getting into the structure causing major damage.



Left side of cooking equipment showing heat damage to the metal surface & charring in the hood system.



Kitchen area flame damage going up and into the exhaust hood. Suppression system activated putting out the flames prior to getting into the structure causing major damage.

TRAINING:

7/12 Hazmat training with Americold

BURN PERMITS ISSUED: *Countywide burn ban in effect*

City Open Burns 0

City Barrel Permits 0

Rural Open Burns 0

Rural Barrel Permits 0

FIRE PREVENTION:

7/17 Mock fire drill at OCDC

MISC:

7/26 Elks Foster Children & Families event

ONTARIO FIRE & RESCUE



ONTARIO RURAL FIRE PROTECTION DISTRICT

July 2014 RURAL Activity Report

July 2014 Medical calls: -9-

July 2014 Fire Calls: -22- Mutual Aid: -2- MISC: -0-
Hazmat Calls: -0-

Total Rural Fire -22- RURAL GENERAL ALARMS = -5- MUTUAL AID -2-

- 7 – Illegal burn – burn barrel violations
- 3 – Burn barrel caused grass fires *(one fire damaged a structure and landscape damage to two adjoining properties)
- 3 – Mutual Aid to Vale Rural / grass - structure fire & Brogan range land 2 separate locations*
- 2 – Brush - grass / fireworks caused *
- 3 – Grass fires
- 1 – Grass fire along Hwy 201 / three separate small fire areas
- 2 – Illegal weed burning during burn ban
- 1 - Shop fire General Alarm with mutual aid received

7-4-2014 1037 SW 5th Ave / fireworks caused/ Rural Brush 156, Brush 157, Chief 100 and Rescue 1 responded with a crew of 8.

NOTE: Rural Brush units 156 & 157 were on fireworks patrol during the evening hours in anticipation for fireworks caused fires. Due to the units already manned and close to the address, the fire was knocked down prior to damaging the structure. It was noted that the street was littered with illegal fireworks remains with unknown ownership.

157 responded lights and sirens to a grass fire at 1037 SW 5th Avenue. Upon arrival we found a large evergreen patch fully involved with a residential structure threatened. 157 deployed two one inch booster lines with initial attack by fire fighters Lehman and Rangel. 156 and R1 arrived shortly after and assisted in the attack. 100 arrived and assumed command. Fire was contained at approximately 20:26. All units cleared the scene at 20:35.



Photo from Command Unit dash camera upon arrival. Heavy fire in evergreen bush.



Rural brush units 156 & 157 & crew quickly knocked fire down prior to damaging the dwelling.



Evergreen shrub heavily damaged by a fireworks caused ignition. Suppression crews stopped fire prior to damaging the structure.



Photo of heavy damage to evergreen shrub.



Also noted additional fireworks fire starts on the dry lawn in front of the dwelling.

7/5/2014 Mutual Aid to Vale Rural 4137 Kochsmeire Road 155 responded with crew of 5.

Dispatched to a mutual aid fire request to Vale for a tender and manpower, unknown what was on fire, structure threatened. Responded in 155 with a crew of 4. Upon arrival, we were assigned to extinguish what appeared to be an area of rubbish consisting of railroad ties, farm equipment, and other misc. We extinguished it with the deluge gun off the top of the truck. After one tank of water (2500 gallons), the fire was mostly extinguished. We were then released by Vale Fire. We returned to the station and put the truck back in service



Photo from 155's dash camera. Storage shed completely destroyed. Crew assigned to extinguish shed fire.

7-6-2014 SE 6th St & SE 9th Ave. GENERAL ALARM grass fire fireworks caused / 2nd fire on same lot! Rescue 1, Rural Brush 156, Rural Brush 157 and command 100 responded with crew of 8.

Dispatched to smoke in the area of SE 6th Ave and 7th St. Once in the area we saw a large grass fire with 4 foot flame lengths. Rescue called for a rural general alarm. Rescue anchored into the black and knocked down the perimeter. 156 & 157 arrived on scene and began mop up operations. Witnesses stated that their neighbor was shooting off illegal fireworks minutes before the fire. The neighbor would not answer his door. OPD officers made contact and took a statement from the individuals possibly responsible.



Photo from Rescue 1's dash camera as crew arrives on scene – found heavy fire conditions.



Crews found heavy fire conditions with the fire line spread over large area. Fireworks caused.



Rural brush units work on fire perimeter.



Suppression crew works on hot spots. Due to windy conditions all smolders were soaked down.



Photo of fireworks remains found in the fire area. Several bottle rocket remains were also found in the fire area.

7-8-2014 4586 HWY 201 North Grass fire from burn barrel Rural Brush 156 and Command 100 responded / crew of 3 (duty crew)

156 responded to a small grass fire started by illegal burning in a burn barrel during a burn ban. An OSP patrol spotted the fire and reported to dispatch. On scene the RP had the fire out using garden hoses and buckets, 156 crew assisted mopping up hot spots. Fire Chief 100 advised the RP of the burn ban, 100 and 156 cleared the scene at 1351 Hrs.



Photo from 105's dash camera after fire was totally mopped up by 156 fire staff. Fire started from burn barrel burning during burn ban without a screen and in dry vegetation.



Burn barrel location with dry vegetation up to barrels. Barrels were being used at the time of the fire.



Photo of trash fire and burned vegetation along drive way and fence line taken from the burn barrel location. A ten acre weed field was just across the drive access road 8' from the charred area (photo center).

7/8/2014 Two illegal burn barrels found operating during the burn ban

1st



Active fire

1987 NW 20th Ave. Fire on the ground on right side of the barrels creeping toward the dry vegetation and old wooden shed at time photo was taken. Burning during burn ban, lacks permit, lacks screen and proper clear space around barrels.

2nd



611 Thrifty Way. Burning garbage during burn ban, no prior permit, lacks clear space and no screen.

7-21-2014 633 Canyon 2 Rd. Burn Barrel caused grass fire Rural 156 & Command 100 responded with crew of 4.

Dispatched to 633 Canyon 2 Rd for report from a caller advising that his mother called him stating that there is a fire and to call the fire dept. Caller did not know what was on fire. Nothing further received from dispatch. En route a light column of smoke could be seen from 2 miles away. On scene we arrived to find a man spraying water around a van body which was near two burn barrels. There was a black area about 50 feet by 50 feet. The only thing left burning was an old tire. There were several areas still smoking. Brush 156 put out the tire fire and mopped up the area. The burn barrels were wet down. The owner stated that she was burning her trash and a paper blew out and caught the grass on fire. She said that she could not remember what phone number to call so she called her son. He came down and knocked down most of the flames. The owner was advised that there is a burn ban, which she did not know about. Brush 156 cleared at 17:42 Property was turned back over to the land owner.



Resident using burn barrel without a screen during burn ban. Fire escaped into dry vegetation around barrels, spreading around storage unit before being suppressed.



Dry vegetation in area gave the fire the potential to spread over a very large area.

7-25-2014 4285 Remuda Lane Grass fire 155, 156, 157 & 159 crew of 11

157 received general alarm for field fire at above address. Upon arrival 157 assumed command approximately, 1/2 acre involved. 157, 156 made direct fire suppression attack to area involved. 155 staged at the house and crew came down to area of brush trucks to assist with suppression with hand tools. Two tanks of water from each brush truck were used with wet water added for better penetration and coverage. Fire and all hot spots were extinguished. Fire crews were able to rehab, refill, and clear. Cause of fire estimated to have been the hot wire being used for the owners horse corral arced and came in contact with dry grasses.

7-26-2014 406 Foothill Dr. Grass fire from burn barrel plus 3 exposure properties with structure damage R1, City Brush 102, 155, 156, 157 & 159 responded with crew of 11. Mutual aid from Payette, Fruitland & Vale.

Brush and grass fire which was started by 3 unattended burn barrels located on this property. This fire spread to 3 adjoining property's all of which sustained some damage. Upon our arrival we first went to 394 Foothill Dr. as it looked like the most threatened residence. We had a brief conversation with Travis Currey, who advised us his property was ok and that the fire started next door. We relocated to 406 Foothill Dr. and tried to stop the fire from spreading up the hill and to the north and south, but our booster line was too short to reach the bulk of the fire. We

were able to protect their small shed before we called for mutual aid from Fruitland, Vale and Payette. We than relocated to 414 Foothill Dr. to protect that structure and set up our command area. The fire did spread up the hill and the structures on North Grandview Lane, both owned by Pam and Don Reynolds, did sustain damage.



Photo from Rural Brush 156 dash camera while responding to the incident. Fire was already spreading up the hill side from Foothill Dr.



Photo from Rural Brush 156 dash camera arriving at dwelling at top of hill. Heavy fire conditions were noted on both sides of the structure.



Fire suppression activity below the dwelling deck.



View of the structures threatened by the fast moving fire.

Photo of the vinyl siding damaged by the heat of the fire coming up the hill.

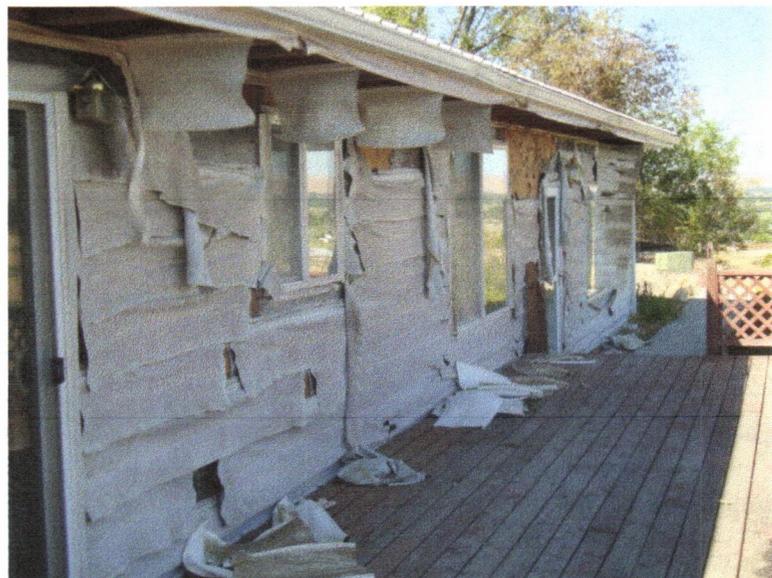




Photo of the fire damage to landscaping and dwelling deck.



Corner of dwelling deck and roof line damaged by the fire heat.

Photo of fire area taken from Foothill Rd.



7-31-2014 104 East Island Rd. Shop Fire 156, 155, 159, Command 100, City Pumper 103, City Aerial 109 and rehab 125 responded with crew of 19. Received Mutual Aid from Weiser Rural, Payette Rural, Fruitland City and Vale Rural.

ORFD paged for a possible shed fire, arriving on scene 156 personnel found an app. 60'x100' metal-sided building with heavy smoke and flame coming out of the southeast corner eaves. 156 crew made contact with an RP on scene to determine what type of material or equipment is stored inside the building. RP stated that there are welders and plasma cutters inside the building, along with numerous compressed gas cylinders, wood working machinery and office spaces. Tender 155 arrived on scene and was sent to the southwest corner of the building and deployed attack lines and entered the building through a man door. After entering the man door, attack crews were able to unlatch a large roll-up door and open it. Tender 159 arrived on scene two minutes later and responded to 155's location and deployed their porta tank; tender 159 dumped their water into the porta tank and left the scene to establish a water supply and refill with water. Tender 155 repositioned next to the porta tank and started drat operations. Chief 100 arrived and ordered mutual aid from Weiser Rural, Payette Rural, Vale Rural (all tenders) and a pumper from Fruitland. City pumper 103 started suppression operations on the west side. 155 crew deployed a heavy stream monitor through the south end garage door. City aerial 109 responded and set up operations on the east side. 159 started a 5" hose lay from the hydrant at Top Onion and Fruitland pumper finished the lay to supply the aerial. Fruitland firefighters started suppression operations on the east wall. Weiser, Payette, Vale and 159 started tender water shuttle operations and kept the porta tank and city 103 full. The roof structure started failing early in the fire so firefighters were forced to use defensive tactics. Mutual aid resources were released as soon as the major fire was knocked down and activity went into the mop up stage. City 125 was set up as a rehab station, and TVP staged an ambulance by the rehab station.



Photo from Pumper Tender 155 dash camera while responding into the scene.



Photo from 159 dash camera while responding back with another load of water.



Photo from tender 159's dash camera – fire had vented through the roof and seated in the attic space.



Fire through the roof and exterior walls near the middle section of the structure. Firefighters work from the south doorways to gain access to the fire area.



Photo from the west side of structure after fire went through the roof.



West side of structure where firefighters work to cool down the flames.



Fire had gone through the roof and interior center section had heavy fire involvement.



Photo taken from the northeast corner toward the middle of the structure. Suspected origin in middle of photo (arrow). This was the location of a 14'X14" wood sanding table used for grinding metal.

From: Kari Ott <kott@opgcpa.com>
To: <larrym@argusobserver.com>
CC: Tori Barnett <tori.barnett@ontariooregon.org>, Mark Alexander <Mark.Alexander@ontariooregon.org>
Date: 8/5/2014 9:55 AM
Subject: police budget

Hi Larry,

I just wanted to clarify an issue brought up by a citizen last night. The citizen talked about the police budget increasing by \$515,762. However, this increase does not compare apples to apples. The 911 dispatch services are now consolidated with the county. There was a separate fund for 911 dispatches services in 13-14; currently in 14-15 dispatch service costs are mainly taken over by the police department. If the 911 and police department budgets are combined (and 14-15 911 fire costs are accounted for) there was a combined 13-14 budget of \$3,123,762. The 14-15 police department budget is \$3,089,440. This is a decrease in budget of \$34,322. Also, there was \$154,987 budgeted in 14-15 for one time 911 costs for employees and county expenses. If those one time costs are removed from the equation, the total decrease in budget is \$189,309.

Please let me know if you have any questions!

Thanks!

--

Kari Ott, CPA
Oster Professional Group, CPA's
77 W. Adams, Burns OR 97720
Phone: (541)573-6151
Fax: (541)573-5605

From: Mark Alexander
To: Tori Barnett
Date: 8/11/2014 8:21 AM
Subject: Re: Ranking

2 Detectives

Facilities (I know you said employees, but I cannot add employees if I do not have a place to put them)

Mobile Data to officers in the field (People will, and are not effective without this. I need dedicated IT time to accomplish this)

Captain

Code Enforcement

Admin Sgt

Crime Analysis

Investigative Sgt

>>> Tori Barnett 8/8/2014 5:54 PM >>>

Would you please rank, highest priority to lowest, the order of the recommended employees by ICMA? I need that for Thursday.
Thanks.

Tori Barnett, MMC
City Recorder
City of Ontario
541.881.3232

MALHEUR COUNTY COURT MINUTES

JULY 30, 2014

The Malheur County Court met with Judge Dan Joyce presiding with Commissioner Don Hodge and Commissioner Larry Wilson present. Staff present was Administrative Officer Lorinda DuBois and County Counsel Stephanie Williams.

Also present was Ken Rush of Lifeways and Larry Meyer of the Argus Observer.

SOLAR PROJECT - FAIRGROUNDS

Roger Findley and Attorney Charles Oakes met with the Court and reviewed the draft Contract of Sale for the Fairgrounds solar project. Also present were fair board members Kitty Trolard and Helen Thomas. Mr. Oakes and Mr. Findley reviewed the draft contract with the Court members and answered questions. The contract sets out the terms for which the County will pay Mr. Findley for the solar panel electrical system. Under separate agreements with Idaho Power, the County will sell excess electrical power generated by the solar panel electrical system to Idaho Power. The Fair Board will consider the contract at its next meeting; there are a few remaining items still under review by the County.

COURT MINUTES

Commissioner Wilson moved to approve Court Minutes of July 16, 2014 as written. Commissioner Hodge seconded and the motion passed unanimously.

REVISED AMENDMENT - IGA 134285

Commissioner Hodge moved to approve the revised Sixth Amendment to Developmental Disability Services 2011-2013 Intergovernmental Agreement for the Financing of Community Developmental Disability Services Agreement #134285. Commissioner Wilson seconded and the motion passed unanimously. Changes to the document were made by the State after signing of the amendment July 16 by the Court; this document replaces the amendment signed July 16, 2014. An electronic copy will be returned for recording.

IGA - CITY OF ONTARIO

Commissioner Hodge moved to approve Intergovernmental Agreement between the City of Ontario and Malheur County, Oregon to Hire, Employ and Share Costs of a Planning and Zoning Administrator. Commissioner Wilson seconded and the motion passed unanimously. See instrument 2014-2483

REVISED AMENDMENT TO CONTRACT #9898

Commissioner Wilson moved to approve the third revision of Amendment No. 1 to State of Oregon Intergovernmental Contract for Professional Services, Contract #9898 with Department of Education. Commissioner Hodge seconded and the motion passed unanimously. This document replaces the previous two versions signed by the Court. See instrument # *****

BUDGET TRANSFER

Commissioner Hodge moved to approve Resolution No. R14-20: In the Matter of Fund Transfers Under Local Budget Law ORS 294.463. Commissioner Wilson seconded and the motion passed unanimously. See instrument #[2014-2481](#)

BUDGET TRANSFER - EXTENSION SERVICE DISTRICT

Commissioner Wilson moved to approve Resolution No. R14-22: In the Matter of Fund Transfers Under Local Budget Law ORS 294.463. Commissioner Hodge seconded and the motion passed unanimously. See instrument #[2014-2480](#)

SUPPLEMENTAL BUDGET

Commissioner Hodge moved to approve Resolution No. R14-19: In the Matter of Fiscal Year 2014/2015 Supplemental Budget by Resolution Under Local Budget Law ORS 294.471. Commissioner Wilson seconded and the motion passed unanimously. The purpose of the supplemental budget is to allocate the spending of additional funds which were received, but not anticipated when the adopted budget was prepared. Funds received were a donation in the amount of \$15,000 for the specific use of Fair Premium Prizes. See instrument #[2014-2482](#)

SUPPLEMENTAL BUDGET

Commissioner Wilson moved to approve Resolution No. R14-21: In the Matter of Fiscal Year 2014/2015 Supplemental Budget by Resolution Under Local Budget Law ORS 294.471. Commissioner Hodge seconded and the motion passed unanimously. See instrument #[2014-2479](#)

RESOLUTION SUPPORTING NEW LOCAL WORKFORCE INVESTMENT AREA

Commissioner Wilson moved to approve Resolution No. R14-24: In the Matter of Supporting the Designation of a New Local Workforce Investment Area Including: Harney, Malheur, Grant, Wallowa, Union, Baker, Umatilla and Morrow Counties. Commissioner Hodge seconded and the motion passed unanimously. See instrument #[2014-2478](#)

AMENDMENT TO EMPLOYMENT AGREEMENT - DUGAN

Commissioner Wilson moved to approve Second Amendment to Employment Agreement Between Michael T. Dugan and Malheur County Recorded with Malheur County Clerk as Instrument Number [2014-0597](#). Commissioner Hodge seconded and the motion passed unanimously. See instrument #[2014-2484](#)

IGA - SUPPORT OF COMMUNITY DEVELOPMENT BLOCK GRANT

Commissioner Wilson moved to approve Intergovernmental Agreement in Support of a Community Development Block Grant From the 2014 Community Development Block Grant Program Administered by the Oregon Business Development Department, Infrastructure Finance Authority. Commissioner Hodge seconded and the motion passed unanimously. The IGA is between the Cities of Nyssa, Vale, Ontario and Malheur County to sponsor the Harney Malheur Residential Housing Rehabilitation Initiative to be managed by Community in Action. A copy will be returned for recording.

RESOLUTION DECLARING LOCAL DISASTER

Commissioner Wilson moved to approve Resolution No. R14-23: In the Matter of A Resolution Declaring a Local Disaster and State of Emergency within Malheur County due to severe fire conditions. Commissioner Hodge seconded and the motion passed unanimously. See instrument #2014-2485

COURT ADJOURNMENT

Judge Joyce adjourned the meeting.

MALHEUR COUNTY COURT MINUTES

AUGUST 6, 2014

The Malheur County Court met with Judge Dan Joyce presiding with Commissioner Don Hodge and Commissioner Larry Wilson present. Staff present was Administrative Officer Lorinda DuBois.

Also present was Larry Meyer of the Argus Observer.

HELIOSAGE ENERGY - RREDZ

Commissioner Hodge moved to approve Resolution R14-26: A Resolution Accepting Agreements/Application by HelioSage Energy for Designation in the Rural Renewable Energy Development Zone (RREDZ) for a Five Year Tax Abatement/Exemption Period. Commissioner Wilson seconded and the motion passed unanimously. HelioSage Energy proposes to build six solar projects in the Malheur County RREDZ. See instrument #[2014-2539](#)

COURT MINUTES

Commissioner Wilson moved to approve Court Minutes of July 30, 2014 as written. Commissioner Hodge seconded and the motion passed unanimously.

SUPPLEMENTAL BUDGET

Commissioner Hodge moved to approve Resolution No. R14-25: In the Matter of Fiscal Year 2014/2015 Supplemental Budget by Resolution Under Local Budget Law ORS 294.471. Commissioner Wilson seconded and the motion passed unanimously. The supplemental budget allocates the spending of additional funds which were received but not anticipated when the adopted budget was prepared; funds received are from the Oregon Department of Education for the Healthy Start program. See instrument #[2014-2537](#)

AMENDMENT - IGA #141420

Commissioner Hodge moved to approve Thirteenth Amendment to Oregon Health Authority 2013-2015 Intergovernmental Agreement for the Financing of Community Addictions and Mental Health Services Agreement #141420. Commissioner Wilson seconded and the motion passed unanimously. A copy will be returned electronically for recording.

ORDER DESIGNATING NEWSPAPER

Commissioner Wilson moved to approve Order No. GO-08-14: In the Matter of the Designation of a Newspaper for the Publication of the 2014 Malheur County Tax Foreclosure List. Commissioner Hodge seconded and the motion passed unanimously. The 2014 Malheur County Tax Foreclosure List will be published in the Argus Observer. See instrument #[2014-2538](#)

COURT ADJOURNMENT

Judge Joyce adjourned Court.

received
8-4-14

A G E N D A

ONTARIO CITY GOLF COMMITTEE

TUESDAY, JUNE 3, 2014

6:00 P.M.

- 1) **Call to Order – Chairman Bob Myers**

Roll Call

Approval/Corrections May 6, 2014 Minutes

- 2) **Course Up-date – Scott McKinney**

- 3) **Comments from City – Dan Jones**

- 4) **Brainstorm Session -** *Water on Course
Restrooms*

- 5) **Next Meeting Date: July 1, 2014**

- 6) **Adjourn**

**CITY GOLF COMMITTEE MEETING
TUESDAY, JUNE 3, 2014
ONTARIO GOLF COURSE – 6:00 P.M.**

WELCOME/INTRODUCTIONS Committee members present were: Glenn Dwyer, Bob Myers, Connie Nysingh, Ken Poole, Don Roumagoux, John Schram and Rich Watts. Also present was Scott McKinney, Manager, Ontario Golf Course.

MINUTES OF LAST MEETING It was moved by John Schram and seconded by Rich Watts that the minutes of the May 6, 2014 meeting be approved as distributed, motion carried unanimously. **GOLF COURSE REPORT** Scott McKinney handed out the June 3, 2014 Golf Committee Report & went over each item on the report. (See attached sheet). **Sales:** He reported that sales are down for May, as the total being \$12,609, as compared to last year at \$17,745. Rich asked what that included, and Scott said that it was everything. He reported that Country View is down about the same amount, and other courses have reported that there just aren't as many golfers. Scott advised that there weren't many memberships collected for May. He also reported that the St. Peter's Tournament was down on teams as well as the Elk's tournament. However, that tournament was over Memorial Day, which could have had an impact on the number of players. The Chucker's Tournament had only 18 teams. Rich said that there aren't as many sponsors because businesses aren't sponsoring teams. Bob Myers reported that he heard Scotch Pines is down also on tournaments. Scott stated that after there is a loss, it is hard to gain it back. The student number is down because students are through golfing. However, there were over 70 kids out on the course every week day during their season. Connie said that there won't be a Travel Team this year, as there isn't as much interest around the Treasure Valley. Rich stated that he feels that it is because of the weather and economics combined. However, Scott said that there are tournaments coming up in June and July that should help. Connie said that the Ladies Hawaiian Days is coming up in June and draws in over 50 ladies from all over the valley. **Driving Range Project.** Scott advised that everyone has been busy taking care of the course, and they haven't had a chance to work on the range. The satellites have taken up a lot of the time. This year they have switched fungicide and did a lot of pre-spraying. The front third of the Driving Range is being watered, and they will probably have to re-seed some of it. **Sprinklers** are a re-build. N-Phuric Acid is a success on the course, and it is getting the nitrate every night. They have just ordered another batch. The leakers are shutting down and we are ahead of it. The N-Phuric Acid is a success. John said that #8 fairway wasn't working before, but it is now. **Gophers & Squirrels:** John said that he has gotten 74 gophers and has shot 400 squirrels. **No Man's Land:** Scott stated that he and Russ Mirata made the decision to smoke it with Roundup. Bob remarked that it looks better than it has looked in years. John said that the fairways have filled in well. **Restrooms on Hole #7:** Ken asked about the restrooms. Scott advised that the pump is fried that comes off of the pond. The electrical wiring needs a whole new box. **Liaison from the City:** Rich wanted to know why a liaison from the City wasn't attending our meetings. Do we need another liaison? **City Golf Committee Report:** Bob stated that perhaps this committee needs to make a report to the City Council at their next work session to let them know what has been discussed at our meetings. He said that he would get with Dennis Cornwall and put together the report. We all need to be talking to the City Council

members on what is happening at our meetings. **City budget:** Scott advised that he has been running on his own money, and that \$187,500 is what we get. In July it will even out. He stated that the calendar year and fiscal year is hard. In the fall, Scott would like to get a three-year contract so he can plan better for the future. Bob said that we have lost around twenty or so members to Scotch Pines because people feel that the City is going to close the course. Don stated that the decision on the pool needs to be made. Bob said that it is \$3 Million for maintenance on the pool. **Drinking water on course:** Connie asked if there was going to be any drinking water on the course because of all the tournaments that are scheduled. Scott said that we need to have volunteers to do that. Bob said that maybe we can get three out on the course. **Marketing:** Glen said that we need to get more positive information on the golf course in the Argus Newspaper. Rich stated that word of mouth is the best way to get the news out. **Junior Program:** Don asked about golf clinics for the Juniors this year. Scott advised that they are getting flyers out to have one in June and one in July. **ADJOURN:** There being no further business, it was moved by John Schram and seconded by Glenn Dwyer that the meeting be adjourned at 7:05 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Connie Nysingh". The signature is written in black ink and is positioned above the printed name.

Connie Nysingh