

AGENDA
CITY COUNCIL - CITY OF ONTARIO, OREGON
Monday, December 5, 2011, 7:00 p.m., M.T.

1) Call to order

Roll Call: Norm Crume _____ Jackson Fox _____ Charlotte Fugate _____ Dan Jones _____
David Sullivan _____ Ron Verini _____ Mayor Joe Dominick _____

2) Pledge of Allegiance

This Agenda was posted on Wednesday, November 30, 2011, and a study session was held on Thursday, December 1, 2011. Copies of the Agenda are available at the City Hall Customer Service Counter and on the city's website at www.ontariooregon.org.

3) Motion to adopt the entire agenda

4) Consent Agenda: Motion Action Approving Consent Agenda Items

A)	Approval of Minutes of Regular Meeting of 11/21/2011	1-5
B)	Water Line Easement Request: Valley Family Health Care, Inc.	6-10
C)	Declaration of Surplus Property: 1973 John Deere Road Grader	11
D)	Liquor License Application: New Outlet - Sizzler	12
E)	Liquor License Application: Greater Privilege - Wingers	13
F)	Approval of the Bills	

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

6) Topics for Discussion

- A) Idaho Power's Oregon Solar Photovoltaic Pilot Program: Yorick de Tassigny
- B) Contracting Police Services: Mark Alexander
- C) LID 47 Update: Chuck Mickelson

7) Correspondence, Comments and Ex-Officio Reports

8) Executive Session: (Thursday)

- A) ORS 192.660(2)(e): Real Property
- B) ORS 192.660(2)(d): Labor Negotiations

9) Adjourn

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COUNCIL MEETING MINUTES
November 21, 2011

The regular meeting of the Ontario City Council was called to order by Mayor Joe Dominick at 7:00 p.m. on Monday, November 21, 2011, in the Council Chambers of City Hall. Council members present were Norm Crume, Joe Dominick, Jackson Fox, Dan Jones, David Sullivan and Ronald Verini. Charlotte Fugate was excused.

Members of staff present were Henry Lawrence, Tori Barnett, Mark Alexander, Bob Walker, Lisa Hansen and Anita Zink. The meeting was recorded on tape, and the tapes are available at City Hall.

Ronald Verini led everyone in the Pledge.

AGENDA

Request to move item 8A-Executive Session ORS 192.660(2)(d) before New Business.

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

CONSENT AGENDA

Norm Crume declared that his brother would have a direct interest in the proposed liquor license application; however, Councilor Crume would not.

Ronald Verini moved, seconded by Norm Crume, to approve Consent Agenda Item A: Approval of the Regular Minutes of 11/07/2011; Item B: Liquor License Application: Additional Privilege (Brewery Public House); and Item C: Approval of the Bills. Roll call vote: Crume-yes; Fox-yes; Fugate-out; Jones-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 6/0/1.

EXECUTIVE SESSION

Executive Session: ORS 192.660(2)(d)

An executive session was called at 7:00 p.m. under provisions of ORS 192.660(1)(d) to discuss labor negotiations. The Council convened into a second Executive Session. Council convened back into regular session at 7:28 p.m.

NEW BUSINESS

Move to a High Deductible Insurance Plan for Non-Represented Employees

Lisa Hansen, Finance Director, stated at the direction of the City Council, staff had been researching the option of moving the non-represented employees to a High Deductible Health Plan with HSA effective January 1, 2012.

The City of Ontario had not increased the cap (\$1,034.00) for the medical/life/dental insurance for the non-represented employees since August 1, 2008. The current cap for the Teamsters was \$1,185.18; the cap for the Police was \$1,223.78; and the cap for the Fire was \$1,295.35. Therefore, all of the insurance increases had been borne by the non-represented employees. The non-represented employees agreed to reduce coverage on an annual basis in order to deflect some of the cost increases, but the employees were still currently paying \$335.68 for family coverage which represented 25% of their insurance costs. In order to stay in compliance with the

potential upcoming new federal laws in regards to insurance costs per employee and at the direction of the City Council, staff researched the option of moving the non-represented group to a high deductible health plan with a HSA.

There were a total of 19 employees that would qualify for the HDHP-2 Plan with an HSA and 3 employees were currently waiving the medical/vision portion of the current insurance the City of Ontario was offering. The city could have the potential to save 7.65% of the pre-tax portion employees were able to pay into an HSA up to \$6,150.00. An example would be if 15 employees chose to pay \$4,000.00 into a pre-tax HSA, the city could save \$4,590.00 ($\$4,000.00 * 15 * 7.65\%$). It was also possible employees might opt-out due to double coverage potential that was not allowed under the HDHP-2 Plan with an HSA; therefore, saving the city the insurance costs for that employee.

Staff had two recommendations for the Council to consider: 1) Approve the HDHP/HSA plan offering to the non-rep employees for a 1/1/2012 effective date (Option 1 or 2); and 2) Consider using the City's FICA savings to offset the administration fees from the HSA Bank at a \$2.25 per employee cost per month. ($\$2.25 * 12 \text{ months} * 15 \text{ employees} = \405.00)

Tony Kahmann, Waldo Insurance Agency, stated the city wasn't required to do a front load. Benefit for employees to have it at the beginning of each year.

Councilor Sullivan stated the frontload was a benefit to the employees

Mr. Kahmann agreed. It was laudable, but not required.

Councilor Jones agreed with Option 3, but didn't have a decision on if they should pay \$1000 or \$500 the first year, or maybe \$500 per year.

Councilor Sullivan stated they didn't have to agree on that tonight, only that the city was moving to the move to the HSA.

Mr. Lawrence stated CIS needed to know now about the move to the HSA, as it would be effective after the first of this year.

Mayor Dominick reminded them they did not have to determine the front load amount, if any, at this meeting.

Mr. Kahmann stated when considering the CIS deadline, it needed to be wrapped up by December 1. They needed to nail down a plan. Employees would want to see the attractiveness of the plan, in terms of their contribution. Staff could always contribute their own share, but what the city would contribute would have great bearing on the employee's side.

Councilor Sullivan stated they didn't need to sell it to the employees, as they were not a bargaining unit.

Mr. Lawrence reminded the Council the motion could be worded however the Council desired. Also, staff would want to know if the city was going to contribute any money, so they would know what they needed to have deducted from their paychecks.

Dan Jones moved, seconded by David Sullivan, that the City Council approve the move of the non-represented employees to the High Deductible Health Plan effective January 1, 2012, with the selection of Option 3, to frontload \$500 per employee, and provide \$500 every year thereafter per employee, and to use the city's FICA savings to offset the administration fees from the HSA Bank at a \$2.25 per employee cost per month. Roll call vote: Crume-yes; Fox-yes; Fugate-out; Jones-yes; Sullivan-yes; Verini-no; Dominick-yes. Motion carried 5/1/1.

Second Amended Purchase and Sale Agreement with Chris Hardin of CDH Consulting for the Stelling Property

Henry Lawrence, City Manager, stated the City of Ontario was under contract to sell approximately 75 acres of undeveloped property (the Stelling property) to Chris Hardin, dba CDH Consulting, for construction of a data center. The escrow closing date expired on November 4, 2011, and Mr. Hardin requested a six month extension while he continued to work with potential user clients. The proposed Second Amended Purchase and Sale Agreement provided for the following: 1) Closing date extension to May 5, 2012; and 2) \$50,000 payable to the City of Ontario: \$25,000 as consideration for extending the escrow period and \$25,000 credited towards the purchase price at escrow closing.

The City currently holds \$183,300 in non-refundable earnest money under previous agreements with Mr. Hardin. With this additional \$25,000 non-refundable consideration, the City would hold a total of \$208,300 in non-refundable funds, plus \$25,000 in refundable funds.

Councilor Fox stated his concern was that the property could have anything built on it; the city would have no voice.

Mr. Lawrence stated it was zoned Heavy Industrial, so that would set some parameters.

Councilor Sullivan stated the way of the current real estate economy, he would rather give the taxpayers \$25K by entering into this agreement.

Councilor Jones stated that when this deal closed, the city would receive \$1.8M.

Councilor Crume concurred with Councilor Sullivan. Any changes should have been done before the first contract; it was hard to do that now.

Councilor Sullivan wanted a provision to pull the \$25K out of escrow.

Mr. Lawrence stated he planned to put the entire \$50K into a bank account, not in escrow.

Ronald Verini moved, seconded by David Sullivan, that the City Council authorize the City Manager to sign the Second Amended Purchase and Sale Agreement with Chris Hardin of CDH Consulting. Roll call vote: Crume-yes; Fox-no; Fugate-out; Jones-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 5/1/1.

Bid Award: SCADA/Electrical Maintenance Contract

Bob Walker, Deputy Public Works Director, stated the purpose of this agenda item was to obtain approval from the City Council to authorize the City Manager to sign the maintenance contract for the City of Ontario's SCADA and electrical systems. In 2003, the City of Ontario contracted with Fruitland Electric to provide maintenance services for the SCADA System and the City's electric facilities. The SCADA System was an essential element to the operation of the Water Treatment Plant, the Wastewater Treatment Plant, booster stations, and sewage lift stations. The majority of SCADA maintenance required the inclusion of a licensed electrician. Consequently, it was essential that both SCADA maintenance and electrical maintenance was included in one contract to avoid having a service charge from both an electrical contractor and a SCADA contractor plus avoid coordination issues.

In 2009, Larry Laird left Fruitland Electric and formed his own firm, L & M Electric LLC. Since Fruitland Electric no longer had SCADA capability, city staff rebid the contract. The Invitation to Bid was sent to five firms and two companies responded to the bid request: L & M Electric and Advanced Control Systems (ACS). The city's review committee consisted of City of Ontario employees who worked with and depended upon the proper functioning of the SCADA systems, and also included plus Yorick de Tassigny, Chuck Mickelson and Bob Walker. Both companies were very familiar with the city's SCADA software and components. Larry Laird with L & M Electric actually worked on the system for the past few years and ACS did all the SCADA work for the city's new Water Treatment Plant.

In order to quantify the bid items, staff based quantities on actual work and expenditures which had occurred during the past few years, as noted in the Invitation to Bid. The low bidder for this contract was ACS with a base bid of \$29,521.35. L & M Electric's bid was \$33,000. After the bid opening, the committee interviewed both firms to review expectations and concerns. A concern with ACS was response time since their main office was located in Boise. This was not a problem on the electrical side as they were utilizing Quality Electric which had a local office located at the Heinz Plant with five employees and would have a quick response time and no travel charges. For the SCADA component of the contract, ACS would be tied directly into the city's SCADA system and could handle much of the trouble shooting remotely. When a site visit was necessary, ACS would dispatch a person from the Kuna or Nampa area and would be able to comply within the 1 to 1.5 hour emergency response time. ACS currently provided SCADA maintenance to several surrounding communities (Vale Irrigation District, City of Nyssa, City of Vale, and City of Payette) and were given excellent recommendations. Based upon the above review and the bid results, the committee selected ACS as the contractor to perform the city's SCADA/Electrical maintenance.

If this contract were not awarded, the city could experience serious operational problems that could be costly in both repairs and meeting regulatory compliance. The Public Works Department recommended approval of the contract with ACS.

Councilor Sullivan wanted to make sure the trip costs had not been overlooked in the bid.

Mr. Walker stated staff had been concerned about that as well, and had researched it to ensure the numbers provided were accurate.

Councilor Crume stated the Council always heard about these projects, but never heard again. He wanted an update in a year, to see how close to true the numbers were, and to see where the city was at on the issue.

Councilor Fox asked if the company did not respond in a timely manner in an emergency situation, could the city contact another company?

Mr. Walker stated yes, they could.

Mr. Lawrence stated it was a two year contact with an option to renew for two years, not to exceed a total of four years.

Norm Crume moved, seconded by Jackson Fox, that the City Council authorize the City Manager to sign the contract with ACS for the maintenance of the City of Ontario's SCADA and Electrical systems. Roll call vote: Crume-yes; Fox-yes; Fugate-out; Jones-yes; Sullivan-yes; Verini-yes; Dominick-yes. Motion carried 6/0/1.

CORRESPONDENCE, COMMENTS, AND EX-OFFICIO REPORTS

- Tori Barnett stated she would be running some ads in the paper for upcoming vacancies on the various city boards. Even those currently serving who had terms up for renewal, needed to submit a request for reappointment. It could be done via email or letter sent to City Hall.
- Councilor Verini stated the returning 116th soldiers were still seeking employment.
- Councilor Fox stated he was still waiting on an answer for his question regarding the architects for the Aquatic Center - was the \$475K all that was approved.
- Lisa Hansen had emailed the auditors on Friday asking for an update on the 2010 audit, but had not received a response back yet.

Councilor Sullivan asked if the auditor had been paid in full.

Ms. Hansen didn't believe so.

Councilor Crume asked why it was taking so long to complete.

Ms. Hansen indicated there were other audits being done. The previous Finance Director, Rachel Hopper, had been slow in submitting the document to the auditor, so the city missed the window. It was the city that caused the delay, not the auditors. Oster hadn't indicated any concern about the deadline. They were still looking for ending numbers. Oster believed the process was going well.

- Mayor Dominick passed out a two-page email from a citizen concerned about the Ontario High School graduation being moved to a Wednesday this year. He asked the Council read the letter and provide comments.

ADJOURN

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

APPROVED:

ATTEST:

Joe Dominick, Mayor

Tori Barnett, MMC, City Recorder

CONSENT AGENDA
December 5, 2011

TO: Mayor and City Council

FROM: Dan Shepard, Engineering Technician III

THROUGH: Chuck Mickelson, Public Works Director
Henry Lawrence, City Manager

SUBJECT: **Valley Family Health Care Inc. – Water Line Easement**

DATE: November 28, 2011

SUMMARY:

Attached is the following document:

- Valley Family Health Care Inc., Water Line Easement
- Map of Property

Valley Family Health Care Inc. is completing construction of a medical office at 2327 SW 4th Avenue. Water mains were constructed on the development site to provide potable water and fire service to the development. Water mains, fire hydrants and meters are to remain under control and jurisdiction of the city. Staff is requesting the Mayor be authorized to sign an easement for the water main construction at Valley Family Health Care Inc. The easement gives the City of Ontario the authority to maintain and repair this water main and meters as necessary.

The City of Ontario is requesting a 20-foot wide utility easement for the water main and Valley Family Health Care Inc. accepts conveyance of the described easement for a water main and agrees to the terms of the City.

BACKGROUND:

Utility easements are very common for larger businesses. Having these easements in place also provides the business with adequate utility and fire service.

FINANCIAL IMPLICATIONS:

None.

RECOMMENDED MOTION:

Staff has reviewed this easement and recommends the Council authorize the Mayor to be signatory to the attached Permanent Utility Easement for a Water Main and the City Recorder attest the Mayor's signature.

Prepared by:
City of Ontario
Dan Shepard
444 SW 4th St
Ontario, OR 97914

After recording return to:
City of Ontario
Dan Shepard
444 SW 4th St
Ontario, OR 97914

PERMANENT UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS that Valley Family Health Care Inc, hereinafter called Grantor, in consideration of the sum of Zero Dollars and No/100 Cents (\$00.00) and other good and valuable consideration paid to them from the **CITY OF ONTARIO, OREGON, a municipal corporation organized and existing under and by virtue of the laws of the State of Oregon**, hereinafter called Grantee, have bargained, sold and by these presents do grant, bargain, sell and convey unto the Grantee and its successors and assigns, a perpetual easement and right-of-way over and across the following described property to construct or reconstruct, maintain, inspect, operate, protect, repair, alter or remove a water main, fire hydrants, water meters and associated appurtenances through and over the following described real property:

A portion of Tract 2, Ire Rose Acreage, Lying in the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 5, Township 18 South, Range 47 East, Willamette Meridian, City of Ontario, Malheur County, Oregon, being more particularly described;

COMMENCING at a found Brass Cap Monument marking the South Quarter Corner of Section 5, from which a found Brass Cap Monument marking the West $\frac{1}{16}^{\text{th}}$ Corner of Sections 5 and 8 bears South $87^{\circ}40'45''$ West, a distance of 1,303.37 feet;

1. thence along the southerly boundary of Section 5, South $87^{\circ}40'45''$ West, a distance of 650.01 feet to its intersection with the southerly projection of the westerly boundary of Tract 2, Ire Rose Acreage;
2. thence along said projection and boundary, North $02^{\circ}14'48''$ West, a distance of 40.00 feet to a found $\frac{5}{8}$ inch rebar with plastic cap stamped "MONTIETH PLS 2075" marking its intersection with the northerly Right-of-Way of 4th Avenue South, hereafter referred to as Point "A";
3. thence along the Westerly boundary of Tract 2, North $02^{\circ}14'48''$ West, a distance of 220.18 feet to its intersection with the westerly projection of the northerly boundary of property described in Statutory Warranty Deed Instrument Number 2006-9235;
4. thence along said projection, North $87^{\circ}40'08''$ East, a distance of 35.00 feet to a found $\frac{5}{8}$ inch rebar with plastic cap stamped "E+C PLS 2316" marking the northwest corner of said property and the **TRUE POINT OF BEGINNING**;

5. thence along the northerly boundary of the property described in Statutory Warranty Deed Instrument Number 2006-9235, North 87°40'08" East, a distance of 289.96 feet to a found 5/8 inch rebar with plastic cap stamped "E+C PLS 2316" marking the Northeast corner of said property;
6. thence along the easterly boundary of property described in Statutory Warranty Deed Instrument Number 2006-9235, South 02°17'57" East, a distance of 20.00 feet;
7. thence parallel with and 20.00 feet distance from the northerly boundary of said property, South 87°40'08" West, a distance of 254.48 feet;
8. thence South 02°19'52" East, a distance of 15.01 feet;
9. thence South 88°41'40" West, a distance of 35.52 feet to the westerly boundary of property described in Statutory Warranty Deed Instrument Number 2006-9235;
10. thence along said boundary, North 02°14'48" West, a distance of 34.38 feet to the **TRUE POINT OF BEGINNING.**

Containing 6,321 square feet (0.145 acres) more or less.

Together with a portion Tract 2, Ire Rose Acreage, Lying in the Southeast ¼ of the Southeast ¼ of the Southwest ¼ of Section 5, Township 18 South, Range 47 East, Willamette Meridian, City of Ontario, Malheur County, Oregon, being more particularly described;

COMMENCING at previously described Point "A";

11. thence along the northerly Right-of-Way of 4th Avenue South, North 87°40'45" East, a distance of 35.00 feet to the Southwest corner of property described in Statutory Warranty Deed Instrument Number 2006-9235;
12. thence along the westerly boundary of said property, North 02°14'48" West, a distance of 47.48 feet to the **TRUE POINT OF BEGINNING;**
13. thence continuing along the westerly boundary of property described in Statutory Warranty Deed Instrument Number 2006-9235, North 02°14'48" West, a distance of 20.00 feet;
14. thence North 88°47'12" East, a distance of 75.61 feet;
15. thence South 01°12'48" East, a distance of 20.00 feet;
16. thence South 88°47'12" West, a distance of 75.25 feet to the **TRUE POINT OF BEGINNING.**

Containing 1,509 square feet (0.035 acres) more or less.

Refer to the attached sketch.

Subject to existing easements and rights-of-way as any may exist, of record or not of record.

Together with all rights of ingress and egress necessary or convenient for the full rights and complete use, occupation and enjoyment of the rights and easements hereby granted.

The Grantors herein agree not to build, create or construct, or permit to be built, created or constructed, any obstruction, building, engineer works or other structures over or that would interfere with said water lines, fire hydrant and associated appurtenances, or Grantee's rights hereunder.

It is understood and agreed that in case suit or action is instituted to enforce or obtain compliance with any of the provisions hereof, then and in either of such events, the prevailing party shall be entitled to receive, in addition to its costs and disbursements, such sum as the court may adjudge as reasonable attorney's fees in such suit or action and on the appeal of any such suit or action.

IN WITNESS WHEREOF the parties hereunto have set their hands and seals this ____ day of _____, 2011.

GRANTOR:

Bill Moore
Executive Director
Valley Family Health Care, Inc

STATE OF OREGON)
) ss.
County of Malheur)

This instrument was acknowledged before me on the ____ day of _____, 2011, by Bill Moore, Executive Director of Valley Family Health Care, Inc.

Notary Public for Oregon
My Commission expires:_____

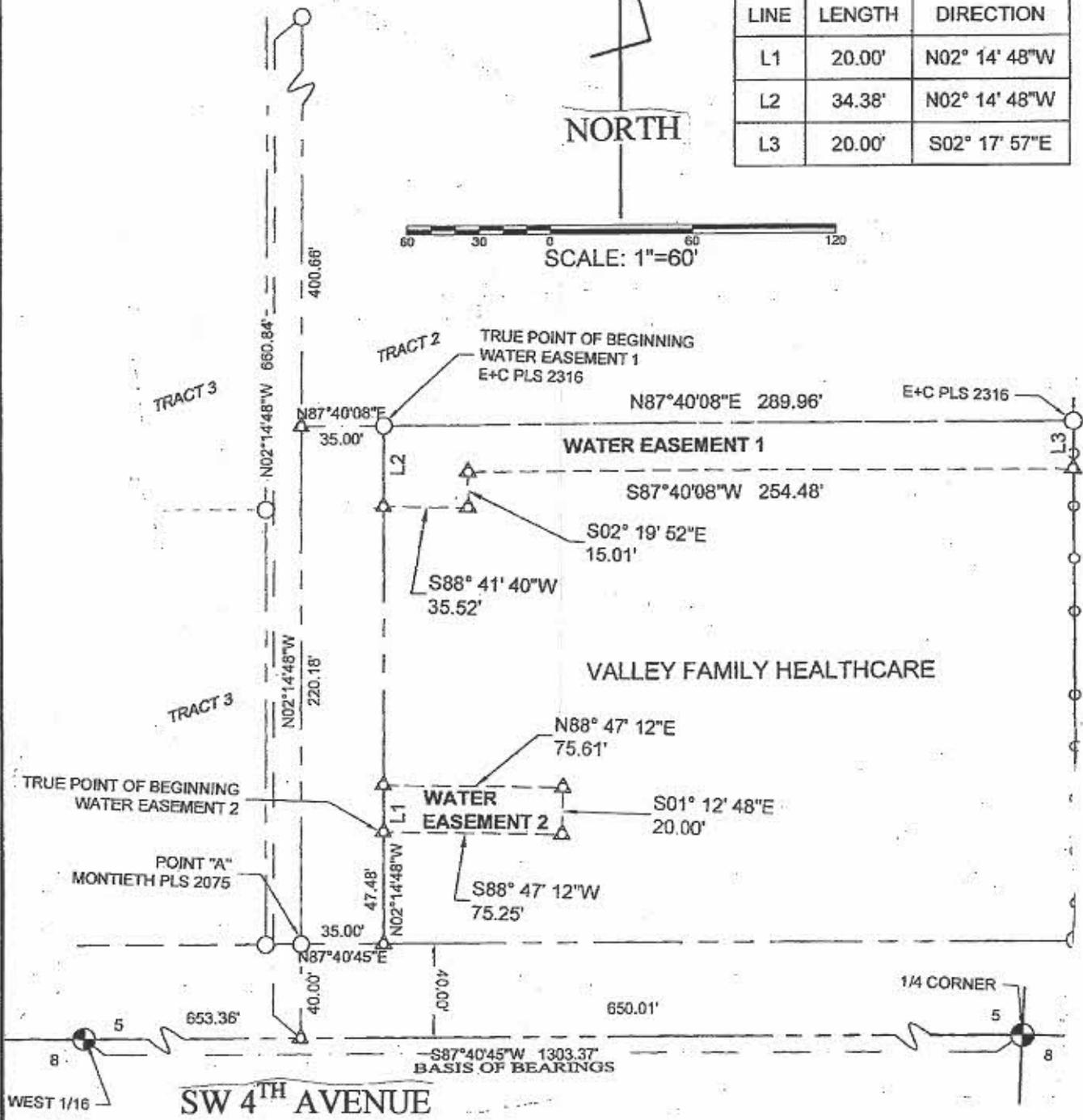
GRANTEE: CITY OF ONTARIO

Accepted By: _____
Mayor Joe Dominick

Attest: _____
Tori Barnett, City Recorder

LINE TABLE		
LINE	LENGTH	DIRECTION
L1	20.00'	N02° 14' 48"W
L2	34.38'	N02° 14' 48"W
L3	20.00'	S02° 17' 57"E

NORTH



**WATER EASEMENT DESCRIPTION
WITHIN TRACT 2 IRE ROSE ACREAGE**

ATTACHMENT "A"

CONSENT AGENDA
December 5, 2011

TO: Mayor and City Council

FROM: John Bishop, Operations Manager

THROUGH: Henry Lawrence, City Manager
Chuck Mickelson, Public Works Director

SUBJECT: **DECLARATION OF SURPLUS PROPERTY**

DATE: November 21, 2011

SUMMARY:

The Street Department's 1973 Road Grader has become obsolete, making it nearly impossible to find replacement parts for needed repairs. The Street Maintenance Department recently purchased a used 1992 John Deere 770B Road Grader from the Malheur County Road Department to replace the existing 1973 John Deere 570A Road Grader. We therefore would like to declare the 1973 John Deere Road Grader as surplus equipment

Staff requests that the Council declare this piece of equipment as surplus so that this item may be sold through a sealed bid process or placed on consignment with an equipment dealership, if needed..

PREVIOUS COUNCIL ACTION:

6/20/11 Council adopted the 2011-13 Biennial Budget, which included the purchase of a used Road Grader.

Various The Council has declared surplus property through Council action. Items declared as surplus have been disposed of through discard, sale or donation.

PROBLEM STATEMENT:

The 1973 Road Grader is currently stored at the City shop and needs to be sold. Staff cannot dispose of or negotiate a sale on City property until the Council has declared the items surplus.

FINANCIAL IMPLICATIONS:

The Road Grader has already been replaced; therefore, proceeds from the sale of the 1973 Road Grader will go back into the City of Ontario Street Maintenance Department Fund.

RECOMMENDATION:

Staff recommends that the Council declare the 1973 John Deere Road Grader as surplus property, authorizing Staff to sell it.

CONSENT AGENDA
DECEMBER 5, 2011

TO: Mayor and City Council

FROM: Mark Alexander, Chief of Police

THROUGH: Henry Lawrence, City Manager

**SUBJECT: LIQUOR LICENSE APPLICATION – NEW OUTLET
Sizzler Restaurant (Full On-Premises & Off-Premises Sales)**

DATE: November 28, 2011

SUMMARY:

Killion Investments Incorporated has completed the “New Outlet” application process for “Full On-Premises Sales and Off-Premises Sales” liquor license privileges through the Oregon Liquor Control Commission for their business, Sizzler Restaurant, located at 830 SE First Avenue, Ontario, Oregon.

All necessary paperwork has been approved through OLCC office and is awaiting approval through the Ontario City Council.

BACKGROUND:

Criminal Record process was completed on corporation officers and managers. All records returned clear. The application forms have been filled out appropriately and required fees have been paid. All Permit requirements have been met.

Full On-Premises license will include Caterer privileges.

RECOMMENDATION:

I have completed a review of this application information in accordance with the City of Ontario’s ordinance regulating this license. I recommend that we approve the application for New Outlet / Full On-Premises Sales Commercial Establishment with Caterer Privilege and Off-Premises Sales liquor licenses for Sizzler Restaurant.

CONSENT AGENDA
DECEMBER 5, 2011

TO: Mayor and City Council

FROM: Mark Alexander, Chief of Police

THROUGH: Henry Lawrence, City Manager

**SUBJECT: LIQUOR LICENSE APPLICATION – GREATER PRIVILEGE / PREMISES EXTENSION
Winger’s Diner (Full On-Premises Sales – Original Winger’s Grill & Bar)**

DATE: November 28, 2011

SUMMARY:

Ontario Diner LLC has completed the “Greater Privilege and Premises Extension” application process for “Full On-Premises Sales Commercial Establishment” liquor license privileges through the Oregon Liquor Control Commission for their business, Winger’s Diner, located at 1255 SE First Street, Ontario, Oregon.

All necessary paperwork has been approved through OLCC office and is awaiting approval through the Ontario City Council.

BACKGROUND:

Criminal Record process was completed on corporation officers and managers. All records returned clear. The application forms have been filled out appropriately and required fees have been paid. All Permit requirements have been met.

Ontario Diner LLC currently holds a Limited On-Premises Sales license for this location. They have added an extension to their business and the greater privilege of Full On-Premises Sales will allow them to sell and serve distilled spirits, malt beverages, wine and cider for consumption on the licensed premises. The business will also operate under a new trade name - Original Winger’s Grill & Bar.

RECOMMENDATION:

I have completed a review of this application information in accordance with the City of Ontario’s ordinance regulating this license. I recommend that we approve the application for Greater Privilege – Full On-Premises Sales with premises extension for Commercial Establishment.