

**Regular Council Meeting Minutes
October 4, 2023**

The regular meeting of the Arlington City Council was held on October 4, 2023, in the Council Chambers of the Municipal Building and via telephone conference.

Presiding: Mayor Jeffery Bufton

Council Present: Denise Ball, Marshall Swope, Jerry Hanan, Kayla Rayburn and Mark Davidson.

Council Absent: Matthew Irby.

Staff Present: Recorder Kari Hayter, Attorney Ruben Cleaveland, Engineer Brad Baird and Planner Kirk Fatland.

Guests: Mark Seder, Leah Shannon, Pat Shannon, Debra Copher, Bobbi Jo Vaughn, Laci Gilmore, Jan Longacre, Annaliese Davidson, Lt. Tory Flory, Rita Miciak, Roger Kinney, Michelle Kinney, Eli Caudill, Chris Hawkins, Seth Danze, Robert Mullholland, Patricia Mullholland, Jeff Steeves, Heather Steeves, Michelle Tuell, Dick Lasley, Dede Lasley, Chris Sloan and Scott Sells.

Call to Order: Mayor Bufton called the regular meeting to order at 6:30 p.m. Pledge of Allegiance Recited.

1. **PUBLIC COMMENT** - Mayor Bufton stated no Public Comment will be heard tonight regarding the proposed zoning map amendment to redesignate the Columbia View Estates Subdivision to the newly created Low-Density Residential Zone. This is not the appropriate meeting, therefore required meeting notice was not given. If the City decides to move forward with the proposed zoning amendment, additional public hearings will be held and the public will have the opportunity to provide testimony. We have to wait for the Planning Commission to do their due diligence. Attorney Cleaveland stated there will be an opportunity for public comment; we need to get it to the next step with the Planning commission before receiving such comment.

Pat Shannon stated the Columbia Hills Manor Group is looking for a new board; all members would like off as soon as possible. A City Council person would be good. The County is interested in using the Manor to assist with housing funding. Mayor Bufton asked will this be the same board the manages the retirement center. Mr. Shannon stated this would be the Manor and grow the entity as a tool to move work force housing along. The County Court and Port of Arlington has a work session after the County meeting on the 20th. Please remember the City is invited.

2. **CONSENT AGENDA** - Consent agenda consisted of the following items:

- a. Approval of Minutes - Regular Meeting September 13, 2023.
- b. Approval of bills as listed.

Councilor Rayburn motioned to approve the consent agenda and the bills as listed, motion seconded by **Councilor Davidson**. **Councilor Hanan** abstained from the minutes approval; he was absent the September meeting. Motion passed unanimously.

3. **KIRK FATLAND, TENNESSON ENGINEERING**

a. **Ordinance No. 439 – An Ordinance Amending Section 4.11 – ‘Earth Movement and Removal’ of the City of Arlington Ordinance No. 383 to Address Cutting, Filling and Grading and Establishing a Grading Permit Procedure.** Planner Fatland stated this is a continuation of the discussion last month. The Council requested additional comments from Brad Baird. He suggested we should specify protecting right of ways and neighboring properties. Does the Council want to make these changes? If so, we will need to hold another hearing and do

that in November. Otherwise, you can adopt as presented noting those comments. Attorney Cleaveland stated we talked about sending this to Engineer Baird for changes. Engineer Baird stated the change is very minor, people can also cut too close to the City. This is to protect the City. Attorney Cleaveland stated it is a minor change, it isn't a clerical error, it is a change that changes the meaning of the Ordinance. **The consensus of the Council was to make the changes recommended by Engineer Baird and put the Ordinance on the November agenda.** Planner Fatland gave a brief overview of Cut and Fill Ordinance. This Ordinance gives the Planning Commission tools to ask and request additional information. The idea is not to make development difficult, but to give the City options, not everyone will be required to submit the report, the City has the right to request the report. Any earth movement will need to be reported to the City; City Staff can sign off or pass the request to Engineer Baird.

b. **Low Density Residential Zone** – Mayor Bufton stated the Columbia View Estates (CVE) rezone was discussed at the last Planning Commission meeting. The Planning Commission pushed this back to the Council. We had a work session with the Planning Commission and held a public hearing to create this zone. The Planning Commission requested another work session or we can send this matter back to them. Councilor Davidson stated we had the work session and were in agreement. I would like to send this back to the Planning Commission. **Councilor Davidson motioned to decline a Planning Commission work session and requested the Planning Commission hold additional hearings and finish their process. Motion seconded by Councilor Hanan. Motion passed unanimously.** Councilor Ball stated I understand that everyone wanted to speak tonight. I suggest you request a copy of the Planning Commission agenda and attend that meeting. Recorder Hayter stated to allow for appropriate notice, the soonest this topic will be on the Planning Commission agenda for public testimony is November 16th. All Columbia View Estates property owners will be mailed a notice, the notice will also be posted on the City's website and the usual places around town, City Hall, the bank and post office. Mayor Bufton stated I appreciate everyone being here tonight.

4. **MARK SEDER, SEDER ARCHITECTURE** - Mayor Bufton stated Mr. Seder has been working on a splash park and cooling station. Mr. Seder gave a brief history of the development, the triangle walking tour and the spray park. Mr. Seder stated the location of the spray park will pull people to the downtown area. Spray parks are a fun family activity and community resilience feature; challenged community members can cool down at the spray park. Alkali Park is on the pedestrian mall and easily observable by everyone. Mr. Seder held up images of the spray park and suggested development options. Mr. Seder stated there is a shade structure, small playground and spray park. These features are close together, and the whole is greater than the sum of the parts. Councilor Ball asked if we are required to have a restroom and showers can we lock them. Mr. Seder stated yes you can have hours of operation. Mr. Seder showed a picture of The Dalles spray park and stated we heated those restrooms for year-round use, it's something the Council can consider. Mr. Seder showed images that included food truck parking options. Mr. Seder stated weekend food trucks would not interfere with bank or post office weekday business. The Dalles spray park is 1700 sq ft and loaded, these facilities can be fun and effective with very few features. The Boardman spray park has a few bubblers and Portland has rocks with bubblers, when the park is off it is used by skate boarders. Mr. Seder discussed other spray parks Seder Architecture designed. Mr. Seder went over the computer model. Mr. Seder stated most of the major trees remain and we are suggesting a screen wall on the backside of the park facing the market. We could include solar panels to heat restroom water. This would probably be a recirculating park. We have a plaza / activity area and shade areas; this is an inviting safe area. Councilor Rayburn asked is a bank screen wall proposed? Mr. Seder stated yes a small screen wall to separate; there are bank windows that look out on the area. Mr. Seder asked does anyone have questions or specific thoughts. Debra Copher stated I think it's a great idea, where is the new gas station. Mr. Seder stated I don't think it interferes with what we are showing here, this is all within the existing sidewalk. Debra Copher

stated this is a safety issue with traffic and outsiders going in and out. Mayor Bufton stated we can extend the screen. Mr. Seder stated the wall is eight feet tall and screens off the market. Mayor Bufton stated a wall going all the way around cuts off access. Mr. Seder stated a fence could go around the playground. Mayor Bufton stated a half fence could be a solution. We've discussed this with the market; they are on board. The City will have partners in this. We are looking at funding options; we would like this by next summer. Mr. Seder stated Dufur got over a half million from a Parks and Recreation grant. ORPD will be looking at this in the next cycle. We will keep the City apprised of grants. A key point from the Dufur project is they had significant community donations. Donation or community support is helpful. Mr. Seder stated the proposed cost is 662K for direct construction and another 25% for indirect costs, permits, testing, and none fixed furnishings. The grand total proposed cost is 827K in today's dollars. Pat Shannon stated you could go to the County and request the match. Mr. Seder stated this can be done in phases, but I recommend one. Mayor Bufton stated we prefer one phase. Councilor Rayburn asked will the food truck spots have power and water pedestals. Mr. Seder stated they could be either, it depends upon the ordinance. I didn't include anything for those it is an add on. Mayor Bufton stated this is something the Council needs to work on; a phase two for the food trucks and hook ups.

5. **BRAD BAIRD, ANDERSON, PERRY & ASSOCIATES** – Engineer Baird stated I have three items to discuss: A contractor called me and asked what needs to be done with the fire hydrant at the lower trailer court. I mentioned to the contractor they need to replace the first hydrant and put another hydrant in the back because there isn't adequate coverage. From a City perspective there is 500 feet between City hydrants for a 250 foot radius. If the existing hydrant is replaced and a back hydrant is added, that would be good coverage. I also suggested they talk to the Fire Marshall and get their blessing as well.

Fire Hydrant testing was discussed at the last Planning Commission meeting regarding the Columbia View Estates rezone. We've been discussing fire flow based upon typical tests, actual testing was requested. We talked about this a few meetings ago, to flush the distribution system; we are working with Shanna on that. I think we can do actual testing at Columbia View. Mayor Bufton stated we flushed about 70 percent of the hydrants. Engineer Baird stated we'll work with Shanna; a lot of water comes out during the testing. Councilor Hanan asked is this a flush or testing. Engineer Baird stated this is testing and flushing; we take flow and pressure reading and this gives you two data points and actual flow. It will make a mess and use a lot of water. Mayor Bufton stated Shanna has a hydrant tracking sheet.

Engineer Baird passed out the tentative plat for Alkali Estates. Engineer Baird stated this has been submitted to the City; the next step is it goes to the Planning Commission. There are 14 lots. This would extend Columbia View Drive, turn north and tee into Main Street. This would give you secondary access to Columbia View Estates. This would give the City the opportunity to upgrade and improve fire flow in Columbia View Estates. This isn't the developer's responsibility, but the City could team up with the developer. Alkali Estates sewer is steep and should not be an issue, the water is great. Mayor Bufton asked is there a plan to loop the water. Engineer Baird stated there is a 16-inch main that tees in; we put that water line in where the road was someday going to be. You could up-grade the 8-inch line off the 16-inch line up it to a 12-inch line and double the fire flow. Engineer Baird stated the problem is the CVE system is not looped. Splitting would significantly improve fire flows. Mayor Bufton stated if there is construction in there it would make sense for up-grades. Engineer Baird stated you could work at a share cost with the City. The Port will pay for water, sewer and roads for Alkali Estates.

6. **COUNCIL ACTION**

- a. **Accept Planning Commission resignation of Alan Cunningham and declare vacancy.**

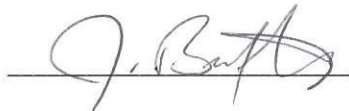
Councilor Hanan motioned accept the resignation and declare a vacancy, motion seconded by Councilor Rayburn. Motion passed unanimously.

7. **COUNCILOR REPORTS**

- Councilor Davidson – The Fire Chief has identified about half a dozen fire hydrants with obstructions. There are retaining wall and fence obstructions. These obstructions make turning the wrench difficult. Attorney Cleaveland stated it would be appropriate for the Fire Chief to send the property owner’s a letter regarding their hydrant obstruction. If there is an issue with fire compliance and if no action is taken, I can send a letter. Councilor Davidson will request the Fire Chief send letters. Councilor Davidson stated I talked to the fire department and we would like to burn the China ditch; I think we need to clear it out. Engineer Baird stated the Corp owns the property to the end of the cement. **The consensus of the Council was for the China Ditch to be burned.**
- Councilor Rayburn – Sanitation truck isn’t here yet; trash cans have arrived.
- Councilor Hanan – none.
- Councilor Irby – absent.
- Councilor Swope – none.
- Councilor Ball – none.
- PWS Gronquist – absent.
- Attorney Cleaveland – none.
- Recorder Kari Hayter – Shanna asked me to report the City is on Seal Kote’s calendar for Spring crack Sealing. City Hall’s computer up-grade is almost complete; we’ve had a few software issues.
- Mayor Bufton – none.

Executive Session opened at 7:45 p.m. pursuant to ORS 192.660(2)(e): To conduct deliberations with persons designated by the Governing body to negotiate real property transactions.

Executive Session closed 8:22. Mayor Bufton stated no decisions. Regular meetings closed at 8:23 p.m.



Jeffery Bufton, Mayor



Kari Hayter, City Recorder