

**City of Arlington
Regular Council Meeting Minutes
November 9, 2022**

The regular meeting of the Arlington City Council was held on November 9, 2022 in the Council Chambers of the Municipal Building.

Presiding: Mayor Jeffery Bufton.

Council Present: Denise Ball, Robert Christensen, Marshall Swope, and Jerry Hanan.

Council Absent: Matt Irby.

Staff Present: Recorder Kari Hayter, Public Works Superintendent Shanna Gronquist, Attorney Ruben Cleaveland, City Engineer Brad Baird, and City Planner Kirk Fatland.

Guests: Rita Miciak, Jed Crowther, Rod McGuire, LT. Tory Flory, Deputy Redden, Deputy Shockley, Cathy Weatherford and Bob Weatherford.

Call to Order: Mayor Bufton called the meeting to order at 6:30 p.m.

Pledge of Allegiance Recited.

Mayor Bufton stated the Agenda has been amended to include 4 b. New Wavier of Remonstrance - Caudill

1. PUBLIC COMMENT:

Rita Miciak - Rita gave a streetlight outage report; she'll give a list to Assistant Recorder Grubaugh to input on the Pacific Power website.

Lieutenant Tory Flory - Lt. Flory introduced new Deputy Josh Shockley stating we are proud to have our third new hire. We'll be fully staffed June or end of July 2023. Deputy Redden stated he's ticked 17 DUI's for the year. There is an uptick in DUI's.

Jed Crowther, Port of Arlington - Jed stated he ran out of time to submit a CORA grant application. He heard from a pilot that uses the airport runway; he is interested in airport improvements. Mayor Bufton stated the airport has had more use this summer on the weekends. We do our best to maintain the strip during the summer, we have to be careful when we mow due to the fire risk. Bob Weatherford gave a brief history of the airport and stated he would be willing to give the Council a presentation on the airport. Mayor Bufton stated a presentation would be nice.

Cory Mikkalo - Cory stated she wrote the Gilliam County Community Wildfire Protection Plan as required by the State of Oregon and the National Fire Council. The plan was written under Chris Fitzsimons for her Master's Degree in Emergency Management. The complete plan makes counties eligible for wildfire mitigation. This plan allows us to be very competitive for funding. You must have a current wildlife protection plan or you won't be eligible for funding. The back of the plan has 17 proposed projects. The plan states who is responsible for the projects. It's not a commitment, it says if this project were to happen these are the interested parties. Mayor Bufton asked if the County will be adopting this plan. Cory stated the plan is maintained by the County. Some projects are best for the County to put in for funding and for other projects, its best for the City to put in for funding. The goal is to make Gilliam County more eligible for funding from the Fire Marshall and State. This plan will help Chris Fitzsimons when filing for FEMA Grants. The City will need to approve the plan. Mayor Bufton stated the Council needs time to review the plan. Cory will be put on the December agenda.

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

- a. Approval of Minutes – Regular Meeting October 5, 2022.
- b. Approval of bills as listed.

Councilor Christensen motioned to approve the consent agenda and the bills as listed, motion seconded by Councilor Ball. Motion passed unanimously.

3. **KIRK FATLAND, TENNESON ENGINEERING**

- a. **Planning Forms** – Planner Fatland reviewed the new planning forms given to the Councilors. Planner Fatland stated these forms are an up-grade and they'll make the application process simpler and more streamlined. Mayor Bufton stated the forms look good. **Councilor Ball motioned to approve the Planning forms as presented and make them available on the City website, motion seconded by Councilor Christensen. Motion passed unanimously.**
- b. **Resolution No. 731 Establishing a Revised Fee Schedule for Land Use and Planning Matters** – Planner Fatland stated we need to have realistic fees when someone comes in for an application. This is not a complete list, but it gives us a place to start. We've tried to make it clear that in addition to the deposit it might take an additional cost. This is similar to what we have now, but it's more up front. Mayor Bufton stated this is something we've needed to do for some time. **Councilor Ball motioned to approve Resolution No. 731 Establishing a revised fee schedule for land use and planning matters, motion seconded by Councilor Swope. Motion passed unanimously.**
- c. **Columbia View Estates** – Planner Fatland stated it sounds like the City would like to create a new zone for Columbia View Estates. I need direction from the Council and then I can take the recommendation to the Planning Commission. The goal is to look for something to allow for a larger minimum lot size. Planner Fatland asked if there is anything else the Council would like to include in the new zone. Attorney Cleaveland stated we need to take into account what the smallest lot size is so we don't have non-conforming lots. Planner Fatland stated we'll have to notify the State and he will take the recommendation to the Planning Commission.

4. **COUNCIL ACTION**

- a. **Vacancy Appointment, Council Position #1** - Mayor Bufton stated the Council needs to appoint someone to fill the vacancy or leave the position open until January. Attorney Cleaveland stated we can appoint Kayla Rayburn this meeting; she won the election. Her term begins January 2023, we can swear her in at the December meeting. The Charter states the Council determines the manner of filling the vacancy. **Councilor Ball motioned appoint Kayla Rayburn to vacant Council Position #1 to be sworn in at the December meeting, motion seconded by Councilor Christensen. Motion passed unanimously.**
- b. **New Waiver of Remonstrance – Caudill** – Attorney Cleaveland stated Mr. Caudill filed a LUBA appeal, he wants a few changes to the Waiver of Remonstrance. The changes are in Councilor packets. Attorney Cleaveland stated he went over the changes with Planner Fatland; they are minor changes. This would limit the changes so they don't apply to public parks and massive improvements. As long as the Council is willing to agree to these changes in the Wavier of Remonstrance, the LUBA appeal gets dismissed. The agreement in the first three pages is called the Settlement Agreement. Attorney Cleaveland stated he just received it today from Mr. Caudill's attorney; it is pretty standard. Attorney Cleaveland stated he doesn't have any issues with it except for number two: Release by City. The issue is the asterisk, there is some language he would like to add. The asterisk states: but excluding obligations arising under the Decisions and City land use ordinances. Attorney Cleaveland stated he doesn't want this to be a broad brush release. He would like it to be a release of things that allows are the issues that come up to be settled and resolved but still require

Mr. Caudill to fulfill the obligations under the decision the City issued. Mr. Caudill's attorney agreed to the asterisk change. The Council can approve as is and get a final to be signed next week. Attorney Cleaveland stated Mr. Caudill's attorney and I agreed to the changeover e-mail; the agreement hasn't been updated yet. The Council can motion to approve the settlement agreement and Attorney Cleaveland will get a final draft next week. **Councilor Ball motioned to accept the Settlement Agreement for Eli Caudill and the City of Arlington, motion seconded by Councilor Swope. Motion passed unanimously.**

5. **BRAD BAIRD, ANDERSON PERRY & ASSOCIATES:** Engineer Baird stated he has two items to discuss. First, the amended Engineering Agreements for required ARPA clauses. Second, the Woolery Project. Engineer Baird stated the Council will need to sign and approve amended Anderson Perry Engineering Agreements with the City for the Waste Water Facilities Plan and Columbia River Pump Station. We've included six required ARPA clauses to receive grant funding. **Councilor Christensen motioned to approve the amended Anderson Perry & Associates Waste Water Facilities Plan contract to include the required ARPA clauses, motion seconded by Councilor Hanan. Motion passed unanimously. Councilor Christensen motioned to approve the amended Anderson Perry & Associates Columbia River Pump Station contract to include the required ARPA clauses, motion seconded by Councilor Ball. Motion passed unanimously.**

Engineer Baird stated he has information to present tonight for the Woolery Project. The property owner has to sign the Gilliam Planning Land Use Permit Application as the property owner. The County is protecting themselves from someone doing work on property they don't own. The City needs to sign the County application. Copies of the site plan that will be given to the County; we will need their blessing. Engineer Baird reviewed the Gilliam County Planning Land Use Permit Application. Engineer Baird distributed the Woolery Project site plan and stated the property is the NE corner of the 40 acres. The intent is to submit the application. Brad handed out the letter to the Gilliam County Planning Department and read key points of the letter aloud. This is just the application. The City will need to sign the application as the property owner so the Woolery can keep progress. Mayor Bufton asked how will this property be maintained and who will own it. Rod McGuire stated the Woolery will own it and hopefully someone will be there part time. The Woolery Project will continue fundraise for up keep. They have been spending funds on professional services. The Woolery will own the building. Rod stated he would like to thank Brad Baird for all his help these eight years and the City of Arlington for all their support. The Woolery Project has a capital management consultant who will purse funding; they are very passionate about this process. Mayor Bufton asked who the Woolery ownership is. Rod stated the owner will be the Woolery Board. Councilor Ball asked you're a non-profit, Rod stated yes we are. **Councilor Ball motioned to authorize Mayor Bufton to sign the Gilliam County Planning Land Use Permit Application, motion seconded by Councilor Christensen. Motion passed unanimously.**

6. **HOLIDAY PARTY AND GIFT DISCUSSION** – Mayor Bufton stated the 2021 employee gift was \$200.00; the Council needs to decide the 2022 employee gift. The Christmas Party will be held Sunday, December 18th in the afternoon. Mayor Bufton and Recorder Hayter will work on the catering. **Councilor Christensen motioned to have a holiday party and employee gift of \$200.00, motion seconded by Councilor Hanan. Motion passed unanimously.**

7. **COUNCILORS REPORTS**


- Councilor Hanan – no report.
- Councilor Irby – absent.
- Councilor Swope reported the Veteran's Day Ceremony will be held this Friday at 10:00am at the Earl Snell Veteran's Memorial.

- Councilor Christensen reported fire services are good and the police are okay, they're here tonight. I congratulate Mr. Davidson on winning the election. This is my last meeting as a Council Member, in December I'll be in Las Vegas for an old time cowboy convention. I've learned a lot about City Government and enjoyed working with everyone here. Councilor Ball stated Councilor Christensen set a high bar for our next Councilor. Mayor Bufton and the Councilors thanked Councilor Christensen for his service.
- Councilor Ball – no report.
- Public Works Superintendent Gronquist reported the camera system is up and is working on getting the Sheriff's Office access. Pot holes in the streets were patched and we are getting ready for winter.
- Attorney Cleaveland – No report.
- Recorder Hayter reported April Re would like to use the Earl Snell Park for the Artisan's Market this spring. They may have a vendor that will need to drive on the grass to set up due to a disability. **The Consensus of the Council was to allow the Artisans Market to set up at the Earl Snell Park in 2023.** Solutions IT will be at the December Council meeting to discuss security up grades and technology streamlining.

Executive Session opened at 7:46 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 adjourned at 8:26 p.m.

Regular meeting adjourned at 8:26 p.m.



Jeffery Bufton, Mayor



Kari Hayter, Recorder