

Regular Council Meeting

May 6, 2020

The regular meeting of the Arlington City Council was held on May 6, 2020 in the Council Chambers of the Municipal Building via telephone conference. Present by phone were Councilors: Leslie Walborn, Denise Ball, Bobby Christensen, Marshall Swope, Susan Jones, Kelly Margheim, Mayor Jeffery Bufton, Attorney Ruben Cleaveland, Public Works Superintendent Bill Rosenbalm and Recorder Pam Rosenbalm. Guests via telephone conference call include: David Gossett, Brad Baird, Deborah Hatfield, Christine Clecak, Tiffany Wilkins and Cris Patnode. Mayor Bufton called the meeting to order at 6:30 p.m.

Pledge of Allegiance Recited

PUBLIC COMMENT: There was no public comment.

COMMUNITY CHAMBER OF COMMERCE UPDATE: There was no representative present.

BRAD BAIRD/ANDERSON PERRY & ASSOCIATES: Brad reminded the Council they had met for two previous Water Master Plan work sessions, with the third being cancelled due to the Covid 19 situation. Brad feels the Water Master Plan can be wrapped up after one final work session. There was a discussion on the additional work that could be included in the Sidewalk Project. One area in question was including a railing or fence to be placed along Cottonwood to eliminate someone from walking off the sidewalk, down the embankment to the China Ditch area. It was brought up that there has never been any kind of fence or railing there. The Council will go look at that area of Cottonwood Street and decide.

CONSENT AGENDA: The consent agenda consisted of the following items: **a.** Approval of minutes-March 4, 2020. **b.** Approval of bills as listed. Councilor Walborn motioned to approve the consent agenda. Motion passed unanimously after a second by Councilor Christensen.

COUNCIL ACTIONS APPROVE OR DENY:

Budget Calendar: & Budget Committee Members: It was consensus of the Council to approve the Budget Calendar and Meeting for May 12, 2020 at 5:30 p.m. and Budget Committee Members as listed; Patti Brandt, Julie Valdez, Irene Steward, Sherrie Wilkins, Jodi Claughton, Cindi Davidson, David Anderson.

Resolution No. 705 & Resolution No. 706 Budget Transfers: Councilor Ball motioned to approve Resolution No.'s 705 & 706 for the listed budget transfers. Motion passed unanimously after a second by Councilor Walborn.

Lease Agreement with Justice Court: Mayor Bufton stated the Council had previously agreed they may not want to carry leases any longer than three years at a time. He then suggested a rent of increase of \$200 if the lease is approved, as there has not been an increase in five years. After discussion the Council agreed they would approve a lease for longer than three years. Mayor Bufton asked Judge Cris Patnode if she had a problem with the amount and length of Lease. Cris stated she did not have a problem and she would bring this proposal to County Court. Councilor Walborn motioned to approve Lease with Justice Court for five years at \$900 a month. Motion passed unanimously after a second by Councilor Swope.

WILKINS HORSE REQUEST: Councilor Ball stated they had not been able to meet with perspective buyers Deborah Hatfield and Christine Clecak regarding the horse request. However, she had done research and has come up with conditions she feels are important. There would be a maximum of two horses, horses will be kept in the pastured area, waste shall be managed in a way that will not create a nuisance or health concern, there will be no breeding horses for commercial purposes, if the property is partitioned, sub-divided, rented, leased or sold, the horse variance (if approved) will become null and void. Mayor Bufton stated he doesn't feel there should be boarding or breeding of horses at all, not just for commercial purposes. Councilor Jones stated she feels approval of this will open a can of worms. Councilor Christensen stated the Ordinance states horses aren't allowed, and the Ordinance should apply to everyone, but possibly the city may need to change the Ordinance. Attorney Cleaveland read the Ordinance, which states this decision is up to the Council and cannot be detrimental to the city. Property owner Tiffany Wilkins stated there have been horses on the property for years, and to her knowledge there have not been any complaints, she also stated she has letters from adjacent property owners stating they do not have a problem with horses on that property. Councilor Christensen questioned Attorney Cleaveland can the city approve one horse when they had denied another request for a horse. Attorney Cleaveland stated the Council needs to follow the guidelines set forth in the Ordinance. Christina Clecak stated they would be willing to ask for only one horse and goats if the Council felt two horses were too big. Consensus of the Council was if this were approved two horses and no goats would be allowed. Mayor Bufton stated letters from adjacent property owners should be brought to city hall. Councilor Walborn stated this is a unique property as it is 2 ½ acres, and horses have been there for years with no complaints. Councilor Ball motioned to approve variance request to Grant and Tiffany Wilkins with the following conditions: there will be a maximum of two horses, no other livestock is allowed by this Variance, horses will be kept in the established pasture and stable area, (shown on drawing submitted by the Wilkins), waste shall be managed in a way

that will not create a nuisance or health and safety issue, no boarding or breeding horses, if property is partitioned, sub-divided, rented, leased or sold , the horse variance becomes null and void, this Variance is revocable by the City Council should any nuisance, health, safety, or public welfare issues arise, Variance is assignable by the Wilkins to Deborah Hatfield and Christina Clecak, the approval of this Variance is contingent upon receipt of favorable letters from abutting neighbors. Councilor Walborn seconded that motion. Roll call: Margheim-no, Jones-yes, Swope-no, Christensen-no, Ball-yes, Walborn-yes. Mayor Bufton stated he will be voting to break the tie. Mayor Bufton-yes, motion passed.

GOSSETT TURKEY REQUEST: The Gossett family had a written request to house four turkeys for 4-H. The turkeys would be shown and then sold at Fair in September. Councilor Walborn questioned if there was an enclosed structure to house the turkeys. David Gossett responded they have permission to house the turkeys on the lot next to theirs belonging to the Osmons, and the turkeys will be housed in a fully enclosed structure with a roof. Councilor Jones questioned how they would deal with the waste. David stated they will remove and take to the dump. It was consensus of the Council to have a signed letter by the adjacent landowners that they do approve of this. Councilor Walborn motioned to approve the 4-H turkeys in an enclosed pen, with roof, and the turkeys will be gone in September after Fair; the waste will be removed (not put in garbage can) and is contingent on letters from neighbors. Councilor Ball seconded that motion. Roll call: Margheim-yes, Jones-yes, Swope-absent, Christensen-yes, Ball-yes, Walborn-yes. Motion carried.

LIBRARY IGA: Councilor Swope rejoined the meeting. Attorney Cleaveland stated he has been emailing with Judge Farrar regarding this Agreement. County Court did approved any questions could be sent to the Library not the city. However, the Condition; failure to comply with the terms and condition of this agreement may affect eligibility to receive future funds from the county, is still in the Agreement. Attorney Cleaveland also stated the Indemnification seemed broad and Judge Farrar stated she will run this past the County Counsel. Consensus of the Council is, they are not agreeing to the eligibility of future funds section.

COUNCILORS REPORT:

- Councilor Margheim had no report to give.
- Councilor Jones had no report to give.
- Councilor Swope had no report to give.

- Councilor Christensen reported the fire departments new truck is working well, however, they have been unable to do any training. The Fire Department received a donated surplus 1989 fire truck from Boardman.
- Councilor Ball had no report to give.
- Councilor Walborn stated the roses will be taken care of at the park once again this year. Ann Deen and Susan Gaswaith will return this summer through BBSI. Councilor Walborn also stated the golf course has been very busy lately, and summer help has been hired out there. Mayor Bufton stated the staff has been doing a very good job with sanitizing the carts and allowing one person in the club house at a time.
- Public Works Superintendent Bill Rosenbalm reported he has been busy with the sidewalk crew and working with homeowners, fertilizing the parks, spraying golf course, the fire line has been sprayed, mowing at the airport, and installing 2600 feet of water line for troughs at the airport.

In other business, Mayor Bufton stated he has been on the Monday Covid-19 conference calls and hopefully by the end of the month the county should be in phase 1. However, this all depends on how fast things keep moving. Councilor Walborn questioned if the Economic Officer was no longer working. Mayor Bufton stated the County has decided to take over that position and have appointed a committee and Judge Farrar will be taking on the Economic Development. Councilor Margheim stated Commissioner Wilkins and Judge Farrar would like to move forward and possibly move Rachel Weinstein to a higher position. However, the Title of Economic Officer hasn't been taken from Peter Mitchell as of now. The City of Arlington hasn't received much information regarding this position and the possible changes. City Recorder Pam Rosenbalm reported K'Lynn Lane had questioned if the City of Arlington would like to join the Condon Chamber of Commerce. Mayor Bufton stated he would like to see how the Condon Chamber of Commerce would be titled, and how this would affect the Community Chamber of Commerce in Arlington. Recorder Rosenbalm will have an update for next meeting.

The regular meeting was closed at 8:03 p.m.

Jeffery Bufton, Mayor

Pam Rosenbalm, Recorder

