

Regular Council Meeting Minutes

March 9, 2022

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

Presiding: Mayor Jeff Bufton

Council Present: Denise Ball, Robert Christensen, Matthew Irby, Jerry Hanan, and Henry Thuener.

Council Absent: Marshall Swope

Staff Present: Recorder Kari Hayter, Public Works Superintendent Shanna Gronquist, Attorney Ruben Cleaveland, Taylor Grubaugh, and Brian Foster.

Guests: Pat Shannon, Leah Shannon, Brandon Hammond, Christopher Jackson, Rita Miciak, Tammy Birkeland, Sgt. Tory Flory, Deputy Anthony Redden, and Deputy Keri Heideman.

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

Pledge of Allegiance Recited

1. PUBLIC COMMENT

Sgt. Tory Flory, Gilliam County Sheriff's Office: Introduced Keri Heideman, the newest Gilliam County Reserve Deputy in training. Officer Heideman is from the Boardman Police Department and has been a Reserve Officer for 13 years collectively. She is currently in training with hopes of having her as a solo reserve at the agency. The Gilliam County Sheriff's Office is happy to have her. Councilors and City staff introduced themselves to Deputy Heideman.

Sgt. Flory stated the Sheriff's Office has been very busy, Corporal Redden regularly pulls over drivers driving in excess of 100 miles per hour. Sgt. Flory reviewed the incident report handout stating the recent incidences are nothing out of the ordinary. Councilor Christensen asked what the Sheriff's Office is doing about the semi-trucks speeding through town. Sgt. Flory stated most of the semi-trucks are within a few miles per hour of the speed limit. Their size makes them appear faster than they actually are. Tammy Birkeland asked why there is an increase in high speeds. Sgt. Flory stated he doesn't know exactly why the increase in the rate of speed. It could have to do with people being able to travel after being at home so long due to Covid restrictions.

Mayor Bufton asked Sgt. Flory what is the status of local drug issues? Sgt. Flory stated ballot Measure 110 has hammered Officer's ability to enforce drug policy. Senate House Bill 1510 passed legislation which allow offenses such as not using a turn signal and burnt out tail lights to be secondary offenses. Law enforcement is unable to pull over drivers for these secondary violations, these violations might have allowed them to enforce drug and criminal violations due to the initial traffic stop. Many laws have changed recently, law enforcement is no longer allowed to ask specific questions such as where are you going or coming from, unless specially related to the stop. Corporal Redden stated he has been utilizing K-9 Charlie more in this past month. The Sheriff's Office and K-9 Charlie assisted a neighboring agency in a house search for drug paraphernalia and searching abandoned cars on the interstate. They will soon be working closer with Morrow County to aid with drug enforcement; their office no longer has a working

K-9. Councilor Hanan asked, has probable cause been taken away? Sgt. Flory stated no, we have to look for offenses other than secondary violations.

Arlington School District, Superintendent Brandon Hammond, reported the following:

- Boys and Girls basketball teams made it to the second round at State.
- Megan Wiseman took second place in Wrestling at Regionals, she is going to State.
- Mask mandates will lift March 14, 2022 and will be optional at school.
- Internet Safety meeting is Monday 14, 2022 at 5:30.
- This week is Classified Staff Appreciation Week.

Tammy Birkeland addressed the following: She's heard many things regarding the Health Board and has no way of delineating what is true; she's been unable to speak with Mark Mitchell. She would like to know what the City is doing to help facilitate these issues and how the public can be exposed to what is really happening with the Health Board. With the economy starting to fail, the town has a need for a community garden; possibly one at the school. She stated the students can learn to garden and provide sustainability for the community. She is not sure who to contact but she would like to see a walking trail along the river; roughly two to five miles long. People can't walk these hills, there needs to be more of a flat area. If the economy does fail and we can't get resources to the town, how does the City ensure local people have access to commodities they need if things go bad?

Mayor Bufton responded: The Health District has been moved up to a County level, Commissioner Shannon can elaborate a little more on this. As far as getting in front of Mark Mitchell and the Board, their meetings are posted locally and are available over Zoom. The Health District is a separate taxing district, they do not fall under City jurisdiction; all we can do is offer services if requested. The community garden sounds like a grassroots thing. If she wants the youth to be involved he suggested going to the School Board with a plan; Councilor Irby suggested reaching out to 4-H. Mayor Bufton stated: The property along the river is railroad property, the City does not have rights to that land. Councilor Ball stated she cannot foresee the railroad allowing a walking path along the railroad for safety reasons. The City has emergency procedures in place to litigate certain types of emergencies. As a community and a County, we would come together and have a formulated plan to be able to make sure we are taking care of ourselves.

Gilliam County Commissioner, Pat Shannon: Pat stated he would be happy to speak with Tammy about the Health Board. He's had many interviews with Emergency Medical Services and board members and has attended many board meetings. The County's recent involvement was to assist filling the vacant board position due to a tie in the votes. A vote took place at the last County Meeting and April Aamodt was appointed. Current Health District board members are Mark Mitchell, Ron Cecil, Denny Newell, Todd Terp and April Aamodt.

Leah Shannon, Port of Arlington: The Port hired their new director, Mayor Bufton assisted with the hiring process. Jed Crowther will be starting March 28, 2022; He has port and City Manager experience. The application period for the Administrator position is closed and the applicants will be narrowed down to three or four for interviews; recommendations will be brought to the board for the final decision. Councilor Ball asked if Jed plans to move to Arlington, Leah stated he will be commuting for the time being.

Rita Miciak: Streetlights are in good shape, she would like to see more lights at the Airport and the Parks.

2. CONSENT AGENDA

Consent agenda consisted of the following items:

- a. Approval of minutes - February 9, 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. COMMUNITY CHAMBER OF COMMERCE UPDATE - Riley Bennet was unable to attend.

4. TRANSIENT TAX

Recorder Hayter reviewed the schedule given to the Council showing the portion of the Transient Tax the City has contributed to the Arlington Chamber over the past several years. The City will need to decide if it would like to give this contribution to the Oregon Frontier Chamber of Commerce. Recorder Hayter stated she spoke with K'Lynn, these funds will be earmarked for Arlington use. The Action Committee will be meeting 6:00 pm at Bee Sweet Bakery on March 22, 2022; Council members may come to represent the City. Mayor Bufton asked if the Chamber of Arlington had their own checking account, Recorder Hayter stated yes, and it has now been absorbed by the OFCC. Mayor Bufton asked if the Action Committee will have their own funds, Recorder Hayter stated according to K'Lynn, they will not be a nonprofit and will be closing their accounts; the Action Committee will be a chapter of the OFCC. Councilor Irby stated he would like to see the funds stay in Arlington; Councilor Christensen was in agreement. Mayor Bufton stated he would like to get more information from the Action Committee and find out what they will be doing with their accounts. Councilor Ball suggested drafting an agreement with OFCC stating how we would like the funds to be used. Attorney Cleaveland stated the City may write a memorandum of understanding that we are giving the OFCC this money but it will need to be used for the City of Arlington. Leah Shannon stated she has been an active member of the Chamber for quite a few years and when the Chamber transitioned to the OFCC, the understanding was the transient money would be earmarked for events that Arlington currently does, plus anything else the Action Committee decides. Waste Management has been giving \$12,500 to both Arlington and Condon City Chambers, these funds will also be earmarked for Arlington events. There will be more resources, Arlington funds will remain earmarked for Arlington events. Mayor Bufton stated he would like to continue with a memorandum agreement, Attorney Cleaveland stated he will draft an agreement.

5. BRAD BAIRD-ANDERSON PERRY & ASSOCIATES - Brad Baird was unable to attend, Recorder Hayter reported on his behalf during her report.

6. COUNCILOR ACTION - APPROVE OR DENY

A. Ordinance 433

An Ordinance Amending the City's Discarded Vehicles Ordinance as Codified in the Arlington City Code, Title 4, Chapter 5. Attorney Cleaveland reviewed the ordinance, which clarifies "discarded." Sgt. Flory approves and the ordinance has been published for public comment. **Councilor Christensen motioned to have the first reading of Ordinance No. 433 by title only, motion seconded by Councilor Hanan. Motion passed unanimously.** Attorney Cleaveland read Ordinance No. 433 by title only. **Councilor Hanan motioned to accept the first reading by title only of Ordinance No. 433 and have a second reading of Ordinance No. 433 by title only, motion seconded by Councilor Thuener. Motion passed unanimously.** Attorney Cleaveland gave a second reading of Ordinance No. 433 by title only. **Councilor Ball motioned to accept the second reading of Ordinance No. 433 by title only and adopt Ordinance No. 433, motion seconded by Councilor Christensen. Motion passed unanimously.**

B. Audit June 30, 2021

Recorder Hayter stated the audit needs to be approved before it's sent to the State. **Councilor Christensen motioned to approve the June 30, 2021 Audit as presented, motion seconded by Councilor Ball. Motion passed unanimously.**

C. Audit Plan of Action and ORS 297.466 Resolution

Recorder Hayter reviewed the Auditors Plan of Action for the City of Arlington. This plan addresses material weaknesses and segregation of duties; it's standard for small entities. We also need to approve ORS 297.466 Resolution that's submitted when the audit is filed. **Councilor Ball motioned to approve the Plan of Action and the ORS 297.466 Resolution, motion seconded by Councilor Christensen. Motion passed unanimously.**

D. Budget Workshop Date

The Council discussed dates available for the Budget Workshop Meeting. **The consensus of the Council was for the Budget Workshop Meeting to be held March 23, 2022 at 6:30 pm.**

E. Appoint Budget Committee Members

Recorder Hayter stated there needs to be a motion to appoint the following Budget Committee members: Cindi Davidson, David Anderson, Leona Foster, Colleen Cunningham, Nicole Reese and Leah Shannon.

Councilor Hanan motioned to approve the Budget Committee members, motion seconded by Councilor Irby. Motion passed unanimously.

7. COUNCILORS REPORT

- Councilor Thuener stated the new fence at the Public Works Shop looks great. Mayor Bufton stated the inside is looking great as well, Superintendent Gronquist stated James Ruiz has done a lot of cleaning.
- Councilor Hanan reported Shanna is doing great with all the work that comes with a new season; the sidewalks look great. Mayor Bufton stated there has been an issue with dog waste on the sidewalks in the past. Rita Maciak stated the grass medians between the clinic and the bank are full of dog waste. Councilor Christensen suggested putting another sign at the park to direct travelers to the north end where dogs are allowed. Brian Foster stated there are a few long term residences at the Rodeway Inn who use the grass medians and do not pick up after their dogs. Councilor Christensen suggested placing a dog waste station in one of the medians in front of the hotel facing the mall, the one on Locust between the gas station the Pheasant Grill is not enough.
- Councilor Irby had no report to give.
- Councilor Christensen stated Fire Services interviewed five applicants for the Fire Services Coordinator position.
- Councilor Ball stated the water applications are moving through the process.
- Public Works Superintendent Gronquist reported the following:
 - March 23, 2022, Public Works will be plugging the golf course greens, volunteers are welcome.
 - Weed abatement letters will be sent out early this year on April 1, 2022.
 - Still waiting on water meters that were ordered in September 2021.
 - The small TV Co-op building by the City shop will be moved soon.
- Recorder Kari Hayter : Brad Baird asked that I reported the following on his behalf:

Water System Improvements Funding 1-Stop Meeting – The Project Information Form was submitted to IFA. Brad has Shanna, the Mayor and Kari as attending. Would any Councilors like to attend the meeting? The dated is to be determined and will be via zoom. Councilor Ball stated she would like to attend. Councilor Thuener stated he would also like to attend if his work schedule permits.

State Parks Restroom Grant – Brad presented this grant at the last council meeting. Does the Council want Brad to apply for the grant? Grant is due in April. The consensus of the council is for Brad to apply for the grant.

Sidewalks – The Cemetery District also wants to install sidewalks; they will pay for their sidewalks. This would make the project a little larger and attract more bids. Drawings will be ready to go for a small bid package shortly. This will utilize the ODOT SCA grant that is available to the City to pay the remainder of the sidewalk bills from Crestline and Anderson Perry and build additional sidewalks around the school.

ARPA Funded Projects – Still no word on funding agreements and when the City should expect them. They keep saying real soon.

Senator Merkley Request – Senator Merkley’s office reached out to Brad about area projects. Brad informed them of Arlington’s Water System Improvements project, hopefully funding is the City’s future.
- Recorder Hayter reported the following:
 - State of Oregon ethics filing opens March 15, 2022 and closes April 15, 2022.
 - Point&Pay has all the information needed for credit card processing.

- Individual Councilor gorge.net e-mails are set up, only a few of the Councilors accessed them. These emails will be on the City website for public use.
- Mayor Bufton no report

Councilor Hanan ask what is going on with these trucks up on the hill (potato trucks discussed in previous meetings). Mayor Bufton stated the owner has a “drop dead date”. Councilor Thuener asked for clarification. Recorder Hayter stated the date was set for the 13th or 14th of March. The owner came to City Hall and asked for an extension until September, I told him that would be very unlikely and suggested he come to the Council meeting; he is not here tonight. Councilor Thuener asked what we should do, start looking at fines or remove the trucks? Attorney Cleaveland stated the owner has a few more days, he took a look at the letter Kirk Fatland (City Planner) sent and if he doesn’t comply, then either the Sheriff will cite him or the City can cite him ourselves by drafting a complaint and making him appear in Justice Court. We will cross that bridge when we come to it, depending on whether he moves them or not. Councilor Thuener stated his understands the owner had the trucks in another place in the City and was forced to move them and this was his solution. Councilor Hanan stated they were at the owner’s house. Councilor Thuener asked if the date in the letter was for when the owner had to respond. Attorney Cleaveland stated the owner was given until a particular date to have trucks moved out. Mayor Bufton stated the owner knows he is in violation.

This portion of the minutes is verbatim.

Councilor Hanan: What about the gentleman on Shane Drive? That’s got that heavy equipment and stuff in there, doing all kinds of excavation. What is going on with that? **Councilor Christensen:** That’s his property. **Mayor Bufton:** He is landscaping his property. **Councilor Hanan:** Well that’s his property but he’s in a residential area. **Councilor Christensen:** Well he’s working on his own deal. **Councilor Hanan:** On his own what? **Councilor Christensen:** Well he’s going to, well I think he’s going to have another little place down below there and well, you’re going to have to talk to him. Stop and talk to him some time. **Councilor Hanan:** No, I’m going to talk to him right here. Ok? Because he is out of compliance as far as I’m concerned. He’s had that trackhoe in there and a semi-trailer... **Councilor Christensen:** He owns that equipment and he can’t park it on there? **Councilor Hanan:** No, that is not light industrial. **Councilor Christensen:** Even if he’s not using it, he can’t park it there? **Recorder Hayter:** How is this different than the potato trucks? **Councilor Hanan:** Yeah, it is no different. **Councilor Ball:** Because he has a home on his property and he is using it as a residential, and then he’s parking his... **Councilor Hanan:** It is still zoned residential. That doesn’t mean he can move that semi in there and a trackhoe, a tractor with a backhoe, that’s not compliant. **Councilor Ball:** So when Lenn and I were running our construction company and we had a tool trailer, a flatbed trailer, all of his tools of his trade... **Councilor Hanan:** Were they inside his trailer? Did he have a CAT sitting out there? Or a trackhoe? **Councilor Ball:** We did have a little JCB front loader. **Mayor Bufton:** There are two or three residences who have backhoes in their backyards. **Councilor Hanan:** To me, he’s out of compliance as far as I’m concerned. **Councilor Christensen:** I had a cattle truck parked at my place for a long time. **Councilor Hanan:** Yeah, it stunk too Bob. **Councilor Christensen:** No, it was washed out. **Councilor Hanan:** I’m just giving you a bad time. **Councilor Christensen:** I don’t understand why you are so onto Randy when he owns that and he’s got a home. **Councilor Hanan:** I’m just trying to keep things in check here. **Councilor Ball:** Let’s ask the Planner rather than us argue. **Councilor Hanan:** I’m just trying to keep things in check here so we don’t have this happening all over town. **Recorder Hayter:** Jerry, we can also call the non-emergency hotline, this town pays the Sheriff’s Office quite a bit of money every year to enforce ordinances and that’s who we started with.... My understanding is he has some containers and I don’t think those are allowed in the City either. **Councilor Thuener:** Actually, I understood that he is burying some of them and that is my concern. **Councilor Ball:** Burying them? Like building a bunker? **Recorder Hayter:** We could call the dispatch line and express the concerns, an officer could look and see if it is out of compliance with our ordinances or ORS’s, or we could contact Kirk on planning. **Councilor Hanan:** I’m not claiming to be an expert on this

but there are some things happening there that have never happened before and there's industrial things happening. Working on a semi-trailer tipped on its side, looks pretty dangerous to me. You saw it. **Councilor Irby:** I don't think it's there anymore. **Councilor Hanan:** No, it's not there anymore. I just don't feel we need this happening all over town. That's my concern. **Councilor Irby:** Go talk to him, he's not a bad guy. Just go visit with him. **Councilor Hanan:** Has he got a gun? **Councilor Irby:** Who doesn't? **Leah Shannon:** Don't you have to start with reading the ordinance and what it says? Can't we read the ordinance and go from there? **Mayor Bufton:** Yes, we have to start with the ordinance. **Councilor Christensen:** We got Torgi down there on Cottonwood, his deal is a lot worse than Randy's, but he in industrial zoning. **Councilor Hanan:** Yeah, that is rough down there Bobby. **Councilor Irby:** He is working on his place though. **Councilor Hanan:** Yeah, I understand that. **Councilor Christensen:** He is eventually going to sell and move to Montana anyway so just keep your fingers crossed and it will all be fine Jerry. **Councilor Hanan:** Well I'm just concerned that we don't need this stuff happening all over town. **Councilor Irby:** I understand. **Councilor Christensen:** I do too but, I don't know, if he is working on his place it's kind of hard to say you can't do that. **Councilor Hanan:** Well you got a point. I just don't like the way things are going there, and I don't know if we can do anything about it but I wanted to bring it up. **Councilor Ball:** Let's find out first, rather than it's something we don't like, it needs to something that's not allowed. **Councilor Hanan:** Why do you think I brought it up? That's why I brought it up so we can look into it, ok? Thank you. **Councilor Ball:** Yeah, but we were fighting. **Mayor Bufton:** Anything else come before the Council? **Councilor Hanan:** Not tonight. **Councilor Christensen:** Amen. **Councilor Hanan:** Well I tell you what, if he lived next door to me, I'd be raising more hell then you'd know what to do with. **Councilor Christensen:** If I did? **Councilor Hanan:** No, not you. I know what to do with you. **Mayor Bufton:** Let's review our ordinance, let's see where we stand from an ordinance standpoint on having heavy equipment on residential. It takes six months to a year to build a house, and they got all their equipment out there working in their yard, I don't know, let's just see what it says. **Councilor Hanan:** I understand. Other things have been happening there that I've seen but not lately, like the semi-trailer. **Mayor Bufton:** It's his own personal trailer. **End Verbatim.**

Taylor Grubaugh addressed Christopher Jackson sitting in the audience with his hand raised. Christopher asked how he finds out more information about what's going on with the City's water. Mayor Bufton stated there are annual water reports online. Christopher stated they're not up to date. Recorder Hayter stated the City has had the reports ready for him at the office for quite some time; the City received his e-mail requesting the reports. Christopher stated he'll look at the reports; he has a personal interest in water. He has 30 years of experience.

Regular meeting adjourned at 7:44 pm.


Jeffrey Bufton, Mayor


Kari Hayter, City Recorder