

BOARDMAN CITY COUNCIL- REGULAR MEETING – NOVEMBER 8, 2022

Mayor Keefer called the meeting to order at 7:00pm and led the Pledge of Allegiance. All councilors were present.

Councilors present: Paul Keefer, Isaac Williams, Heather Baumgartner, Cristina Cuevas, Brenda Profitt, Roy Drago Jr., and Leslie Pierson

Staff: Karen Pettigrew-City Manager, Jackie McCauley-Acting Recorder, Carla McLane-Planning Official, Marta Barajas-Finance Director, Rick Stokoe-Chief of Police/Assistant City Manager, Kevin Kennedy-Public Works Director, and Butch Parrish, Loren Dieter, Mark Pratt, Kyle Percy, Shane Brandon, Martin Martinez, Joanna Lomas, Tanner Cooney, George Shimer, and Corey Rosen-all Boardman Police Department (all in person) and Toni Connell, Rolf Prag-Special Projects Coordinator (via Zoom)

Audience: Torrie Griggs-Chamber of Commerce/BCDA, Jonathan Tallman, Gerard Bobar, Joel Edwards, Paul Beagle, Ruth Beagle, Kelly Doherty (in person) and Jeff Mafuccio-Idaho Power, Sandy Toms, Richard Rockwell, Lisa Pratt, Lisa Mittelsdorf, Boardman Park & Rec., K, Scott Hayes, Tonishia Rae's iphone, Louis, Luis Campos, and Megan Raymond (via Zoom)

APPROVAL OF MINUTES

October 4, 2022 Regular Meeting

Councilor Pierson made a motion to approve the October 4, 2022 minutes as presented. Councilor Drago seconded the motion. The motion passed 7-0.

October 18, 2022 – Special Meeting

Councilor Williams made a motion to approved the October 18, 2022 minutes as presented. Councilor Profitt seconded the motion. The motion passed 7-0.

October 25, 2022 – Special Meeting

Councilor Drago made a motion to approve the October 25, 2022 minutes as presented. Councilor Pierson seconded the motion. The motion passed 7-0.

PREARRANGED PRESENTATIONS

Mayor's presentation of Appreciation to Outgoing Councilors

Mayor Keefer presented appreciation certificates to outgoing councilors' Paul Beagle and Katy Norton. He also presented a plaque to past mayor Sandy Toms.

Police Department Accreditation

Scott Hayes, Executive Director of the Oregon Accreditation Alliance presented the Boardman Police Department with the department's first Award of Accreditation. He said it took the department three years to accomplish this. He gave special recognition for Captain Loren Dieter for acting as the accreditation manager on this accomplishment. Chief Stokoe thanked all of the officers for making this possible and he thanked the city council for their support.

FORMAL PROCEEDINGS

Public Hearing – Boardman Development Code Chapter 4.1 Amendments

Mayor Keefer recessed the regular meeting and opened a Public Hearing at 7:15pm.

Mayor Keefer announced the purpose of the hearing was to hear proposed amendments to the Boardman Development Code, Chapter 4.1, Types of Applications and Review Procedures; to change appeal timelines, add a category of owner, and accomplish other minor housekeeping changes.

Mayor Keefer asked the council if they wanted to proceed with the hearing, continue the hearing, or table the hearing. Councilor Drago made a motion to table the hearing indefinitely. Mayor Keefer seconded the motion. Councilor Profitt asked why would the council table the hearing; many people in attendance both online and in person want to give testimony. Councilor Drago said he needed more time to read the packet. Mayor Keefer said he did not want to proceed because of the city's pending LUBA appeals. Planning Official McLane said both LUBA appeals are final; they are not germane to these proceedings. The mayor said he also did not understand, why now, are these amendments being proposed with everything else the city has going on.

Councilor Profitt said the LUBA appeal findings are in the packet. She said the largest changes have to do with ownership of property. The public is here for testimony. The council should hold the hearing and then decide how to proceed. Perhaps tabling it after the public hearing portion to give Councilor Drago more time to read the packet.

Councilor Pierson wants to have the hearing tonight. She wants to hear more information about the proposed amendments.

Kelly Doherty said she wants to testify tonight.

City Manager Pettigrew said she had sent out an email earlier this evening regarding her conversation with the city land use attorney. He explained to her this is a "legislative" decision; it has nothing to do with anything that has gone on previously. The council will look at the proposed language changes, only, and decide if it should be the wording for the code. It has to do with changing the wording of the Code. It has nothing to do with feelings or what has gone on before.

Mayor Keefer said the city attorney explained it was okay to do anything the council wanted to do with the code amendments and it has nothing to do with the LUBA appeals. Mayor Keefer's biggest issue is it is a hot debate; he has heard about the last two planning commission meetings. He was also bothered by a statement, he did not know who made it, that the city council would just approve the amendments. He feels it is not the right time to fix the code. He asked for a roll call vote: Councilor Baumgartner-yes; Councilor Cuevas-yes; Councilor Profitt-no; Councilor Drago-yes; Councilor Pierson-no; Councilor Williams-no; Mayor Keefer-yes. The motion passed 4-3.

Mayor Keefer closed the hearing at 7:27pm. The mayor announced the matter is tabled for now. He resumed the regular meeting.

FINANCIAL REPORT

Ending September 30, 2022

Finance Director Barajas said the largest expenditure for September is the Capital Projects Fund which is the water and wastewater improvements with the GO Bond. That project is moving along without any drawbacks. Interest rates are climbing to .15% as of September 30th.

PUBLIC COMMENT

Torrie Griggs – Boardman Chamber of Commerce/BCDA gave the monthly report, a copy of which was handed out at the meeting. Mayor Keefer said the Halloween Trunk or Treat was really cool. Ms. Griggs thanked the police department and the fire department for their participation in the event.

Sandy Toms – Boardman Seniors said the seniors will be hosting the Breakfast with Santa on December 10, 2022. Mayor Keefer and his wife will be Santa and Mrs. Clause.

Jonathan Tallman said this is the third time he has been to this meeting and it was tabled. He had a document he asked to be made part of the public record. He said he would send it in by email. It is a letter given to the PUC from the city manager saying there was no reason to get a permit, it was an outright use. He said he won the LUBA appeal on the Loop Road. He asks that he and the city work together. He explained what had happened at the planning commission meeting regarding the public hearing for the Boardman Development Code amendments. He said they shut down the public testimony

so he was unable to give comments. The cops were called on him at the first meeting. The letter says one of the goals is citizen involvement. There can be no citizen involvement if the cops are called. He wanted to speak about a recent code violation regarding his chickens. He does not understand why he cannot have chickens as his property is zoned Farm Use. He said the city code enforcement did not follow proper protocol. He asked for proper documentation. He never received a notice. He asked for a public records request two months ago and has not received any of that information. He is running for city council and he wants to know how much money the city has wasted on counsel when he and the council could have been talking.

Kelly Doherty is confused why the public hearing has been tabled. The LUBA case has already been decided, which was not part of this. Everyone has put time and effort into the hearing. She has the draft planning commission meeting minutes and has talk with the city manager. In the future, land use issues, such as the LUBA case, should be decided at a work group session; the planning commissioners were unprepared. She said the city won on three parts of the LUBA case and they won on one part of the LUBA case regarding condemnation. She did not understand why the city would change the code on one of the things they won on in the LUBA case. She feels the planning commissioners need more training about meeting etiquette.

She also had a code compliance complaint regarding her political signs. She thought she had placed them in the city's right-of-way. She feels the city is playing two sides of a game because the city is the one who decides on other signs, but she was told she needed to get the owner's permission to place the political signs in the right-of-way. She put in a public records request to see who complained about her signs and said there was no complainant. She said she contacted the property owner and they told her they did not make the complaint.

ACTION ITEMS

Resolution 20-2022 – Declaring Excess Property – Vehicles

Police Chief/Assistant City Manager Stokoe said one of the vehicles for excess is an older patrol car the police department is phasing out. It has some mechanical issues. The city will be donating it to the City of Nyssa, Oregon. They are willing to put the money into it to repair it. The other vehicle is a Ford Ranger. City Manager Pettigrew said that vehicle will be sold.

Councilor Williams made a motion to approved Resolution No. 20-2022, a resolution declaring City of Boardman public property as excess. Councilor Pierson seconded the motion. The motion passed 7-0.

OTHER BUSINESS

Job Description for City Manager Position

City Manager Pettigrew explained this was the draft of the job description given to SGR. If approved tonight, they will take the comment section off of the bottom and this draft will be used to hire the new city manager.

Councilor Profitt said the hiring committee discussed the possibility of adding "the Port of Morrow" in section 6 (b) to call them out specifically. Councilor Cuevas said if it becomes too detailed, it can be limiting; she prefers to leave it as-is.

Councilor Pierson asked if the city attorney has reviewed the draft. City Manager Pettigrew said yes and he is okay with it. Councilor Pierson asked if Sharon Harris of CIS has reviewed the formatting and City Manager Pettigrew said she had.

Councilor Williams made a motion to approved the Boardman City Manager Job Description as presented, with no changes to section 6 (b). Councilor Pierson seconded the motion. The motion passed 7-0.

Oregon Mayor's Association Request

City Manager Pettigrew said the OMA Homelessness Taskforce is asking for a resolution or a letter of support for their recommendations to the gubernatorial candidates and legislators regarding

homelessness. The city has until July of 2023 to get a homeless program. The taskforce is really making a media push for support.

Councilor Williams made a motion to approve a letter of support for the Oregon Mayor's Association Taskforce on Homelessness to be signed by the mayor and sent to the League of Oregon Cities' lobbyist, Ariel Nelson. Councilor Drago seconded the motion. The motion passed 7-0.

REPORTS, CORRESPONDENCE AND DISCUSSION:

Police Report

Police Chief/Assistant City Manager Stokoe said staff has been extremely busy. The world is different since 2020 and pre-covid. They are struggling to keep up. They have conducted an interview for a new officer. They will be having a follow-up interview. He will not be able to get the new officer into the academy until June. It will be two years before this officer is able to be by themselves. No one wants to be a cop. The police department had a good time at the trunk or treat.

Mayor Keefer is concerned about the number of calls at the Maple Crest Apartments. Police Chief/Assistant City Manager Stokoe said there are areas of the city that are chronic nuisances. The code allows steps which can be taken with the property owners to try to resolve the problem. The police are able to track these areas. No letters have been issued to property owners. Mayor Keefer asked where on the monthly police report are assaults listed. Those can be found under felonies and misdemeanor arrests.

Building Department Report

City Manager Pettigrew said the building department has taken in a substantial amount of fees and has paid out a substantial amount to all of the entities involved in the building department.

Committee Report

City Manager Hiring Committee - Councilor Drago thanked the hiring committee for their work on finding a new city manager.

City Manager Pettigrew gave the council the timelines given to her by SGR for the hiring process. She said on Wednesday, December 7th it is scheduled for the council to do the selections of the semifinalists. She suggests the council meet at 6pm the night of their regularly scheduled council meeting on Tuesday, December 6th for this, if SGR agrees. Councilor Drago and Mayor Keefer would prefer to do this at one time.

Councilor Profitt suggests the council meet for this on Tuesday December 13th.

Mayor Keefer thought the timeline seems really fast. He said the council needs to do due-diligence to find the best candidate.

Councilor Profitt said they could ask Mark at SGR if he could get the materials and Power Point Presentations to the council sooner than December 5th. She recollects the council wanted to get the hiring done efficiently and does not want to mess with the timeline.

Councilor Pierson suggested the council move forward with the selection of the semifinalists at the December 6th meeting, at 6pm and if needed the council could meet again on December 13th. The committee would need to double-check with Mark at SGR to see if it was okay. There was council consensus to do so.

Public Works Department Report

City Manager Pettigrew said the public works department has been really busy. Last month they replaced 18 water meters. Councilor Profitt said she was approached by a citizen who complained about paying overtime to public works for them to put up Christmas decorations on a Saturday. Councilor Profitt said she told this citizen they were volunteering. She suggested special vests they could wear that say "volunteer". City Manager Pettigrew said the employees were actually paid overtime to do this as the city

can no longer find volunteers to help with the decorations. Councilor Profitt said she would amend what she had told this citizen. Mayor Keefer said online, citizens are asking about putting out the nativity decorations. City Manager Pettigrew said because of separation between church and state, the city cannot put those decorations out. Councilor Baumgartner said perhaps a local church could put out the nativity.

City Manager Report

City Manager Pettigrew said the BCDA is out for bid for the new pedestrian path along NE Columbia Avenue. The city's received all of the easements needed for that project.

There has been a lot of rain and the new sections of town do not have any problems, but the older sections of town have had some flooding. Councilor Drago said near the post office there was flooding.

In the council packet was the Morrow County Statement of Taxes 2022-23. She was most excited to share the billing rate on the City of Boardman Bonds. Initially the city said it would cost taxpayers \$1.59 per thousand, but this year it is actually .44 cents per thousand because Amazon sent the county \$11,000,000 to disburse. She said the assessor does not know what it will be next year, but it will be more than .44 cents and less than \$1.59.

Councilors Report

Councilor Cuevas said about eight or ten years ago the principal at Sam Boardman Elementary said the patch of gravel in front of the school belonged to the city. The patch of gravel was blocked off for use. She said there is traffic issues at the school during drop off and pick up times. The patch of gravel would help alleviate this. City Manager Pettigrew said it was closed off because of vehicles backing out the wrong direction. Officer Shimer said it was also a problem backing out in the right direction. City Manager Pettigrew said the school was to offer more parking on school grounds. Finance Director Barajas said no one uses it because they do not want to park, they want to drop off their children.

Councilor Profitt asked about the status of the traffic studies on Main Street, Chaparral Drive and Mt. Hood Avenue. City Manager Pettigrew said the city was supposed to get the study last week. She will call to see if it is done.

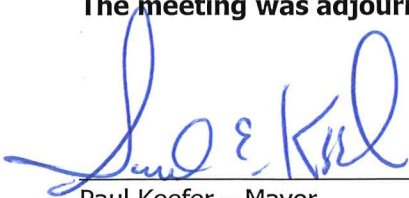
There was a brief discussion about the annual workshop for councilors in January on a Saturday. City Manager Pettigrew will schedule it.

Mayors Report

Mayor Keefer said the Ethics Commission investigation is final. The city received a letter of education, but not fine. The education is to help the council members and serves as a reminder on how to do things. He said he is adamant that the council stay out of executive session unless they absolutely have to. The council need to talk about only what they can talk about.

Mayor Keefer said he knows Jonathan Tallman feels mistreated. In the Council Rules it states, if a meeting is disrupted by members of the audience, the chair may order that the council chambers be cleared and a recess called until order is restored. When the meeting is out of order, members of the audience do not get to participate anymore. Kelly Doherty said she was at the meeting where the cops were called on Mr. Tallman. She said he was asking for a Point of Order. Mayor Keefer reminded Ms. Doherty the only time the public gets to talk during a hearing is during the public comment section, or if they are recognized by the chair. Mayor Keefer said he sees both sides.

The meeting was adjourned at 8:49pm.


Paul Keefer – Mayor
Jackie McCauley – Acting Recorder