

BOARDMAN CITY COUNCIL- REGULAR MEETING – DECEMBER 6, 2022
BOARDMAN CITY HALL COUNCIL CHAMBERS AND VIA ZOOM

Mayor Keefer called the meeting to order at 5:44pm 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, Rick Stokoe-Chief of Police/Asst. City Manager, Jackie McCauley-Acting Recorder, Marta Barajas-Finance Director, Glenn McIntire-Building Official, Rolf Prag-Special Projects Coordinator, Jose Fernandez-Code Compliance Official, Luis Campos-Public Works

Audience: Jonathan Tallman, Kay, Citizen, Mark McDaniel-SGR, Marie Shimer-Morrow County School District, L. Anders, Justin Nelson-District Attorney, Kelly Doherty, Toneshia Rae

ACTION ITEMS

Hiring City Manager Standards, Criteria and Policy – Public Comment

Councilor Pierson made a motion to adopt the SGR City Manager Recruitment Brochure and Draft Timeline as the Hiring Standards, Policy and Criteria for the City Manager's Position, having met the Statutory Requirements of ORS 192.660(2)(a). Councilor Drago seconded the motion.

Mayor Keefer asked for public comment from citizens in attendance in-person and on Zoom. There was none. He called for a vote. The motion passed 7-0.

EXECUTIVE SESSION

ORS 192.660(2)(a) – City Manager Recruitment – Selection of Semifinalists

Mayor Keefer announced the city council would be in executive session for ORS 192.660(2)(a) for the purpose of selecting the semifinalists for the city manager's position. He said he anticipated the executive session to last until about 7:00pm.

Mayor Keefer recessed the regular council meeting at 5:47pm.

Mayor Keefer resumed the regular council meeting at 7:05pm.

Mayor Keefer said the council needed to decide the number of candidates to limit the semifinalists to. There was council consensus to move twelve candidates to the next step in the hiring process.

APPROVAL OF MINUTES

November 8, 2022 - Regular Meeting

Acting Recorder McCauley said there is a correction to the minutes on page 5, second paragraph in the City Manager's Report where she said the city is out for bids on the pedestrian path along NE Columbia Avenue. The BCDA actually is the entity who is out for bids.

Councilor Williams made a motion to approve the November 8, 2022 minutes as corrected. Councilor Pierson seconded the motion. The motion passed 7-0.

PREARRANGED PRESENTATION

Morrow County District Attorney Justin Nelson

D.A. Nelson said he wanted to reintroduce himself to the city council. He said he has been the district attorney since 2010 and he sees new faces on the council. He apologized for not being in attendance at city council meetings more often and expressed he would be attending more often in the future. He handed out his business cards to all in attendance at the meeting and asked that he be contacted should the council have any questions about things such as arrests or why suspects are back on the streets. He said there may be some things he could not speak about, but would do his best to answer any questions.

D.A. Nelson gave a brief introduction of himself and his philosophy regarding serving Morrow County. He said Morrow County is one county, not a north end or a south end. He said he appreciated Chief Stokoe setting up the Polycom System, long before Covid 19, to allow testimony in cases without the witness having to travel to Heppner. Instead, witnesses testify via the Polycom set up at the Boardman Police Department.

City Manager Pettigrew asked if D.A. Nelson has hired an assistant. He said they have hired Zack Williams, from Umatilla County. He feels Mr. Williams is a good fit for Morrow County. Chief Stokoe said Zack is a 10, and Morrow County is fortunate to have him. He works well with the police and has been getting caught up on the back log of cases.

D.A. Nelson said he was staying for the rest of the council meeting and would be available afterwards to visit with anyone who would like to.

FINANCIAL REPORT

Ending October 31, 2022

Finance Director Barajas said in October there were a lot of big checks going out for the GO Bond water and sewer projects, and for the quarterly building department intergovernmental agreement payments. She said the water and sewer projects are on track, there are no concerns with the schedule, but cost is a different thing. She pointed out the Laurel Lane Loop Road Project is finished up and the city had received the \$100,000 from the Small Cities Allotment for this project from ODOT. That was received in November, but in October the city had to pay out the retainage.

City Manager Pettigrew said she could not remember when the council did not ask why the city had spent more this month than they had taken in. It is really unusual, but the city was closing out on a lot of projects.

Finance Director Barajas explained the city has already received the GO Bond fund, so they will not see that money coming in and only see the money going out.

PUBLIC COMMENT

Jonathan Tallman thanked the city for the roads, they look nice.

He wanted to communicate ten issues he had with the city.

He said his property is in eminent domain; the city lied about a permit they needed to the PUC. It has devalued his property.

The Loop Road case in a LUBA appeal which is going to the circuit court, could save taxpayers' money and could easily be settled if he and the city would work together.

He has had complaints regarding his chickens and gazebos at this business. He said the city's procedures and protocols have not been followed.

He has been harassed by public officials and told to leave public meetings and has had the police called on him.

The city is conducting illegal meetings and he will be making a complaint to the Ethics Commission about it.

There has been a bogus investigation against him which is still open, there has been a contempt of court filed against him that has been dismissed, and a police report which is unfounded by the Boardman Police Department.

His five public records requests have not been fulfilled; he has been stonewalled.

He said the mayor stated he could care less about the Tallman's property, then apologized but does not want to meet and negotiate, proving the mayor is not really sorry. He said he did not believe the mayor's apology because of his statements. Mr. Tallman said he has not failed at anything except to show that there is justice for any of these things. He has been a victim of crimes and has dropped all charges.

He wants to work together with the city going forward. He said the things that have been said about him have been slanderous and libelous. He is sorry he is frustrated and just wants to work together.

ACTION ITEMS

Resolution 21-2022 – Building Department Fees

Building Official Glenn McIntire said the State has changed some rules regarding solar installations and the city's applications need to be updated to allow for prescriptive solar installations. There are also some site utility fees and fire protection fees the building department has not been capturing on the applications. Councilor Baumgartner made a motion to approve Resolution No. 21-2022, a resolution establishing building permit fees for construction permits issued, adopting the State of Oregon Building Valuation Data by reference, and repealing Resolution No. 25-2020. Councilor Drago seconded the motion. The motion passed 7-0.

Resolution 22-2022 – Contingency Fund Transfer

Finance Director Barajas said some water and waste water parts have become obsolete and it is necessary to replace the whole SCADA System costing \$20,000. She recommends approval of this resolution to cover the cost. Councilor Profitt made a motion to approved Resolution No. 22-2022, a budget resolution to decrease contingency and to increase 2022-2023 expenditures for capital outlay. Councilor Baumgartner seconded the motion. The motion passed 7-0.

January City Council Meeting Date

City Manager Pettigrew asked to move the January City Council Meeting date from January 3, 2023 to January 10, 2023 to allow the staff more time to prepare after the New Years Holiday. She would also like to have an executive session at 6pm to facilitate the selection of the finalists for the new city manager's position. There was council consensus to do so.

REPORTS, CORRESPONDENCE AND DISCUSSION:

Police Report

Chief Stokoe said the police department is staying busy, especially with the weather of late. He reminds everyone this time of the year is particularly busy with criminals Christmas shopping at the expense of others. Package deliveries are a particular way they are able to steal; the sooner packages are collected after being delivered the better. Perhaps having packages delivered to your place of business, if allowed, would be safer.

The city has hired a new police officer, Jason Navarro. He started November 28, 2022. Unfortunately, he may not be able to go to the police academy until June. It may be almost two years before Officer Navarro is able to work by himself.

School Resource Officer George Shimer will be retiring in about a year. A letter of interest request has been put out, in house, to interested individuals to move into the SRO position. Chief Stokoe would like to have the new SRO train with SRO Shimer for about a year, leaving another position open to hire. He is hoping to get CREZ funds to cover the cost.

Building Department Report

Building Official McIntire said things are slowing down in the building department this time of the year. Houses are not being built as fast as they have been, however, things are still at a steady pace.

An in-house request was put out for a training building inspector's position. Only one letter of interest was received by Code Compliance Official Jose Fernandez. Jose has been enrolled in school to become a building inspector; currently he has passed all of his finals with A's.

Councilor Profitt asked about the building department expansion at city hall. Building Official McIntire said there is a pre-construction meeting on December 8, 2022. He is hoping to know more of a timeline after that meeting.

Public Works Department Report

City Manager Pettigrew said the public works department has been busy the last three days keeping the street cleared after the snow. They have done a nice job keeping the streets safe. Last month 1019 water meters were read, it was not long ago that the city was reading only 800 meters a month.

Mayor Keefer asked when the "Welcome to Boardman" sign would be replaced. City Manager Pettigrew said they have an estimate, but does not yet know a timeline to replace it. Chief Stokoe said the individual who ran into it was arrested; however the vehicle was a rental so the police have been in contact with the car rental company to see if they will cover the cost of replacing the sign. The estimate is \$11,000.

City Manager Report

City Manager Pettigrew said the Portland State University Population Estimates for Boardman are down this year. She has reached out to her contact there to find out why. She discovered the population number was adjusted because of the 2020 Census being so poor of a turn out.

The traffic study is still in the process. The consultant hired, Kittleson and Associates, has let her know they have had a family emergency, but plans on getting the traffic study out in a few weeks.

The Boardman Community Development Association has gone out for bids and plans on starting the pedestrian path along NE Columbia Avenue on January 9, 2023.

A CREZ II meeting is scheduled for December 22, 2022.

The city has volunteered to host the League of Oregon Cities Small Cities' meeting in Boardman. She would like to hold it at the Senior Center and have the seniors cater the lunch.

She said the city will hold the "Meet and Greet" and interviews for the city manager candidates on February 2-3, 2023. The city may reserve rooms at the Port of Morrow for this.

The city's engineer firm, Anderson Perry and Associates, has put the Loop Road Project in their 2023 calendar.

The city has all of their Christmas lights on.

All construction projects are going well.

The city's Christmas party is this Thursday at 6pm. She hopes to see everyone there.

Mayor Keefer asked about the fence going in at Smiley's Tavern. City Manager Pettigrew said they have not obtained a permit to do so. They will need to work with Planning Official McLane to discuss parking and the property line. City Manager Pettigrew said parking is becoming an issue in Boardman.

The city has advertised for the open planning positions and has had interest from six or seven parties, however, they do not meet the qualifications.

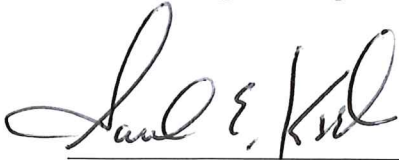
Councilor Profitt asked about the annual retreat date. Both Mayor Keefer and Councilor Williams said January 28, 2023 would work for them. The discussion will be on the January City Council Agenda.

Councilors

Councilor Profitt thanked public works for sanding the bottom of the hill at Paul Smith Road.

Councilor Pierson said she has enjoyed her time on the city council, her term ends at the end of the month. She was thankful for the opportunity and has learned so much in her time serving on the city council.

The meeting was adjourned at 8:05pm.

A handwritten signature in black ink, appearing to read "Paul E. Keefer", written over a horizontal line.

Paul Keefer – Mayor

A handwritten signature in blue ink, appearing to read "Jackie L. McCauley", written over a horizontal line.

Jackie McCauley – Acting Recorder