

**BOARDMAN CITY COUNCIL
REGULAR MEETING – MARCH 2, 2021**

Mayor Paul Keefer called the meeting to order at 7:00 p.m. and he led the group in the Pledge of Allegiance.

Councilors Present: Leslie Pierson, Paul Beagle, Katy Norton, Roy Drago Jr., Isaac Williams, Brenda Profitt, Paul Keefer

Councilors Absent: None

Staff: Barry Beyeler – Community Development Director (zoom), Glenn McIntire – Building Official (zoom), Heather Baumgartner – City Recorder (zoom), Karen Pettigrew – City Manager, Marta Barajas – Finance Director (zoom), Rick Stokoe – Chief of Police, Kevin Kennedy – Public Works Director (zoom)

Audience: Via Zoom ID: Ed Glenn, Mike Lees, Jackie McCauley, Torrie Griggs, David Ulbricht
In Person: Toni Connell

APPROVAL OF MINUTES – February 2, 2021 Regular Meeting

Councilor Beagle moved to approve the minutes of the February 2, 2021 regular meeting.
Councilor Profitt seconded the motion.
All were in favor.
Motion passed. 7-0-0 absent

APPROVAL OF MINUTES – February 16, 2021 Special Meeting

Councilor Profitt moved to approve the minutes of the February 16, 2021 special meeting.
Councilor Williams seconded the motion.
All were in favor.
Motion passed. 7-0-0 absent

Chief Stokoe made a request to have Ms. Connell record the meeting and City Recorder Baumgartner just listen. City Manager Pettigrew agreed.

INTRODUCTIONS

The City Council Meeting was held via Zoom.

FINANCIAL REPORT

Finance Director Barajas gave a summary of the February 2021 financial report. She directed everyone's attention to the bottom of the financial report and explained the figures are for the budgeted transactions. Each midyear these transfers occur between funds. The broadband project has been completed. All funds have been received for that grant with an approximate amount of \$687,000. Boardman Community Development Association (BCDA) paid the invoices until the grant was received and the City of Boardman will reimburse BCDA from the general fund. A small business grant in the amount of \$25,000 was awarded to the City of Boardman and processed by the Chamber of Commerce. BCDA matched the funds with an additional \$25,000. These funds were disbursed from the general fund. \$15,000 of the grant was returned to the State due to a lack of applications from local small businesses.

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PREARRANGED PRESENTATION

David Ulbricht – General Obligation Bonds

Mr. Ulbricht explained there was a resolution on the agenda in regard to General Obligation Bonds. City Manager Pettigrew directed everyone's attention to Resolution 4-2021. She confirmed everyone had the resolution to review and requested Mr. Ulbricht to begin his presentation.

Mr. Ulbricht communicated that the resolution is to authorize the City of Boardman to make improvements to the city water and waste water bond. Mr. Ulbricht explained the current bond, passed in May 2020, would also be used to pay off the old bonds. He gave a history of the bonds. The resolution is to set in place the perimeters and move forward with the sale of the bonds. There is language in the resolution that pertains to Federal Tax Code, security for bond, other transfer abilities of the bond and sale of the bond. The bond rate was \$1.56 per \$1000 when it was passed by the voters and the current rate is \$1.35 to \$1.45 per \$1000.

Mayor Keefer confirmed that the resolution was to allow the City of Boardman to sell the bond and that the citizens of Boardman voted for the bond. He asked if all the bonds would be sold at one time. Mr. Ulbricht responded that the bonds would all be sold at one time. Market rates are still low and it would allow the City of Boardman to lock in the best rate. The old bonds will be paid off in June 2021.

Councilor Beagle asked if it is standard practice for the bonds to be issued without a certificate. Mr. Ulbricht responded that bond certificates are electronic. A bond certificate is issued for each maturity and will sit in a repository called a repository trust company. The firm the City of Boardman uses to invest will have an electronic copy of the bond certificate. Councilor Beagle had questions in regard to nominees, acquiring land, and if there is insurance on the bond. Mr. Ulbricht responded that the language in the resolution was standard and was used in the event the City of Boardman changes nominees in the future. City Manager Pettigrew responded that the City of Boardman has not acquired land at this time. Mr. Ulbricht responded that the City of Boardman can choose to have insurance on the bond and explained the pros and cons of having insurance.

Councilor Drago asked if there is a plan if the City of Boardman is unable to acquire the land for the lagoon. City Manager Pettigrew stated that the City of Boardman and the Port of Morrow have been in discussions and should be able to come to an agreement. She explained that it would be difficult to expand the lagoon in 25-30 years.

Resolution 4-2021 – A Resolution of City of Boardman, Morrow County, Oregon Authorizing the Issuance and Sale of One or More Series of General Obligation and Refunding Bonds; Designating an Authorized Representative, Bond Counsel and Financial Advisor; Authorizing Appointment of a Paying Agent and Bond Registrar; and Authorizing Publishing a Notice.

Councilor Proffitt moved to approve Resolution 4-2021 – A Resolution of City of Boardman, Morrow County, Oregon authorizing the issuance and sale of one or more series of General Obligation and Refunding Bonds; Designating an Authorized Representative, Bond Counsel and Financial Advisor; Authorizing the Appointment of a Paying Agent and Bond Registrar; and Authorizing Publishing a Notice.

Councilor Williams seconded the motion.

All were in favor.

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Roll Call: Pierson – Yes, Beagle – Yes, Norton – Yes, Drago – Yes, Williams – Yes, Profitt – Yes, Keefer – Yes

Motion passed. 7-0-0 absent

PREARRANGED PRESENTATION

Mike Lees – Anderson Perry

Mr. Lees congratulated all new councilors and the new mayor. He stated he looked forward to working with everyone. He communicated that Anderson Perry has a \$1000 scholarship available to Riverside Jr/Sr High School graduates. He explained that it wasn't a requirement for a student to be interested in engineering, but it would be great if the scholarship could be awarded to a student entering college to study science technology, engineering, or math.

The scholarship is provided to the City of Boardman and they will present it to the student. There are several approaches to the level of involvement. Some cities prefer to be in control of the application process. Anderson Perry has a website set up with the application and can act as a liaison with the school and the city.

Councilor Beagle asked if Anderson Perry would identify the perimeters for students to qualify. Mr. Lees responded that he has not reviewed the current application and is not sure if the perimeters were specified. Mayor Keefer asked if the scholarship was open to everyone. Mr. Lees responded that the scholarship is open to everyone.

Mr. Lees explained that the water project has three components. Phase one is collector well number 3. Anderson Perry is ready to advertise for bids and proposals for that project. There is a delay due to needing approval from the Army Corp of Engineers. The current focus is the environmental assessment. An environmental assessment requires asking Federal, State, and Tribal agency for input on the project. This is called the scoping period. They respond with any concerns they have and what environmental impact the project may cause. The scoping period ended on February 19, 2021. Anderson Perry received all comments from the agencies that were interested in commenting on the project. Anderson Perry is creating the draft environmental assessment for the Army Corp of Engineers. The draft will be presented within the next two weeks. There is a 45-day review period after submission to the Army Corp of Engineers. The other environmental piece is the Joint Permit Application (JPA). The JPA sets the rules for the City of Boardman to complete work within a water way. The Columbia River is that water way. Collector two has a splash pad which is infrastructure so water can be pumped from the well and pump it back to the river without destroying the bank. This is associated with water quality. In order to work with the splash pad, work is conducted below the high water. This is why the JPA is important. There has been a large number of feedback in regard to the splash pad because it does not "check a box". The JPA has established rules when working within a waterway. Some examples of JPA within waterways are boat launches, boat docks, and/or bank restoration project. The splash pad is not a common project. At the time collector two was installed, there were not as many established rules. The new rules are creating a challenge. A question in regard to time periods that water way projects can be completed was asked. Mr. Lees responded that there is an established time period called an "in water work window". The Columbia River in water work window is between December 1st and March 31st.

Mr. Lees further explained that once the contract is approved, advertising the project has been completed, and a contractor chosen, the collector three construction will last between 7 to 9

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months. The project for collector three and collector two may overlap. A start date for construction is still unknown.

Mr. Lees communicated that Anderson Perry is working with the county surveyor to divide the parcel for the waste water lagoon. The process is moving forward, but will take time.

PUBLIC COMMENT

Ed Glenn - Citizen

City Manager Pettigrew directed everyone's attention to the memo from Mr. Glenn that was in the packet. Mr. Glenn stated that the city is not able to use building funds for water and sewer projects, but the city can give a discount on building permits for new houses that would be equal to system development charges for new houses and can collect service development charges for the benefit of the water and sewer funds. City Manager Pettigrew stated that State of Oregon is in control of the building department. Building Official McIntire added that the State of Oregon has allowed jurisdictions to waive building permit fees for things such as natural disaster recovery, but he has not seen the State of Oregon to allow that as an incentive for developers to build. There was further discussion in regard to different types of permits and their costs in comparison to service development charges. Mr. Glenn requested research on the cost of building permit charges. Mr. Glenn expressed concern in regard to waiving system development charges which creates a detriment to the water and sewer funds and a surplus in the building department. Mayor Keefer requested city staff complete research. Building Official McIntire gave an example of the building permit fees and the system development charges of a house in the area.

Torrie Griggs – Boardman Chamber of Commerce

Ms. Griggs communicated that the Boardman Chamber of Commerce website has a page for students to access and learn about scholarships available in the area.

March 17, 2021 is the chamber luncheon. Angela Boatman, Plant Manager at Pacific Ethanol will be presenting their transition to Alto Ingredients and the direction they will be moving.

March 3, 2021 Oregon Legislative Affairs discussion hosted by Blue Mountain Community College in partnership with Eastern Oregon Chambers. Senator Hansell and Representative Levee will be available to answer questions in regard to bills affecting your county.

Morrow County COVID vaccinations continue to roll out on an availability basis only. Morrow County Health Department is requesting citizens contact them to schedule a vaccine or get on a waiting list.

Virtual lunch and learn series final day is March 18, 2021.

31st Annual Distinguished Citizens Award Banquet is March 6, 2021 and will be available on zoom and linked to the Boardman Chamber of Commerce Facebook live. The award sponsors and recipients will be attending in person. Other participants will be attending virtually. Paradise Rose will be catering. She reminded everyone to pre-purchase meals that can be picked up at the River Front Center.

33rd Annual Frostbite Golf Tournament is scheduled for March 27, 2021 at Marker 40 Golf Club. Tee off is 8:30 a.m. and registration opens at 7:00 a.m. All spots are currently full and there is

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a waiting list. Raffle tickets will be available beginning March 8, 2021. Raffle items are baskets created with donations from local businesses. The Frostbite Golf Tournament is to raise money for Boardman Chamber of Commerce scholarships awarded to Riverside Jr/Sr High School graduates.

Save the date for Virtual Clear Connect Job Fair on April 28, 2021. More information is available on the Boardman Chamber of Commerce website.

Riverside Jr/Sr High School sports are starting up again.

ACTION ITEMS

Ordinance 1-2021 – Adopting a Cross Connection Control Program of the City of Boardman and Repealing Ordinance No. 2-2001.

City Manager Pettigrew gave a history of the ordinance.

Public Works Director Kennedy explained that the current ordinance is 20 years old. He further explained that the Oregon Health Authority recommends it is updated every 10 years. Michelle Byrd comes every 3 years. She is scheduled to visit the City of Boardman in May or June 2021 and we are required to have this completed. Some of the verbiage was updated to meet current standards.

Councilor Drago asked if you built a house 20 years ago and put in a system that was approved at that time, would you be required to change out the system? Public Works Director Kennedy responded that the system can be tested by the City of Boardman free of charge to ensure it meets current standards.

A citizen asked what an average cost of a back flow device would cost. Public Works Director Kennedy responded it was about \$200.

Councilor Beagle asked how someone would know if they have an approved back flow device. Public Works Director Kennedy responded that most don't know and the City of Boardman can come out to inspect it and let them know. There was additional discussion in regard to what a citizen could look for to see if they have an approved back flow device. City Manager Pettigrew stated that information in regard to approved back flow devices could be included in the next packet.

Councilor Profitt moved to approve the first reading, by title only, of Ordinance 1-2021. An ordinance of the City of Boardman Adopting a Cross Connection Control Program of the City of Boardman and Repealing Ordinance No. 2-2001.

Councilor Williams seconded the motion.

All were in favor.

Roll Call: Pierson – Yes, Beagle – Yes, Norton – Yes, Drago – Yes, Williams – Yes, Profitt – Yes, Keefer – Yes

Motion passed. 7-0-0 absent

City Manager Pettigrew read Ordinance 1-2021 by title only.

Resolution 2-2021 – A Resolution Establishing System Development Charges for Water and Wastewater Systems and Repealing Resolutions No. 12-2000 and No. 15-2000.

Councilor Beagle moved to approve Resolution 2-2021 – A Resolution Establishing System Development Charges for Water and Wastewater Systems and Repealing Resolutions No. 12-2000 and No. 15-2000.

Councilor Norton seconded the motion.

All were in favor.

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Motion passed. 7-0-0 absent

Resolution 3-2021 – A Resolution Establishing a Temporary Suspension of Water and Sewer System Development Charges to Enhance Development.

Councilor Williams moved to approve Resolution 3-2021 – A Resolution Establishing a Temporary Suspension of Water and Sewer System Development Charges to Enhance Development.

Councilor Beagle seconded the motion.

All were in favor.

Roll Call: Pierson – Yes, Beagle – Yes, Norton – Yes, Drago – Yes, Williams – Yes, Profitt – Yes, Keefer – Yes

Motion passed. 7-0-0 absent

Other Business

Update Signers on Banner Bank – Public Funds Analysis Checking Account and Public Funds Deposit Account

Remove: Sandy Toms, Brandon Hammond, David Jones, and Arthur Kegler

Add: Paul Keefer, Paul Beagle, Brenda Profitt, and Isaac Williams

Councilor Beagle moved to approve removing Sandy Toms, Brandon Hammond, David Jones, and Arthur Kegler and adding Paul Keefer, Paul Beagle, Brenda Profitt, and Isaac Williams.

Councilor Profitt seconded the motion.

All were in favor.

Roll Call: Pierson – Yes, Beagle – Yes, Norton – Yes, Drago – Yes, Williams – Yes, Profitt – Yes, Keefer – Yes

Motion passed. 7-0-0 absent

Update Signers on Bank of Eastern Oregon – Money Market Account

Remove: Sandy Toms, Brandon Hammond, David Jones, and Arthur Kegler

Add: Paul Keefer, Paul Beagle, Brenda Profitt, and Isaac Williams

Councilor Beagle moved to approve removing Sandy Toms, Brandon Hammond, David Jones, and Arthur Kegler and adding Paul Keefer, Paul Beagle, Brenda Profitt, and Isaac Williams.

Councilor Pierson seconded the motion.

All were in favor.

Roll Call: Pierson – Yes, Beagle – Yes, Norton – Yes, Drago – Yes, Williams – Yes, Profitt – Yes, Keefer – Yes

Motion passed. 7-0-0 absent

REPORTS, CORRESPONDENCE AND DISCUSSION

Police Report

Chief Stokoe confirmed everyone had a copy of the police report. He asked if there were any questions. There were no questions. Chief Stokoe communicated that Tanner Cooney was hired as new officer and was sworn in to the Boardman Police Department. Officer Cooney was hired to fill a vacancy that will be created due to Detective Greg Sherman's retirement. Senate Bill 238 in reference to school resource officers is dead and will not be reheard. Congratulations were given to Chief Stokoe on the birth of his granddaughter.

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Building Department Report

Building Official McIntire communicated that February was a slow month with very few houses built. Irrigon, however, had a good month. Councilor Beagle asked what was going in the location where the Shell Station was torn down. Building Official McIntire stated that no permits had been purchased for construction as of this date.

Public Works Department Report

Public Works Director Kennedy directed everyone's attention to the report in the packet and asked if anyone had any questions. Councilor Drago thanked Public Works Director Kennedy for his team's efforts in removing snow. Councilor Beagle asked why the food pantry did not receive snow removal. He stated that the food pantry was said to be a private entity, but Councilor Beagle said it is a public entity because it serves the public. Public Works Director Kennedy was not aware of public works denying snow removal for the food pantry.

City Manager Pettigrew stated the public works department has been really busy. The location where the Family Dollar will be constructed had a water pipe that was buried 6 feet deep. Setting a meter was a challenge due to the depth of the water pipe.

Mayor Keefer communicated that he had purchased a snow blower to clear his sidewalk because the ordinance states the resident is responsible for clearing the sidewalk. When the streets are plowed, the snow is pushed back onto the sidewalk causing the resident to again clear the sidewalk. He requested a way to prevent this from happening. He also requested discussion on how to prevent burying residents' cars into their driveways.

There was additional discussion in regard to snow removal and sanding for different areas of Boardman.

Councilor Pierson reminded council of the rules to either adjourn or extend the city council meeting after 9:00 p.m. City Manager Pettigrew suggested extending city council to 9:30 p.m. Mayor Keefer confirmed the meeting will be adjourned by 9:30 p.m. A question was asked whether we needed a motion or to just extend. Chief Stokoe stated he did not think a motion was needed only a statement stating to extend. City Manager Pettigrew stated that no one had brought it up before.

Councilor Beagle communicated that the American and POW MIA flags need to be replaced. Public Works Director Kennedy responded that he had the replacement flags and they would be replaced.

Councilor Profitt communicated she liked the sign at the splash pad. Public Works Director commended Luis Flores for fabricating the structure.

Committee Report

None

City Manager Report

Mayor Keefer directed everyone's attention to City Manager Pettigrew's memo in the packet. Councilor Profitt asked for an update on Oregon Coalition Development Center (OCDC). City Manager Pettigrew stated OCDC had given a date for delivery of modulars on March 8, 2021. Building Official McIntire stated they had pushed the date back to March 11, 2021. The project

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is scheduled to be completed the end of June 2021. The start date of this project was 2015. Mayor Keefer requested a public notice be sent out advertising the closure of Willow Fork in preparation for the delivery of the modulars.

Councilor Report

Councilor Beagle – Review and Discuss Council Rules

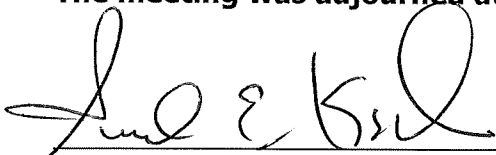
Councilor Beagle looked up studies from Harvard, Yale, Centers for Disease Control in regard to stress and his goal is to eliminate stress to city staff. He had sent out requests for feedback and the responses indicated the second Tuesday of the month would be preferable. Councilor Norton stated she felt the second Tuesday would allow more time to get information out. City Manager Pettigrew communicated that Community Development Director Beyeler had input for this discussion. He communicated that Planning Commission meets on the third Wednesday of each month and if they moved city council meetings to the second Tuesday of each month, it would only allow him 8 days to prepare. He also communicated in regard to a 21-day public notice for public hearings. Councilor Pierson communicated that Councilor Beagle's request is relevant, but also understood Community Development Director Beyeler statement. She continued by stating that information is not given to city councilors in a timely manner or is given to them in pieces. She stated that there are times when documents are sent to city councilors right up to the time of the meeting and oftentimes missed due to councilors not having time to check their emails for those documents. City Manager Pettigrew stated she did not feel that situation would change unless the city council gave direction to stop sending communication past a certain day and time. Councilor Profitt mentioned that in the past, there were two meetings a month. She continued by stating there are wins and losses with each scenario. Councilor Norton communicated that there are situations, especially with the newer councilors, where resolutions or ordinances are presented and there is no back history.

Councilor Pierson asked what others thoughts are in regard to starting meetings at 6:00 p.m. instead of 7:00 p.m. Councilor Profitt stated she would not be able to make a 6:00 p.m. meeting. Mayor Keefer requested tabling the subject for additional discussion in another meeting.

Mayor Report

None

The meeting was adjourned at 9:27 p.m.


Paul Keefer – Mayor


Heather Baumgartner – Recorder