

**Regular Council Meeting Minutes  
November 8, 2023**

The regular meeting of the Arlington City Council was held on November 8, 2023, in the Council Chambers of the Municipal Building and via telephone conference.

**Presiding:** Mayor Jeffery Bufton

**Council Present:** Denise Ball, Marshall Swope, Matthew Irby, Jerry Hanan, Kayla Rayburn and Mark Davidson.

**Council Absent:** None.

**Staff Present:** Recorder Kari Hayter, Attorney Ruben Cleaveland, City Engineer Brad Baird and PWS Shanna Gronquist.

**Guests:** Rita Maciak, Riley Bennett, Rod McGuire, Jed Crowther, Debra Copher, Pat Shannon, Leah Shannon, April Aamodt and Scott, Seth Danze, and Bobbi Jo Vaughn.

**Call to Order:** Mayor Bufton called the regular meeting to order at 6:30 p.m. Pledge of Allegiance Recited.

**1. PUBLIC COMMENT**

**Riley Bennett** stated he wanted to talk about the Chamber and Action Committee; we are being left out of volunteering opportunities. We were told we have been dropped for car show and fishing derby funding. Should we drop out of the Tri-County and become independent again. They are not being accountable. Mayor Bufton asked who did you hear this from. Riley stated they fired Katie and replaced her. Mayor Bufton stated we will review the IGA. **Bobbi Jo-Vaughn** stated I am the new representative; we have lots of funding for all kinds of different events. They didn't drop the car show funding and prizes. They are having a meeting tomorrow; I will find out about funding. I don't have anything to do with the action committee. Mayor Bufton stated we need to get clarification of what is happening. Bobbi stated flyers are out for the Veteran's Day Memorial.

**Pat Shannon** asked what's going on with my Conditional Use Permit. Recorder Hayter stated your Conditional Use Permit was approved at the last Planning Commission meeting.

**April Aamodt** stated I would like to thank the City for helping me with my sewer. April read from her e-mail sent to the City October 27, 2023. The e-mail summarized her sewer issues. April stated the roots came in on the rubber on the lateral. Shanna stated the City would pay for the digging but I would be responsible for the jetter. My line on my property was clean, this was the sewer line in the street. I set up a maintenance program with Arney's to come in every three years. I don't feel I'm responsible for the \$1,000; the joint is the City's responsibility. PWS Gronquist stated they put in a new pipe where they cut it; they didn't replace the seals. April stated my pipe was clean and that's where I saw my four-inch connection hit the six-inch City connection. I hope I don't have to pay for it and will do a maintenance program, you might want to clarify your ordinance. Attorney Cleaveland stated the source of the confusion mentions the service lateral, we are differentiating between laterals. If the building sewer is from the right of way to the City structure; the City will take part of the responsibility. The ordinance differs from if it's in the right of way or not. Ordinary maintenance is the homeowner's responsibility. At this juncture, the decision is, is this a maintenance or structural failure. Was this due to tree roots or another issue, and in the opinion of the Public Works Director, is this warranted. PWS Gronquist stated each joint has roots. Engineer Baird stated old cement pipes are three feet long and roots are common; roots will find their way through the seals. It is common for the contractors to have a saw; jetting will get some of the smaller ones. Councilor Irby asked is it a structural problem. Attorney Cleaveland read from the Ordinance: Service Lateral Maintenance: Each property owner shall be responsible for the maintenance of the

Building Sewer from the structure or facility served to the connection with the Public Sewer. "Maintenance" shall include, but is not limited to, removal of any blockages, debris, grease, tree roots, and other material as required to ensure free flow of wastewater through the lateral. Service Lateral Replacement: The City shall repair or replace structural failures of the Building Sewer in public rights of way when, in the judgment of the Public Works Director, repair or replacement of the portion of the Building Sewer that is located in the right of way is warranted. The owner of all houses, buildings or properties shall repair or replace structural failures of the Building Sewer that are located on owner's property from the building drain to the right of way. Engineer Baird stated an example of structural failure is crushing of a pipe. Attorney Cleaveland stated it is more of an acute failure. PWS Gronquist stated we replaced the section of pipe they cut out to see the roots. The pipe isn't very straight; it goes from 6.5 to 13.5 feet pretty quickly. Councilor Ball stated we have a citizen that contacted two different companies to alleviate the problem herself and she could not. The fact that it had to be cut and repaired makes me think it's the City's responsibility. Councilor Hanan stated I do to. Councilor Davidson asked did you put in a clean out. April stated no, Rooter Roto said I needed to do that; he didn't want to carry stuff down to the basement. He said it would cost \$2,000. Arney's said I didn't need to do that, so I didn't do it. PWS Gronquist stated it was recommended to put in a clean out. Engineer Baird stated new installs require a clean out every 100 feet. Part of the problem is the dip. That is related to 1960's construction in my opinion. Councilor Davidson stated I think April is just in what she's asking for. Councilor Irby asked what kind of precedent would this set if we do this? Attorney Cleaveland stated no precedent will be set; this is not an Appellate Court. You are stating this is more of a replacement issue than maintenance issue. Mayor Bufton stated a joint failure is on the City's pipe. Engineer Baird stated newer pipes have less joints. The Council had a discussion about alternatives to digging up pipes. Councilor Ball stated we have a property owner that has spent quite a bit of time and money to find out what is wrong. **The consensus of the Council was to pay the Arney's invoice in the amount of \$1,050.00 in addition to the \$2,500.00 invoice previously agreed to.**

**Leah Shannon** stated at the joint meeting between the City, Port and County we had a few weeks ago, we discussed looking at potential development of the lower trailer court. Has the City Council had any discussion on that. Mayor Bufton stated we haven't had a chance to discuss that yet.

**Debra Copher** stated we've been trying to make Arlington look nicer; businesses are starting to look nice. There are a few places that look like trash dumps, mattresses and the storage behind the store. Is there anything we have that says something needs to be done. Mayor Bufton stated we have a nuisance ordinance and we are aware of the mattresses. We are looking into it.

**2. CONSENT AGENDA** - Consent agenda consisted of the following items:

- a. Approval of Minutes - Regular Meeting October 4, 2023 and WWFP August 16, 2023.
- b. Approval of bills as listed.

**Councilor Rayburn motioned to approve the consent agenda and the bills as listed, motion seconded by Councilor Davidson. Motion passed unanimously.**

**3. BRAD BAIRD, ANDERSON, PERRY & ASSOCIATES**

- a. SDC Fees Discussion – Engineer Baird gave the Council a handout. Engineer Baird stated this handout walks through everything it would take to get System Development Charges (SDC's) in place. SDC's are a onetime charge to service that development. There is a detailed process for how you implement. If you started the study next month, it could be done next year. SDC's are a continual maintenance issue, each two or three years this should be done. Mayor Bufton stated these fees could go to improvements. Engineer Baird stated you have an SDC account to help. It can reduce potential rate increases down the road. Attorney Cleaveland stated the funds are for capacity improvements to pay off capacity or expand capacity. Engineer Baird stated an example of an allowed expense would be the addition of a



third well into the system; this is a capacity issue. Mayor Bufton stated these SDC fees are all over the place. Engineer Baird stated we only show what they could charge. Pat Shannon stated SDC fees could hinder development. The governor talked about affordable housing and workforce housing. The State is supposed to fund infrastructure. Engineer Baird stated the SDC fees would be in addition to the hookup fees. The developer is still responsible for infrastructure, these costs are in addition to that. Mayor Bufton stated the Council needs time to review this material.

#### 4. COUNCIL ACTION

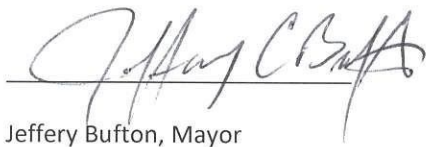
- a. **Ordinance No. 439 – An Ordinance Amending Section 4.11 – ‘Earth Movement and Removal’ of the City of Arlington Ordinance No. 383 to Address Cutting, Filling and Grading and Establishing a Grading Permit Procedure.** Attorney Cleaveland stated we reviewed this at the last Council Meeting and decided to put it up for adoption. Mayor Bufton stated I call for a motion to adopt the Ordinance. **Councilor Ball stated I motioned to have the first reading of Ordinance No. 439 An Ordinance Amending Section 4.11 – ‘Earth Movement and Removal’ of the City of Arlington Ordinance 383 to Address Cutting, Filling and Grading and Establishing a Grading Permit Procedure by title only, motion seconded by Councilor Rayburn. Motion passed unanimously.** Attorney Cleaveland stated Councilor Ball thoroughly read the Ordinance Title. I don’t need to read it again. Mayor Bufton called for a motion to accept the first reading of Ordinance No. 439. **Councilor Ball motioned to accept the first reading of Ordinance No. 439 by title only, motion seconded by Councilor Davidson. Motion passed unanimously.** Mayor Bufton called for a motion to have a second reading of Ordinance No. 439 by title only. **Councilor Rayburn motioned to have the second reading of Ordinance No. 439 by title only, motion seconded by Councilor Hanan. Motion passed unanimously.** Attorney Cleaveland gave a second reading of Ordinance No. 439 by title only. Mayor Bufton called for a motion to accept the second reading of Ordinance No. 439 by title only and adopt Ordinance No. 439. **Councilor Ball motioned to accept the second reading of Ordinance No. 439 by title only and adopt, motion seconded by Councilor Swope. Motion passed unanimously.**
- b. **Consider Planning Commission Vacancy Appointment** - Mayor Bufton stated we received a letter of interest. That individual needs to reactivate their voting registration before consideration. We will repost the vacancy.
- c. **Consider donation of China Creek Golf Course for Arlington School District Trap Club Aluminum Man Fundraiser.** Councilor Davidson stated we would like to use the golf course on June 29<sup>th</sup> for the High school, 6<sup>th</sup> to 12<sup>th</sup> grade trap club, Aluminum Man fundraiser. We won the league this year and prior years. **The consensus of the Council was to donate the use of China Creek Golf Course for the Trap Club Aluminum Man fundraiser.**
- d. **Holiday Party and Gift Discussion** – Mayor Bufton stated it’s time for our annual Christmas Party. **The consensus of the Council was to have Ron McGuire cater the Christmas Party and give City employees a Christmas bonus in the amount of two hundred dollars (\$200.00).**

#### 5. COUNCILOR REPORTS

- Councilor Davidson – Stated PWS Gronquist, please coordinate with fire Chief Claughton about the fire hydrants.
- Councilor Rayburn – Regarding sanitation, the hotel has a lot of mattresses; in our ordinance we do accept mattresses but there is not a restriction. Do we want to look at the mattress section of the ordinance. Mayor Bufton stated give the property owner a date to remove the mattresses.
- Councilor Hanan – Asked PWS Gronquist did you get crack sealing done or will it be next spring. Shanna stated we are on the spring list. I also reached out to the County and didn’t get a response.

- Councilor Irby – Bids are coming in for a cement ramp at the bridge by the gazebo. It appears to be safe. I will get the gazebo washed and painted. Shanna has the Veteran’s flags handled.
- Councilor Swope – None.
- Councilor Ball – We addressed the sewer issue at the beginning of the meeting.
- PWS Gronquist – Dump truck is getting fixed. We’re getting winterized. Trees have been trimmed. Regarding fire hydrants, someone is coming Tuesday. Sanitation truck is getting closer with the hydraulic repair.
- Attorney Cleaveland – The Ordinance is clear, this Ordinance is an amendment and needs to be referred back to the Ordinance this amends, if you read it with the Ordinance, it’s amending those definitions.
- Recorder Kari Hayter – Audit should be ready for your review soon. City Hall will be closed this Friday in observance of Veteran’s day.
- Mayor Bufton – We met with Airport Administration and Senators about the airport; Rep Smith’s assistant was present. We had discussions about the airport and potential improvements.

Meeting adjourned 7:52 p.m.

A handwritten signature in cursive script, appearing to read "Jeffery Bufton", written over a horizontal line.

Jeffery Bufton, Mayor

A handwritten signature in cursive script, appearing to read "Kari Hayter", written over a horizontal line.

Kari Hayter, City Recorder