



City of Aumsville



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AUMSVILLE CITY COUNCIL & PLANNING COMMISSION JOINT MEETING

Minutes – December 10, 2018

Mayor Baugh called the meeting to order at 7:01PM in the Chester Bridges Memorial Community Center, 555 Main Street, Aumsville, Oregon. Council present was: Mayor Robert Baugh, Jr., Councilors Gabe Clayton, Brian Czarnik, Della Seney, Larry Purdy, Gus Bedwell, and Jim Case. Aumsville Planning Commissioners present were: Dan Kluver, Vicky Barber, Russ Snow, and Carrie Murphy. Absent was Commissioner Tom Youmans. City Administrator Ron Harding (CA Harding), City Clerk Colleen Rogers (CC Rogers), Administrative Assistant Lora Hofmann (AA Hofmann), and Public Works Director (PWD) Steve Oslie were also present.

Mayor Baugh asked Council to approve the agenda as presented. Councilor Seney made a motion to approve the agenda as presented deleting Agenda Item 2B. Councilor Czarnik seconded. Motion APPROVED 7-0: (Yes: Baugh, Bedwell, Case, Clayton, Czarnik, Purdy, and Seney. No: None.)

PRESENTATIONS:

Mayor Baugh presented a Staff Longevity plaque to Officer Shane Bird for his 20 years and City Clerk Colleen Rogers for her 10 years of service to the community.

VISITORS: There were 15 people in the audience of this meeting. One person asked to speak during the Public Hearing process.

CONSENT AGENDA: Council reviewed the November 8th – 30th, 2018 check registers and the November 12, 2018 Council meeting minutes. Councilor Bedwell made a motion to approve the consent agenda as presented. The motion was seconded by Councilor Seney. Motion APPROVED 7-0: (Yes: Baugh, Bedwell, Case, Clayton, Czarnik, Purdy, and Seney. No: None.)

Mayor Baugh turned the meeting over to the planning commission chair at 7:05 PM.

Commissioner Barber made a motion to approve the October 25, 2018 Aumsville Planning Commission Minutes; Commissioner Murphy seconded the motion. Motion APPROVED 4-0: (Yes: Kluver, Barber, Snow, and Murphy. No: None.)

PUBLIC HEARING: Amendments to the Aumsville Development Ordinance

APC Chair Dan Kluver opened the public hearing at 7:07 PM

Community Development Consultant Dave Kinney gave the staff report with a recommendation to amend Section 20.05 of the Aumsville Development Ordinance. The new code section will require a developer of a residential land division (partition or subdivision) or multi-family development on an individual lot of two acres or larger to dedicate or designate land for a public park, open space or greenway as part of the overall development proposal. He explained the purpose of changing the development ordinance to clarify the donation of property by developers with parcels two acres and larger to provide for park land. The proposal is for 7% of the size of the parcel. If land is not available or if it is in the city's best interest, the city may decide to take a monetary donation in lieu of land. The amount of land to be dedicated is intended to be proportional to the impact the project will have on the city.

Proponent(s) Testimony: Aumsville resident Becky Tilden – asked for clarification that once this amendment is passed, the city will be on even footing with the county and state and the answer was yes, they would be.

There was no opponent or General Testimony.

Questions from the Public: Ramona Hudson had a question about the requirement for land donation and what would happen if the parcel is smaller than two acres. Consultant Kinney clarified that the requirement for parcels less than two acres applies if a parcel is next to an already established public park or designated open space. He said it is to allow the planning commission the option to require open space. Mrs. Hudson then questioned the language about a fee in lieu of donation. She described it as vague and questioned whether there should be some kind of outline to calculate said fee. Mr. Kinney explained that the method of calculation is not part of the ordinance. Typically, the fee would be based on the current assessed value, not the future value. CA Harding clarified that the "in lieu of land" is at the discretion of the city. It is not up to the developer.

Mayor Elect Daniel Tucker of Gates asked if it is not feasible for the developer to provide property, shouldn't the fee be waived. CA Harding responded that it may not always be advantageous for the city to require a donation of land. There may already be a park in the neighborhood and the in-lieu cash donation could be used by the city to purchase park land elsewhere in the city or enhance the nearby one.

Questions from Council & Commission: Commissioner Snow asked about the criteria for approval of the development ordinance amendment. He asked if all criteria must be met. Consultant Kinney responded addressing the referenced criteria and went through each, addressing whether the criteria apply (or is relevant). All criteria for the change have been met. There were no further questions from the commission.

APC Chair closed the public hearing at 7:26 PM.

APC deliberation: Commissioner Barber indicated that it seems straightforward. Commissioner Murphy made the motion to recommend that City Council approve the amendments to Ordinance No. 323, Development Ordinance. Vicky Barber seconded. Motion APPROVED 4-0:

(Yes: Kluver, Barber, Snow, and Murphy. No: None.)

Chair Kluver closed the Planning Commission Hearing at 7:27 PM.

Mayor Baugh reconvened the council meeting at 7:28 PM

Mayor Baugh asked if Consultant Kinney had anything further to add to the staff report. Mr. Kinney answered he did not but would be happy to answer any questions the council might have.

Questions from Council: Councilor Purdy asked for clarification of whether the option to pay a fee, in lieu of land donation, is the choice of the city or the land owner. Mr. Kinney answered that it would go through the planning commission and would be determined during the land division process. It ultimately comes down to the city. First priority in accordance with our development ordinance is land dedication, except where it is not feasible or in the city's best interest.

Councilor Purdy asked, does this allow for property swap? Mr. Kinney stated that the ordinance does not state that it is allowed, but it is possible to negotiate this type of agreement. It would be the council's final decision whether to allow or not.

Close of the Public Hearing at 7:34 PM

First reading by title only of Ord. No. 665 AN ORDINANCE AMENDING ORDINANCE NO. 323, RELATING TO LAND USE PLANNING AND DEVELOPMENT. Councilor Czarnik motioned to approve the first reading by title only and Councilor Bedwell seconded the motion. Motion APPROVED 7-0: (Yes: Baugh, Bedwell, Case, Clayton, Czarnik, Purdy, and Seney. No: None.)

Second reading by title only of Ord. No. 665 AN ORDINANCE AMENDING ORDINANCE NO. 323, RELATING TO LAND USE PLANNING AND DEVELOPMENT. Councilor Seney motioned to approve the second reading by title only and Councilor Clayton seconded the motion. Motion APPROVED 7-0: (Yes: Baugh, Bedwell, Case, Clayton, Czarnik, Purdy, and Seney. No: None.)

Mayor Baugh asked for a motion to adopt Ord. No. 665. Councilor Czarnik motioned to adopt Ord. No. 665 AN ORDINANCE AMENDING ORDINANCE NO. 323, RELATING TO LAND USE PLANNING AND DEVELOPMENT and Councilor Bedwell seconded the motion. Motion APPROVED 7-0: (Yes: Baugh, Bedwell, Case, Clayton, Czarnik, Purdy, and Seney. No: None.)

OLD BUSINESS: NONE

NEW BUSINESS: Council reviewed Resolution No. 19-18 A RESOLUTION ESTABLISHING AN UPDATED SYSTEMS DEVELOPMENT CHARGE FOR PARK IMPROVEMENT

Planning Consultant Kinney gave an overview of Resolution No. 19-18. The city council has adopted the Aumsville Parks Master Plan in January 2018. The plan includes approximately \$12 million in park improvement projects to serve both existing and future residents of the city. The plan shows that \$4.85 million of the park improvements will be needed to serve future growth and will benefit future residential and non-residential developments. The current Park SDC rate is \$2611.00 for each new residential dwelling unit and \$.25 sq. ft. for non-

residential development.

Mr. Kinney stated that the city could charge up to the maximum \$4807 for residential and \$0.77 for non-residential. Although, he didn't recommend that. He offered four options in the staff report for the council to consider. He then listed the options and went over the methodology. He commented that the city has done a good job of accomplishing park improvements by utilizing their public works staff and applying for grant dollars. He feels it is a good idea for the city to use a combination of funds and not put the whole burden on development.

Questions from Council: Councilor Czarnik asked if developments underway will incur the new fee. CA Harding explained that it is collected when building permits are submitted and issued.

Deliberations:

Councilor Case stated that he doesn't want to see it go to the maximum but would like to see a significant increase, so the city can stay ahead of the game and not behind. He would like to have the increase reviewed annually. CA Harding said that it would be set to increase automatically, then future councils always have the option to create a new resolution to postpone or adjust the increases.

Councilor Seney is in favor of option 2 (10% increase, then 5% annually). It keeps a reasonable line that raises it up at a regular rate so that people can be prepared. She added that we are just now starting to see some commercial growth and would not like to see it discouraged because of a fee.

Councilor Bedwell likes option 2, except that he would like to see the non-residential increase at a higher rate like in option 4 (20% increase, then 5% annually). CA Harding stated that the options are examples only and Council can choose to use them as they are, combine parts of each, or come up with their own option.

Councilor Purdy is in favor of option 2 except he would like to see non-residential increase more than it is in the example.

Councilor Czarnik asked Consultant Kinney how our non-residential fees compare to neighboring cities. Consultant Kinney answered that a number of area cities do not charge a non-residential Parks SDC. Some do, but most do not. He gave some history of Aumsville's decision to charge the fee but to keep it low enough that it wouldn't deter businesses from coming in to the city.

Councilor Czarnik likes option 4 "even though it places a bigger burden on the residential development, we really need commercial development here and we don't want to do anything to stifle that." Feels we have done a good job of encouraging residential and would like to see it kept lower for commercial to encourage growth. He stated that 5% annually is a good idea because everything gets more expensive as time goes on.

Councilor Clayton asked if it was possible to choose option 2 for residential and leave the non-residential at \$0.25. Consultant Kinney stated that the way the resolution is written, Council will create a fee for the residential side, create a fee for non-residential, and the last item would be whether you want to impose the clause for periodic review to be updated as needed,

but you could have the clause to have an automatic escalator unless Council chooses to review it.

After a lengthy discussion about the possible motion options, Councilor Bedwell made a motion to adopt the residential part of option 2 with a 10% increase, then 5% annually, and the non-residential part of option 4 with a cap at \$0.30 per sf. Councilor Purdy seconded the motion. Motion APPROVED 6-1: (Yes: Baugh, Bedwell, Case, Clayton, Purdy, and Seney. No: Czarnik.)

Councilor Bedwell motioned to approve Resolution No. 19-18 A RESOLUTION ESTABLISHING AN UPDATED SYSTEMS DEVELOPMENT CHARGE FOR PARK IMPROVEMENT as discussed and amended. Councilor Seney seconded. Motion APPROVED 6-1: (Yes: Baugh, Bedwell, Case, Clayton, Purdy, and Seney. No: Czarnik.)

Council considered Ordinance No. 667 AN ORDINANCE AMENDING THE POLICE SERVICES ACT, ORDINANCE 662.

CA Harding presented the staff report. He explained that in the late summer of 2017 we started a discussion about a Public Safety Fee Ordinance. Through a series of public meetings, we heard concerns about public perception of the language. Council directed CA Harding to review language and bring revisions back for council consideration. CA Harding put together an ad hoc committee consisting of two citizens, Councilor Bedwell, and himself; along with legal counsel. After many emails and one in-depth meeting, they came to an agreement on the language and collection process, thus, removing the foreclosure language. The committee also addressed the concern about the payment priority on the utility bill. The language now places the fee third priority rather than first, but any unpaid balances carried over must be paid before the priority listing takes place.

Councilor Bedwell agreed that they did a good job addressing the concerns that were brought forward and putting these changes together. CA Harding added that this is an amendment to the original ordinance and if it is not passed, the original ordinance would remain in place.

Mayor Baugh opened the floor for Public Comment regarding the amended language: Becky Tilden asked if the \$12 is a set fee and why is it open ended. CA Harding explained that it is impossible to predict future expenses. Council wanted the fee to be stable for five years with no increases. The intent is at the end of the five-year period they will revisit the amount, however, if changes occur in expenditures the fee could be re-assessed. Ms. Tilden asked if the collected money brings in revenue from interest, CA Harding believes all city investments collect interest but, because of the way the language was written in the ordinance, he is not 100% sure about the PSF revenues. CA Harding suggested that the topics are now beyond the item before the city council.

After Council deliberation and the first reading by title only of Ord. No. 667 AN ORDINANCE AMENDING THE POLICE SERVICES ACT, ORDINANCE 662, Mayor Baugh asked for a motion from Council. Councilor Bedwell motioned to approve the first reading by title only and Councilor Purdy seconded the motion. Motion APPROVED 6-1: (Yes: Bedwell, Case, Clayton, Czarnik, Purdy, and Seney. No: Baugh.) The ordinance will be presented for a second reading at the January 14, 2019 Council Meeting.

CA Harding presented a staff report from Finance Officer Hoyer explaining that due to upcoming changes in council membership, most of the authorized signers on the city's various bank accounts will no longer be eligible to sign checks. CA Harding requested that Robert W Baugh, Jr., Brian Czarnik and Lorie Walters be removed, and three other council members be added to the signature authorization for the city's Riverview Community bank accounts, effective January 1, 2019. After Council discussion, Councilor Clayton made a motion to replace Robert W. Baugh, Jr., Brian Czarnik and Lorie Walters with Derek Clevenger, Della Seney, and Jim Case as authorized signers for the City of Aumsville's Riverview Community Bank account 9001000967, effective January 1, 2019. Councilor Czarnik seconded. Motion APPROVED 7-0: (Yes: Baugh, Bedwell, Case, Clayton, Czarnik, Purdy, and Seney. No: None.)

Councilor Seney made a motion to replace Robert W. Baugh, Jr., with Derek Clevenger as authorized signer for the City of Aumsville's Riverview Community Bank account 9001002252 and 9001049725, effective January 1, 2019. Councilor Purdy seconded. Motion APPROVED 7-0: (Yes: Baugh, Bedwell, Case, Clayton, Czarnik, Purdy, and Seney. No: None.)

CITY ADMINISTRATOR REPORT:

City Engineer update: As Council knows, our city engineer announced his retirement back in May of 2018. He has stayed on with some city projects to get them completed. The city will be publishing a request for qualifications this week, with the expectation of having a new engineer of record on board in February.

Judge Ira Feitelson announced his retirement last week. The city is currently soliciting resumes for the position. Once staff has reviewed the materials CA Harding will outline a process to interview candidates and will come back with a recommendation for Council at the January meeting.

City Attorney Update: We have received two proposals of interest for a city attorney of record. CA Harding will be reviewing them, discussing with each firm and make a recommendation to the city council in January. We currently have a contract with an attorney that continues to provide legal service.

Visioning meeting: We had our first vision open house on December 3rd. It was a great turnout from the community and the participants felt it provided some good value.

The Exchange club is meeting in the community center tomorrow. They would really like to have an Aumsville chapter, but we need to show consistent interest.

"Christmas in the Park" was a tremendous success again this year. We didn't run out of soup, hot chocolate, popcorn, or cookies; but we were right down to the last of the supplies by the end of the event. CA Harding thanked staff for all the planning and hard work they put in to make the event successful. Council also commented on the success of the event and thanked staff.

Council received Chief Schmitz' Police Department monthly report PWD Osie's monthly report, and Staff Team Meeting notes; there was no discussion on any of the reports.

Mayor and Council reports:

Mayor Baugh stated that he was sorry he missed the Christmas in the Park event on Saturday. He was attending a Shriners event. He talked about his involvement and the great things they are doing. He stated that it has been a pleasure to serve the city since he moved here many years ago.


Councilor Czarnik reported that they finished up the CERT basic classes with one new member that has completed everything. He also reported that he will be attending a meeting of the Rural Tourism Studio and will be reviewing plans for River Fusion 22 going forward into 2019.

Councilor Clayton reported that the corn festival needs volunteers that are willing to be part of the planning year-round. There are a lot of changes coming, but he still sees a lot of positive things happening.


Councilor Case commented that he heard a lot of good feedback about the Christmas event. Over all it was a successful event and really good food.

CA Harding announced the reception for outgoing officials is on Thursday at 6pm presentation and invited all to attend.

The meeting adjourned without prejudice at 8:42 PM



Ron Harding, City Administrator



Derek Clevenger, Mayor