



# City of Aumsville



595 Main St., Aumsville, OR 97325  
Office (503) 749-2030 -- FAX: (503) 749-1852  
Email: cityadministrator@aumsville.us

## **AUMSVILLE CITY COUNCIL MEETING Minutes – July 9th, 2018**

Mayor Baugh called the meeting to order at 7:03 PM in the Chester Bridges Memorial Community Center, 555 Main Street, Aumsville, Oregon. Council present was: Mayor Robert Baugh, Jr., Councilors Gabe Clayton, Kevin Crawford, Brian Czarnik, Della Seney, and Lorie Walters (arrived at 7:55pm). Council absent was Councilor Trina Lee. City Administrator Ron Harding (CA Harding), Police Chief Schmitz and City Clerk Colleen Rogers (CC Rogers) were also present.

Councilor Crawford made a motion to approve the agenda as presented. The motion was seconded by Councilor Clayton. Voting in favor of the motion were Mayor Baugh, Councilors Czarnik, Clayton, Crawford, and Seney. The motion passed unanimously.

**PRESENTATION:** Oath of Office – Police Officer Jesse Greene. Mayor Baugh administered the Oath of Office to new Aumsville Police Officer Jesse Greene. He congratulated Officer Greene and welcomed him to the team. Chief Schmitz explained that Officer Greene was a Reserve Officer in Aumsville for about 5 years before taking a full time officer position with another city. He was hired to fill the 6<sup>th</sup> officer position.

**CONSENT AGENDA:** The consent agenda was reviewed and Councilor Czarnik made a motion to pass the consent agenda as presented. The motion was seconded by Councilor Crawford. Voting in favor of the motion were Mayor Baugh, Councilors Czarnik, Clayton, Crawford, and Seney. The motion passed unanimously.

**VISITORS:** There were 27 people in the audience of this meeting. Mayor Baugh welcomed them and let them know that Council was there to hear their voices. He asked that those wanting to speak give their name and address for the record. Only one person requested to give testimony.

Jason Yarmer of 985 Highberger Loop addressed the council. He believes that Aumsville is a great place to live and is thankful for the city. He stated the following concerns about:

- Things he has been hearing about Council's decision making choices.
- The last meeting being cancelled.
- The wording of the Public Safety Fee (PSF) Ordinance. He interpreted it to say that the city is allowed to lien a home and possibly foreclose on property if the owner is unable to pay the PSF.

Mr. Yarmer asked Council to revisit and amend the Ordinance. CA Harding explained the lien process and stated that the city has never foreclosed on a property and doesn't believe that to be the intent of this ordinance. Mayor Baugh stated that the ordinance language is standard language that many cities around the state have used and it was vetted through several outside entities, including our city attorney. CA Harding will look into the terminology for clarification and it can be discussed at a future meeting. CA Harding will also get back with Mr. Yarmer with some additional information.

Mayor Baugh explained how Council will fill the vacant positions created by the recall. They are accepting applications for the remaining council to review and will appoint candidates at an upcoming meeting. He also talked about the previous meeting and the reasons it was cancelled. Jose Santos Casarez, 137 Carmel, voiced his concern about the selection process of the new councilors. He asked; if the citizens don't like the choices, can they be recalled too? Mayor Baugh stated that you have the right to do that as a citizen. It was pointed out that a recall of the appointed Councilors could only happen after they have served a six month period.

Scott Lee, 1215 Caleb St., addressed the council stating that he would gladly pay the fee on his property taxes, if it passed a vote. He is concerned about the already high cost of water and sewer bill going even higher. Mayor Baugh called upon Nico Casarez, past Aumsville Council member, to speak to the nature of the cost to produce and distribute water to our citizens. Mr. Casarez talked about the hard decisions that Council has to make when it comes to water rates. There are projects that have to be done. His concern is that the \$12 fee is added to the already high utility bill.

Mayor Baugh opened up the floor for general comments and discussion. During the next 2 hours several audience members spoke up without specifically addressing the council. There was a lively discussion about the following issues and suggestions:

- Whether Council reached out to the community enough before making the decision to pass the \$12 fee ordinance.
- Some people feel that the newsletter is not a reliable communication tool and needs to be improved. Information in it is not timely.
- Some were not opposed to the fee but wanted to have the fee on their property taxes.
- The public should be able to see the draft minutes, before they are approved by Council.
- Council didn't listen when people came to contend the Cedar Street apartment complex.
- Changes need to be made to the way Council communicates issues that affect the citizens.
- The city should send notifications out with the water bill.
- The city Facebook page needs more interaction with the community.
- Several people commended the police department for their work in the community.
- Electronic newsletters vs. paper version to save money.
- It's all about perception. The city needs to be more transparent.

Regarding the Cedar Street Apartment Land Use Decision: Mayor Baugh explained how there are land use laws that the city has to follow. He stated that the applicant for the apartments met all benchmarks of the State, County, and City codes. CA Harding stated that the State of Oregon regulates land use and he explained the process. The apartments met the criteria of State Land Use Laws. The planning commission and council are only able to determine whether the criterion was met or not. They could add certain requirements, but they couldn't deny it.

Joel Mathias, former Mayor, 208 S. 8<sup>th</sup> Street, confirmed that the newsletter is a legal form of community communication. He suggested that the council meetings be recorded and stated that SCTC has a public information channel for videography. He also stated that he doesn't agree that the draft form of minutes should go out. CA Harding explained that staff is already looking into audio and video equipment at this time with the intent of addressing the transparency issue. There are other factors to address, like the requirement to retain any materials the city produces. The city hopes to have a system of posting public meetings in place soon.

Jaime Pickering, 150 N 3<sup>rd</sup> Street, spoke from the audience and asked if there is a fee to apply for the council vacancies. He was told there is no fee to fill a vacancy; but there is a \$25 candidate fee for the November election or you can also file by gathering signatures. Mr. Pickering was also concerned about a new council coming in the future that could raise the PSF.

CA Harding encouraged the audience to bring ideas to city hall. His door is open to anyone that wants to come talk to him.

Regarding raising water rates: Mayor Baugh explained that the annual increase was passed 5-8 years ago. State law requires cities to maintain a positive cash flow for their utilities; we can't run the city in the red. He talked about the costs of maintenance projects that will need to be done in the near future. CA Harding will be pursuing grant dollars to supplement some of these costs.

CA Harding gave some history of the budget issues that led to the PSF being passed by Council in December 2017. He presented the Police Fund deficit at a spring 2017 budget meeting. At that time he told the committee that the city needed to either cut positions in the Police Department or come up with a revenue stream. This was communicated through the newsletter and minutes that are posted online. There was a front page article in the September newsletter that outlined all of the details of the deficit and options that Council would be considering.

Police Chief Schmitz, a 22-year veteran of the department, addressed the audience members. He stated that he understands people are upset with the process. He promised the best service possible. There was more discussion about 24-hour coverage and the safety of our community.

CA Harding addressed a question regarding the difference between the \$206K budgeted amount of income from fees vs the \$138K that Mayor Baugh quoted on the KYAC Radio show. CA Harding explained that the \$138K was an estimate based on 1100 water/sewer customers or water meters. Apartments would count as one meter even if there were four units. During one of the Public Input meetings, it was asked if that methodology could be changed to every unit instead of meter connections to make it fairer to all citizens. The Ordinance was amended to reflect the input, changing the number to approximately 1340 units instead of 1100 meters. That is why the budget line item appeared different than the original numbers. He explained that the idea was that the fee would not change for a five-year period. The way the ordinance is written, the council can raise or lower the amount of the fee depending on the need. So if we get more money than we are expecting, Council can take the action to lower the fee. At the time of the budget meeting we only had a couple of months of actual revenue numbers, even though the projection showed additional revenue, it was decided to wait until we could document a full year of revenue, and then recommend changes. CA Harding talked about the budget projection model and will put together a summary so that people can review it. CA

Harding also said he would be happy to go over this forecast and its purposes and benefits to anyone or group who wishes to see it.

Mayor Baugh told the audience that Council will go forward and consider all of their input. He thanked them for coming and invited them to stay for the rest of the meeting.

### **PUBLIC HEARINGS: NONE**

**OLD BUSINESS:** Council reviewed a Memorandum of Understanding (MOU) for the 2018 Corn Festival. This is the annual MOU with minor changes that were recommended by the city's insurance. CA Harding explained that the changes involve no cost to the city just an outline of responsibilities.

**NEW BUSINESS:** Council reviewed proposed revisions to the City of Aumsville Employee Handbook. CA Harding pointed out changes that were needed due to changes made by the state. Changes included edits to vacation hours per month for new employees on pg. 14 of the handbook; reduced holidays from 10 to 9 and added a floating holiday; and on page 22 staff added that the City will provide employees with up to \$3500.00 in legal expenses related to work issues requiring them to see independent legal counsel. The city's insurance doesn't cover every situation and it didn't seem right that employees are not protected. The recent officer involved shooting was used as an example. State law outlining the process for officer-involved shootings was discussed, but the officer needed to have his own personal legal council and the city insurance doesn't cover this type of an event. The coverage would be available to all employees; however it's unusual that an employee would need to use it. Aumsville resident Diane Lohse asked for clarification regarding the change in vacation hours. CA Harding explained that it only affects new hires. Previously the city only gave 4 hours of vacation per month for the first year of employment. The change raises that to 8 hours per month. It is uncommon for employers to offer less than 8 hours per month to new hires.

Councilor Crawford made a motion to approve the changes to the City of Aumsville Employee Handbook; Councilor Czarnik seconded. Voting for the motion were: Councilors Clayton, Crawford, Czarnik, Seney, Walters, and Mayor Baugh. The motion passed unanimously.

### **CITY ADMINISTRATOR REPORT:**

Council reviewed League of Oregon Cities (LOC) Legislative Priority Ballot addendum. LOC has asked Council to review the recommendations of the policy committees and provide input to the LOC Board of Directors by August 3, 2018. After some discussion CA Harding asked Council to email him with their choices and he will compile the top four to send to LOC.

Council reviewed an Intergovernmental Agreement (IGA) for Planning Code Revision. The agreement between Marion County and the City of Aumsville will provide funding for our Planning Code Revision project. The project will include identifying conflicts within our code and cleaning up unclear language. The city applied for a grant for this much-needed project and was awarded \$7600 with a \$2400 match from the city of in-kind services. Consensus of the council was for CA Harding to move forward with the project.

Council reviewed a Possession and Use Agreement between Jerry Flowers and the City of Aumsville regarding the use of 4 acres that connect to Boonedocks Park. The acreage will be used during the Corn Festival for parking and it was discussed. Consensus of Council was to move forward with the agreement.

Council received Chief Schmitz' Police Report and Director Osie's Public Works report. Council asked about Officer Bambrick and when he will come back to work. Chief Schmitz said that he is doing well and should be back to work soon. There was a brief discussion about the improvements at Wildwood Park. The Public Works crew worked a lot of hours to get it to the point of being able to open for the summer.

Council received the May 17<sup>th</sup>, 2018 Aumsville Planning Commission Meeting Minutes. There was no discussion.

CA Harding reported he was asked to sit on the Statewide Transportation Improvement Fund (STIF) committee. He will be representing rural seniors and people with disabilities. One of council goals is to help maintain rural bus services. This committee will recommend how to spend additional funding passed in the 2017 transportation package.

CA Harding reported that the Marion County Rail Study discussion has resumed and ODOT Rail has been asking to get stakeholders together. This is an effort to get the rail line between Stayton and Silverton active to support the Stayton industrial area. ODOT Rail has said if the rail becomes active the city will be required to install safety crossing on the three crossings in city limits. This is expensive and the rail service to Stayton doesn't benefit Aumsville. The city has advocated for the rail to be abandoned or, grants to fund the safety crossings.

The Exchange Service Club meetings are scheduled for once a month to recruit members. The next meeting is August 7<sup>th</sup> at Neufeldt's Restaurant at noon. They will also be handing out American flags to children along the Corn Festival parade route.

The Safe Routes to School 2011 grant with ODOT project is finally coming together. We were hoping for completion during summer break, but it's not looking like it will happen that soon. Bid documents are completed and will be out to bid soon.

Letter from DEQ: The city received an order from DEQ to enter into a mutual agreement with them within a certain time frame. DEQ has lowered the acceptable limit of ammonia in effluent water that can be discharged into streams. The city's wastewater treatment cannot currently meet the current permitted limits for ammonia and will need to be upgraded. CA Harding will have a discussion with DEQ to set up a compliance schedule and with our city engineer to research the financial impact to the city for the project. The city has been looking for lower cost alternatives to standard treatment processes. Once a list of options is available, staff will report back to Council for further guidance.

CA Harding reported that the planning commission discussed sign codes at their last meeting. They will meet once more to finalize the code updates before it goes to Council.

**MAYOR AND COUNCILORS:** Mayor Baugh attended the Mayors' dinner in Dallas Thursday evening. He stated that he has learned a lot from the experience of the other mayors.

Councilor Crawford stated that it has been an honor and pleasure to serve the city. He told everyone that he cares a lot about the city and his neighbors. He is grateful for the opportunity to have served the community. The recall has been hard on his family and friends.

Councilor Clayton commented that the Corn Festival is moving quickly at this point. The committee will be meeting soon to lay out the grounds setup. He stated that they still need volunteers to help at the event.



Councilor Czarnik stated that he is still following the River Fusion 22 event which will be held Sept 20<sup>th</sup>-23<sup>rd</sup> this year. It was held in August last year to tie in with the Solar Eclipse event, with the plan to move it to September in the future because water levels are better in September for river activities. He announced an Aumsville CERT meeting will be held on Wednesday, July 11<sup>th</sup> at 6:30 PM in the community center. Water issues in Salem will be a topic, as well as how to put together 72-hour kits in case of a major event.

Councilor Czarnik also talked about the Emergency Management Board purpose. Mrs. Lohse asked to be invited to these meetings. She asked about volunteering and CA Harding said that asset inventory would be a good fit for a volunteer. We need people to go out into the community and rural areas to see what people are willing to add to the list: tractors, trucks, etc.

Councilor Walters stated that the PARC had a successful event in June. The Super Heroes Carnival was well-attended. On July 21<sup>st</sup> they will be hosting another Backyard Camping in the Park event. Mayor Baugh commended Councilor Walters for her 8 years of service on the council and with the PARC programs.

**GOOD OF THE ORDER: None**

Mayor Baugh asked to clear the audience in preparation to go into Executive Session. Mrs. Lohse remained seated, stating that she has always been allowed to stay for these sessions in the past. Staff researched ORS 192.660 Executive Session Law and the Aumsville Council Procedure Manual, section 3.5, to clarify that an Executive Session is a closed meeting; open only to city officials and certain representatives of the news media. Mrs. Lohse then left the room.

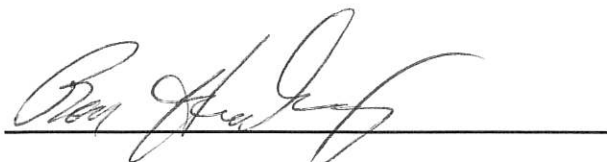
**EXECUTIVE SESSION:** Council entered into an Executive Session at 11:05 PM to carry on negotiations under ORS chapter 293 with private persons or businesses regarding proposed acquisition, exchange, or liquidation of public investments.

***This was an executive session and the discussion was off the record, matters discussed are not to be disclosed.*** No decision was made in this Executive Session.

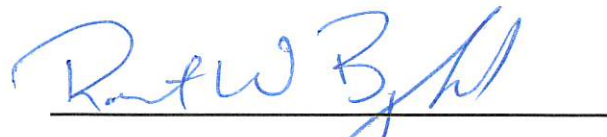
Mayor Baugh closed the Executive Session and opened back into the open meeting at 11:19 PM

**Executive outcome:** There was no further discussion or decision made after the Executive Session.

The meeting adjourned without objection at 11:21 PM



Ron Harding, City Administrator



Robert W. Baugh, Jr., Mayor