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AUMSVILLE CITY COUNCIL

Minutes – April 26, 2021

Council President Angelica Ceja called the meeting to order at 7:00 PM via Zoom Conferencing. Council present were Nico Casarez, Angelica Ceja, Doug Ecclestone, Scott Lee, Della Seney, and Walter Wick. Council absent: Mayor Derek Clevenger. City Administrator Ron Harding (CA Harding) and City Clerk Colleen Rogers (CC Rogers) were also present via Zoom. The meeting was video recorded to be released later.

AGENDA APPROVAL: Councilor Casarez moved to approve the agenda as presented. Councilor Seney seconded. Motion APPROVED 6-0: (Yes: Councilors Casarez, Ceja, Lee, Ecclestone, Seney, and Wick. No: None.)

VISITORS AND PUBLIC COMMENT: There were three online attendees and no public comment. Login information was provided for members of the community to make public comment at this time and listen to the discussion. Kathy Mandyk inquired about the Aumsville Ponds and commented that the park is in bad condition and wanted to know when it would be cleaned up. CA Harding explained that this park is managed by Marion County Public Works and that he would contact them and inform them of her concerns.

CONSENT AGENDA: Council reviewed the April 12, 2021 Council meeting minutes. Councilor Casarez moved to approve the consent agenda as presented. Councilor Ecclestone seconded. Motion APPROVED 6-0: (Yes: Councilors Casarez, Ceja, Lee, Ecclestone, Seney, and Wick. No: None.)

PUBLIC HEARING: None

OLD BUSINESS: None

NEW BUSINESS: Council reviewed Resolution No. 05-21 A RESOLUTION AUTHORIZING 2020-2021 BUDGET APPROPRIATION TRANSFERS IN THE WATER AND SEWER FUNDS. CA Harding explained that this is our yearly housekeeping resolution. We do this just before

budget season and it is basically internal fund transfers that are appropriated through our budget process. Councilor Seney move to approve Resolution No. 05-21 as presented by staff. Councilor Ecclestone seconded. Motion APPROVED 6-0: (Yes: Councilors Casarez, Ceja, Lee, Ecclestone, Seney, and Wick. No: None.)

Council reviewed Resolution No. 06-21 A RESOLUTION AMENDING THE TRANSPORTATION CIP WITHOUT CHANGING METHODOLOGY OR TSDC RATE. CA Harding explained that the Del Mar west intersection was identified in the Transportation System Plan (TSP) as a project that would be driven by development, but the development did not occur as anticipated, so the project was not completed. CA Harding stated that this resolution would add the design for the project to the System Development Charge project list. Councilor Casarez moved to approve Resolution No. 06-21 amending the City Capital Transportation Improvement project list to include the Del Mar west intersection design. Councilor Seney seconded. Motion APPROVED 6-0: (Yes: Councilors Casarez, Ceja, Lee, Ecclestone, Seney, and Wick. No: None.)

Right-of-Way Encroachments – Discussion

CA Harding explained that the City has codes that protect right-of-way (ROW) easements dedicated for public use. Recently we have implemented a Type A Permit that is required for all fences and sheds. He stated that in the older neighborhoods the streets were constructed narrower, putting the ROWs on the property side of the sidewalk in the front yards. Currently we are working with a couple homeowners on the same street. One applied for a permit to put a fence in the front yard and when they were told their fence would have to be 10' from the face of the curb the owner chose to cancel the permit. The other homeowner did not apply for a permit and built his right up to the sidewalk in the ROW. They have been informed that they will have to remove the fence. CA Harding stated that because of the situation it caused him to step back to examine how this is applied citywide and because this affects a lot of the properties in the older neighborhoods, he wanted Council to weigh in. If the City were to allow fences to be built in the ROW, the city attorney suggests each property owner would need to file and record a ROW use agreement. This would require the city to charge for the cost of the agreement our estimates are around \$250.00. We could do a disclaimer on the permit that states "The issuance of the permit does not provide homeowner any extended rights over City Right-of-Way should the fence be located in any portion over the City Right-of-Way." (not preferred by the city attorney). Or simply apply the codes as written and not permit fences in the ROW area. So far, the latter is the approach staff has been taking; to follow the code. The issue seems simple but when you factor in the discussion, it gets very complicated quickly. CA Harding said that many sidewalks are only 3 feet wide and if you have a car parked against the curb with mirrors or accessories sticking out and then a fence against the sidewalk you end up leaving a narrow space. Our insurance carrier requires us to maintain 44 inches of clearance for ADA access as an example. After a lengthy discussion it was Council consensus that staff continue to follow and implement the City code as written and not allow fences to be built in the ROW area.

City Administrator Report: CA Harding reported that there have been 280 COVID-19 cases accumulative in our zip code since the onset. He announced that the Governor has announced that Marion County will move back to the Extreme category on Friday, April 30th.

Summer event planning continues, with a focus on the Corn Festival. CA Harding stated that most events should be able to be conducted even with this restriction change. We will adjust to meet whatever the guidelines are at the time of each event.

CA Harding stated that he and our elected officials continue to lobby Representatives and reach out for assistance for funding our wastewater treatment facility upgrade.

Staff is working on the final wrap up of the budget documents in preparation for the upcoming Budget Committee sessions. He stated that the budget looks good, the same as last year. We were able to weather ice storms, floods, wildfires, and COVID and still stay within our budget.

Councilor Ceja inquired about when Council could possibly be meeting in person again. CA Harding stated that he would like to wait until the community center kitchen remodel is complete. He estimated the middle of August pending any additional restrictions by the state.

MAYOR/COUNCIL REPORTS AND INITIATIVES: None

GOOD OF THE ORDER: None

CORRESPONDENCE: None

EXECUTIVE SESSION: None

The meeting adjourned without prejudice at 7:56 PM



Ron Harding, City Administrator



Angelica Ceja, Mayor Pro-tem