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AUMSVILLE CITY COUNCIL

May 13, 2024 Meeting Minutes

1) Call to Order: Mayor Angelica Ceja called the meeting to order at 7:04 PM. Present in person: Mayor Angelica Ceja, Councilors Doug Cox, Della Seney, Katie Wallace, and Walter Wick. Staff present: City Administrator (CA) Ron Harding, Assistant Public Works Director (APWD) Matt Etzel, and Assistant City Administrator (ACA) Kirsti Pizzuto. The meeting was video recorded to be released later.

A) AGENDA APPROVAL: Councilor Seney moved to approve the agenda with the addition of Agenda Item 3D for the Pay Request. Councilor Wick seconded. Councilor Cox asked for clarification on the purpose of the Pay Request. CA Harding explained that it is a pay request from the contractor constructing the Public Works building, to notify Council of the payment. Council voted unanimously to approve the amended agenda. Agenda approved.

2) PRESENTATIONS, PROCLAMATIONS, & VISITORS.

A) Presentation by Oregon Youth Authority Foster Care: Christin Pickle, a Foster Care Certifier with Oregon Youth Authority, provided background on the foster care program, including the qualifications to become a youth in the system and a prospective foster parent, what is expected of foster parents, and the types of training and support provided to foster parents.

B) PUBLIC COMMENT: None.

C) Visitors: 3 visitors in attendance.

3) CONSENT AGENDA: Councilor Seney moved to approve the consent agenda as presented. Councilor Wick seconded the motion. Council present voted unanimously to approve the agenda. Motion passed.

4) PUBLIC HEARING: None.

5) OLD BUSINESS: None.

6) NEW BUSINESS.

A) Water Conservation and Management Plan Proposals: APWD Etzel provided background on the need for a new water conservation and management plan and the process of acquiring proposals for the plan. Etzel explained that OAWU was the lowest price and was recommended by Oregon Water Resources as an organization that has a lot of experience in this type of project.

Councilor Seney moved to approve the OAWU proposal for a water conservation and management plan with a not to exceed amount of \$16,500 from Fund 012-620 as presented by staff. Councilor Wick seconded. Council present voted unanimously to approve the proposal. Motion passed.

B) Forklift for Public Works Building: APWD Etzel discussed the completion of the new public works building, and the storage built-in above the offices. Etzel described that the City does not own a forklift and that public works currently uses a backhoe with a forklift attachment that offers limited visibility. With the new building, APWD Etzel explained that a forklift will be much more functional for the overhead storage. APWD Etzel provided summaries of the proposals provided, and recommended purchasing the used, 2005 Hyser forklift from a local company in Turner.

Councilor Seney moved to approve the purchase of Hyser S60FT in the amount of \$11,000 from Willamette Valley Forklift LLC from fund 016-800 as presented by staff. Councilor Wick seconded. Council present voted unanimously to approve the purchase. Motion passed.

C) Traveling Wheelz Agreement (Rolling to Corn Fest Thursday Skating Event): CA Harding described the free skating event to occur in Mill Creek Park on the Thursday prior to the Corn Festival, explaining that Traveling Wheelz supplies the skates and helmets. Mayor Ceja and Councilor Seney noted that many community members enjoyed the event last year.

Councilor Cox moved to authorize CA Harding to execute the service contract with Traveling Wheelz, LLC. in the amount of \$1,000 to provide the skating event at the park as presented by staff. Councilor Wick seconded. Council present voted unanimously to approve the contract. Motion passed.

D) Ordinance 724 FTX Franchise Agreement: CA Harding described FTX, also known as Viser, as a local franchise business that utilizes city rights-of-way in the operation of their business. CA Harding explained that the franchise agreement expired last June (2023), and that the main difference in the new agreement includes an increase in late fee penalties which was agreed upon by FTX.

Councilor Seney moved to approve the first by title only of Ordinance 724 Granting a Franchise for Communication Purposes to FTX Networks LLC by the City of Aumsville as presented by staff. Councilor Wick seconded. Council present voted unanimously to approve the ordinance.

Councilor Seney moved to approve the second by title only of Ordinance 724 Granting a Franchise for Communication Purposes to FTX Networks LLC by the City of Aumsville as presented by staff. Councilor Wick seconded. Council present voted unanimously to approve the ordinance. Motion passed.

E) Resolution 05-24 Adopting Limitation of Liability for Public Trails and Structures: CA Harding provided some background on recreational immunity, and a recent successful lawsuit against Newport related to an injury obtained on a public trail which resulted in a new legislature on recreational immunity. CA Harding explained that

ORS 105.668 is a temporary fix while a long-term solution is determined, but that there were recommendations for cities with a population below 500,000 to adopt a resolution limiting liability in the meantime, which would reduce general liability exposure.

Councilor Wallace asked about what trails exist in Aumsville. CA Harding clarified the trails within the parks would qualify under this resolution, as well as the Highberger pathway. Councilor Cox asked if this would be applicable to all open spaces, or if it's specific to trails. CA Harding explained that the wording in the resolution applies to public trails and structures, so it may be applicable to open areas as well, reiterating that the City's insurance company, CIS, recommended passing the resolution to cover areas of exposure.

Councilor Cox moved to adopt Resolution 05-24 Adopting Limitation of Liability for Certain Claims Arising from the Use of Trails or Structures Within Public Easements and Unimproved Rights of Way Under ORS 105.668. Councilor Wick seconded. Council present voted unanimously to adopt the resolution. Motion passed.

F) Resolution 06-24 Establishing Water & Sewer Rate: CA Harding explained that each year utility rates are reassessed to look at the increase in costs and that historically an average 3% rate increase has kept up with inflation. CA Harding detailed that the 3% increase has kept up with cost increases for water, but not for sewer. CA Harding explained that while an 8% sewer rate increase would address the cost increases, the rate adjustment in the following year is expected to be much higher, and maintaining the 3% increase for this year would be enough to get by until the larger increase is implemented, which would allow for more time to communicate with the public to prepare them for the larger rate increase.

Council asked questions regarding whether the 3% increase would account for inflation, and if a \$2 increase would make enough of a difference to reduce the effects of the future increase. CA Harding explained that the 3% increase would not fully cover inflation but that the utility fund is fine, and that it will suffice with the 3% increase until the larger future increase can be calculated and implemented.

Councilor Wallace asked if it would be possible to implement an increase now, and another in 6 months if needed. CA Harding confirmed that it would be possible but is not ideal, due to the reactions from the public. Councilor Seney agreed that in a prior instance where two increases were implemented in one year, it was not well-received by the community.

Council discussed the utility rate study being conducted by FCS Group, which will provide information to determine the amount of the larger future increase. CA Harding explained that there is no exact date set for the completion of the study, but it is expected to be done around late July, and a presentation will be prepared for Council at that time.

Council expanded on possible methods of community engagement regarding the larger future increase if the 3% increase was to be implemented now, and discussed the steps that have been taken so far to reduce the effects felt by the community.

Councilor Seney moved to approve Resolution 06-24 Establishing Water and Sewer Rates for the City of Aumsville as presented by staff at 3% each. Votes in favor: Councilors Cox, Seney, Wallace, and Wick. Vote against: Mayor Ceja. Motion passed.

G) Aumsville Historical Society Museum Agreement: CA Harding presented the lease agreement for the Aumsville Historical Agreement, staffed and managed by the Aumsville Historical Society (AHS), and explained that AHS is a well-organized volunteer group that assembles and catalogs historical artifacts to preserve the community’s history. CA Harding detailed that the previous agreement was signed ten years ago and is up for renewal. CA Harding detailed that the presented agreement would renew the lease for an additional ten years.

Councilor Wick moved to approve the Aumsville Museum Lease Agreement with Aumsville Historical Society as presented by staff. Councilor Seney seconded. Council present voted unanimously in favor of the agreement. Motion passed.

H) Councilor Casarez Resignation: CA Harding explained that the City Charter requires the council to declare the seat as vacant. CA Harding also requested direction from council on how to fill the vacant seat.

Councilor Cox moved to declare the council seat vacant. Councilor Wick seconded. Council present voted unanimously in favor of the agreement. Motion passed.

Council discussed different options for filling the vacant seat. Council present agreed to start by accepting applications for six weeks, and reviewing applications in July.

7) CITY ADMINISTRATOR REPORT: CA Harding mentioned his detailed written report in the council packet, but that details regarding the car show leading up to Corn Festival were accidentally omitted. CA Harding explained that the car show will be run by the fire department. CA Harding discussed the budget process, including the open forum community meeting the prior week, and the upcoming budget meeting to come. CA Harding also mentioned the upcoming grand opening for the new Public Works building, the upcoming circus which had free tickets sponsored for children available at City Hall, and a plaque to be presented to former Councilor Casarez thanking him for his service.

8) MAYOR/COUNCIL REPORTS AND INITIATIVES: None.

9) GOOD OF THE ORDER: None.

10) CORRESPONDENCE: None.

11) EXECUTIVE SESSION: None.

Mayor Ceja adjourned the meeting without prejudice at 8:10 PM.

May 13, 2024 minutes unanimously approved by Council on June 10, 2024.