

**SALINA CITY CORPORATION
WORK MEETING
December 11, 2024**

COUNCIL AND STAFF PRESENT:

Mayor Jed Maxwell
Earl Taylor, excused
Jon Maxwell
Kevin Mickelsen
Randy Christiansen
Allen Tietjen

Ashlee Larsen, City Recorder
Kathy Maxwell, City Treasurer, excused

Visitors: Andy Rasmussen-Willowbend Construction

AGENDA TOPICS: Discuss Ashberry sidewalk, **Mayor Jed Maxwell** called the work meeting to order at 7:24 p.m. at the Salina City Hall to discuss the property located adjacent to Ashberry Lane. **Mayor Maxwell** stated the Bumgardner's no longer want to make an agreement with Mr. Nielson by relocating their fence on the west side of the road entrance. Mr. Nielson is willing to place a gate in their backyard if they agree to move the fence to the north side, closer to their house.

Jesse Nielson reached out to Mayor Maxwell and asked if Salina City would allow him to construct the sidewalk down the fence line, if the Bumgardner's won't comply with this agreement.

Andy Rasmussen stated everything is still up in the air, the Bumgardner's now need to meet with their VA Mortgage Company to figure out the legal side of things.

Rasmussen stated Bumgardner's will gain more property with the agreement between them and Mr. Nielson, but they don't see it that way.

Mayor Maxwell stated the mortgage company told the Bumgardner's if they give up the property to Mr. Nielson they will default on their loan.

Mayor Maxwell stated Bumgardner's traded property 20 years ago with Carlisle Excavating but it just wasn't recorded properly with Sevier County. The current records show Mr. Nielson now owns the property.

Mayor Maxwell asked how the mortgage company can deny the Bumgardner's loan when they don't own the property.

Rasmussen stated the Bumgardner's would be gaining 17 feet in the rear to give Mr. Nielsen 5 feet on the south side and he is willing to relocate the fence and place a gate in the backyard.

Rasmussen stated the property line has been off for many years and nobody wants to deal with it. **Mayor Maxwell** and the Council reviewed the survey stakes and property lines.

Mayor Maxwell said because the property survey was never recorded Bumgardner's want to go off the 20-year fence line rule. **Rasmussen** stated the ombudsman office said the 20-year fence line can become the property line, but the property owners need to agree, or a judge must rule upon it. The property has been surveyed 3- or 4 times, back in 1998 and they found a

discrepancy. It was surveyed again in 2007 when Carlisle constructed the townhomes and recently by Jesse Nielsen. Mr. Bumgardner didn't agree with any of those surveys, so he called his own surveyor, and his surveyor came to the same conclusion.

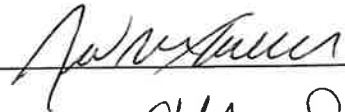
The entire property needs to shift 10 feet. Mr. Bumgardner is having a hard time understanding everything that is going on, one day he is fine with the agreement and the next day he is upset. Jesse Nielson has given him more than a fair offer; he's willing to relocate the fence and pay for it. Rasmussen and Council discussed and reviewed the location of the property line. The Bumgardner's feel like they're losing their property that is already located in the fence area. It's been mentioned multiply times over the years that the property is not Bumgardner's. **Allen Tietjen** asked if this would be considered a civil or city issue. **Kevin Mickelsen** stated this is a civil issue. **Rasmussen** stated right now it is a civil issue, but once Salina City takes ownership of the road it will become a city issue. **Mickelsen** stated he would like to see this taken care of civilly.

Mayor Maxwell stated Salina City reached out to their attorney with the issue but haven't heard back from him. **Mayor Maxwell** said instead of spending a lot of money on court fees he suggested constructing the sidewalk down the fence line. On paper Bumgardner's property is on Jesse Nielson's property. **Mayor Maxwell** stated if this ends up in court the Bumgardner's could possibly lose a portion of the backyard and side yard. **Rasmussen** said the Bumgardner's feel like they're not gaining anything because the fence is already in place and has been in place for 20-years. Rasmussen stated Jesse Nielson tried working with the Bumgardner's by placing a gate to their backyard, this made them happy until the next day and they changed their mind. **Jon Maxwell** suggested Rasmussen reach out to Bumgardner's son Randy with this information. **Mayor Maxwell** said this can't be resolved until they are ready to construct a sidewalk in this area. **Rasmussen** said it could be a month before Bumgardner's here back from the VA's Office. **Mayor Maxwell** thanked Mr. Rasmussen for coming to City Council.

Discuss violations of people residing in camp trailers, Mayor Jed Maxwell stated he's had several complaints, from residents living in their camp trailers in town. Mayor Maxwell and Council discussed some areas in town with Chief Taylor and asked if he could check and make sure residents aren't living in their camp trailer. **Mayor Maxwell** suggested Planning & Zoning updating the ordinance to make it punishable to residents living in camp trailers in town. The Mayor and Council also discussed some areas in town who need to clean up their yards. **Chief Taylor** stated he will review the ordinance residents residing in camp trailers. **Chief Taylor** stated he will reach out to Ross Mitchell, Salina City Code Enforcer, regarding this issue.

Kevin Mickelsen motioned to adjourn the work meeting at 8:08 p.m. **Randy Christiansen** seconded. Motion carried 4 to 0.

Date 1-8-2025

Mayor 

Date 1/8/2025

City Recorder 