

Title 2

ADMINISTRATION AND PERSONNEL

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Chapter 2.04

PLANNING COMMISSION

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2.04.010 Membership.

The planning commission of the city shall consist of seven members and shall be appointed by the city council. Commission members shall receive no compensation, but shall be reimbursed for duly authorized expenses. One of the seven members may reside outside the city limits but within the urban growth boundary. No more than two voting members shall:

A. Be engaged principally in the buying, selling, or developing of real estate for profit as individuals;

B. Be members of any partnership or officers or employees of any corporation that is engaged principally in the buying, selling, or developing of real estate for profit;

C. Be engaged in the same kind of business or trade or profession. (Ord. 422 § 1, 2003)

2.04.020 Term of office.

Each position on the city planning commission shall be for a term of four years. Any vacancy in a position shall be filled by the city council for a term of four years. (Ord. 422 § 2, 2003)

2.04.030 Elections.

A. The chairperson and vice-chairperson shall be elected at the first meeting of the calendar year for a term of one calendar year, and shall serve until their successors are elected. The term shall start upon election.

B. If the office of the chairperson becomes vacant, the vice-chairperson shall succeed as chairperson for the remainder of the year. A vice-chairperson shall then be elected from the membership who shall serve the unexpired term of vice-chairperson.

C. Nominations shall be by oral motion. At the close of nominations, the commission shall vote by voice vote upon the names nominated for the office. If requested by any commissioners, written ballots shall be used for voting purposes. (Ord. 422 § 3, 2003)

2.04.040 Duties and responsibilities of officers.

A. Chairperson. Except as otherwise provided, the chairperson shall have the duties and powers to:

1. Preside over all deliberations and meetings of the commission;
2. Make motions, second motions and vote on all questions before the commission;
3. Call special meetings of the commission in accordance with this chapter;
4. Sign all documents pertaining to commission action promptly after approval by the commission. The power to sign documents may be delegated, in writing, to the vice-chairperson;
5. Authorize expenditures within the current approved planning commission budget.

B. Vice-Chairperson. During the absence, disability, or disqualification of the chairperson, the vice-chairperson shall exercise or perform all the duties and be subject to all the responsibilities of the chairperson.

C. Secretary. The secretary shall:

1. Maintain an accurate, permanent, and complete record of all proceedings conducted before the commission;
2. Prepare the agenda and minutes for all commission meetings;
3. Give all notices required by law;
4. Inform the commission of correspondence relating to commission business and conduct all correspondence of the commission;

5. Attend all meetings and hearings of the commission or send a designee;

6. Compile all required records and maintain the necessary files, indexes, maps and plans;

7. Perform such other duties for the commission as are customary in that role or as may, from time to time, be required by the commission;

8. Notify commission of expenditures from the commission's fiscal budgeted amount.

D. Planning Director. The planning director shall:

1. Prepare all staff reports, hearing notices, notice of decisions, administrative decisions, and development agreements related to applications and official proposals before the planning commission;

2. Prepare responses to planning commission questions, correspondence to citizen inquirers, and other documents as may be required by the commission from time to time;

3. Attend all meetings and hearings of the commission where there is an application or hearing on the agenda.

E. City Attorney. The city attorney:

1. Shall be an ex-officio non-voting member of the commission;

2. Shall provide legal assistance to the commission when necessary on matters coming before it;

3. May prepare documents memorializing commission action;

4. May question witnesses testifying before the commission. (Ord. 422 § 4, 2003)

2.04.050 Duties and responsibilities of planning commissioners.

A. Planning Commissioner Training. All newly appointed commissioners are strongly

recommended to attend a training session by an agency specifically designed for planning commissioners within one hundred eighty (180) days.

B. Authority. The commission shall have the powers and duties that are assigned to it by charter, ordinances, or resolutions of the city.

C. Recommendations. All recommendations made by the planning commission to the council or historic review board shall be in writing. (Ord. 422 § 5, 2003)

2.04.060 Powers and authority of planning commission.

A. The commission shall have all powers that are now or hereafter granted to it by ordinances and resolutions of the city or by general laws of the state of Oregon.

B. The commission may make recommendations:

1. To the city council, public officials and employees, and to individuals regarding land use;

2. Regarding the location of public thoroughfares, buildings, parks, and other facilities;

3. Regarding any other matter related to the planning and development of the city and surrounding area;

4. Regarding traffic flow and relief of congestion.

C. The commission may make studies, hold hearings, prepare reports, and recommendations on its own initiative or at the request of the city council.

D. Prior to submitting recommendation and/or considering any proposal that is located within the historic district, the planning commission shall first receive comments and recommendations from the historic review board. (Ord. 422 § 6, 2003)

2.04.070 Attendance, removal and vacancies.

A. If a commissioner is unable to attend a meeting, he or she is expected to notify the chairperson or secretary not later than four hours before the meeting.

B. Three consecutive unexcused absences without reasonable cause shall constitute grounds for council removal of a commissioner. The commission will forward their action to the mayor, who shall fill the vacant position.

C. A position shall be deemed vacant upon the incumbent's death or resignation.

D. A member may be removed from office after a city council hearing and upon their approval, for incompetence, conviction of a felony, or nonperformance of duty. (Ord. 422 § 7 2003)

2.04.080 Expenses.

A. The planning commission has the authority to delegate expenditure of funds that are in the planning commission's budget and have been approved in the city's budget. The planning commission has no authority to make any other expenditure or otherwise obligate the city for payment of any sums of money except as provided within this chapter.

B. Commission approved expense reimbursement for commissioner training, mileage, dues, etc. will be processed through city administration for reimbursement. (Ord. 422 § 8, 2003)

2.04.090 Meetings of the commission.

A. Generally.

1. Date of Regular Meetings. Regular meetings of the planning commission will be held on the first Tuesday of each month in

the Council Chambers, City Hall, 21420 Main Street NE, Aurora, Oregon or at such other places as may be determined by the commission. Date and time of regular meetings may be changed by a majority vote of the planning commission at any time. The planning commission or secretary may cancel or reschedule regular meetings.

2. Second Meeting per Month if Necessary. The planning commission may conduct business or continue a public hearing, or schedule a second meeting on the third Tuesday of the month at the location above or on a date and time determined by a majority vote of the planning commission.

3. Time of Meetings. Regular meetings convene at seven p.m. Public hearings will be adjourned not later than ten p.m. unless extended by consent of each and every commissioner present at that meeting.

4. Special Meetings or Workshops. Special meetings or workshops may be called by the chairperson or by four or more commissioners. The secretary shall give appropriate notification to the remaining commissioners and the public.

5. Notice of Meetings. In addition to notice requirements for land use hearings, public notice of all commission meetings shall be given in a manner reasonably calculated to give actual notice to interested persons. The notice shall consist of the time and place of the meeting and an agenda or summary of the subject matter to be considered.

a. Notice shall be posted on the City Hall outdoor bulletin board, post office bulletin board, and the General Store bulletin board. Notice shall be given to the planning director, engineer and other interested persons and organizations as provided by state law. Notice may also be distributed to persons and organizations known to have a

special interest in matters to be considered by the commission.

b. Notice shall be given not less than forty-eight (48) hours in advance of a meeting. In case of an emergency, a meeting may be held upon such public notice as is appropriate in the circumstances, but still must be given.

c. Failure to provide notice as specified in this section shall not invalidate any decision or proceeding of the commission.

B. Order of Business.

1. Regular meetings shall be conducted in the following:

a. Call to order;

b. Consent agenda (lists correspondence) and approval of minutes;

c. Citizens wishing to speak on non-agenda items. The purpose of this item is to allow citizens to present information or raise an issue regarding items not on the agenda. A time limit of five minutes per citizen shall apply. Citizen comment shall not exceed thirty (30) minutes unless the commission votes to suspend the rules;

d. Public hearings;

e. Old business;

f. New business;

g. Reports;

h. Adjournment.

2. Action of the commission is not limited to the prepared agenda.

3. The chairperson shall decide if new items should be added to the agenda at the beginning of each meeting.

C. Voting.

1. Requirement. The concurrence of a majority of those present is required to determine any matter before the planning commission. Each commissioner present must vote on all questions before the planning commission unless the commissioner

has a conflict of interest, which would disqualify the commissioner from voting. If a commissioner abstains, the reasons for the abstention shall be entered into the record.

2. Votes. All votes will be voice votes. All votes, whether positive, or negative, or abstentions, shall be recorded in the minutes.

3. Tie Votes. In the case of a tie vote on any proposal, the proposal shall automatically be reconsidered and re-voted. Notwithstanding the provisions of subsection (c)(4) of this section, any commissioner may change his or her vote since there was no majority on the original vote. If the revote also results in a tie, the proposal shall be lost.

4. Changing Vote. A commissioner may change his or her vote only if the action is taken immediately following the last vote cast and only if the vote originally was with the majority. A commissioner shall not be allowed to withdraw an abstention.

5. Motion to Reconsider. A motion to reconsider any action may be made only at the same meeting where a commissioner on the prevailing side of the question took the action. Any commissioner may make a motion on the same question at any subsequent meeting.

6. Restating Motion and Results of Vote. When a matter is called for a vote, the presiding officer shall, before a vote is taken, restate the motion and shall announce the decision of the commission after such vote.

7. Voting in Abstentia. Voting in abstentia or by proxy is not permitted. (Ord. 422 Appx., 2003)

2.04.100 Quorum.

A. At any meeting of the commission, a quorum shall consist of four commissioners. No action shall be taken in the absence of a

quorum except to adjourn the meeting and continue public hearings to a time and place certain. For the purpose of forming a quorum, commissioners who have disqualified or excused themselves from participation in any matter shall be counted as present despite their inability to vote.

B. In the event a quorum will not be present at any meeting, the secretary shall notify the commissioners in advance of that fact if possible. All items scheduled before the meeting shall be automatically continued to the next regularly scheduled meeting. The secretary shall post notice of the continuance on the door of the Council Chambers notifying the public of the continuance and specifying the date and time when the matters will come before the commission. (Ord. 422 § 9, 2003)

2.04.110 Minutes.

A. The secretary shall prepare written minutes of all open regular and special meetings, which shall be approved by the planning commission and made available for public inspection. All meetings shall be tape recorded for the benefit of the city in the preparation of the minutes. Such tapes shall be retained for one year and may then be re-used.

B. Written minutes shall include:

1. The names of all commissioners, staff members, and general public present;

2. All motions, orders and other decisions proposed and their disposition;

3. The results of votes with the vote of each commissioner by name unless the vote is unanimous;

4. The brief substance of the discussion of any matter and references to any documents discussed.

C. The presiding officer and secretary shall sign minutes after adoption.

D. An un-adopted draft of the minutes shall be available to the public, upon request, within one week after a meeting. Reasonable fees may be charged (per city fee schedule) for copies of minutes and other materials relating to commission matters.

E. Any commissioner not present at a meeting must abstain from voting on approval of the minutes of that meeting. (Ord. 422 § 10, 2003)

2.04.120 Conduct of business.

A. Presiding Officer. The chairperson shall preside at all meetings of the commission. In the absence of the chairperson, the vice-chairperson presides.

B. Absence of Presiding Officer. In the absence of the chairperson and vice-chairperson, the commission shall elect a commissioner to serve as presiding officer as its first order of business. Any commissioner may call a meeting to order for the purpose of electing a presiding officer.

C. Substitution of Presiding Officer. The presiding officer may appoint a temporary presiding officer to cover his or her temporary absence from the meeting by handing the gavel to the vice-chairperson or in the vice-chairperson's absence, to any other commissioner.

D. Motion Procedure. Agenda decision items will be accompanied by verbal or written explanation in packets. By parliamentary procedure, motions precede debate and discussion. When a motion is moved and seconded, the presiding officer for debate shall state it. No commissioner should speak more than once on the question (unless recognized by the presiding officer) to

allow every other commissioner an opportunity to do so.

E. Motion to Postpone or Table. A motion to postpone, specifying a time and date when the issue will be considered, may be debated and amended.

A motion to table, without specifying a time and date when the issue will be reconsidered, precludes all amendments or debate of the issue. If the motion is approved, consideration of the question may be resumed only upon a motion of a commissioner voting with the majority.

F. Continuations. Any item before the commission may be continued to a subsequent meeting. A motion to continue an item shall specify the date or event upon which continuation is to be based. If a matter which originally required public notice is continued without setting time and place certain, the public notification must be repeated when time and place are made certain. A list of continued items, showing the date at which an item was continued, or the event upon which continuance is based, shall be recorded and kept by the secretary and made available to the public.

G. Remands by City Council. Unless otherwise provided by the city council upon remand, any item remanded by the city council for reconsideration by the commission shall be treated as a new item and proceedings shall be provided for as if the matter were initially before the commission.

H. Absence of Commissioners During Evidentiary Hearing. A commissioner absent during the presentation of any evidence in a hearing may not participate in the deliberations or final determination regarding the matter of the hearing, unless he or she has reviewed the evidence received.

I. Point of Order. Any commissioner may raise a point of order at any time and the presiding officer shall determine all points of order, subject to the right of any commissioner to appeal the decision to the full planning commission.

J. Motions, points of order or any other procedural process are not subject to audience input, approval or comment. Audience members are ruled out of order when unrecognized comments or questions arise.

K. Planning commission meeting packets will be available for review one week prior to the commission meeting. (Ord. 422 § 11, 2003)

2.04.130 Ethics code.

Commissioners shall review and be bound by the requirements of the State Ethics Law dealing with use of public office for private financial gain. Commissioners shall give public notice of any potential conflict of interest and the notice will be reported in the meeting minutes. In addition to matters of financial interest, commissioners shall maintain the highest standards of ethical conduct and assure fair and equal treatment of all persons, claims and transactions coming before the planning commission. (Ord. 422 § 12, 2003)

Chapter 2.08

CITIZENS TRAFFIC COMMISSION

Sections:

- 2.08.010** **Established--Membership.**
- 2.08.020** **Duties and responsibilities.**
- 2.08.030** **Reports.**
- 2.08.040** **Compensation.**

2.08.010 **Established--Membership.**

A. The city council authorizes creation and establishment of a commission to be designated the Aurora citizens traffic commission (CTC).

B. The CTC shall be comprised of five voting members who shall be appointed by the mayor and confirmed by the city council, and five non-voting ex-officio members. Each voting member shall serve for a term of one year which expires on December 31st of each year. Three voting members of the CTC shall constitute a quorum. Any vacancy shall be filled in the manner prescribed above for appointments in general.

C. The CTC may recommend rules and regulations for its government and procedure to the city council which are consistent with the laws of the state and City Charter and ordinances. The CTC shall meet once per month.

D. 1. Voting members shall include one member from the city council who shall serve as chairperson, and four members from the community at large who are city residents and/or business owners within the corporate limits.

2. Non-voting members may include the public works director or designee, the chief of police, the fire chief, a representative from the Oregon State Highway Department and a representative from Marion County

public works. (Ord. 424 § 3, 2002; Ord. 380 § 1, 1995)

2.08.020 **Duties and responsibilities.**

The commission shall be specifically responsible but not limited to the following:

A. Research, development and implementation of coordinated traffic safety programs which meet local needs and are approved by the city council;

B. Serve in an advisory capacity to the city council in the coordination of traffic safety priorities and activities of the official agencies and departments of the city;

C. To serve in a liaison capacity between the council and other official agencies of the city, and between the city and the Alliance for Community Traffic Safety in Oregon;

D. To foster public knowledge and support of traffic law enforcement and traffic engineering problems, and to promote the education of the public on traffic safety generally;

E. To promote public acceptance, and cooperation with official city traffic programs and traffic safety aids;

F. To cooperate with the public and private school systems in promoting traffic safety education programs;

G. To assist in the overall reduction of potential for traffic accidents, injuries and deaths on the city's streets;

H. To formulate and recommend to the city council rules and policies for solicitation, promotion and advertising the activities of the CTC, and to review and recommend project applications for project funding;

I. To assist the Alliance for Community Traffic Safety in Oregon in the development of a statewide highway safety program, which meets the National Highway Safety Program Standards;

J. To cooperate with the public and private school systems in promoting traffic safety education programs. (Ord. 380 § 2, 1995)

2.08.030 Reports.

The commission shall submit copies of its minutes to the city council. In January of each year, the commission shall make and file an annual report of its activities with the city council in addition to any other such reports as from time to time may be requested of them by the mayor and city council. (Ord. 380 § 3, 1995)

2.08.040 Compensation.

Voting members of the commission shall receive no compensation for services rendered. (Ord. 380 § 4, 1995)

Chapter 2.12

EMERGENCY SERVICES ORGANIZATION

Sections:

2.12.010 **Established.**

2.12.020 **Emergency services coordi-
nator.**

2.12.030 **Authority to cooperate with
county and state services.**

2.12.010 **Established.**

A local organization of emergency services in the city is established to perform such emergency preparedness and emergency services within and without the city limits pursuant to ORS 401.010 through 401.990 as amended. (Ord. 314 § 1, 1988)

2.12.020 **Emergency services
coordinator.**

The city shall have an emergency services coordinator who shall be appointed by, and serve at the pleasure of, the city council. The coordinator shall have the duties provided in ORS 401.010 through 401.990, as amended. (Ord. 314 § 2, 1988)

2.12.030 **Authority to cooperate with
county and state services.**

The city, through its officers and emergency services coordinator, shall have full authority to cooperate with the Marion County emergency services coordinator and his or her department, and with the state of Oregon emergency services division for response and relief of unforeseen emergencies and disasters. (Ord. 314 § 3, 1988)

Chapter 2.16

PERSONNEL REGULATIONS

Sections:

2.16.010 Adoption of personnel rules.

2.16.020 Mayor responsibility.

2.16.010 Adoption of personnel rules.

Personnel rules shall be adopted and amended by resolution of the Aurora city council. The rules shall provide means to recruit, select, develop, and maintain an effective and responsive work force, and shall include policies and procedures for employee hiring and advancement, training and career development, job classification, salary administration, retirement, fringe benefits, discipline, discharge, and other related activities. All appointments and promotions shall be made in accordance with the personnel rules without regard to sex, race, color, age, religion or political affiliation; and, furthermore, shall be based on merit and fitness. (Ord. 258 § 1, 1980)

2.16.020 Mayor responsibility.

The mayor shall be responsible for:

A. Administering all the provisions of this chapter and of the personnel rules not specifically reserved to the city council;

B. Preparing or causing to be prepared and recommending to the city council personnel rules and revisions and amendments to such rules. (Ord. 258 § 2, 1980)