

Minutes
Aurora City Council Meeting
Tuesday, August 09, 2011 at 7:00 P.M.
Aurora Commons Room, Aurora City Hall
21420 Main St. NE, Aurora, OR 97002

STAFF PRESENT: Bob Southard, Public Works Superintendent
 Kelly Richardson, City Recorder,
 Brent Earhart, Chief of Police
 Jan Vlcek, Finance Officer
 Otis Phillips, Waste Water Operator

STAFF ABSENT: NONE

VISITORS PRESENT: Bill Graupp, Aurora
 Mary Kastrikin, Canby
 Dave Kostrikin, Canby
 Aaron Reed, Aurora

1. Call to Order of Regular Meeting

The meeting was called to order by Mayor Jim Meirow at 7:04 p.m.

2. City Recorder does Roll Call

Councilor Taylor –Present
Councilor Roberts – Present
Councilor Sahlin – Absent
Councilor Brotherton - Present
Mayor Meirow – Present

3. Consent Agenda

- I. City Council Meeting Minutes – July 12, 2011
- II. Planning Commission Meeting Minutes – July 05, 2011
- III. Historic Review Minutes – June 23, 2011, Notice of Decisions

Correspondence

- Email regarding phone call complaint, *it was explained by the Mayor that the difference in this instance is that in prior situations Aurora Officers were responding anytime they wanted, in this instance which the Council is in full support of the Chief was asked by the other agency to respond they didn't have anyone who could.*
- DLCD 2011 Land Use Legislation, *Councilor Taylor aks Nick Kaiser in the audience if he had seen this article. Nick Kaiser said yes and at this time there were no concerns.*

- Email from WaterISAC Advisory on Utilities.
- Meeting Notice from State Citizen Advisory Committee (CIAC)
- News paper article from Woodburn Independent. *Mayor Meirow reads an article titled "How much more can Aurora residents take?" and addresses each and every point brought up in the article as follows and comments;*

- Paper states that Aurora lost a lawsuit brought by Aurora resident Aaron Reed and Riverkeepers, Mayors response, *The City of Aurora never lost a lawsuit with Riverkeepers the City was told that it would cost upwards of 3 to 4 hundred thousand dollars to defend itself, we agreed to settle it for 1 hundred thousand dollars. **Because you settled does not mean you lost.***
- Then paper states, *City officials fired Police Chief Conboy and less than two years later fires Police Chief Reedy along with the entire department for their attempt to unionize. Mayor Meirows response, another lie Chief Police Conboy resigned, due to threats of being fired which would mean the City had a reason or situation to terminate, so far first two statements are incorrect. Point two does Dan Marshall still work here? Absolutely answers Finance Officer, Vlcek and at the time did he not work here with another officer which would make two officers. Yes, and currently Marshall is still working here is any of this true, Vlcek no none of it sir.*
- Paper states now Police Chief Earhart is facing disciplinary action from when he was employed at Mt. Angel for an issue that took place in Mt. Angel and that all of this took place under the watchful eye of Aurora Mayor Meirow. Meirow states, *Chief did I know you during the time in which you were employed at MT. Angel, Chief no and in fact none of this was ever mentioned or took place until at least 2 months after I started my employment with City of Aurora. Interim Chief Detloff, retired from Clackamas County would have been the one to conduct the background check.*
- paper goes on to state *that all of this was done under my watchful eye, Meirow well I have to tell you that at the time of the lawsuit I had been on the Council 3 months, I had absolutely nothing to do with this lawsuit being filed. I and other councilors did however take a 532 million dollar lawsuit and bring it down to a settlement of 100 thousand and no charges filed. I don't think that's a bad thing but what the HE_ _do I know.*
- Then paper goes on to say Meirow condemned the police dept for pulling over drivers at the local watering hole, and actually telling them to stop targeting those drivers. *Meirow states I had a local business owner Laurie Newcomber, who is trying to make it in these tough economic times come to me and let me know that the police department was targeting her customers and parking across the street from her front door destroying her business. I then went to Officer or at that time Interim Chief Reilly and told him about the complaint as I often do and that I considered it to be tacky at best to park directly across the street. I never told him to stop enforcing traffic law. I did say it might be better to patrol around the area and we never spoke of it again until it shows up in the newspaper. As far as the unionization they had the right to do what they wanted too.*
- The paper states they tried calling repeated times for comment and left numerous messages, Meirow states *one call attempt and 1 message about Chief Earhart on my cell phone, I have no comment on Earhart this all took place prior to Aurora and has absolutely nothing to do with Aurora. Canby Herald states that Chief Earhart has lost his certification. Meirow asks the Chief do you still currently have your certification Earhart answers yes, Chief are you still a legal officer in the State of Oregon, Chief Earhart yes I am. Then why would I want to come to you and let you go I have no reason, do I want to create a lawsuit no, I do not.*
- Again later in the article the paper states that Meirow knew about this and did nothing, *again I say active Interim Police Chief Detloff, retired from Clackamas County did the checks. And as previously stated by Earhart none of this came about until after I had started my employment with Aurora nothing had been filed for at least 2 months after I started with Aurora.*
- Again I say *City of Aurora needs another way to get the message out, we certainly can't rely on the newspaper to report on both sides of the issues and the facts or even the truth for that matter.*

- *And then the Canby Herald reports the story of former Officer Reilly suing the city and council members and at the end of that article Huey of the Canby Herald states that the insurance company is representing them. But what isn't said is that this Is a part of the insurance company and not being paid for by tax payers. It simply amazes me that all of the little facts that would explain are always on a regular basis left out.*

As the Mayor and Council we are stifled as to what we can say in public however the newspaper and their journalists can print whatever garbage they hear and not even have to check the facts and the Council is simply stuck having to take it.

The entire Council agreed with everything that the Mayor had to say and the truth of the facts as stated.

I have been a part of the council in a couple different capacities over the years; I have enjoyed my time here and learned a lot. I will tell you that I have been trying to sell my house it has finally sold and I will be moving therefore the September meeting will be my last. As I said I love this City I will be around the city. I feel as though I have given it my all and I have no regrets on the decisions that I have made.

A motion to approve the consent agenda was made by Councilor Brotherton and seconded by Councilor Taylor. Motion Passes Unanimously.

- ❖ Mayor Meirow states he will be resigning as Mayor as of the September meeting.

4. **Visitor**

Anyone wishing to address the City Council concerning items not already on the meeting agenda may do so in this section. No decision or action will be made, but the City Council could look into the matter and provide some response in the future.

Amy Willman, Aurora – Wanted the Council to know she was very impressed with Chief Earhart felt that he was doing an exceptional job as the new Chief. I would like to support the Chief and she asked the best way to do that and council suggested writing a letter to the DPSST Board.

5. **Discussion with the Parks Committee**

- **Parks Committee Report (not in packet)**

No discussion

6. **Discussion with Traffic Safety Commission**

- a. **Traffic Safety Report (not Included in your packet)**

No discussion

7. **Reports**

- A. Police Chief's Report – (included in your packet)**

Chief Earhart summarizes his report to the Council.

- Citations were down
- Total of 80 incidences

- 5 arrests
- Speed has increased significantly
- This last week has been successful on code enforcement so far they are complying and responding.
- Once Airport Road has been repaved I would extend a warning to watch your speed a newly paved road you can cruise along without noticing.

No more questions of the Chief.

B. Finance Officer's Report – Financials (included in your packets)

1. Revenue & Expense Report

Vlcek summarizes her report.

- Email received from Billbury currently working on the final report for the water filtration system, it came in 9,000 less than anticipated.
- Two amendments were made.

There were no other questions from the Council.

C. Public Works Department's Report – (included in your packet)

1. Monthly Status Report (Storm Water) Southard reads his report.
Bob is working consistently on the Ehlen Road and Airport Road project.

A. Waste Water Treatment Plant Update (from Otis Phillips)

- Swapped out the generator
- DEQ has approved the removal of the baffle in cell 1 & 2

There were no more questions from the Council.

D. City Recorder's Report (included in your packet)

Gives a brief over view of the monthly report as attached. Richardson explains why the City Web-site is down due to the expensive web-hosting that we have been paying. Currently I am working with Webber Consulting to obtain a lower cost web-hosting company.

Mayor Meirov explains that we certainly appreciate all that John Steward has done on the web-site in the past and if Mr. Steward would like to work with Jonathan Gibson and the other volunteers we would welcome his help. We would just like to get all the information and billing in the City of Aurora's name.

City Recorder, Richardson has had a few conversations now with Mr. Steward which have all gone very well, I have asked Steward for the information regarding our domain name and account information which is currently in Johns name and needs to be updated and put in the City of Aurora's name since John doesn't work for the City at this point. I will contact him next week to try to get this accomplished.

No questions from the Council.

E. City Attorney's Report – (not Included in your packet)

- Previous bill from the State when the Charger was returned has been lowered to 2,500. I recommend we accept this proposal. Next time not order so many items which results in added cost and make sure we obtain items that are removed. It still would have cost us more to keep the squad car in the long run.

Councilor Taylor makes a motion to accept the 2,500 bill to the State of Oregon for the Charger and it was seconded by Councilor Roberts. Motion Passes.

- Working with the City Planner & City Recorder on Code Update Amendments and we should have a clean copy soon.
- ORD 446 states background checks are only required on employees not City Officials or volunteers. I feel it needs some work and clarification but it is very clear on the Official and Volunteers.
- Working on Heid easement
- Here is the letter I recently sent out to the State in regards to our building code division. That we are moving forward.
- Amended version of Wave agreement

There were no more questions of Koho.

8. Ordinances and Resolutions

- A. Ordinance Number 465 Update Wave Broadband Franchise Agreement.** This will be the second reading.

This is second reading of Ordinance Number 465 a motion to approve the amended second reading from 10 years to 5 years was made by Councilor Roberts and is seconded by Councilor Brotherton. Motion Passes Unanimously.

9. Old Business

- A. Discussion and or Action on Aurora Airport Master Plan** Sept 15th there will be a meeting to discuss options and they are having a tour 26 or 27th.

- B. Discussion and or Action on Water System Development Charges and Water Rate study.** Ray Bartlett presentation, on the draft of water rate analysis and SDC charges, as attached.

a. Draft Water Rate Study

- Operating expensed 26,400
- Dept Service 22,200
- Debt Service reserve 6,000 Capital Reserves is 50,000
- Operating expense 176,000
- 280,600 a year requirement and currently 206,000
- Current water rate .044 proposed .06
- Base Rate increase is proposed as well
- Current base Rate is 25% of annual revenue
- Current usage is 75% of annual revenue
- Discussion of possibility of charging the Fire Department for water usage. Recommendation is to waive base rate and only charge usage

rate. (Council is still not sure they agree with this portion of the report.)

- Recommendation would be to phase this in over the next two years.

b. SDC Study

- Reimbursement Fee 2,453
- Improvement fee, treatment source, 3,090 ¾ inch meter
- Discussion of higher SDC on the larger meter. The council is in favor of it.

We will take the comments from Council to make the changes and come up with a final draft for the City of Aurora.

Council commented that the report was very thorough and interesting along with scary all at the same time.

A. Discussion and or action on Wrathal Lien at 21477 HWY 99E, Dave Kostrikin with KLM Excavation explains to the Council that he was asked to attend the meeting by the City Recorder to revisit the Wrathall lien that was being assessed on the property. Mayor Meirow explains to the Council his conversation with Mr. Wrathall. The City really does not want to have to assess the lien or take his property we simply just want Mr. Wrathall to clean up the mess. Kostrikin explains that he is currently purchasing the property and wants to know exactly what needs to happen for the city to be able to work with him on this matter. Meirow explains that the conversation didn't include Mr. Wrathall selling the property therefore the City Recorder followed through with the lien so the City could collect something if not all of the lien amount. Meirow goes on to say that if we collect the actual bills on the property along with the attorney fees and you are now willing to clean up the property we can work with that.

A motion is made by Councilor Brotherton to give City Attorney Koho permission to draft the paper work to approve the waiving of the \$500.00 a day lien and approve a partial satisfaction of lien in the amount of 2,451.00 still owing to the city at closing and an agreement to reflect everything that was discussed it was seconded by Councilor Taylor. Motion Passes.

City Attorney Koho will draft the appropriate papers and get them to the City Recorder to forward to the title company for recording.

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10. New Business

A. Discussion and Review of Resolution Number 538, A Resolution Establishing New Fees and Related Charges for the City of Aurora's Administration and Finance Department.

Aurora resident Aaron Reed asked a question in regards to record requests and the Council and City Attorney along with the City Recorder, Richardson let him know we are in compliance.

It was the consensus of the Council to have City Recorder Richardson look at fee's and propose new updated amounts.

11. Adjourn

A motion to adjourn the August 09, 2011 meeting at 9:12 pm was made by Councilor Roberts and seconded by Councilor Taylor. Motion Passes Unanimously.



Jim Meirow, Mayor

ATTEST:



Kelly Richardson, City Recorder