

AGENDA
Aurora City Council Meeting
Tuesday, June 11, 2013, at 7:00 P.M.
City Council Chambers, Aurora City Hall
21420 Main St. NE, Aurora, OR 97002

1. Call to Order of the City Council Meeting

2. City Recorder Calls Roll

Mayor Taylor
Councilor Graupp
Councilor Brotherton
Councilor Sahlin
Councilor Vlcek

3. Consent Agenda

- I. City Council Meeting Minutes – May 14, 2013
- II. Planning Commission Meeting Minutes – May 07, 2013
- III. Historic Review Board Minutes –April 25, 2013

Correspondence

I.

4. Visitors

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.

5. Public Hearing

❖ **City of Aurora Budget 2013/2014**

6. Discussion and or Action on Eddy Property Matter

- A. **Hearing**
- B. **Determination**

7. Discussion with Parks Committee

8. Discussion with Traffic Safety Commission

Aurora City Council Agenda

June 11, 2013

This is a public meeting and all interested citizens are invited to attend. The meeting place is not handicapped accessible; those needing assistance should contact the city Office three (3) working days before regularly scheduled meetings. The minutes of this and all public meetings are available at City Hall during regular business hours. All meetings are audio taped and may be video taped

9. Reports

A. Marion County Deputy Report – (included in your packet)

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

❖

1. Revenue & Expense Report

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

1. Monthly Status Report (Storm Water)

2. Monthly Status Report (Water)

A. Waste Water Treatment Plant Update (from Otis Phillips, (included in your packet)

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

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

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10. Ordinances and Resolutions

A. Discussion and or Action on Resolution 669 Supporting a Farmers Market

B. Discussion and or Action on Resolution 670 with SEDCOR

C. Discussion and or Action on Resolution 671 State Revenue

D. Discussion and or Action on Resolution 672 Declaring the City's Election to Receive State Revenues.

E. Discussion and or Action on Resolution 673 Adopting the 2013/2014 Budget and Making Appropriations.

F. Discussion and or Action on Resolution 674 Levying AD Valorem Taxes for Fiscal Year 2013/2014

11. New Business

A. Discussion and or Action on City of Aurora LED Streetlight offer from PGE (Presented by Luanne Berkey, Lighting Specialist)

B. Discussion and or Action on the Marion County Contract for Police Services.

- C. Discussion and or Action on IGA between City of Aurora and E-Permitting Services.**
- D. Discussion and or Action on OLCC License Renewal**
- E. Discussion and or Action on Contract Renewal with Willamette Valley Council of Governments. (City Planner)**

12. Old Business

- A. Discussion and or Next Steps on Election Results & Charter Change**

13. Adjourn

Minutes
Aurora City Council Meeting
Tuesday, May 14, 2013, at 7:00 P.M.
City Council Chambers, Aurora City Hall
21420 Main St. NE, Aurora, OR 97002

STAFF PRESENT: Kelly Richardson, City Recorder
Jan Vlcek, Finance Officer
Bob Southard, Water Superintendent
Pete Marcellais, Marion County Deputy

STAFF ABSENT: Otis Phillips, Waste Water Superintendent
Dennis Koho, City Attorney

VISITORS PRESENT: Kris Sallee, Aurora
Dwayne Johnson, Aurora
Maryclair Birkmeier, Aurora
Karen Townsend, Aurora

1. Call to Order of the City Council Meeting

The meeting was called to order by Mayor Greg Taylor at 7:00 p.m.

2. Administrative Assistant does roll call

Mayor Taylor – present
Councilor Graupp - present
Councilor Brotherton -present
Councilor Sahlin – present
Councilor Vlcek – came in late at 7:15 missed roll call

3. Consent Agenda

- I. City Council Meeting Minutes – April 09, 2013
- II. Planning Commission Meeting Minutes – April 02, 2013
- III. Historic Review Board Minutes –March 28, 2013

Correspondence

- I. **Marion County is Accepting Economic Development Grant Applications for Private Sector Businesses.**
- II. **Email Outlining the Oregon Passenger Rail Project**
- III. **Resolution 13R-9 from Marion County Establishing the North Marion Enterprise Zone.**
- IV. **CIS Final Report on Play Ground Damage**
- V. **Aurora Fire District Structure Fire Quick Form**

VI. Letter from Jan Peel from Visitors Association with comments on proposed Saturday Market Road Closure. (This was Added by Mayor Taylor)

Councilor Graupp points out that title 17 will come before us in July.

Motion to approve consent agenda was made by Councilor Graupp, seconded by Councilor Brotherton. Motion passes.

4. Visitors

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.

5. Discussion with Parks Committee

Councilor Sahlin gave the report for the Parks Committee.

- Water for Amphitheater no status yet from Bob
- Support rods for the trees can come out
- Trees on liberty Street needs trimmed up there obstructing the walk way.
- Is TTT supposed to be weeding in front of restrooms Bob? Mayor No, Bob let's get this taken care of.
- Parking at park overnight is still a problem.

Brief discussion regarding the property located near the Museum, do we know who the owner is? This will need to be looked into.

Mayor we are going to core some trees in the park because they are dangerous. There are a few that need immediate attention.

There were no further questions.

6. Discussion with Traffic Safety Commission

- Deputy Marcellais informs the Council that he has had discussions with ODOT and it is agreed that there is a problem there and we are discussing a light be put in.
- We have also asked ODOT for assistance on a speed study on the previous discussion about lowering the speed in town to 20 miles per hour.

7. Reports

A. Marion County Deputy Report –(included in your packet)

Deputy Sheriff Pete Marcellais was in attendance.

- Structure Fire Discussion, investigation is still ongoing as far as Marion County, fire report from State Fire Marshall is undetermined at this point. This

burned for some time about 25 minutes. There was a misunderstanding with our new sergeant so communication will be better in the future.

No questions except to ask about any drug items found from Councilor Brotherton.

- Calls for service,. Couple alarms, civil. A couple of wrecks.
- Gives example of patch that was drawn by his daughter since no one from the community submitted one in the contest. **It was the consensus of the Council to accept the patch as submitted and the council thanks Deputy Marcellais.**
- May 25th Bike Rodeo, this will be a fun community event.
- Every 15 minutes program

There were no questions from council.

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

Finance Officer Jan Vlcek read her report.

❖ 3rd Quarter Revenue to Expense to date

1. Revenue & Expense Report
2. Appointment of Budget Officer

No questions and no discussion.

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

1. Monthly Status Report (Storm Water)
2. Monthly Status Report (Water)

- Water, we are going through a lot of water I have given notice for odd and even for the citizens to follow. We are at about 30% more use than normal.
- Streets, been working on prints for the SEA Grant on liberty. Mayor Taylor asks if you are putting light gravel on it. Yes...
- Mayor Taylor would like it completed by Colony Days, This may not happen.
- **PARKS ALL CHERRY TREES NEED TO COME DOWN THIS WEEK ALL BUT TWO.**
- Talked to Mayor earlier about infrastructure grants that are coming up, there are many outdated water lines on Sayre, Main Street and many others, Mayor Taylor you need to find ones that we don't have to contribute because we do not have a lot of funds.
- City Recorder Richardson begins discussion about a city facebook page to help with posting information. **It is the consensus of the council to move forward on further research and the Mayor can approve once this is done.**

No more questions.

Waste Water Treatment Plant Update from Otis Phillips (included in your packet)

Waste Water Treatment Plant Supervisor Otis Phillips called in sick and was excused from the meeting. Bob Southard reads his report as submitted.

- It is discussed as whether or not the generator was in the budget or not.

There were no further questions of WWTPS Phillips (Bob).

D. City Recorder's Report (not included in your packet)

City Recorder Richardson expands the discussion on the facebook page that was proposed earlier. Along with reading the submitted report as is.

No Questions from Council.

- **City Attorney's Report** – (not Included in your packet) Not present at meeting and was excused.
- **Rodger Eddy**

There were no further questions for City Attorney Koho.

8. Ordinances and Resolutions

- A. Discussion and or Action on Resolution 668, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, OREGON, TO INCREASE THE STREET LIGHTING FEE ON THE WATER BILLS.**

A motion to approve Resolution Number 668 as amended to show the price of 4.225 a monthly billing cycle was made by Councilor Graupp and seconded by Councilor Sahlin. Motion Passes Unanimously.

- B. Discussion and or Action on Resolution 669 Supporting a Farmers Market,**

Council discussion and review of the draft commences and the result of the discussion is to list 8 & 9 as part of the exemptions. They decided to table this until the June meeting. Visitor Karen Townsend informs council that the ACVA is not excited at the thought of closing 2nd street off. She doesn't think this would best serve neither the applicant nor the businesses in the area. The applicant is present and states that she is open to not include closure of 2nd street.

9. New Business

- A. Discussion and or Action on Possible Proposal of New Logo for Aurora.**

A motion is made by Councilor Sahlin and seconded by Councilor Graupp to approve the logo as submitted. Motion Passes Unanimously.

- B. Discussion and or Action Letter from City Attorney Koho in regards to his fee.**

A motion is made to accept the City Attorney Koho new fee proposal for the 2013/2014 fiscal year is made by Councilor Graupp and is seconded by Councilor Brotherton. Motion Passes Unanimously.

C. Discussion and or Action on possibility of re-activating well 1 to irrigate the park system. A brief discussion about cost involved to reactivate the well for the purpose of watering the park.

It is the consensus of the Council to move forward with this.

D. Discussion and or Action on Possible Land for City Hall Location, A brief discussion about a new possible location for a new City Hall is introduce by Councilor Sahlin he would like to know if the Mayor is interested in setting up a meeting. Mayor Taylor states he would be interested in an informal meeting to discuss the possibility. Councilor Vlcek asks if we could do a simple loan no it would need to be done by a bond answered Mayor Taylor.

E. Discussion and or Action on Revenue Sharing Requests, ACVA, Mayor Taylor informs the ACVA that the majority of the work on the parking strips has already been done and that his intent is to use a portion of the revenue sharing money to pay for this work. Karen Townsend with the ACVA informs the Council that they had prepaid for some shrubbery from last year that goes into these strips, Mayor Taylor and the Council doesn't have a problem with the planting taking place.

The second half of the request is for the Emma Walk and Townsend shows the Council the proposed brochure. The ACVA give thanks to everyone that has been involved in this project and also informs the council that Random House publishing will be doing a book this fall. We are hoping to get the revenue share money to help with the printing costs for the brochures.

A motion is made by Councilor Sahlin and seconded by Councilor Vlcek to approve the 500.00 dollar request. Motion Passes.

F. Discussion on SEDCOR providing administrative support and organization the Enterprise Zone (this is added), Councilor Graupp explains what this is about this is a huge benefit to the city and it helps with printing & training costs along with monitoring. It is the Council consensus to bring back at the June meeting for more discussion.

10. Old Business

A. Discussion and or Action on Tree Stand in the Park, move forward with core and evaluate.

11. Adjourn

A motion to adjourn the May 14, 2013, meeting at 8:34 p.m. was made by Councilor Graupp seconded by Councilor Sahlin and passed unanimously.

Greg Taylor, Mayor

ATTEST:

Kelly Richardson, City Recorder

Minutes
Aurora Planning Commission Meeting
Tuesday, May 07, 2013 at 7:00 P.M.
Aurora Commons Room, Aurora City Hall
21420 Main St. NE, Aurora, OR 97002

STAFF PRESENT: Kelly Richardson, City Recorder
Renata Wakeley, City Planner

STAFF ABSENT:

VISITORS PRESENT: Bill Graupp, Aurora

1. Call to Order of Planning Commission Meeting

The meeting was called to order by Planning Chair Joseph Schaefer at 7:05 p.m.

2. City Recorder Did Roll Call

Chairman, Schaefer -	Present
Commissioner, Willman	Present
Commissioner, Gibson	Present
Commissioner, Graham	Present
Commissioner, Fawcett	Absent
Commissioner, Sallee	Present

3. Consent Agenda

Minutes

- I. Aurora Planning Commission Meeting –April 02, 2013
- II. City Council Minutes –
- III. Historic Review Board Minutes

No comments....

Correspondence

- I. **Information on Economic Development Grant Offered by Marion County for Private Sector Businesses.**

Councilor Bill Graupp explains, That Marion County has put together a fund for any business in the County that is looking to expand. City Planner Wakeley explains that one condition is to create jobs. Councilor Graupp informs the Commission that we are now an official Enterprise Zone.

A motion is made by Commissioner Gibson to accept the consent agenda as presented and is seconded by Commissioner Graham. Motion Passes Unanimously.

4. Visitor

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

Councilor Graupp is in the audience as the Council Liaison as well as to inform the Planning Commission the deadline dates to sign up for the Ford Institute of June 15th.

Karen Townsend, Chairman of HRB wanted to explain to the Commission that they and their families are invited to attend the museum tour in hopes that they would gain additional appreciation for the Historic Preservation of our small City.

5. New Business

A. Discussion and or Action on Memo and Information on SDR 12-02, Chairman Schaefer I am a little confused we have a land use situation, and an applicant Mr. Connor, City Planner Wakeley I tried to summarize the criteria for approval, however now barely a month in business the applicant is not in compliance with his business plan as presented. The items in non compliance are as follows

- Food Cart and parking are in a different location,
- He did not propose seating
- Nor do we have a sign application for the many signs on 99E

Chairman Schaefer states that this is not ok we approved this based on the facts presented on the application.

City Recorder Richardson recaps her conversation with Mr. Connor to PC and City Planner Wakeley now shows the maps of the plan, I did talk with the health dept and he had told health dept there is no seating and now he has seating and he has stated that he uses the bathroom within the existing structure.

Commissioner Willman comments that if we can avoid him the expense of going through the process again that would be her vote. City Planner Wakeley points out though that it is a violation and needs dealt with.

It is the consensus of the Planning Commission to have him resubmit his business plan for review as it is now.

B. Discussion on Business License Smokin Salsa 21200 Highway 99E David Van Tassel. So my (Schaefer) initial comment is that I don't understand how we can do a land use decision on just a business license. I (Schaefer) was taken aback by the sink and potable water being pumped into a septic tank. (Renata)The reason I brought this to you is to show that on this property we are continuing to receive more applicants. I do believe there is potential for business the code however doesn't allow food pods and is this something we want to allow. I (Wakeley) am looking for feedback from the Planning Commission.

Chairman Schaefer asks about whether or not they have their ODOT permits, secondly the septic issue is a question and could be a deal breaker right there, for the Connor cart there is an extension cord ran to the cart and the health dept allows this (however he was supposed to run electrical to the cart) and they have a grey water tank but not sure how they dispose of the grey water. (City Recorder Richardson is asked to have Public Works check on this situation right away. Are they selling retail if so are we looking at commercial kitchen which means SDC's and so on. I think we need to be considerate of other established businesses that have to pay these items when they build a new building. Wakeley I don't

think it's a good idea to approve a new license when there are already violations on the property. Schaefer states we should not approve yet while violations exist, Wakeley currently we have Mr. Ross and Mr. Conner, and now the third application, maybe I suggest to the owner Mr. Erickson if he wants to create a food pod and be subject to site design review before any others are approved and Chairman Schaefer agrees.

Commissioner Graham asks does the parking and driveway have to be paved they do need to be dust free and they need to have curb stops and clear where they are and travel lanes ODOT may require something else as well. There needs to be traffic flow one way with enter and exit signs. Commissioner Graham how does Portland deal with it Wakeley it's a health dept rule that seating and a restroom be present.

I (Chairman Schaefer) feel this is a food processor is this even allowed in the zone? Commissioner Gibson do we make an allowance for the zone? unless you determine something different this is a food processor and it's not allowed in the commercial zone. Its and industrial zone, that allows this.

Chairman Schaefer let's get a consensus of the commission Commissioner Sallee states I think it needs to have all businesses in compliance before we approve anything else on site. Councilor Graupp gives a definition of a processing plant City Planner Wakeley states that your Industrial Zone is better equipped for this type of thing. The applicant himself states that this is a manufacturing of a product in his email.

A question is raised about the fence and City Planner Wakeley will check on this for Commissioner Gibson.

Chairman Schaefer summarizes,

1. No new business license should be issued with pending violations on site.
2. Food processing use is not permitted in commercial zone
3. Application references waste water into septic, we have concerns on this, which is not permissible.
4. With the growth of the businesses on the site the consensus is the entire property now needs a site development review.

C. **Discussion on Farmers Market**, Chairman Schaefer is asked to add this item on the agenda because the representative is here and I believe that Councilor Graupp is here to present this concept, this would be considered a temporary use and there are several sections that show that it would not comply and I think (Wakeley) that if council does a resolution to allow this on a case by case situation it should follow the process.

Applicant (Mary Birkmeier) this is for 1st and 3rd weekends for 10 weekends.

Schaefer states it doesn't really fall under this consecutive 7 days to me it's a spot type market and you would put up and take down each evening, Wakeley I think that this would be a non compliance issue.

Townsend, Aurora HRB Chairman, the intent was to avoid a garage sale for months and a flea market operation for long periods of time.

I think the discussion with the council needs to be had....

- 16. 52.030 section 5 for tents issue which brings us to 7 the temporary use within the city right away. I (Wakeley) stated that a letter needs to be written from Council to allow. This is by second street restroom in the gravel.
- Richardson states that I misunderstood that the council had not already approved this and I went ahead and issued a business license I apologize but it sounded as though this was already

approved emails had stated lets move forward on this and I thought that meant approval to move forward so I issued it.

A certificate of appropriateness needs to be issued, From HRB as well.

The applicant gives her plan and so far without approval I have not pushed the issue and so it will be small for this first year I have 3 vendors so far. I had a maximum that I had proposed 9 vendors it's the largest I can go, and I feel that would be a miracle.

Townsend removing her HRB hat addresses the PC as a business owner and as such on a Saturday the parking would be an issue. We have many people visiting the businesses on the weekends and blocking 2nd street off will be an issue with the other businesses. Vendor vehicles could be accommodated down Martin Street, the applicant states that after hearing your comments and recommendations there would be no reason to block 2nd street.

Chairman Schaefer states that you may be more successful leaving it open.

Procedurally what needs to happen at this point Wakeley stated something needs to go before council to approve this, Schaefer it's a new use in a zone that is not allowed and so I think this is putting the kart before the horse. It's the City right away so it would go before the Council,

They clarify a few items with the applicant,

- Do you really need to block off 2nd street
- It is proposed that because 2nd is 90 feet wide you could have it in the grass
- Applicant is fine with it in the grass
- It is the consensus of the group to have a temporary use in the wide area of 2nd street in the grass so there is no need to block off 2nd street.
- Applicant has put in sign application through HRB.
- Richardson apologizes for this misunderstanding with business license.

6. Old Business

A. Review of Title 17 Revisions, March 25th version.

- Chairman Schaefer would like to review the changes, the second thing I would like to review is the sign section the HRB has been working on it and I want to go over there proposal.
- City Planner Wakeley is concerned about notifications that need to go out to DLCD, I will phone them to clarify those dates.
- It is briefly discussed if this would fall under a measure 56 and it is determined that it would be the City Attorney that would make that call.
- City Planner Wakeley will research the code language requirements and provide a summary to the Planning Commission.
- Chairman Townsend of HRB states that it would be discourteous not to inform the property owners in the Historic District.
- It is then decided that the Public Hearing be held in July so there is enough time for posting requirements and notifications to be sent out.

Original 3 topics,

1. **17.04.50** I made some grammar changes,
 - As per the City Attorney we cannot remove the ORD reference so we need to put those back in

2. **17.36.010** regarding moving contributing structures I added wording for flood plain zone regarding unstable soil and that it must be relocated in Historic District.

- Discussion is that we may want to provide some lee way here because if there is no property available then we do not want to destroy the building.
- A 3 is new language along with D

3. **17.40.110** next change is to tighten up the language of original features, Townsend says it doesn't quite say what the Secretary State Standards say that if a piece is bad you do not have to replace the entire piece.

4. **17.40.130** we need a list of paint colors.

- 3 items that won't go before HRB is paint, landscape under \$2,500 and a black roof.
- Primary, white or cream.

5. **17.04.050** discussion in this section is to place the list in HRB guidelines so that they are able to update the list of colors when needed.

6. **17.40.200** exempt paint colors.

Commissioner Sallee informs the Planning Commission that she thought the formatting would be quick and easy however it has been long and tedious Townsend states that we may look at City of Keizer's for some help.

City Planner Wakeley reviews the time schedule

- May 23 will be the last review
- July 2nd PC Public Hearing
- Notification to DLCD on 29th of May

7. **Commission Action/Discussion**

A. City Planning Activity (in Your Packets)
Status of Development Projects within the City.

- Vision update at the August meeting
- Do we need to notify Shippo Councilor Graupp will research this?

9. **Adjourn 9:05 P.M.**

A motion to adjourn the May 07, 2013 meeting is made by Commissioner Sallee and seconded by Commissioner Graham. Motion Passes Unanimously.



Chairman, Schaefer

ATTEST:


Kelly Richardson, City Recorder

**HISTORIC REVIEW BOARD MINUTES
21420 MAIN ST. NE, AURORA OR 97002
April 25, 2013**

Staff Members Present: Sophia Kuznetsov, Administrative Assistant

Others Present: None

The meeting of April 25, 2013 was called to order at 7:07 p.m. by Chairman Townsend.

Chairman Townsend takes Roll Call

Chairman Karen Townsend – Present
Vice-Chair Gayle Abernathy – Present
Member Bill Simon – Present
Member Merra Frochen – Present
Member Mella Dee Fraser – Present

CONSENT AGENDA

A motion to approve the HRB minutes of April 25, 2013, was made by Merra Frochen, seconded by Bill Simon and passed unanimously.

CORRESPONDENCE

None

VISITORS

Bill Graupp	Aurora	City Council Member
Joseph Schaefer	Aurora	Planning Commission Chair
Kris Sallee	Aurora	Planning Commission Member

OLD BUSINESS

A. Discussion and/or Action of Updating the Historic Guidelines per City Council Request.

a. Review of Title 17 revision

- The members went over the changes that were made to the Sign Section of Title 17. Recommend changes will be made to the revision. Public hearing will be scheduled at the June Planning Commission meeting.

Main discussion points:

- Revisions to Historic review guidelines "Signs" were contingent with the City Ordinance Title 16.44 "Signs".
- Comments regarding time restraints on temporary signs differ from Title 16.14
- Minimal grammar corrections
- Addition of 3 new definitions, "Trademark", "Logo" & "Copyright"

B. Aurora Historic District Sign Review

- Tabled until further notice

NEW BUSINESS

None

ADJOURN

A motion to adjourn was made at 8:40pm by Bill Simon, seconded by Merrra Frochen and passed unanimously.



Karen Townsend, Chairman



Kelly Richardson, City Recorder

FORM LB-1

NOTICE OF BUDGET HEARING

A public meeting of the Aurora City Council will be held on June 11, 2013 at 7:00 pm at Aurora City Hall, 21420 Main Street NE, Aurora, Oregon. The purpose of this meeting is to discuss the budget for the fiscal year beginning July 1, 2013 as approved by the Aurora Budget Committee. A summary of the budget is presented below. A copy of the budget may be inspected or obtained at Aurora City Hall, 21420 Main Street NE, between the hours of 9:30 a.m. and 4:30 p.m. Monday through Thursday, or online at ci.aurora.or.us. This budget is for an annual budget period. This budget was prepared on a basis of accounting that is the same as used the preceding year.

Contact: Gregory Taylor, Mayor

Telephone: (503) 678-1283

Email: mayor@ci.aurora.or.us

FINANCIAL SUMMARY - RESOURCES

TOTAL OF ALL FUNDS	Actual Amount 2011-2012	Adopted Budget This Year 2012-2013	Approved Budget Next Year 2013-2014
Beginning Fund Balance/Net Working Capital	883,279	1,001,675	941,023
Fees, Licenses, Permits, Fines, Assessments & Other Service Charges	328,371	238,392	280,995
Federal, State and All Other Grants, Gifts, Allocations and Donations	2,360	1,000	51,000
Interfund Transfers / Internal Service Reimbursements	9,111	52,415	78,000
All Other Resources Except Current Year Property Taxes	604,393	606,163	667,452
Current Year Property Taxes Estimated to be Received	492,359	497,133	515,021
Total Resources	2,319,873	2,396,778	2,533,491

FINANCIAL SUMMARY - REQUIREMENTS BY OBJECT CLASSIFICATION

Personal Services	458,892	391,984	369,701
Materials and Services	482,899	686,172	734,242
Capital Outlay	77,656	433,977	471,283
Debt Service	290,711	295,913	305,813
Interfund Transfers	8,611	52,415	78,000
Contingencies		526,317	564,452
Special Payments			
Unappropriated Ending Balance and Reserved for Future Expenditure	11,099	10,000	10,000
Total Requirements	1,329,868	2,396,778	2,533,491

FINANCIAL SUMMARY - REQUIREMENTS AND FULL-TIME EQUIVALENT EMPLOYEES (FTE) BY ORGANIZATIONAL UNIT OR PROGRAM *

Name of Organizational Unit or Program FTE for that unit or program			
ADMINISTRATION AND FINANCE	103,069	117,992	259,032
FTE			
COMMUNITY DEVELOPMENT	49,998	71,767	74,190
FTE			
MUNICIPAL COURT	74,993	35,273	26,094
FTE			
POLICE SERVICES	190,357	166,422	0
FTE			
CITY PARKS	40,995	43,698	49,165
FTE			
PUBLIC FACILITIES	13,720	16,700	15,745
FTE			
Non-Departmental / Non-Program	856,736	1,944,476	2,109,265
FTE			
Total Requirements	1,329,868	2,396,328	2,533,491
Total FTE	8	7	6

STATEMENT OF CHANGES IN ACTIVITIES and SOURCES OF FINANCING *

The Aurora Police Department was dissolved on December 1, 2012. The City now contracts with the Marion County Sheriff's Office for police protection.

PROPERTY TAX LEVIES

	Rate or Amount Imposed	Rate or Amount Imposed	Rate or Amount Approved
Permanent Rate Levy (rate limit \$ 2.4829 per \$1,000)	214,474	222,116	229,540
Local Option Levy			
Levy For General Obligation Bonds	301,822	316,314	325,788

STATEMENT OF INDEBTEDNESS

LONG TERM DEBT	Estimated Debt Outstanding on July 1.	Estimated Debt Authorized, But Not Incurred on July 1
General Obligation Bonds	\$2,920,000	
Other Bonds		
Other Borrowings - OCEDD Loan	\$299,251	
Total	\$3,219,251	

REVENUES

City of Aurora
CURRENT AV 92,373,853

Historical Data			GENERAL FUND DETAIL ALL RESOURCES	Budget FY 2013 - 2014				
Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013		Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body		
1	138,865	168,618	214,034	1	BEGINNING FUND BALANCE	228,500	228,500	1
					CASH	130,313	130,313	
					RETAINED EARNINGS	98,187	98,187	
2	8,519	12,243	7,000	2	PREVIOUSLY LEVIED TAXES EST. TO BE RECEIVED	7,000	7,000	2
3	6,850	7,411	5,500	3	BUSINESS LICENSE FEES	5,000	5,000	3
4	619	190	450	4	COPY and MISC. REVENUE	400	400	4
5	760	40		5	DONATIONS			5
6	470	120	30	6	FINGERPRINTING FEES			6
7	55,566	60,430	58,200	7	FRANCHISE FEES	57,700	57,700	7
8	746	976	450	8	INTEREST INCOME	450	450	8
9	13,876	12,764	13,294	9	LIQUOR & CIGARETTE TAX	14,550	14,550	9
10	7,616	7,402	10,000	10	MISC. REVENUE (Sale of assets)	7,500	7,500	10
11	202,284	138,205	33,750	11	MUNICIPAL COURT FINES	25,000	25,000	11
12	2,100	3,150	2,800	12	PARK RESERVATION FEES	3,000	3,000	12
13	7,078	7,459	8,000	13	STATE REVENUE SHARING	7,500	7,500	13
14	17,926	22,383	21,337	14	TOWER RENT	21,490	21,490	14
15	10,350	5,850	2,250	15	TOWING ORDINANCE FEES			15
16	3,260	3,465	3,000	16	AURORA COLONY DAYS STREET FAIRE	3,000	3,000	16
17	4,500	4,118	2,500	17	AURORA COLONY DAYS ACTIVITIES & PARADE	2,500	2,500	17
18		4,442	4,000	18	AURORA COLONY DAYS CONCERTS & WALK/RUN	4,000	4,000	18
19	1,916	6,242	5,800	19	PLANNING/DEVELOPMENT FEES	6,000	6,000	19
20	4,167	2,062	460	20	POLICE TRAINING ASSESSMENTS			20
21	16,345	5,439	16,000	21	BUILDING PERMITS & FEES	12,000	12,000	21
22		1,000	1,000	22	PLANNING TECH. ASSISTANCE GRANT	1,000	1,000	22
23	3,520	1,160	11,300	23	DEVELOPER'S REIMBURSEMENTS	6,000	6,000	23
24	4,860			24	PEDESTRIAN SAFETY ENFORCEMENT GRANT			24
25	1,094			25	BVP MATCHING GRANT			25
26	1,258	448		26	POLICE RESERVES PROGRAM			26
27	1,800	1,360		27	SEATBELT GRANT			27
28	713			28	MATT GRANT			28
29	5,600			29	CODE AMENDMENTS (RIF GRANT)			29
30	(1,020)			30	BUSINESS LICENSE SURCHARGES			30
31				31	ODOT MCSAP CONTRACT			31
32				32				32
33	521,638	476,977	421,155	33	TOTAL RESOURCES, EXCEPT TAXES TO BE LEVIED	412,590	412,590	-
34			208,345	34	TAXES NECESSARY TO BALANCE	215,308	215,308	215,308
35	174,799	208,888		35	TAXES COLLECTED IN YEAR LEVIED			
36	696,437	685,865	629,500	36	TOTAL RESOURCES	627,898	627,898	215,308

GENERAL FUND

City of Aurora

Historical Data			SUMMARY OF ALL DEPARTMENTS COMBINED EXPENDITURES		Budget FY 2013 - 2014				
Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013			Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body		
			PERSONAL SERVICES						
1	36,887	44,822	52,113	1	ADMINISTRATION & FINANCE	49,537	49,537	100	1
2	17,589	19,947	14,168	2	MUNICIPAL COURT	14,339	14,339	-	2
3	15,091	14,603	9,617	3	COMMUNITY DEVELOPMENT	16,300	16,300	-	3
4	156,400	125,523	41,071	4	POLICE SERVICES	-	-	-	4
5	22,234	21,030	20,798	5	PARK	30,009	24,308	-	5
6				6					6
7	248,201	225,925	137,767	7	TOTAL PERSONAL SERVICES	110,185	104,484	100	7
			MATERIALS and SERVICES						
9	64,129	58,102	65,779	9	ADMINISTRATION & FINANCE	209,395	209,395	-	9
10	56,152	35,395	62,150	10	COMMUNITY DEVELOPMENT	57,890	57,890	-	10
11	67,398	54,746	21,555	11	MUNICIPAL COURT	11,755	11,755	-	11
12	75,398	59,925	121,045	12	POLICE SERVICES	-	-	-	12
13	13,853	10,720	13,700	13	PUBLIC FACILITIES	12,745	12,745	-	13
14	16,164	19,965	22,900	14	PARK	24,857	24,857	-	14
15	293,094	238,853	307,129	15	TOTAL MATERIALS and SERVICES	316,642	316,642	-	15
			CAPITAL OUTLAY						
17	-	145	100	17	ADMINISTRATION & FINANCE	100	100	100	17
18	472	300	-	18	MUNICIPAL COURT	-	-	-	18
19	5,225	4,909	4,306	19	POLICE SERVICES	-	-	-	19
20	-	-	3,000	20	PUBLIC FACILITIES	3,000	3,000		20
21	-	-	-	21	PARK	-	-	-	21
22	5,697	5,354	7,406	22	TOTAL CAPITAL OUTLAY	3,100	3,100	100	22
			TRANSFERRED to OTHER FUNDS						
24	110,000	2,500	3,000	24	TRANSFERS OUT				24
25				25					25
26			174,198	26	GENERAL FUND OPERATING CONTINGENCY	197,971	203,672		26
27				27					27
28	110,000	2,500	177,198	28	TOTAL TRANSFERS & CONTINGENCIES	197,971	203,672	-	28
29	656,992	472,632	629,500	29	TOTAL EXPENDITURES	627,898	627,898	200	29
30		-		30	UNAPPROPRIATED ENDING FUND BALANCE				30
31	656,992	472,632	629,500	31	TOTAL	627,898	627,898	200	31

GENERAL FUND

City of Aurora

	Historical Data			ADMINISTRATION & FINANCE COMBINED EXPENDITURES	Budget FY 2013 - 2014			
	Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013		Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body	
				PERSONAL SERVICES				
1				1 EMPLOYEES:				1
2	8,945	8,870	13,966	2 CITY RECORDER	10,424	10,424		2
3	2,065	2,161	1,804	3 ADMINISTRATIVE ASSISTANT	6,696	6,696		3
4	1,971	2,276	1,738	4 ADMINISTRATIVE ASSISTANT - P.M.	-	-		4
5	12,472	16,308	16,637	5 FINANCE OFFICER	16,981	16,981		5
6	25,453	29,615	34,145	6 TOTAL SALARIES	34,101	34,101	-	6
7				7				7
8				8 EMPLOYEE BENEFITS:				8
9	1,984	2,153	3,612	9 SOCIAL SECURITY/MEDICARE	2,608	2,608		9
10	853	981	1,263	10 UNEMPLOMENT TAX	1,272	1,272		10
11	22	24	125	11 WORKERS COMP INSURANCE/WBA	103	103		11
12	1,431	1,780	2,368	12 PERS	3,307	3,307		12
13	7,144	10,269	10,500	13 HEALTH INSURANCE	8,046	8,046		13
14	11,434	15,207	17,868	14 TOTAL BENEFITS	15,336	15,336	-	14
15	-	-	100	15 EMERGENCY RESPONSE	100	100	100	15
16				16				16
17	36,887	44,822	52,113	17 TOTAL PERSONAL SERVICES	49,537	49,537	100	17
18				18 MATERIALS and SERVICES				18
19	64,129	58,102	65,779	19 (LB-31, PAGE 4)	209,395	209,395	-	19
20				20				20
21	64,129	58,102	65,779	21 TOTAL MATERIALS AND SERVICES	209,395	209,395	-	21
22				22 CAPITAL OUTLAY				22
23		145		23 EQUIPMENT				23
24				24 SOFTWARE/SOFTWARE UPDATE				24
25			100	25 EMERGENCY RESPONSE	100	100	100	25
26				26 BUILDING IMPROVEMENTS				26
27		145	100	27 TOTAL CAPITAL OUTLAY	100	100	100	27
28				28 TRANSFERRED to OTHER FUNDS				28
29				29				29
30				30 GENERAL OPERATING CONTINGENCY				30
31				31				31
32	-	-	-	32 TOTAL TRANSFERS & CONTINGENCIES	-	-	-	32
33				33				33
34	101,016	103,069	117,992	34 TOTAL EXPENDITURES	259,032	259,032	200	34
35				35				35
36	101,016	103,069	117,992	36 TOTAL	259,032	259,032	200	36

GENERAL FUND

City of Aurora

	Historical Data			ADMINISTRATION & FINANCE Materials & Services	Budget FY 2013 - 2014			
	Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013		Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body	
1	132			1 OPERATING MATERIALS and SUPPLIES				1
2	2,731	2,450	3,000	2 CONTRACT SERVICES	2,500	2,500		2
3	783	469	550	3 COPIER LEASE/MAINT CONTRACT (Xerox)	900	900		3
4		92	600	4 REPAIR and MAINTENANCE	500	500		4
5	24,293	26,130	23,500	5 LEGAL	19,200	19,200		5
6	5,736	4,765	8,428	6 INSURANCE and BONDS	4,166	4,166		6
7	429	581	450	7 MILEAGE EXPENSE	450	450		7
8	7,116	235	400	8 MISC. EXPENSE (ie. Recording fees)	400	400		8
9	5,968	3,988	5,000	9 OFFICE EXPENSE	5,000	5,000		9
10	2,367	2,125	4,200	10 STAFF TRAINING & CONFERENCE	4,200	4,200		10
11	6,250	6,625	7,125	11 AUDIT	4,917	4,917		11
12	870	238	150	12 OFFICE EQUIPMENT LEASE - Postage machine	350	350		12
13	158	1,222	750	13 OFFICE EQUIPMENT	750	750		13
14	3,426	2,717	3,650	14 PHONE AND FAX	3,650	3,650		14
15	502	852	1,215	15 POSTAGE	1,600	1,600		15
16	365	185	250	16 STAFF PROFESSIONAL DUES & FEES	250	250		16
17	550	1,120	1,425	17 SPRINGBROOK LEASE	1,496	1,496		17
18	168	176	156	18 ETHICS COMMISSION FEE	200	200		18
19		201	250	19 SOFTWARE SECURITY	350	350		19
20		770		20 WEBSITE				20
21	47	48	200	21 BANK & FINANCE CHARGES	200	200		21
22			100	22 EMERGENCY RESPONSE	100	100		22
23		112		23 COMPUTER TRAINING	300	300		23
24	150	149	1,500	24 CITY HALL BUILDING MAINTENANCE	1,000	1,000		24
25	138	252	280	25 INTERNET	350	350		25
26	1,950	2,600	2,600	26 ON-SITE SERVER	2,600	2,600		26
27				27 POLICE CONTRACT SERVICES	153,966	153,966		27
28				28				28
29				29				29
30				30				30
31	64,129	58,102	65,779	31 TOTAL EXPENDITURES	209,395	209,395	-	31
32				32				32
33	64,129	58,102	65,779	33 TOTAL	209,395	209,395	-	33

GENERAL FUND

City of Aurora

	Historical Data			COMMUNITY DEVELOPMENT COMBINED EXPENDITURES	Budget FY 2013 - 2014			
	Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013		Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body	
				PERSONAL SERVICES				
1				1 EMPLOYEES:				1
2	7,156	7,555	3,193	2 CITY RECORDER	4,170	4,170		2
3	3,118	1,631	3,328	3 FINANCE OFFICER	6,793	6,793		3
4			601	4 ADMINISTRATIVE ASISTANT (AM)	-			4
5	10,274	9,186	6,521	5 TOTAL SALARIES	10,963	10,963	-	5
6				6 EMPLOYEE BENEFITS:				6
7	798	656	544	7 SOCIAL SECURITY/MEDICARE	839	839		7
8	321	289	263	8 UNEMPLOYMENT TAX	409	409		8
9	8	6	15	9 WORKERS COMP INSURANCE/WBA	32	32		9
10	598	456	500	10 PERS	838	838		10
11	3,092	4,010	1,774	11 HEALTH INSURANCE	3,219	3,219		11
12	4,817	5,417	3,096	12 TOTAL BENEFITS	5,337	5,337	-	12
13				13				13
14	15,091	14,603	9,617	14 TOTAL PERSONAL SERVICES	16,300	16,300	-	14
15				15 MATERIALS and SERVICES				15
16	56,152	35,395	62,150	16 (SEE LB 31, PAGE8)	57,890	57,890	-	16
17				17				17
18	56,152	35,395	62,150	18 TOTAL MATERIALS and SERVICES	57,890	57,890	-	18
19				19 CAPITAL OUTLAY				19
20				20 EQUIPMENT				20
21				21 SOFTWARE UPDATES				21
22				22				22
23			-	23 TOTAL CAPITAL OUTLAY	-	-	-	23
24				24 TRANSFERRED to OTHER FUNDS				24
25				25				25
26				26 OPERATING CONTINGENCY				26
27	-	-	-	27 TOTAL TRANSFERS & CONTINGENCIES	-	-	-	27
28	71,243	49,998	71,767	28 TOTAL EXPENDITURES	74,190	74,190	-	28
29				29				29
30	71,243	49,998	71,767	30 TOTAL	74,190	74,190	-	30

GENERAL FUND

City of Aurora

	Historical Data			COMMUNITY DEVELOPMENT MATERIALS & SERVICES		Budget FY 2013 - 2014			
	Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013			Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body	
				EXPENDITURES					
1	63	97		1	AURORA CITY COUNCIL	100	100		1
2	165	323		2	AURORA PLANNING COMMISSION	100	100		2
3	30	152		3	HISTORIC REVIEW BOARD	100	100		3
4	200		250	4	CITY OFFICIAL TRAINING & CONFERENCE	300	300		4
5				5	CITY OFFICIAL MILEAGE	100	100		5
6	1,999	1,704	2,500	6	DUES & PUBLICATIONS (COG, LOC, OMA, ETC.)	2,500	2,500		6
7	3,812	3,972	2,500	7	AURORA COLONY DAY & PARADE EXPENSES	2,500	2,500		7
8			4,000	8	AURORA COLONY DAYS CONCERTS, WALK/RUN	4,000	4,000		8
9	14,663	11,755	12,000	9	PLANNING CONSULTANT-CITY PAID	13,150	13,150		9
10	4,379	2,806	4,800	10	PLANNING CONSULT -BILLED TO APPLICANTS	4,800	4,800		10
11	850	213	6,500	11	CITY ENGINEER-BILLED TO APPLICANTS	5,000	5,000		11
12	1,948	450	800	12	PUBLISHING & POSTING FEES	1,300	1,300		12
13	9,401	5,684	15,700	13	BUILDING PERMIT FEES	9,000	9,000		13
14	850		600	14	STATE OF OREGON SURCH. FEES	1,440	1,440		14
15	7,500			15	DEVELOPMENT CODE AMENDMENTS	900	900		15
16	1,000	1,000	1,000	16	PLANNING ASSISTANCE GRANT	1,000	1,000		16
17	187			17	VISION PHASE 2	600	600		17
18	2,604	2,275	3,000	18	AURORA STREET FAIRE EXPENSE	3,000	3,000		18
19		353	500	19	ABATEMENT & LIEN EXPENSE	500	500		19
20	6,501	4,611	8,000	20	REVENUE SHARING PROJECTS	7,500	7,500		20
21				21					21
22				22					22
23				23					23
24				24					24
25				25					25
26				26					26
27	56,152	35,395	62,150	27	TOTAL EXPENDITURES	57,890	57,890	-	27
28				28					28
29	56,152	35,395	62,150	29	TOTAL	57,890	57,890	-	29

GENERAL FUND

City of Aurora

Historical Data			MUNICIPAL COURT COMBINED EXPENDITURES	Budget FY 2013 - 2014		
Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013		Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body
			PERSONAL SERVICES			
1			1 EMPLOYEES:			1
2	3,578	3,440	2 CITY RECORDER	6,255	6,255	2
3	1,076	1,080	3 ADMINISTRATIVE ASSISTANT	4,783	4,783	3
4	7,885	9,103	4 ADMINISTRATIVE ASSISTANT - PM	-	-	4
5	1,559	1,632	5 FINANCE OFFICER			5
6	14,098	15,255	6 TOTAL SALARIES	11,038	11,038	6 -
			EMPLOYEE BENEFITS			
8	1,034	1,131	8 SOCIAL SECURITY/MEDICARE	844	844	8
9	472	519	9 UNEMPLOYMENT TAX	408	408	9
10	15	17	10 WORKERS COMP INSURANCE/WBA	35	35	10
11	424	720	11 PERS	1,009	1,009	11
12	1,546	2,305	12 HEALTH INSURANCE	1,005	1,005	12
13			13			13
14	3,491	4,692	14 TOTAL BENEFITS	3,301	3,301	14 -
15			15			15
16	17,589	19,947	16 TOTAL PERSONAL SERVICES	14,339	14,339	16 -
17			17			17
			MATERIALS and SERVICES			
19	67,398	54,746	19 (SEE LB30, PAGE 10)	11,755	11,755	19 -
20			20			20
21	67,398	54,746	21 TOTAL MATERIALS and SERVICES	11,755	11,755	21 -
22			22			22
			CAPITAL OUTLAY			
24			24 EQUIPMENT			24
25	472	300	25 SOFTWARE UPDATES	-		25
26			26			26
27	472	300	27 TOTAL CAPITAL OUTLAY	-	-	27 -
28			28 TRANSFERRED to OTHER FUNDS			28
29			29			29
30		-	30 TOTAL TRANSFERS AND CONTINGENCY	-	-	30 -
31	85,459	74,993	31 TOTAL EXPENDITURES	26,094	26,094	31 -
32			32			32
33	85,459	74,993	33 TOTAL	26,094	26,094	33 -

REQUIREMENTS SUMMARY

GENERAL FUND

City of Aurora

	Historical Data			MUNICIPAL COURT MATERIALS & SERVICES	Budget FY 2013 - 2014				
	Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013		Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body		
EXPENDITURES									
1	1,500			1	BUILDING RENT				1
2	368	340	175	2	OFFICE EXPENSE	125	125		2
3		175		3	TRAINING & CONFERENCE				3
4	55,805	45,460	16,600	4	COURT REVENUE PYMTS. TO OTHERS	8,000	8,000		4
5	7,800	7,000	3,600	5	COURT JUDGE	2,800	2,800		5
6	928	953	600	6	COURT INTERPRETER (includes mileage)	630	630		6
7		455	400	7	COPIER MACHINE LEASE	200	200		7
8	314	200	120	8	POSTAGE				8
9	245			9	BAIL REFUNDS & FORFEITURES				9
10	396			10	CONTRACT SERVICES				10
11	42	163	60	11	POSTAGE MACHINE LEASE				11
12				12					12
13				13					13
14				14					14
15				15					15
16				16					16
17				17					17
18				18					18
19				19					19
20				20					20
21				21					21
22				22					22
23				23					23
24				24					24
25				25					25
26				26					26
27				27					27
28	67,398	54,746	21,555	28	TOTAL EXPENDITURES	11,755	11,755	-	28
29				29					29
30	67,398	54,746	21,555	30	TOTAL	11,755	11,755	-	30

REQUIREMENTS SUMMARY

City of Aurora

Historical Data			POLICE SERVICES EXPENDITURE DESCRIPTION	Budget FY 2013 - 2014		
Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013		Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body
			PERSONAL SERVICES			
1			1 EMPLOYEES:			1
2	40,210	42,465	2 POLICE CHIEF - 24 hr/wk			2
3	33,458	37,101	3 POLICE OFFICER #1			3
4	20,134		4 POLICE OFFICER #2			4
5		1,162	5 CITY RECORDER			5
6	12,593	14,140	6 POLICE CLERK - 24 HR/WK			6
7	3,118	3,270	7 FINANCE OFFICER			7
8		173	8 ADMINISTRATIVE ASISTANT (AM)			8
9		650	9 ADMINISTRATIVE ASSISTANT (PM)			9
10	8,516	1,360	10 GRANT WAGES			10
11	1,317	113	11 MCSAP Wages (OT)			11
12	119,346	98,449	12 TOTAL SALARIES	-	-	-
13			13 EMPLOYEE BENEFITS:			13
14	9,395	7,619	14 SOCIAL SECURITY/MEDICARE			14
15	3,576	3,049	15 UNEMPLOYMENT TAX			15
16	88	76	16 WORKERS COMP INSURANCE/WBA			16
17	9,618	3,189	17 PERS			17
18	14,377	13,141	18 HEALTH INSURANCE			18
19	37,054	27,074	19 TOTAL BENEFITS:	-	-	-
20	156,400	125,523	20 TOTAL PERSONAL SERVICES	-	-	-
21			21 MATERIALS and SERVICES			21
22	75,398	59,925	22 (SEE LB 31, PAGE 12)	-	-	-
23			23			23
24	75,398	59,925	24 TOTAL MATERIALS & SERVICES	-	-	-
25			25 CAPITAL OUTLAY			25
26	4,905	4,708	26 EQUIPMENT			26
27			27 SOFTWARE UPDATES			27
28		201	28 SOFTWARE SECURITY			28
29	320		29 OFFICE EQUIPMENT			29
30	5,225	4,909	30 TOTAL CAPITAL OUTLAY	-	-	-
31			31 TRANSFERRED to OTHER FUNDS			31
32			32 TOTAL TRANSFERS AND CONTINGENCIES			32
33	237,023	190,357	33 TOTAL EXPENDITURES	-	-	-
34			34			34
35	237,023	190,357	35 TOTAL	-	-	-

DETAILED EXPENDITURES

GENERAL FUND

City of Aurora

Historical Data			POLICE SERVICES		Budget FY 2013 - 2014				
Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013			Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body		
MATERIALS & SERVICES									
1	1,674	338	1,627	1	EQUIPMENT REPAIR and MAINTENANCE				1
2	24,817	20,472	4,490	2	AUTO OPERATING EXPENSE (Vehicle Lease, repair, maint)				2
3	1,350	1,009		3	OPERATING MATERIALS & SUPPLIES				3
4	4,302	5,476	553	4	OFFICE EXPENSE				4
5	556	247	125	5	POSTAGE				5
6	16,953	15,544	14,471	6	DISPATCH SERVICES				6
7	2,614	1,342	150	7	TRAINING and CONFERENCE				7
8	65	125		8	PROFESSIONAL FEES & DUES				8
9	3,557	2,443	1,621	9	INSURANCE EXPENSE				9
10	345			10	INVESTIGATIVE MATERIALS				10
11	2,439	2,061		11	UNIFORMS				11
12	5,628	4,104	92,731	12	CONTRACT SERVICES				12
13	4,289	2,670	2,000	13	PHONE/FAX				13
14	373	1,276	1,208	14	RESERVES EXPENSE				14
15		455	317	15	COPIER MACHINE LEASE				15
16	518	185		16	RECORDS CLERK - TRAINING & CONFERENCE				16
17	95	317	6	17	MILEAGE EXPENSE				17
18	3,221	382	456	18	POLICE DEPT. BUILDING IMPROVEMENTS				18
19	235	227	90	19	POSTAGE MACHINE LEASE				19
20	1,000	1,000	1,000	20	ON-SITE SERVER MAINTENANCE				20
21	229	252	200	21	INTERNET SERVICES				21
22	1,138			22	LEGAL				22
23				23					23
24				24					24
25				25					25
26				26					26
27				27					27
28				28					28
29	75,398	59,925	121,045	29	TOTAL EXPENDITURES	-	-	-	29
30				30					30
31	75,398	59,925	121,045	31	TOTAL	-	-	-	31

REQUIREMENTS SUMMARY

GENERAL FUND

City of Aurora

	Historical Data				PUBLIC FACILITIES Expenditure Description	Budget FY 2013 - 2014			
	Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013			Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body	
					MATERIAL & SERVICES				
1	1,378	1,727	1,500	1	OPERATING MATERIALS & SUPPLIES	1,545	1,545		1
2	1,636	472	3,000	2	REPAIR & MAINTENANCE	3,000	3,000		2
3	5,906	6,166	6,000	3	ELECTRICITY & HEATING	5,000	5,000		3
4	4,933	2,355	3,200	4	CITY HALL & PUBL. REST. CONTRACT SERV.	3,200	3,200		4
5				5					5
6				6					6
7				7					7
8				8					8
9				9					9
10				10					10
11	13,853	10,720	13,700	11	TOTAL MATERIALS & SERVICES	12,745	12,745	-	11
12				12	TRANSFERRED to OTHER FUNDS				12
13	3,000	3,000		13	TRANSFERRED TO CITY HALL RESERVE				13
14	3,557		3,000	14	BUS LIC SURCHARGES - TRANS TO CITY HALL BUILD	3,000	3,000		14
15				15					15
16				16					16
17				17					17
18				18					18
19				19					19
20	6,557	3,000	3,000	20	TOTAL TRANSFERS & CONTINGENCIES	3,000	3,000	-	20
21				21	CAPITAL OUTLAY				21
22				22					22
23				23					23
24				24					24
25				25					25
26				26					26
27				27					27
28				28					28
29	-	-	-	29	TOTAL CAPITAL OUTLAY	-	-	-	29
30	20,410	13,720	16,700	30	TOTAL EXPENDITURES	15,745	15,745	-	30
31				31					31
32	20,410	13,720	16,700	32	TOTAL	15,745	15,745	-	32

GENERAL FUND

City of Aurora

	Historical Data			PARKS DEPARTMENT COMBINED EXPENDITURES	Budget FY 2013 - 2014			
	Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013		Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body	
				PERSONAL SERVICES				
1				1 EMPLOYEES:				1
2	3,578	3,491	3,990	2 RECORDER	4,170	-		2
3	3,118	1,632	1,664	3 FINANCE OFFICER	1,698	1,698		3
4	4,353	4,631	4,749	4 PUBLIC WORKS SUPERINTENDENT	4,963	4,963		4
5			317	5 ADMINISTRATIVE ASSISTANT (AM)				5
6	3,958	3,900	3,376	6 PUBLIC WORKS ASSISTANT	8,757	8,757		6
7	15,007	13,654	14,096	7 TOTAL SALARIES	19,588	15,418	-	7
8				8 EMPLOYEE BENEFITS				8
9	1,152	971	1,017	9 SOCIAL SECURITY/MEDICARE	1,498	1,180		9
10	451	416	450	10 UNEMPLOYMENT TAX	725	570		10
11	11	9	300	11 WORKERS COMP INSURANCE/WBA	1,052	1,041		11
12	940	912	1,120	12 PERS	1,963	1,582		12
13	4,673	5,068	3,815	13 HEALTH INSURANCE	5,183	4,513		13
14	7,227	7,376	6,702	14 TOTAL BENEFITS	10,421	8,890	-	14
15	22,234	21,030	20,798	15 TOTAL PERSONAL SERVICES	30,009	24,308	-	15
16				16 MATERIALS and SERVICES				16
17	16,164	19,965	22,900	17 (SEE LB31, PAGE 6)	24,857	24,857	-	17
18				18				18
19	16,164	19,965	22,900	19 TOTAL MATERIALS and SERVICES	24,857	24,857	-	19
20				20 CAPITAL OUTLAY				20
21				21 PARK GROUNDS CAPITAL IMPROVEMENTS				21
22				22 EQUIPMENT				22
23				23 PARK SURVEYS, STUDIES				23
24				24 PARK DESIGNS				24
25				25 PARK BLDG. IMPROVEMENTS/REPAIR (Shelters)				25
26				26				26
27				27				27
28	-	-	-	28 TOTAL CAPITAL OUTLAY	-	-	-	28
29				29 TRANSFERRED to OTHER FUNDS				29
30				30				30
31				31 OPERATING CONTINGENCY				31
32	-	-	-	32 TOTAL TRANSFERS & CONTINGENCIES	-	-	-	32
33	38,398	40,995	43,698	33 TOTAL EXPENDITURES	54,866	49,165	-	33
34				34				34
35	38,398	40,995	43,698	35 TOTAL	54,866	49,165	-	35

GENERAL FUND

City of Aurora

	Historical Data			PARKS DEPARTMENT Materials & Services	Budget FY 2013 - 2014			
	Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013		Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body	
				EXPENDITURES				
1	794	1,234	1,250	1 OPERATING MATERIALS and SUPPLIES	1,286	1,286		1
2	1,305	1,095	1,600	2 CONTRACT SERVICES	2,000	2,000		2
3	1,658	2,216	2,000	3 ELECTRICITY & HEATING	2,000	2,000		3
4	2,144	1,561	2,100	4 INSURANCE & BONDS	3,221	3,221		4
5	1,546	389	1,500	5 PARK REPAIR & MAINTENANCE	1,500	1,500		5
6	124	69	750	6 VEHICLE REPAIR & MAINTENANCE	750	750		6
7	1,600	2,200	3,000	7 TREE REMOVAL & PRUNING	3,000	3,000		7
8	1,920	1,831	1,500	8 CONTRACT SERVICES/JANITORIAL	1,500	1,500		8
9	5,073	9,370	9,200	9 PARK MAINTENANCE CONTRACTOR	9,600	9,600		9
10				10				10
11				11				11
12				12				12
13				13				13
14				14				14
15				15				15
16				16				16
17				17				17
18				18				18
19				19				19
20				20				20
21				21				21
22				22				22
23				23				23
24				24				24
25				25				25
26				26				26
27				27				27
28				28				28
29	16,164	19,965	22,900	29 TOTAL EXPENDITURES	24,857	24,857	-	29
30				30				30
31	16,164	19,965	22,900	31 TOTAL	24,857	24,857	-	31

SPECIAL PROJECT FUND

	Historical Data			Park Renovation Special Project RESOURCE DESCRIPTION	Budget FY 2013 - 2014			
	Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013		Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body	
				RESOURCES				
1	(44,929)			1 BEGINNING FUND BALANCE				1
2	232,050			2 PARK DEVELOPMENT GRANT				2
3	72,500			3 TRANSFER FROM PARK SDCs (Design & Survey)				3
4	94			4 INTEREST INCOME				4
5				5				5
6				6				6
7				7				7
8				8				8
9				9				9
10				10				10
11				11				11
12				12				12
13				13				13
14				14				14
15				15				15
16				16				16
17				17				17
18				18				18
19				19				19
20				20				20
21				21				21
22				22				22
23				23				23
24				24				24
25				25				25
26				26				26
27				27				27
28				28				28
29				29				29
30	259,715	-	-	30 TOTAL RESOURCES	-	-	-	30
31				31				31
32	259,715	-	-	32 TOTAL RESOURCES	-	-	-	32

SPECIAL PROJECT FUND

	Historical Data			Park Renovation Special Project	Budget FY 2013 - 2014			
	Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013		Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body	
				EXPENDITURES				
1				1				1
2	207,277			2	CONSTRUCTION GRANT			2
3	675			3	CONSTRUCTION SELF-HELP			3
4	425			4	PARK DESIGN, PROJECT MANAGEMENT			4
5	51,338			5	TRANSFER TO PARK SDCs			5
6				6				6
7				7				7
8				8				8
9				9				9
10				10				10
11				11				11
12				12				12
13				13				13
14				14				14
15				15				15
16				16				16
17				17				17
18				18				18
19				19				19
20				20				20
21				21				21
22				22				22
23				23				23
24				24				24
25				25				25
26				26				26
27				27				27
28				28				28
29				29				29
30	259,715	-	-	30	TOTAL EXPENDITURES	-	-	-
31				31				31
32	259,715	-	-	32	TOTAL RESOURCES	-	-	-

RESOURCES AND REQUIREMENTS

CITY HALL BUILDING FUND

City of Aurora

	Historical Data			RESOURCE DESCRIPTION	Budget FY 2013 - 2014			
	Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013		Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body	
				RESOURCES				
1	23,508	95,340	110,098	1 BEGINNING FUND BALANCE - CASH	116,137	116,137		1
2	51,916			2 DONATIONS				2
3	6,557	3,000		3 TRANSFER FROM GENERAL FUND	-	-		3
4	2,650	1,540	3,000	4 BUSINESS LICENSE SURCHARGES	3,000	3,000		4
5	288	470	200	5 INTEREST	200	200		5
6	10,421	9,748		6 ENHANCED CITATION REVENUE	900			6
7				7 MISCELLANEOUS REVENUES				7
8				8				8
9				9				9
10				10				10
11				11				11
12	95,340	110,098	113,298	12 TOTAL RESOURCES	120,237	119,337	-	12
13				REQUIREMENTS				13
14			112,298	14 CAPITAL BUILDING PROJECT	117,237	116,337		14
15			1,000	15 ENGINEERING EXPENSES	3,000	3,000		15
16				16				16
17				17				17
18				18				18
19				19				19
20				20				20
21				21				21
22				22				22
23				23				23
24				24				24
25				25				25
26				26				26
27				27				27
28	-	-	113,298	28 TOTAL REQUIREMENTS	120,237	119,337	-	28
29				29				29
30	-	-	113,298	30 TOTAL	120,237	119,337	-	30

RESERVE FUND

PARK RESERVE FUND

City of Aurora

	Historical Data			RESOURCE DESCRIPTION	Budget FY 2013 - 2014			
	Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013		Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body	
					RESOURCES			
1	7,353	7,465	7,506	1 BEGINNING FUND BALANCE	4,500	4,500		1
2				2				2
3	36	33	20	3 INTEREST INCOME	30	30		3
4				4				4
5				5				5
6				6				6
7				7				7
8				8				8
9				9				9
10				10				10
11				11				11
12	7,389	7,498	7,526	12 TOTAL RESOURCES	4,530	4,530	-	12
13				13 REQUIREMENTS				13
14				14				14
15			7,526	15 PARK IMPROVEMENTS	4,530	4,530		15
16				16				16
17				17				17
18				18				18
19				19				19
20				20				20
21				21				21
22				22				22
23				23				23
24				24				24
25				25				25
26				26				26
27				27				27
28				28				28
29				29				29
30	-	-	7,526	30 TOTAL REQUIREMENTS	4,530	4,530	-	30

RESOURCES AND REQUIREMENTS

City of Aurora

PARK SYSTEMS DEVELOPMENT CHARGES FUND

	Historical Data			RESOURCES AND REQUIREMENTS	Budget FY 2013 - 2014			
	Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013		Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body	
				RESOURCES				
1	38,376	17,809	20,103	1 BEGINNING FUND BALANCE	22,403	22,403		1
2				2				2
3	45	89		3 INTEREST INCOME	60	60		3
4	33	134	268	4 SDC CHARGES - Reimbursement	134	134		4
5	517	2,071	4,142	5 SDC CHARGES - Improvements	2,071	2,071		5
6				6				6
7	51,338			7 TRANSFER FROM PARK RENOVATION FUND				7
8				8				8
9				9				9
10				10				10
11				11				11
12				12				12
13	90,309	20,103	24,513	13 TOTAL RESOURCES	24,668	24,668	-	13
14				14 REQUIREMENTS				14
15			24,513	15 CAPITAL OUTLAY	24,668	24,668		15
16				16 RESERVED FOR FUTURE EXPENDITURES				16
17	72,500			17 TRANSFER TO PARK RENOVATION FUND				17
18				18				18
19				19				19
20				20				20
21				21				21
22				22				22
23				23				23
24				24				24
25				25				25
26				26				26
27				27				27
28				28				28
29				29				29
30				30				30
31				31				31
32	72,500	-	24,513	32 TOTAL REQUIREMENTS	24,668	24,668	-	32

RESOURCES

STREET/STORM OPERATING FUND

City of Aurora

Historical Data			RESOURCE DESCRIPTION	Budget FY 2013 - 2014					
Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013		Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body			
RESOURCES									
1	92,963	85,634	99,118	1	BEGINNING FUND BALANCE	106,311	106,311		1
2	143			2	MISCELLANEOUS REVENUE				2
3	278	428	250	3	INTEREST	250	250		3
4	46,191	50,116	51,612	4	STATE HIGHWAY TAXES \$45.90 X 930)	53,240	53,240		4
5	12,500			5	STATE/CITY ALLOTMENT GRANT	50,000	50,000		5
6	19,456	19,857	19,745	6	STREET LIGHTING FEES (\$8.45/BILLING)x6x435	22,054	22,054		6
7	2,650	3,111	9,415	7	TRANS FROM STORM SDCs - STORM MASTER PLAN				7
8	60	17		8	STREET MAINTENANCE FEES (\$2.50/MO)				8
9				9	TRANSFER FROM STREET SDCs - (See pg. 25, l. 18)	10,000	10,000		9
10				10					10
11				11					11
12				12					12
13				13					13
14				14					14
15				15					15
16				16					16
17				17					17
18				18					18
19				19					19
20				20					20
21				21					21
22				22					22
23				23					23
24				24					24
25				25					25
26				26					26
27				27					27
28				28					28
29				29					29
30	174,241	159,163	180,140	30	TOTAL RESOURCES	241,855	241,855	-	30
31				31					31
32	174,241	159,163	180,140	32	TOTAL RESOURCES	241,855	241,855	-	32

REQUIREMENTS SUMMARY

City of Aurora									
	Historical Data			STREET/STORM FUND EXPENDITURE DESCRIPTION	Budget FY 2013 - 2014				
	Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013		Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body		
					PERSONAL SERVICES				
1				1	EMPLOYEES:				1
2	1,848	2,200	1,979	2	RECORDER				2
3	6,744	6,947	7,124	3	PUBLIC WORKS SUPERINTENDENT	9,925	9,925		3
4	2,436	3,933	6,330	4	PUBLIC WORKS ASST	4,378	4,378		4
5			174	5	ADMINISTRATIVE ASISTANT (AM)				5
6	1,610	1,631		6	FINANCE OFFICER	1,359	1,698		6
7	12,638	14,711	15,607	7	TOTAL SALARIES	15,662	16,001	-	7
8				8	EMPLOYEE BENEFITS:				8
9	932	992	1,199	9	SOCIAL SECURITY/MEDICARE	1,198	1,224		9
10	352	417	450	10	UNEMPLOYMENT TAX	579	592		10
11	9	9	366	11	WORKMANS COMP INSURANCE/WBA	1,297	1,299		11
12	796	993	1,361	12	PERS	1,607	1,642		12
13	4,136	4,998	4,494	13	HEALTH INSURANCE	4,983	5,110		13
14	6,225	7,409	7,870	14	TOTAL BENEFITS	9,664	9,867	-	14
15				15					15
16	18,863	22,120	23,477	16	TOTAL PERSONAL SERVICES	25,326	25,868	-	16
17				17	MATERIALS and SERVICES				17
18	34,904	26,210	45,567	18	(SEE LB-31, PAGE 21)	52,604	67,604	-	18
19				19					19
20	34,904	26,210	45,567	20	TOTAL MATERIALS and SERVICES	52,604	67,604	-	20
21				21	CAPITAL OUTLAY				21
22	1,863		3,500	22	EQUIPMENT	3,500	3,500		22
23		5,698	3,500	23	CAPITAL IMPROVEMENTS - STREETS	13,500	13,500		23
24	27,115			24	STATE/CITY ALLOTMENT GRANT	50,000	50,000		24
25	4,035	5,380	9,415	25	STORM WATER MASTER PLAN				25
26	2,668	533	2,500	26	UIC & TMDL COMPLIANCE	2,500	2,500		26
27	9,960			27	TRANSFER TO HWY 99E PROJECT				27
28				28					28
29	45,641	11,611	18,915	29	TOTAL CAPITAL OUTLAY	69,500	69,500	-	29
30				30	TRANSFERRED to OTHER FUNDS				30
31				31		-	-		31
32			92,181	32	OPERATING CONTINGENCY	94,425	78,883		32
33	-	-	92,181	33	TOTAL TRANSFERS AND CONTINGENCIES	94,425	78,883	-	33
34	99,408	59,941	180,140	34	TOTAL EXPENDITURES	241,855	241,855	-	34
35				35					35
36	99,408	59,941	180,140	36	TOTAL	241,855	241,855	-	36

DETAILED EXPENDITURES

STREET/STORM OPERATING FUND

City of Aurora

	Historical Data			MATERIALS & SERVICES EXPENDITURE DESCRIPTION	Budget FY 2013 - 2014			
	Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013		Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body	
				EXPENDITURES				
1	2,203	1,958	4,500	1 OPERATING MATERIALS & SUPPLIES	4,500	4,500		1
2	9,852	1,047	8,000	2 CONTRACT SERVICES	8,000	8,000		2
3	2,012	2,556	4,000	3 VEHICLE & EQUIPMENT OPERATING EXP.	4,000	4,000		3
4	291	13	1,500	4 VEHICLE REPAIR & MAINTENANCE	1,500	1,500		4
5			6,000	5 STREET REPAIR & MAINTENANCE	6,000	6,000		5
6	19,583	19,851	20,600	6 STREET LIGHTS	21,986	21,986		6
7	959	785	967	7 INSURANCE	6,618	6,618		7
8	4			8 SIDEWALK CONSTRUCTION				8
9				9 STORMWATER CONSULTANT		15,000		9
10				10				10
11				11				11
12				12				12
13				13				13
14				14				14
15				15				15
16				16				16
17				17				17
18				18				18
19				19				19
20				20				20
21				21				21
22				22				22
23				23				23
24				24				24
25				25				25
26				26				26
27				27				27
28	34,904	26,210	45,567	28 TOTAL EXPENDITURES	52,604	67,604	-	28
29				29				29
30	34,904	26,210	45,567	30 TOTAL	52,604	67,604	-	30

RESERVE FUND

STREET RESERVE FUND										City of Aurora		
	Historical Data					Budget FY 2013 - 2014						
	Actual 2nd Preceding Year 2010/2011	Actual 1st Preceding Year 2011/2012	Adopted Supp. Budget Year 2012-2013			Proposed Budget FY 2013 - 2014	Approved by Budget Committee	Adopted by Governing Body				
RESOURCES												
1	8,522	21,594	34,956	1	BEGINNING FUND BALANCE	36,813	36,813		1			
2	71	134	85	2	INTEREST INCOME	100	100		2			
3	13,001	13,228	12,990	3	STREET MAINTENANCE FEES	13,050	13,050		3			
4				4					4			
5				5					5			
6				6					6			
7				7					7			
8				8					8			
9				9					9			
10				10					10			
11				11					11			
12	21,594	34,956	48,031	12	TOTAL RESOURCES	49,963	49,963	-	12			
REQUIREMENTS												
14			48,031	14	STREET MAINTENANCE PROJECTS	49,963	49,963		14			
15				15					15			
16				16					16			
17				17					17			
18				18					18			
19				19					19			
20				20					20			
21				21					21			
22				22					22			
23				23					23			
24				24					24			
25				25					25			
26				26					26			
27				27					27			
28				28					28			
29				29					29			
30	-		48,031	30	TOTAL REQUIREMENTS	49,963	49,963	-	30			

RESOURCES

	Historical Data			Highway 99E Special Project RESOURCE DESCRIPTION	Budget FY 2013 - 2014			
	Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013		Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body	
				RESOURCES				
1	(9,960)			1 BEGINNING FUND BALANCE				1
2	9,960			2 TRANSFER FROM STREETSDCs (PROJECT OVER BUDGET)				2
3				3				3
4				4				4
5				5				5
6				6				6
7				7				7
8				8				8
9				9				9
10				10				10
11				11				11
12				12				12
13				13				13
14				14				14
15				15				15
16				16				16
17				17				17
18				18				18
19				19				19
20				20				20
21				21				21
22				22				22
23				23				23
24				24				24
25				25				25
26				26				26
27				27				27
28				28				28
29				29				29
30	-	-	-	30 TOTAL RESOURCES	-	-	-	30
31				31				31
32	-	-	-	32 TOTAL RESOURCES	-	-	-	32

	Historical Data			EXPENDITURE DESCRIPTION	Budget FY 2013 - 2014			
	Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013		Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body	
				EXPENDITURES				
1	48,522			1 PROJECT ENGINEERING				1
2	431,037			2 CONSTRUCTION				2
3				3				3
4	8,567			4 MATCHING FUNDS				4
5	360			5 ARBITRATION COSTS				5
6				6				6
7				7				7
8				8				8
9				9				9
10				10				10
11				11				11
12				12				12
13				13				13
14				14				14
15				15				15
16				16				16
17				17				17
18				18				18
19				19				19
20				20				20
21				21				21
22				22				22
23				23				23
24				24				24
25				25				25
26				26				26
27				27				27
28	488,486	-	-	28 TOTAL EXPENDITURES	-	-	-	28
29				29				29
30	488,486	-	-	30 TOTAL	-	-	-	30

SPECIAL FUND

STREET/STORM DRAIN SYSTEMS DEVELOPMENT CHARGE										City of Aurora	
	Historical Data			RESOURCES AND REQUIREMENTS RESOURCE DESCRIPTION	Budget FY 2013 - 2014						
	Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013		Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body				
					RESOURCES						
1	13,822	17,116	8,472	1	BEGINNING FUND BALANCE - STREET IMPROVEMENTS	11,388	11,388		1		
2	12,351		7,460	2	BEGINNING FUND BALANCE - STREET REIMBURSEMENT	10,028	10,028		2		
3	2,647		765	3	BEGINNING FUND BALANCE - STORM IMPROVEMENTS	1,031	1,031		3		
4	660		454	4	BEGINNING FUND BALANCE - STORM REIMBURSEMENT	607	607		4		
5	63	1,292	2,584	5	CHARGES COLLECTED/STREETS - Reimbursement	5,168	5,168		5		
6	176	108	108	6	CHARGES COLLECTED/STORMS-Reimbursement	216	5,216		6		
7	461	1,448	2,896	7	CHARGES COLLECTED/STREETS - Improvement	5,792	5,792		7		
8	344	212	212	8	CHARGES COLLECTED/STORMS - Improvement	424	5,424		8		
9	114	86	50	9	INTEREST INCOME	75	75		9		
10				10					10		
11				11					11		
12				12					12		
13				13					13		
14				14					14		
15	30,638	20,262	23,001	15	TOTAL RESOURCES	34,729	44,729	-	15		
16				16	REQUIREMENTS				16		
17			13,586	17	CAPITAL IMPROVEMENTS	24,729	34,729		17		
18				18	TRANSFER TO STREET - CAPITOL PROJECTS	10,000	10,000		18		
19	12,000	3,111	9,415	19	TRANS TO STREET/STORM- STORM WATER MASTER PLAN				19		
20	1,450			20	TRANSFER TO STREET/STORM (TMDL)				20		
21				21					21		
22				22					22		
23				23					23		
24				24					24		
25				25					25		
26				26					26		
27				27					27		
28				28					28		
29				29					29		
30				30					30		
31				31					31		
32	13,450	3,111	23,001	32	TOTAL REQUIREMENTS	34,729	44,729	-	32		

WATER OPERATING FUND

City of Aurora

	Historical Data			RESOURCE DESCRIPTION	Budget FY 2013 - 2014			
	Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013		Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body	
				RESOURCES				
1	188,571	216,094	215,032	1 BEGINNING FUND BALANCE	164,430	164,430		1
2	100	100	100	2 PETTY CASH	100	100		2
3	882	1,013	600	3 INTEREST	500	500		3
4	186,389	208,252	64,293	4 WATER SALES (@ \$.05 PER CUBIC FOOT)				4
5			139,008	5 WATER SALES (@ \$.06 PER CUBIC FOOT)	214,231	214,231		5
6			22,696	6 WATER BASE CHARGES - 3/4" METER (301 @ \$21.62/BILLING)	39,045	39,045		6
7			21,186	7 WATER BASE CHARGES - 1" METER (130 @ \$36.20/BILLING)	28,236	28,236		7
8			1,284	8 WATER BASE CHARGES - 2" METER (2 @ \$115.30/BILLING)	1,384	1,384		8
9	3,450	2,250	2,500	9 METER INSTALLATION SALES	3,000	3,000		9
10		26,144	23,500	10 WATER SALES (Filtration Project Assessment)	20,900	20,900		10
11	5,000	3,000	20,000	11 TRANS FROM WATER SDCs (WATER MAIN REPLACEMENT)				11
12	792	11	116	12 PRIOR YEARS' PROPERTY TAXES (GO WATER BOND)				12
13				13				13
14				14				14
15				15				15
16				16				16
17				17				17
18				18				18
19				19				19
20				20				20
21				21				21
22				22				22
23				23				23
24				24				24
25				25				25
26				26				26
27				27				27
28				28				28
29				29				29
30				30				30
31				31				31
32	385,184	456,864	510,315	32 TOTAL RESOURCES	471,826	471,826	-	32
33				33				33
34	385,184	456,864	510,315	34 TOTAL RESOURCES	471,826	471,826	-	34

	Historical Data			WATER OPERATING FUND EXPENDITURE DESCRIPTION	Budget FY 2013 - 2014			
	Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013		Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body	
				PERSONAL SERVICES				
1				1 EMPLOYEES:				1
2	26,978	30,103	35,618	2 PUBLIC WORKS SUPERINTENDENT	32,258	32,258		2
3	12,445	21,450	23,210	3 PUBLIC WORKS ASSISTANT	24,080	24,080		3
4			4,750	4 ADMINISTRATIVE ASSISTANT	3,826	3,826		4
5	3,221	3,264	4,991	5 FINANCE OFFICER	2,717	3,396		5
6	5,544	6,938	5,985	6 CITY RECORDER	10,424	10,424		6
7	3,889	3,782	1,805	7 ADMINISTRATIVE ASSISTANT - AM				7
8	52,077	65,537	76,359	8 TOTAL SALARIES	73,305	73,984	-	8
9				9 EMPLOYEE BENEFITS:				9
10	3,849	4,530	5,365	10 SOCIAL SECURITY MEDICARE	5,608	5,660		10
11	1,423	1,918	2,230	11 UNEMPLOYMENT TAX	2,712	2,737		11
12	38	43	4,459	12 WORKERS COMP INSURANCE/WBA	2,870	2,873		12
13	3,452	4,396	6,347	13 PERS	7,362	7,431		13
14	15,504	20,516	21,320	14 HEALTH INSURANCE	19,611	19,865		14
15	24,266	31,403	39,721	15 TOTAL BENEFITS	38,163	38,587	-	15
16	76,343	96,940	116,080	16 TOTAL PERSONAL SERVICES	111,468	112,571	-	16
17				17 MATERIALS and SERVICES				17
18	89,837	102,196	134,701	18 (SEE LB-31, PAGE 25)	141,982	141,982	-	18
19	89,837	102,196	134,701	19 TOTAL MATERIALS and SERVICES	141,982	141,982	-	19
20				20 CAPITAL OUTLAY				20
22	1,585	4,099	5,000	22 METERS/BACKFLOW VALVES	5,000	5,000		22
23	1,191	104	7,680	23 EQUIPMENT	7,500	7,500		23
24	34	300	3,000	24 FIRE HYDRANT UPGRADE	3,000	3,000		24
25			500	25 BUILDING IMPROVEMENTS/REPAIRS	500	500		25
26		4,866		26 WATER FILTRATION SYSTEM				26
27		24,481	88,678	27 WATER MAIN REPAIRS				27
28				28 PUMP STATION IMPROVEMENTS		8,000		28
29				29				29
30				30				30
31	2,810	33,850	104,858	31 TOTAL CAPITAL OUTLAY	16,000	24,000	-	31
32				32 TRANSFERRED to OTHER FUNDS				32
33			20,000	33 TRANSFER TO WATER RESERVE	20,000	20,000		33
34				34 TRANSFER TO SPW MAINTENANCE FUND	8,000	8,000		34
35			134,676	35 OPERATING CONTINGENCY	174,376	165,273		35
36	-	-	154,676	36 TOTAL TRANSFERS & CONTINGENCIES	202,376	193,273	-	36
37	168,990	232,986	510,315	37 TOTAL EXPENDITURES	471,826	471,826	-	37
38				38 UNAPPROPRIATED ENDING FUND BALANCE				38
39	168,990	232,986	510,315	39 TOTAL	471,826	471,826	-	39

WATER OPERATING FUND

City of Aurora

	Historical Data			MATERIALS & SERVICES EXPENDITURE DESCRIPTION	Budget FY 2013 - 2014			
	Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013		Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body	
				EXPENDITURES				
1	12,039	14,622	15,000	1	OPERATING MATERIALS and SUPPLIES	15,000	15,000	1
2	1,060	3,440	4,520	2	WATER TEST LAB	4,520	4,520	2
3	2,205	3,562	5,500	3	MAINTENANCE & REPAIR (EQUIPMENT)	5,500	5,500	3
4	7,947	8,506	8,200	4	INSURANCE	11,514	11,514	4
5	2,820	3,039	4,000	5	VEHICLE & EQUIP. OPERATING EXP.	4,000	4,000	5
6	3,418	4,403	5,000	6	VEHICLE REPAIR & MAINTENANCE	5,000	5,000	6
7	15,901	19,335	20,000	7	ELECTRICITY & HEATING	19,000	19,000	7
8	1,008	1,049	1,200	8	OFFICE EXPENSE	1,200	1,200	8
9	1,090	1,097	2,500	9	TRAINING & CONFERENCE	2,500	2,500	9
10	26,133	24,268	25,570	10	CONTRACT SERVICES (BMI)	26,000	26,000	10
11	3,368	3,650	4,650	11	PHONE/FAX	4,500	4,500	11
12	3,000	3,200	3,563	12	AUDIT	4,917	4,917	12
13	755	458	550	13	COMMUNICATIONS LEASE	600	600	13
14	378	462	500	14	UNIFORMS	500	500	14
15	820	776	1,156	15	POSTAGE	1,150	1,150	15
16	275	680	1,425	16	SPRINGBROOK LEASE	1,496	1,496	16
17	85	1,275	1,500	17	ENGINEER	1,500	1,500	17
18	1,320	1,452	1,550	18	SENSUS HARDWARE & SOFTWARE SUPPORT	1,550	1,550	18
19		201.00	225	19	SOFTWARE SECURITY	310	310	19
20	84	75	100	20	ETHICS COMMISSION FEE	100	100	20
21			500	21	RESERVOIR MAINTENANCE & REPAIR	500	500	21
22	390	749	600	22	COPIER LEASE & MAINTENANCE	900	900	22
23	446	439	200	23	POSTAGE MACHINE LEASE	483	483	23
24	1,838	2,536		24	WATER RIGHTS TRANSFERS			24
25		112		25	COMPUTER TRAINING			25
26	313	433	500	26	INTERNET SERVICE	650	650	26
27	1,800	1,800	1,800	27	ON-SITE SERVER MAINTENANCE	1,800	1,800	27
28	1,344	577	3,500	28	FILTRATION SYSTEM OPERATING EXPENSES	3,500	3,500	28
29				29	LEGAL	2,400	2,400	29
30			11,567	30	LOAN PAYMENT - PRINCIPAL	11,914	11,914	30
31		8,748	9,325	31	LOAN PAYMENT - INTEREST	8,978	8,978	31
32	89,837	102,196	134,701	32	TOTAL EXPENDITURES	141,982	141,982	-
33				33				33
34	89,837	102,196	134,701	34	TOTAL	141,982	141,982	-

SPECIAL PUBLIC WORKS PROJECT MAINTENANCE FUND

	Historical Data			RESOURCES AND REQUIREMENTS		Budget FY 2013 - 2014			
	Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013			Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body	
				RESOURCES					
1	20,930	21,006	21,840	1	BEGINNING FUND BALANCE	22,694	22,694		1
2				2					2
3	7,800			3	TRANSFE FROM SPWF DEBT SERVICE				3
4	76	97	60	4	INTEREST	75	75		4
5	737	737	736	5	LID #1 ASSESSMENTS	736	736		5
6				6	TRANSFER FROM WATER FUND	8,000	8,000		6
7				7	MISCELLANEOUS REVENUES				7
8				8					8
9				9					9
10				10					10
11				11					11
12	29,543	21,840	22,636	12	TOTAL RESOURCES	31,505	31,505	-	12
13				13	REQUIREMENTS				13
14			15,000	14	RESERVOIR MAINTENANCE AND REPAIR	20,000	20,000		14
15	7,800		7,636	15	PUMP STATION MAINTENANCE AND REPAIR	11,505	11,505		15
16				16					16
17				17					17
18				18					18
19				19					19
20				20					20
21				21					21
22				22					22
23				23					23
24				24					24
25				25					25
26	-	-	22,636	26	TOTAL REQUIREMENTS	31,505	31,505	-	26

SPECIAL PROJECT FUND

	Historical Data			Water Filtration System Special Project RESOURCE DESCRIPTION	Budget FY 2013 - 2014				
	Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013		Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body		
				RESOURCES					
1	28,724			1	BEGINNING FUND BALANCE			1	
2	87			2	INTEREST INCOME			2	
3	330,813			3	GRANT PROCEEDS			3	
4	164,934			4	LOAN PROCEEDS			4	
5				5				5	
6				6				6	
7				7				7	
8				8				8	
9				9				9	
10				10				10	
11				11				11	
12				12				12	
13				13				13	
14				14				14	
15				15				15	
16				16				16	
17				17				17	
18				18				18	
19				19				19	
20				20				20	
21				21				21	
22				22				22	
23				23				23	
24				24				24	
25				25				25	
26				26				26	
27				27				27	
28				28				28	
29				29				29	
30	524,558	-	-	30	TOTAL RESOURCES	-	-	-	30
31				31					31
32	524,558	-	-	32	TOTAL RESOURCES	-	-	-	32

	Historical Data			Water Filtration System Special Project EXPENDITURE DESCRIPTION	Budget FY 2013 - 2014				
	Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013		Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body		
					EXPENDITURES				
1	476,604			1	CONSTRUCTION				1
2	26,294			2	ENGINEERING				2
3	6,660			3	ASSET MANAGEMENT ACTIVITY				3
4	15,000			4	OTHER/MATCHING FUNDS/WATER RATES STUDY				4
5				5					5
6				6					6
7				7					7
8				8					8
9				9					9
10				10					10
11				11					11
12				12					12
13				13					13
14				14					14
15				15					15
16				16					16
17				17					17
18				18					18
19				19					19
20				20					20
21				21					21
22				22					22
23				23					23
24				24					24
25				25					25
26				26					26
27				27					27
28	524,558	-	-	28	TOTAL EXPENDITURES	-	-	-	28
29				29					29
30	524,558	-	-	30	TOTAL	-	-	-	30

WATER RESERVE FUND

City of Aurora

	Historical Data			RESOURCES AND REQUIREMENTS RESOURCE DESCRIPTION	Budget FY 2013 - 2014			
	Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013		Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body	
				RESOURCES				
1	5,788	5,811	11,710	1	BEGINNING FUND BALANCE	3,730	3,730	1
2				2				2
3		5,857		3	OECCD LOAN PROCEEDS			3
4			20,000	4	TRANSFER FROM WATER OPERATING FUND	20,000	20,000	4
5	24	42	40	5	INTEREST INCOME	70	70	5
6				6				6
7				7				7
8				8				8
9				9				9
10				10				10
11				11				11
12	5,812	11,710	31,750	12	TOTAL RESOURCES	23,800	23,800	-
13				13				13
14				14	REQUIREMENTS			
15			11,750	15	CAPITAL OUTLAY	23,800	23,800	15
16			20,000	16	WATER MAIN REPLACEMENT (EHLEN ROAD)			16
17				17				17
18				18				18
19				19				19
20				20				20
21				21				21
22				22				22
23				23				23
24				24				24
25				25				25
26				26				26
27				27				27
28				28				28
29				29				29
30				30				30
31				31				31
32	-	-	31,750	32	TOTAL REQUIREMENTS	23,800	23,800	-

WATER SYSTEMS DEVELOPMENT CHARGES

	Historical Data			RESOURCES AND REQUIREMENTS RESOURCE DESCRIPTION	Budget FY 2013 - 2014			
	Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013		Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body	
				RESOURCES				
1	37,644	46,328	51,874	1	BEGINNING FUND BALANCE	28,330	28,330	1
2	187	240	90	2	INTEREST	100	100	2
3	2,382	1,466		3	SDC CHARGES - 3/4" METER - Reimbursement (\$2,453)	9,812	9,812	3
4		6,840		4	SDC CHARGES - 3/4" METER - Improvement (\$3,090)	12,360	12,360	4
5	11,115		8,178	5	SDC CHARGES - 1" METER - Reimbursement (\$4,089)	16,356	16,356	5
6			10,302	6	SDC CHARGES - 1" METER - Improvement (\$5,151)	20,604	20,604	6
7				7				7
8				8				8
9				9				9
10				10				10
11				11				11
12				12				12
13				13				13
14				14				14
15	51,328	54,874	70,444	15	TOTAL RESOURCES	87,562	87,562	-
16				16	REQUIREMENTS			
17			50,444	17	CAPITAL IMPROVEMENTS	87,562	87,562	17
18		3,000		18	TRANSFER TO WATER OPERATING - SURVEY EQUIPMENT			18
19	5,000		20,000	19	TRANSFER TO WATER OPERATING - Water main			19
20				20				20
21				21				21
22				22				22
23				23				23
24				24				24
25				25				25
26				26				26
27				27				27
28				28				28
29				29				29
30				30				30
31				31				31
32	5,000	3,000	70,444	32	TOTAL REQUIREMENTS	87,562	87,562	-

SEWER OPERATING FUND

City of Aurora

	Historical Data			RESOURCE DESCRIPTION	Budget FY 2013 - 2014				
	Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013		Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body		
				RESOURCES					
1	149,280	150,606	165,414	1	BEGINNING FUND BALANCE	147,392	147,392	1	
2				2				2	
3	541	835	500	3	INTEREST	500	500	3	
4	242,329	261,746	264,996	4	SEWER CHARGES (438 @ \$51/MO)	268,056	268,056	4	
5	529			5	MISCELLANEOUS REVENUE			5	
6	100,000			6	TRANSFER FROM SEWER RESERVE FUND			6	
7	24,250			7	TRANSFER FROM SEWER SDC FUND			7	
8				8				8	
9				9				9	
10				10				10	
11				11				11	
12				12				12	
13				13				13	
14				14				14	
15				15				15	
16				16				16	
17				17				17	
18				18				18	
19				19				19	
20				20				20	
21				21				21	
22				22				22	
23				23				23	
24				24				24	
25				25				25	
26				26				26	
27				27				27	
28				28				28	
29				29				29	
30				30				30	
31				31				31	
32	516,929	413,187	430,910	32	TOTAL RESOURCES	415,948	415,948	-	32

REQUIREMENTS SUMMARY

City of Aurora

Historical Data				SEWER OPERATING FUND EXPENDITURE DESCRIPTION	Budget FY 2013 - 2014			
Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013	Proposed Budget Year 2013-2014		Approved by Budget Committee	Adopted by Governing Body		
				PERSONAL SERVICES				
1			1	EMPLOYEES:				1
2	6,745	4,631	2	PUBLIC WORKS SUPERINTENDENT	2,481	2,481		2
3	61,778	56,374	57,730	3 WWTP OPERATOR	59,662	59,662		3
4	6,839	9,750	9,350	4 PUBLIC WORKS ASSISTANT	6,567	6,567		4
5			1,280	5 ADMINISTRATIVE ASSISTANT	3,826	3,826		5
6	5,544	7,267	5,985	6 CITY RECORDER	10,424	10,424		6
7	3,221	3,268	4,990	7 FINANCE OFFICER	2,717	3,826		7
8	3,889	3,782	4,634	8 ADMINISTRATIVE ASSISTANT - PM	-	-		8
9	88,016	85,072	83,969	9 TOTAL SALARIES	85,677	86,786	-	9
10			10	BENEFITS:				10
11	6,741	6,112	6,130	11 SOCIAL SECURITY/MEDICARE	4,564	6,606		11
12	2,701	2,252	2,200	12 UNEMPLOMENT TAX	3,170	3,195		12
13	58	50	3,585	13 WORKERS COMP INSURANCE/WBA	3,191	3,194		13
14	5,614	5,724	7,050	14 PERS	8,631	8,701		14
15	15,503	14,697	11,726	15 HEALTH INSURANCE	18,043	18,296		15
16	30,617	28,835	30,691	16 TOTAL BENEFITS	37,599	39,992	-	16
17	118,633	113,907	114,660	17 TOTAL PERSONNEL SERVICES	123,276	126,778	-	17
18			18	MATERIALS and SERVICES				18
19	210,744	112,640	127,108	19 (SEE LB-31, PAGE 30)	123,546	123,546	-	19
20			20					20
21	210,744	112,640	127,108	21 TOTAL MATERIALS and SERVICES	123,546	123,546	-	21
22			22	CAPITAL OUTLAY				22
23	25,692	7,052	13,180	23 EQUIPMENT	3,000	3,000		23
24	607	3,038	5,000	24 CONSTRUCTION PROJECTS				24
25			38,200	25 AERATION PROJECT				25
26		8,376	6,000	26 LOGGING	6,000	6,000		26
27	3,315	2,764	1,500	27 SITE PREP FOR 2ND PLANTATION				27
28	7,333			28 TEST EQUIPMENT SETTLEMENT				28
29				29				29
30	36,947	21,230	63,880	30 TOTAL CAPITAL OUTLAY	9,000	9,000	-	30
31			31	TRANSFERS & CONTINGENCIES				31
32			32	TRANSFER TO SEWER RESERVE		40,000		32
33			125,262	33 GENERAL OPERATING CONTINGENCY	160,126	116,624		33
34	-	-	125,262	34 TOTAL TRANSFERS & CONTINGENCIES	160,126	156,624	-	34
35	366,324	247,777	430,910	35 TOTAL EXPENDITURES	415,948	415,948	-	35
36			36	UNAPPROPRIATED FUND BALANCE				36
37	366,324	247,777	430,910	37 TOTAL	415,948	415,948	-	37

SEWER OPERATING FUND

	Historical Data			MATERIALS AND SERVICES EXPENDITURE DESCRIPTION	Budget FY 2013 - 2014			
	Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013		Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body	
				EXPENDITURES				
1	16,824	17,035	25,000	1	OPERATING MATERIALS and SUPPLIES	20,000	20,000	1
2	1,517	2,626	3,000	2	PERMITS AND FEES	3,000	3,000	2
3	850			3	CITY ENGINEER			3
4	1,568	760	1,000	4	OFFICE EXPENSE	1,000	1,000	4
5	4,403	7,040	5,090	5	CONTRACT SERVICES	5,000	5,000	5
6	300		1,000	6	CONSULTANT SERVICES			6
7	29,295	34,102	24,800	7	ELECTRICITY/HEATING	22,000	22,000	7
8	610		1,000	8	TRAINING/CONFERENCES	1,000	1,000	8
9	3,874	3,392	3,500	9	VEHICLE & EQUIPMENT OPERATING	3,500	3,500	9
10	15,082	21,589	17,500	10	TEST LAB	9,000	9,000	10
11	1,383	750	1,600	11	RENTAL EXPENSE	1,200	1,200	11
12	1,161	1,687	2,500	12	PHONE & FAX	2,500	2,500	12
13	5,576	3,839	5,900	13	INSURANCE	8,000	8,000	13
14	3,000	3,200	3,563	14	AUDIT SERVICES	4,917	4,917	14
15	275	600	1,425	15	SPRINGBROOK LEASE	1,496	1,496	15
16	225			16	LEGAL FEES	2,400	2,400	16
17	435	496	1,000	17	SAFETY APPAREL/UNIFORMS	1,000	1,000	17
18	3,197	1,140	5,000	18	TRACTOR REPAIR & VEHICLE REPAIR	3,000	3,000	18
19	84	75	85	19	ETHICS COMMISSION FEE	100	100	19
20	17,169	8,288	10,000	20	EQUIPMENT REPAIR & MAINTENANCE	10,000	10,000	20
21	1,800	1,800	1,800	21	ON-SITE SERVER MAINTENANCE	1,800	1,800	21
22		86	245	22	INTERNET SERVICE	315	315	22
23	390	541	500	23	COPIER LEASE/MAINTENANCE	900	900	23
24	885	845	1,500	24	POSTAGE	1,500	1,500	24
25	446	340	300	25	POSTAGE MACHINE LEASE	483	483	25
26	395	2,096	4,300	26	LAGOON MAINTENANCE	4,000	4,000	26
27		201	500	27	SOFTWARE SECURITY	435	435	27
28	100,000			28	LAWSUIT SETTLEMENT PAYMENTS			28
29		112		29	COMPUTER TRAINING			29
30			5,000	30	COLLECTION SYSTEM MAINTENANCE	5,000	5,000	30
31				31	BIOSOLIDS (SLUDGE)	10,000	10,000	31
32				32				32
33	210,744	112,640	127,108	33	TOTAL EXPENDITURES	123,546	123,546	-
34				34				34
35	210,744	112,640	127,108	35	TOTAL	123,546	123,546	-

City of Aurora

SEWER RESERVE FUND

	Historical Data			RESOURCES AND REQUIREMENTS RESOURCE DESCRIPTION	Budget FY 2013 - 2014				
	Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013		Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body		
				RESOURCES					
1	105,376	5,399	5,423	1	BEGINNING FUND BALANCE	5,452	5,452		
2				2					
3	23	25	25	3	INTEREST INCOME	25	25		
4				4	TRANSFER FROM SEWER OPERATING FUND		40,000		
5				5					
6				6					
7				7					
8				8					
9				9					
10				10					
11				11					
12				12					
13	105,399	5,424	5,448	13	TOTAL RESOURCES	5,477	45,477		-
14				REQUIREMENTS					
15	70,000			15	TRANS TO SEWER - SETTLEMENT PMNT TO WILLAMETTE RVRKPRS				
16	30,000			16	TRANS TO SEWER - SETTLEMENT PMNT TO PUDDING RVR WTRSHED				
17			5,448	17	CAPITAL OUTLAY/CAPITAL IMPROVEMENTS	5,477	5,477		
18				18	SEWER MASTER PLAN		40,000		
19				19					
20				20					
21				21					
22				22					
23				23					
24				24					
25				25					
26				26					
27				27					
28				28					
29				29					
30				30					
31				31					
32	100,000	-	5,448	32	TOTAL REQUIREMENTS	5,477	45,477		-

G.O. WASTEWATER BOND DEBT SERVICE FUND

City of Aurora

	Historical Data			RESOURCES	Budget FY 2013 - 2014			
	Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013		Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body	
				RESOURCES				
1	16,041	12,375	11,097	1 BEGINNING FUND BALANCE	10,800	10,800		1
2				2				2
3	11,657	5,550	5,788	3 PREVIOUSLY LEVIED TAXES EST.TO BE RECEIVED	5,000	5,000		3
4	390	414	250	4 INTEREST	300	300		4
5				5				5
6	28,088	18,339	17,135	6 TOTAL RESOURCES, EXCEPT TAXES TO BE LEVIED	16,100	16,100	-	6
7			288,778	7 TAXES NECESSARY TO BALANCE	299,713	299,713		7
8	275,281	283,471		8 TAXES COLLECTED IN YEAR LEVIED				8
9				9				9
10				10				10
11	303,369	301,810	305,913	11 TOTAL RESOURCES	315,813	315,813	-	11
12				12				12
13				13 REQUIREMENTS				13
14				14				14
15				15 2009 SERIES SEWER GO BOND PAYMENTS				15
16				16				16
17	67,168	65,356	62,956	17 1/2 INTEREST 12/01/13	60,406	60,406		17
18	67,169	65,355	62,957	18 1/2 INTEREST 06/01/14	60,407	60,407		18
19	145,000	160,000	170,000	19 PRINCIPAL 06/01/14	185,000	185,000		19
20				20				20
21	279,337	290,711	295,913	21 TOTAL BOND PAYMENTS	305,813	305,813	-	21
22				22				22
23				23				23
24				24				24
25				25				25
26				26				26
27				27				27
28				28				28
29				29				29
30				30				30
31				31				31
32	12,375	11,099	10,000	32 TOTAL UNAPPROPRIATED ENDING FUND BALANCE	10,000	10,000		32
33				33				33
34				34				34
35	291,712	301,810	305,913	35 TOTAL REQUIREMENTS	315,813	315,813	-	35

SEWER SYSTEMS DEVELOPMENT CHARGE

City of Aurora

	Historical Data			RESOURCES AND REQUIREMENTS DESCRIPTION	Budget FY 2013 - 2014			
	Actual 2nd Preceding Year 2010-2011	Actual 1st Preceding Year 2011-2012	Adopted Supp. Budget Year 2012-2013		Proposed Budget Year 2013-2014	Approved by Budget Committee	Adopted by Governing Body	
				RESOURCES				
1	29,592	12,084	16,219	1	BEGINNING FUND BALANCE	20,377	20,377	1
2				2				2
3				3				3
4	4,205	2,588	2,588	4	SDC CHARGES - Reimbursement	5,176	5,176	4
5	2,399	1,476	1,476	5	SDC CHARGES - Improvements	2,952	2,952	5
6	138	71	70	6	INTEREST	75	75	6
7				7				7
8				8				8
9				9				9
10				10				10
11				11				11
12				12				12
13				13				13
14				14				14
15	36,334	16,219	20,353	15	TOTAL RESOURCES	28,580	28,580	-
16				16				16
17				17				17
18				18	REQUIREMENTS			
19			20,353	19	CAPITAL IMPROVEMENTS	18,580	18,580	19
20	24,250			20	TRANS TO SEWER OPERATING FUND			20
21				21	SEWER MASTER PLAN	10,000	10,000	21
22				22				22
23				23				23
24				24				24
25				25				25
26				26				26
27				27				27
28				28				28
29				29				29
30				30				30
31				31				31
32	24,250	-	20,353	32	TOTAL REQUIREMENTS	28,580	28,580	-

TO: Mayor Taylor and City Council
FROM: Dennis Koho, City Attorney 
DATE: June 1, 2013
SUBJ: Eddy Appeal

At the June 11 meeting, the Council will hear the appeal filed by Rodger Eddy on his behalf and on behalf of any other actual or purported owners of the City's Notice dated January 30, 2013. That Notice required certain actions be completed or substantially completed by April 1, 2013.

Although the Notice did not specify the opportunity for appeal and its deadline, Mr. Eddy was in communication with the Council and the City Attorney from the start. He always requested his opportunity for appeal before the Council and will be asked at the outset of the appeal if he waives the specifics in the Notice. From a legal sense, his actual opportunity to participate in an appeal trumps any deficiency in advising him of his right to appeal.

The property in question is well known to the Council as it is near City Hall itself. Council Members should indicate for the record if they have seen the property and if so, has the viewing helped form any opinions about the property. The owners will then be allowed to present evidence to refute any tentative opinions that you may have.

A copy of the latest Notice is attached and is hereby made a part of the record. It cites several areas of concern and the specific section of the Code that provides authority for the alleged violation. After you hear the testimony and review all of the evidence, you can deliberate on the issues alleged and uphold all, some, or none of the violations alleged. In doing so, you should consider only that testimony and evidence which is in the record. This is another reason for stating any tentative conclusions you may have reached after viewing the property.

The allegations fall into three general categories:

- The structures on the property are unsafe;
- The structures on the property unrepaired following damage; and
- The structures pose some sort of public nuisance.

I will discuss below each category, the allegation from the notice, and the evidence in hand as of this writing - including a letter from Mr. Eddy's engineer.

The Structures on the Property are Unsafe

Allegations:

- A portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property. §4.
- Part of the building or structure is likely to partially or completely collapse because of, but not limited to, dilapidation, deterioration, or decay; the removal, movement, or instability of any portion of the ground necessary for the purpose of supporting such building; the deterioration, decay, or inadequacy of the foundation; or any other cause, that is likely to cause partial or complete collapse of the building. §7.
- The building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used. §8.

Evidence:

- Letter from The Building Department (which provides building inspection for the City)
- Councilor's own observations as made a part of the record and disclosed
- Statements from members of the community, if any, which have been made part of the record of this appeal

The Structures on the Property Unrepaired Following Damage

Allegations:

- The subject property has been damaged by fire, earthquake, wind, flood, or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Building Code for new buildings of similar structure, purpose, or location. §3.
- A portion of a building or structure has remained on a site after the demolition or destruction of the building or structure for a period in excess of 30 days so as to constitute such building or portion thereof an attractive nuisance or hazard to the public. §16.

Evidence:

- Admissions from the property owner
- Letter from The Building Department (which provides building inspection for the City)

- Councilor's own observations as made a part of the record and disclosed
- Statements from members of the community, if any, which have been made part of the record of this appeal

The Structures Pose Some Sort of Public Nuisance

Allegations:

- The building or structure, as a result of damage by fire, wind, earthquake, or flood, dilapidation or deterioration, or for any other reason, has become an attractive nuisance to children; a harbor for vagrants, criminals, or immoral persons; or a place that will enable persons to resort thereto for the purpose of committing unlawful or immoral acts. §11.
- The building or structure is in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence. §15.

Evidence:

- Letter from The Building Department (which provides building inspection for the City)
- Councilor's own observations as made a part of the record and disclosed
- Statements from members of the community, if any, which have been made part of the record of this appeal
- In particular, repeated public testimony at City Council meetings by representatives of the VFW whose building neighbors the property in question. Those statements are included in and made a part of the record by reference.

In defense, Mr. Eddy has provided a number of documents which are attached to this report, a report signed by his engineer attesting to the structure, and I anticipate he will present oral testimony as well.

At the close of testimony, the council has several options. It can close the record and move immediately to deliberations or it may leave the record open so that either side may present additional or rebuttal evidence. It also may adjourn the appeal hearing for up to two weeks to allow for personal inspections of the property.

Once the record closes, the Council should deliberate and make a determination on each allegation. The Council may affirm or modify all, some or none of the allegations. If the Council affirms any of the allegations, it should provide the City Attorney with direction on the imposition of civil penalties or prosecution should the matter not be resolved. Penalties of \$500 may be imposed for each day a nuisance goes unresolved if prosecuted as a violation under AMC 8.08.25 and another \$250 per day under AMC 8.10.230. The penalties are cumulative.

January 31, 2013

Edventures Ltd
Register Agent Janet Eddy
Interested Party Rodger Eddy
2582 NW Lovejoy St.
Portland, OR 97210

Re: Property at 21520 Main Street NE, Aurora

Dear Edventures Ltd, Ms Eddy and Mr. Eddy:

This letter follows the City Council discussion at their meeting on January 8, 2013. You were present for the discussion. The Council ordered me to issue a new notice to you that 1) Rescinds the notice to you issued last June; and 2) Contains the correct allegations so that you can address the Council's concerns over your property.

Recinded Notice

Accordingly, the Notice issued to you in June 2012 and signed by Lyle McCuiston as the Chief of Police and Building Official is rescinded and no longer in effect. Any time limitations contained in that notice are now void and the limitations and deadlines below will take their place.

New Notice

You are the owner of record of the property located at 21520 Main Street NE in Aurora, Oregon. I have viewed the building and property and determined that it to be dangerous as defined in the Aurora Dangerous Building Code, AMC 8.10.010, *et seq.* Such structures may be required to be repaired, vacated, or demolished.

AMC 8.10.020 states the purpose of the code is to remedy structures which from any cause endanger the life, limb, health, morals, property, safety, or welfare of the general public. Please see AMC 8.10.050 for a list of specific conditions which constitute a dangerous building.

The reasons for this determination and the reference to the particular section of AMC 8.10.050 are:

- The subject property has been damaged by fire, earthquake, wind, flood, or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Building Code for new buildings of similar structure, purpose, or location. §3.
- A portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property. §4.
- Part of the building or structure is likely to partially or completely collapse because of, but not limited to, dilapidation, deterioration, or decay; the removal, movement, or instability of any portion of the ground necessary for the purpose of supporting such building; the deterioration, decay, or inadequacy of the foundation; or any other cause, that is likely to cause partial or complete collapse of the building. §7.
- The building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used. §8.
- The building or structure, as a result of damage by fire, wind, earthquake, or flood, dilapidation or deterioration, or for any other reason, has become an attractive nuisance to children; a harbor for vagrants, criminals, or immoral persons; or a place that will enable persons to resort thereto for the purpose of committing unlawful or immoral acts. §11.
- The building or structure is in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence. §15.
- A portion of a building or structure has remained on a site after the demolition or destruction of the building or structure for a period in excess of 30 days so as to constitute such building or portion thereof an attractive nuisance or hazard to the public. §16.

Mr. Roger Eddy
January 30, 2013

Page 3

These conditions must be corrected. The Dangerous Building Code requires that you must secure all necessary permits and begin repair construction no later than sixty (60) days from the date on this notice. Repairs must be completed within a reasonable period of time thereafter. In this instance, repairs must be completed by April 1, 2013.

Because of the condition of the building, it may not be occupied until repairs are complete and inspected.

The nature of the building's conditions may lead to a decision on your part that it is more feasible to demolish the building rather than repair it. Please notify me if that is your choice. You will need to secure all necessary permits and begin demolition no later than sixty (60) days from the date on this notice. Demolition must be completed within a reasonable period of time thereafter. In this instance, demolition must be completed by April 1, 2013.

If you fail to begin repair or demolition as ordered, the City may post a notice on the building and begin repairs or demolition itself. In that event, all costs including any legal fees will be charged to you. If you have any questions please contact our City Attorney Dennis Koho (503) 390-3501.

Sincerely,

Kelly Richardson
City Building Official

**CITY OF AURORA
RESOLUTION NO. 514 (Amended)**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AURORA, OREGON, DETERMINING AND DECLARING THAT NUISANCES DO EXIST ON THAT REAL PROPERTY LOCATED WITHIN THE CITY LIMITS OF THE CITY OF AURORA COMMONLY KNOWN AS 21520 MAIN STREET, NE, AURORA, OREGON OWNED BY EDVENTURES, LTD., AND AUTHORIZING THE CITY RECORDER TO EXPEND CITY FUNDS TO ABATE THE NUISANCES AND ASSESS ALL COSTS OF ABATEMENT TO THE PROPERTY, ALL PURSUANT TO THE REQUIREMENTS OF CHAPTER 8.08 OF THE AURORA MUNICIPAL CODE.

WHEREAS, on August 1, 2002, the existing structure located on that real property owned by Edventures, Ltd. ("owner") and located in Historic Commercial Zone of the City of Aurora and commonly known as 21520 Main St. NE, Aurora, Oregon, 97002 being more particularly described as Marion County Tax Assessor's Parcel No. R97889 and Tax Map/Lot No. 041W12CD06300 ("subject property") was destroyed by fire leaving a small portion of the charred front façade standing, and the destroyed basement and property littered with debris and partially destroyed fixtures and personal property.

WHEREAS, the City of Aurora worked for years with the owner and the owner's representative to encourage a complete cleanup and reconstruction of the subject property.

WHEREAS, the City of Aurora finally authorized the Police Chief to issue a citation to Municipal Court for violation of the Development Code, Public Nuisance, and Abandoned Vehicle ordinances, the Municipal Judge found the owner's representative guilty and delayed sentencing to give the owner time to clean and rebuild the property. Then, the owner's representative eventually failed to cooperate with the Municipal Judge and he was fined \$2,000.00, which has now become a municipal lien on the subject property.

WHEREAS, in 2006, the City of Aurora, responding to continuing complaints from residents and businesses in the area, authorized the Police Chief to investigate and report on the status of the subject property and on any private abatement of the nuisance violations, which resulted in the Police Chief's detailed April 18, 2006 Report and his November 14, 2006 Report, the latter of which is attached as Exhibit A and is incorporated herein by this reference.

WHEREAS, the City of Aurora authorized the City Attorney to prepare and send a Notice – Order to Abate Nuisance and Notice of City Council Public Hearing, dated July 28, 2006, which Notices were sent to the owner and the owner's representatives by certified mail, return receipt requested, and which Notices were posted on the subject property by a Police Department Officer, both on July 28, 2006.

WHEREAS, within ten (10) days of the mailing and posting of the above Notices, the City of Aurora received a letter from the owner's representative protesting the Notices (which notice did not state that no nuisance exists), and requesting a hearing before the City Council.

WHEREAS, the City of Aurora conducted a hearing on the Notices on August 8, 2006, and the owner's representative appeared and offered extensive testimony, a summary of which is contained in the minutes to the City Council meeting of that same date.

WHEREAS, the City of Aurora has obtained a Proposal from Gary Wilmes Sand and Gravel, dated _____, which is attached as Exhibit B and is incorporated herein by this reference, in an amount necessary for the City to publicly abate any and all existing nuisances, including but not limited to removal of the remaining building structure, concrete foundation, basement foundation, concrete floor and all miscellaneous items from the subject property, and to restoration of the subject property to a safe level grade by filling the basement and all low areas with compacted engineered fill, which fill should be appropriate for the construction of a future building with a maximum height of thirty-five feet.

WHEREAS, the City of Aurora believes it is in the best interest of the City and its citizens to confirm, determine and declare that those structures, fixtures, infestations, and potential soil contaminations and personal property detailed in the Police Chief's Reports, and that those structures and personal property described in Gary Wilmes Sand and Gravel's Proposal are nuisances.

WHEREAS, the City of Aurora believes it is in the best interest of the City and its citizens to order the public abatement of the above referenced nuisances.

NOW, THEREFORE, based on the findings recited above, and on those findings contained in the attached Exhibits A and B, the City of Aurora does hereby confirm, determine, and declare that the nuisances do exist on that real property owned by Edventures, Ltd. and located with the City limits of Aurora, which is commonly known as 21520 Main St. NE, Aurora, Oregon, 97002, and is more particularly described as Marion County Tax Assessor's Parcel No. R97889 and Parcel No. 041W12CD06300, and does hereby authorize the City Recorder to expend City funds to abate the nuisances and assess all costs of the abatement to the subject property, including but not limited, to all costs of the physical abatement of the nuisances, and all costs of City staff and consultants time and expenses related to the declaration, prosecution, documentation and completion of the entire abatement process and all legal processes related thereto, including, but not limited to, the inspection and decontamination of the subject property, preparation of reports and other documents, and filing of any liens required for non-payment of all of the above costs, pursuant to all of the procedures and requirements of Chapter 8.08 of the Aurora Municipal Code, and all applicable state law.

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INTRODUCED AND ADOPTED this 14th day of November, 2006.

EFFECTIVE this 14th day of November, 2006.

By: Charles C. Donald
Charles Donald, Council President

ATTEST:

By: Laurie Boyce
Laurie Boyce, City Recorder

Aurora Police Department

City Ordinance Violation SUPPLEMENTAL REPORT Nov. 14, 2006 1615 hours

Location: 21510 Main Street NE
Aurora, OR 97002

Description: Former commercial building, Impressions Antiques
Destroyed by fire, August 1, 2002

Person involved:

EDDY, Rodger DOB: 12-22-1929 Male, White, 5'09, 135 lbs, OR D/L: 200379
2582 NW Lovejoy Street Portland, OR 97210

On November 14, 2006 at about 1615 hours, I visited the above location site of the original city ordinance violation of Chapter 8.08.050 Junk, Chapter 8.08.060 Creating a Hazard, Chapter 10.12.040 Abandoned Vehicles, Prohibited Action.

I observed that the premise had been abated of some violations that had been noted in my original report. I then began to document those conditions that continue to violate the Aurora city ordinances noted above.

Evidence:

Photograph

- 5626 1A>022 Stacks of lumber, assorted widths and lengths creating a nesting area for rats, mice, rodents and vermin.
- 5626 0A>024 In the background of the photo in the center is a junked vehicle – blue and white in blue over white delivery van. The vehicle is either inoperative and unlicensed or both.
- 5626 8A>008 Photograph from the backyard of Noel Kinder, Liberty Street, looking west into the premise of 21520 Main Street. A second view of the junked vehicle – blue and white in blue over white delivery van. The vehicle is either inoperative and unlicensed or both.
- 5628 10A>004 Photograph of an abandoned, non-operative, unlicensed vehicle. There are numerous steel wheels near the left front quarter panel of the vehicle and in the center of the photograph. In front of the wheels in the center, are vehicle parts that are rusty and obviously non-functional/non-working. There are buckets of metal scraps and or trash.

EXHIBIT A
PAGE 1 OF 2

Aurora Police Department

City Ordinance Violation (Continuation of Supplemental Nov. 14, 2006)

Location: 21510 Main Street NE
Aurora, OR 97002

- 5628 9A>006 Photograph of same abandoned vehicle as in photograph # 5628 10A>004, red in color with rusted sections, unlicensed and non-operative. Automotive wheel in foreground.
- 5628 8A>008 View of right side of lean-to containing the above description including the noted vehicle. Miscellaneous scrap metal in plain view, automotive wheels, an automotive axle and the left wheel/drum exposed under scrap metal.
- 5626 5A>014 Photograph from Main Street, looking through the chain-link fence, of the dangerous/dilapidated building from the south side, from public or private property. Only several 2x4 's securing the west wall of the former building. An additional view from the public sidewalk of Main Street, of the abandoned blue over white delivery van. The vehicle is either inoperative and unlicensed or both.
- 5628 3A>017 The second photograph from the backyard of Noel Kinder, Liberty Street, looking west into the premise of 21520 Main Street. A second view of the junked vehicle – blue over white delivery van.
- 5628 2A>019 An additional photograph from the backyard of Noel Kinder, Liberty Street, looking west into the premise of 21520 Main Street. View of the dangerous/dilapidated building from the east side, from the private property of Mr. Kinder. A second view of the poorly secured west wall of the former building.

Each of the above described exposures/photographs is in violation of one or more of the noted City of Aurora Ordinances referring to; Junk, Creating a Hazard, or Abandoned Vehicles, Prohibited Action. I observed each of these violations on each of the dates documented above, that I inspected the property.

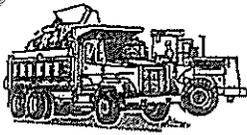
I am forwarding this report to City Recorder Boyce who in turn will be forward to City Attorney John Rankin. The evidence listed, 35mm photographs, have secured within the Aurora Police Department for chain of custody.

Chris D. Conboy, Chief of Police
November 22, 2006

Aurora Police Department

C:/my document/Eddy Ordinance Vio SUPPLMNTL

EXHIBIT A
PAGE 2 OF 2



GARY WILMES SAND & GRAVEL

RO. BOX 1042
CANBY, OR 97013
PHONE (503) 266-3266
FAX (503) 263-4049
CCB# 57995

STATEMENT

November 14, 2006

City of Aurora
21420 Main Street
Aurora, Oregon 97002

Attention: Bob Southard

Proposal

**Roger Eddy Site
Main Street
Aurora, Oregon**

Fill and compact basement area, approximately
50'x50'x9' deep, to City of Aurora specification
(TS99), 1,463 - ton washed screenings - Bar run
\$11.60/ton.

\$16,970.00

Price is good until December 31, 2006

Accepted by: _____

Date: _____

6. INITIATIVE PETITION DISCUSSION

Discussion and status report on the Annexation Initiative that will be on the November Ballot. Transcript of the March 14, 2006 City Council Meeting in regards to the Voter Annexation Initiative that will be placed on the November Ballot - It was the consensus of the city council to send any big annexations to the voters to be voted on in November.

7. PUBLIC HEARING

A public hearing to be Held and A Decision Made on the Abatement Process for the Old Impressions Building located at 21510 Main Street N.E., Aurora, Oregon – Mayor Carr opened the public hearing at 7:39 p.m.

Mayor, Bill Carr asked if anyone had any ex-parte contact, bias or conflicts of interest. Hearing none, Mayor Carr read a statement on how the public hearing will be conducted. (This is attached to the minutes).

Mayor, Bill Carr: “We usually have a staff report”.

John Rankin: “Yes. Quote unquote ...the staff report is included in your packet. It includes, if you look in your packets, a Notice-Order to Abate Nuisance a Notice of City Council Public Hearing dated July... Notice was dated July 28, 2006. It was sent to the persons responsible, which was Edventures Limited as the owner and Rodger Eddy as the person in charge, and I noticed that Rodger Eddy is here tonight. And that notice was sent to him regarding a piece of property that is described in the notice, tax lot tax assessor’s parcel number R97889, and tax lot 6300 on Main Street the address is 21510 Main Street N.E. And there is a Declaration of a Nuisance that was based in part on the December 7, Municipal Court Ruling...December 7, 2004 Municipal Court Ruling, which found the above persons responsible guilty of Nuisance Violations and based on the Aurora Municipal Code Violations Report prepared by the Police Department...Aurora Police Department.”

Chief Chris Conboy: “Did we attach the police report.”

John Rankin: “Yes we did. Good.”

John Rankin: “We got the Police Department’s Report attached to this notice, which itself is based on site visits to the subject property beginning April 18, 2006 and June 13, 2006, and there are photographs, and of course, detailed descriptions. And I say here the Notice of Additional Information can be obtained by contacting my self, the city attorney through the city recorder. What that Notice does it says that the Nuisance Must Be Abated...It says that the Above Persons Responsible Who Are Required to Abate the Nuisance within ten (10) days of the date of this Notice. The Nuisances Must be Abated or removed by the persons responsible within ten (10) days of the date of this Notice. If the Nuisance or Nuisances are not abated or removed within this ten (10) day period, then

the city may abate the Nuisance, and the cost of the abatement will be charged to the person responsible. If the cost of abatement is not paid by the person responsible, then the cost of abatement may be added and become a lien against the property. Additionally, failure to abate or remove the Nuisance may warrant an in-position of a fine. Notice is given at this public hearing...to hear testimony from the person responsible, as well as, all other interested parties regarding this matter and the notice also goes on to say that the person responsible may protest the Order to Abate the Nuisance by giving written notice to the city recorder within ten (10) days of this notice and we have received a Notice of Protest. ”

John Rankin: Read the protest letter in its entirety into the record that was presented by Rodger and Janet Eddy or at least the letterhead says Rodger and Janet Eddy 2582 N.W. Lovejoy Street, Portland, Oregon 97210, and it has a phone number. It is addressed to the City Recorder, City of Aurora, Aurora, Oregon, and it's dated August 7, 2006.

Here is the protest letter: “I protest the “NOTICE – ORDER TO ABATE NUISANCE” that was mailed to me at my home and dated July 28, 2006 and signed by John Rankin, City Attorney. I also request a hearing as provided by ordinance. I request that the hearing be scheduled after September 18, which is the date I will be returning from an out-of-state business trip.

John Rankin: “I have a returned receipt showing that it was picked up by Gary Hewitt on August 7th...and of course, I sent a copy to Rodger and Janet Eddy and Edventures by regular mail at the same time I mailed it certified. I have done a trio and I thought that I had a copy of Rodger's here to add it to, but I believe that ...Edventures is a duly registered corporation in the State of Oregon. And, is as I remember, ...no I have another thicker file and I think I did a ... pull this out. As I remember, a Edventures “I will correct this for the record if necessary” Edventures is a duly registered corporation and its president is Rodger and I think the secretary is Janet. At this point, you open the public hearing, and I think that the purpose of opening this public hearing is to take testimony from those people who are here, who have appeared, who have gotten notice, and to ... my recommendation is based on the letter that you have received is to, and this is subject to discussion and a decision by the council is go ahead and extend and continue the public hearing until a date certain in the future that fits with Janet's schedule, Mrs. Eddy's schedule.”

Councilor Schaefer: But Mr. Eddy is here.

John Rankin: “But Mr. Eddy is here. And we will see what his representation is.”

Councilor Joseph Schaefer: “Mr. Eddy is the president of the corporation.”

John Rankin: “Yes.”

Councilor John Steward: “Janet Eddy is the secretary.”

John Rankin: "That is my remembrance and we will have to have Rodger confirm that, Mr. Eddy to confirm that."

Mayor, Bill Carr: "I did not include a couple of things that I should have included. Are there any ex-parte contacts, bias or conflicts of interest to declare? Does anyone object to the City Council hearing this issue? Hearing none, Mayor Carr stated that we will hear from the applicant."

John Rankin: "Just read the list of how it will proceed so that everyone can comment."

Mayor, Bill Carr: "The building owner will be heard. Opponents will be heard. Proponents will be heard. Neutral parties will be heard. Any written materials received prior to the hearing by parties not in attendance will be heard. Building owner rebuttal of any points raised will be heard. Staff may comment on testimony or evidence presented. A decision will be made or the hearing may be continued."

John Rankin: "Just for the record. I want to make sure that it is understand that this relates to this Nuisance Violation and this Notice of Order and to the procedures that you are following that will subjugate the process that you are going through is all done by pursuant to Chapter 8.08 of the City of Aurora's Municipal Code. And of course, any and or all applicable Oregon Revised Status that is in the Notice, as well as, its based on part, as I mentioned earlier on the Aurora Police Department's Report that is attached in your ... your packet and made part of the public record. It lists the Aurora Municipal Code Violations, and the persons involved. It discusses specific violations regarding nuisances affecting public health and nuisances, junk nuisances creating hazard nuisances, as well as, abandoned vehicles and prohibited action. And there is a series of evidence, we should have photographs, those don't look like they have made it into the record. I do have copies of those here. And I will put those into the record. Chris do you have copies of these?"

Chief Chris Conboy: "I do. I was just writing Laurie a notice. When I gave her my packet to copy for council and you photographs were in a folder. And my manila folder was returned to me, but I didn't have the photographs returned to me. And I was wondering if they were secured in city hall."

City Recorder, Laurie Boyce: "I didn't know anything about photographs until just a minute ago."

John Rankin: "So I got. So I think that should be considered part of the record, as well. I got my file. I got the digital pictures here that were taken so I am going to put these into the record and I am going to give these to Laurie."

John Rankin: "We also have other letters that should be put into the record. I got a March 10, 2006 letter from the American Legion Post talking about the vacant un-kept building next door to our post, and all of this will go into the record including part of this notice to Mr. Eddy and to Mrs. Eddy, and they talk about mice infestation etc., and

imposing a serious health issue so that document will in the record, and is not attached to the packets, incidentally, but it will be in the record. And I will hand it to Laurie here in a minute. Then we got another letter this is dated ... March 29, or at least it was received on March 29, 2006 and this one is, I think from, Noel Kinder. It looks like it. Yes. Noel it is from you."

Councilor Joseph Schafer: "We should add it to the abutting property owner. Correct?"

John Rankin: "Yes. It should be the abutting property owner to the east of the property, and Noel is here tonight to offer some public testimony, if he likes. And then we have a letter from Mike Ausec, a member of the Aurora Community since 1995. And he discusses his concerns about the property, so all of those documents are hereby going into the public record. And I will get copies of those later. Ok. I think that is everything in the record that needs to go at this point. And we got the photographs and we got the rest of of of Chris Conboy's police report and that is all in here, and these documents. So I think that you have everything into the public record. So we are ready for you Mr. Mayor, and talk with, and ask if the person responsible has any comments."

Mayor, Bill Carr: "Building owner will be heard. Is that right?"

John Rankin: "Yes."

Mayor, Bill Carr: "Mr. Building Owner."

John Rankin: "Yes."

Mayor, Bill Carr: "It is your turn."

John Rankin: "Rodger Eddy. Please Rodger give us your address for the record."

Rodger Eddy: "2582 N.W. Lovejoy Street, Portland, Oregon 97310, my residential address. I guess I would a really prefer, I would have preferred to hear the other complaints that might be forth coming so that I can address them, but I don't mind addressing the complaints that have been set forth."

John Rankin: "You will have an opportunity to rebut those."

Rodger Eddy: "Yes. I understand that. Yes. I was approached before the meeting by a citizen of Aurora who denounced my bickering with the city council. I would just like to put it into context that a, as far as, this matter goes I have had no contact from, by, or with city council or any city officer or anyone involved officially with the City of Aurora, or for that matter with any citizen of Aurora.

So I haven't had the opportunity to bicker with you folks and a it is not my intention to want to bicker with you folks, but I just want to make it clear that we are not bickering. And, I only wish that when this situation came to the attention of the city council that

someone would have contacted us at that time, and so that we could have approved to you that we are not interested in bickering, that we are interested in addressing the problems, as they might occur. But we didn't have that opportunity so that in the meantime a case has been built and presented without our knowledge and without our input. And we intend on answer that to the best of our ability. So I am not going to bore you and to take up a lot of your time with a point by point rebuttal for the material that has been presented. And, at this point I think that it is more productive for me to address the general situation, and try to lump some of the complaints into a single answer on our part. Most of you, I am not acquainted with, but a few of you unfortunately am.

Just to put the history into context, my family has owned the subject property since 1965 for more than a dozen years we operated Aurora's largest single business from that property. And, since that time, after that time, it has been rented out or leased out as an antique store until the time of the fire. At the time of the fire, at the time of the fire, I was not an occupant of the building, except for storage purposes, and it was intended for business at the building. Also, to put it into context, there was a fire suppression, there were two fire suppressions systems in the building, one was a number of the fire extinguishers, and second, was a two inch water main connected to a fire hose, either of those fire suppressions systems were used in fighting the fire. And, unfortunately, the building was largely destroyed. The building a was on the National Registrar of Historical Places. It is, it was, and is an historic structure. And it was first listed as an important primary structure in the downtown Historic District.

After the fire, a I made it clear that our intention was to completely restore the building as closely as possible to the way it stood, because we value the historical site, we value the building, we value Aurora's history. I was given information that was partly correct and it turned out to be partly not to be correct. And, as a result of that, a to make a longer story shorter, a the family became discouraged from an economic stand point of the cost of the project was getting out of hand. However, we spent many thousands of dollars on our attempts to restore the building.

First of all, to go to the planning commission, which blessed our idea and which was thankful for our idea with wanting to restore the building. Secondly, our idea was approved by the planning commission, and subsequently, as I recall, ratified by the city council. We acquired a number of historically correct building materials so that we could restore the building as accurately and as authentically as possible. A lot of that material is still on site.

We even had some material especially milled so that the a piers and supports would be historically accurate. But it was very discouraging when we found out that the in spite of our planned duplication of the building we were not able to, we were not allowed to duplicate the building. At that point, a and a, and along with that was a substantial fine from the City of Aurora at a time when we were attempting to reconstruct the building, and it became clear that it was not a smart move to continue with the reconstruction project of the building.

At that time, we placed the building on the market for an active sale with the hope that we would attract somebody who would want to restore the building in the correct manner. And that is why, we have left the a front façade of the building standing, and is why we left the authentic building materials on site in the hopes that a subsequent owner will be interested in a correct restoration. We have had a number of interested parties nothing that has panned out. We continue to a attain interest for the property, but again, nothing has happened. My family and I a this is my finally historic note, my family and myself lived in the building for more than ten (10) years. So it's not that I am disinterested in the building or the site.

Now, to generalize the answer to my complaints, and again, rather than to go by detail by detail I will try to give you a general answer.”

Rodger Eddy: “You may want to follow along with the page headed “Aurora Police Department” dated April 18, 2006. And it lists first a “No person shall cause or permit a nuisance to affecting public health on property owned by and controlled by a person and so on.” It says accumulation of debris, rubbish, and manure and other refuse and compost, and that is not necessary an actuation, it is just a quote from ordinance. So I don't think that we have been accused of dumping manure on this site, stagnant water that hoards a breeding place for mesquites and other animals, old iron and so forth. I am going to skip the next one, because I need a separate answer to that.

Well, I'll just, I'll address these first two, because a couple of the letters of complaint regarding the property a reference to a mice and rat infestations. There are no mice or rats on the property. I see no plain evidence that there are mice and rats on the property. And, adjoining property owner has started that he has mice droppings in his basement, I can not refute that. It is very likely that he does have mice droppings in his basement. I talked to a former maintenance person at that building, who told me, and that is hear so, but he told me that there is always mice droppings in the basement that every time that he cleaned it up, he had to clean out the mice droppings. I am sorry that the neighbors have mice in there basement, but they are not our mice. I think that they are there mice.

There's comments about a this is a breeding place for rats and mice. A very popular accusation when there is a vacant property. My answer is that there are no rats or mice on our property. I can't say that one wouldn't travel across, occasionally. The other day I noticed a squirrel traveling across an Aurora public street. But certainly there are rodents in Aurora. I have no dispute about that. And, I would not be surprised that occasionally, that one would not cross our property. But I don't believe that they live there. I think that more to the point, is the fact that since the fire a cat has lived on the property, and therefore, is feed and water and is as far as I am concerned, patrols the property to prevent rat and mice infestations.

The other day, I noticed when we were doing some clean up, I noticed a small nest of yellow jackets coming out of some vegetation, and probably there are occasionally yellow jackets on the property is we have at our home in Portland.

I noticed a probably a couple hundred tiny ants under a piece of wood that we were cleaning out, and I would image that that type of wildlife exists on our property, as well as, probably most other properties not only in Aurora, but in the State of Oregon.

I don't believe that we are creating any particular nuisance or hazard by the existing condition of the property. I could regale you with more details, but I am not going to. Creating a hazard, failing to repair or remove any dangerous or dilapidated building and I think that there, that there is certainly is a germ of argument about a failure to repair or remove any dilapidate building. It is not a dangerous building. The building, the entire property is, I think you are aware it's completely fenced with chain link fencing. And that was, and that was partly done at our belligerent and partly at the request of the city to fence that property a it is properly fenced. I don't believe that anything larger than a small cat that could crawl under one of the two gates that are on the property."

Rodger Eddy: "The a reference has been made in one of the complaints too, the fact that, 2 x 4's hold up this dilapidated structure. There are 2 x 4's attached to the existing walls of the building not to hold it up, but to present added safety in the event of a wind storm. The walls are still standing and they are sturdy, but we wanted to be extra safe. So we put up 2 x 4 angled boards to the wall to prevent any possible blow down in the event of any un-unusual wind situation, which has not occurred.

So the walls are standing and they are well braced. The walls are there simply because we hope that Aurora will use its history and utilize this part, this only part of the building that is visible and standing. We have put in a number of hours on restoring that front with new siding and a, and associated work, a work that we have abandoned at the time that we decided not to rebuild the building. We could tear down the building, which would not be difficult to tear down what is left. At that point, there is nothing left of the history of the building. And, somebody might want to replica it or they might want to do something completely different. So if it is its continued sense that this an eye sore and a dilapidated building rather than a piece of Aurora's history, and to hope for a future rebuilding, then we would certainly consider your wishes on that."

Rodger Eddy: "A next. 'Abandoned vehicles prohibited action. It is unlawful to store, or permit the storing of, a discarded vehicle upon any private property within the city and so on and so on unless stored in a building.' There are vehicles on the property and there have been historic vehicles stored on the property since 1965. There are presently four vehicles on the property. Two of them are in a carport that is invisible or nearly invisible from any a public view.

There is a another vehicle that we are hoping to use or utilize in our rebuilding project owned by another person and I have had a difficult time in reaching this other person, but I have reached this other person and that vehicle which is the one that is mentioned in the police report is going to be moved within probably two or three days because, frankly, I don't want that vehicle there any longer myself.

A the vehicles that are on site are licensed, I am not going to guarantee that the license plates are visible on those vehicles that are never moved out of there places, but they are registered-titled licensed vehicles. They all have a value. They have historic value, as well as, real market value. We're, I am not ataman about maintaining vehicles on the property, although, I believe that there is no reason not to maintain the vehicles at least in the carport. But again, I can only, give you my assurance that one of those vehicles probably, the most visible is going to be moved almost immediately.

The evidence that Mr. Conboy a brings forth and I am not disputing his report or evidence at all. I think that he has done an accurate job of portraying what he say and describing it to you, but I don't believe that stacks of lumber, assorted width and lengths, first of all, create a nesting area for rats, mice, and ferments. I don't believe that is the case. They are not stacked in piles so it provides a place for ferments and not to mention our watch cat. But there are several stacks of, what I call vintage lumber that were built or obtained that are correct for the rebuilding project. Now, if it is truly, a violation a we will probably just sell the lumber. Maybe, we need to obtain a business license for a lumber yard to sell the lumber that we have there, if that is going to be the Altamont desire of the council, we can do that. I would much prefer that the lumber and the building materials stay there in the hopes that they are going to be used in a restoration of the site.

There is a documented picture of a five gallon bucket that is containing water to its brim providing a breeding place for mesquites and other insect nests. Frankly, I don't know how the bucket got there, any time we worked, we would have a bucket, we would tip the bucket upside down. The bucket is no longer there and hasn't been there for some time, but I can't deny that it might not have been there at that time."

Rodger Eddy: "There is also a photographic documented pile of used tires and steel car wheels a and I am going to frankly say to you that I think some of Mr. Conboy's observations, and some of the cities complaints are legitimate, and accurate and we have been trying to correct some of those, particularly the wheels and tires, which should not have been there. And this vehicle, which is allowed to be there, which we are going to move a I felt that there are some other building materials that were not a neatly stored, and we tried to approach that."

Rodger Eddy: "We have done work on this property earlier this year, and we didn't get back, frankly to work on this property until just about the time of this complaint. Again, I regret that we were not notified or worked with or talked to before that and we probably would have gotten an earlier start. But I don't believe or I haven't heard, that Mr. Conboy or a city representative has been back to review the property in its condition at this time, because there are quite a few things that we have moved off, and there are quite a few other things that we are in the process of moving off, and intend to move off.

Because we do want to make the site presentable, but we also would appreciate the right to maintain some building materials there in hopes that somebody will restore the building. Short of that, we are stilling willing to cover the building.

The building materials are there so that we can do that. So that if, if it is, a partially open basement, because we did re-cover probably 2/3 of the basement. We could re-cover the rest of the basement, if the city would allow that, and that would that would essential element much of the complaint of standing water in the basement. And there is very little standing water, because we had a sump-pump hooked up that pumps out water a from the sump-pump, which the water primarily drains into, except for perhaps, an inch or two puddle in places that doesn't drain into the sump-pump. I think that covers most, well not it doesn't cover most of the complaints. We don't intend on hire the pipe piper of hamlet to filter the property to get rid of the rats and mice that don't exist. I can understand the frustration of business owners in the City of Aurora, because our building was the site, of what I believe, was the finest antique store in Aurora. And it had to be the great draw for the town of Aurora, as well as, for other antique businesses in town."

Rodger Eddy: "And, it is very regretful that the building burned down, and I regret it probably more than the complainers are dreading it. I very much regret it having lost an historic building, but the fact is, that the building did burn down a the fact is, that it probably has been a negative impact on Aurora's business. But, unfortunately, that is not our responsibility a the building has been for sale if somebody wants to step up, and do we what had chosen not to do or what we determined is not economically possible for us to do, the building is for sale. Check the sign and call the realtor and let them talk to me about it, if somebody thinks there should be a substitute structure there, like the old one or different talk to me about it and do it. It's open. It's on the market. It's available. If you don't want to spend the price for the land, talk to me, we will give you a lease. We are not trying to lock up a vacant lot in the City of Aurora without development. We are perfectly willing to listen to reasonable alternatives, reasonable answers, a that would bring something about on that site. And, I think with that, I probably ought to end my comments and let the other members of the public address there complaints. Thank you very much."

John Rankin: "Does a anybody any member of the council a or staff have a question of Rodger at this time? This is the opportunity to ask questions. If, there is something that needs to be addressed."

John Rankin: "I have one question Rodger, if you would please. Are you the president of Edventures?"

Rodger Eddy: "I am not at this time, but my report will show that I am not an officer any more."

John Rankin: "So you are not an officer any longer. How are the officers of the company?"

Rodger Eddy: "My wife and daughter."

John Rankin: “And that is Janet and what is your daughter’s name.”

Rodger Eddy: “Angela.”

John Rankin: “Angela. Your wife is the president. Is she?”

Rodger Eddy: “Yes.”

John Rankin: “And, your daughter, Angela is the secretary.”

Rodger Eddy: “Yes.”

John Rankin: “So what capacity are you here in.”

Rodger Eddy: “Well. According to your notice, and I quote.”

John Rankin: “Yes.”

Rodger Eddy: “Notice is also hereby given so on and so on and so forth to hear testimony from the “persons responsible” and all other interested parties regarding this matter. So I guess, I am both a person responsible and an interested party.”

John Rankin: “Ok.”

Rodger Eddy: “Because I am listed at the heading as the person responsible.”

John Rankin: “I remember back at over a decade and that is why I am asking you the question. As you know, back a decade there were representation you made that you weren’t part of, at one point in time.”

Rodger Eddy: “That is not correct, John. I respectfully, and it is on the record that I did clearly identify the owner of the property that is across the street that was the subject at that time, the Krauss site. I clearly identified to the city council the owner of the property, and that I was there not as owner of the property. I made that very clear. It is on the record and it’s in the minutes of the city council. So if there was any offverfiscation it was not on our part.”

John Rankin: “Ok. Go ahead Chris.”

Chief Chris Conboy: “Mr. Eddy when I sited you with a civil citation into Municipal Court, well, 8 or 10 months after the fire. You told the municipal court that you were still the president of Edventures Unlimited.”

Rodger Eddy: “I believe so.”

Rankin: "Can you tell me Mr. Eddy when did a, when did the change occur, the change changes in officers?"

Rodger Eddy: "I would have to, rather than guessing its, its not an active corporation. Its not the kind of corporation that has monthly meetings from month to month, because, it is essentially, a holding company. We have meetings were we have action in lieu of meetings, but without looking into the corporate records I am only guessing."

John Rankin: "Ok. Are you represented by an attorney on this matter?"

Rodger Eddy: "No."

John Rankin: "Um. So at this point, you are responding because you are listed as a "person responsible" not because you are representing the owner of the property. Is that an accurate statement?"

Rodger Eddy: "Yes. I am listed as a "person responsible" and so that is the manner in which I am responding."

John Rankin: "So you're not made, none of the representation made. Are you representing the owner in the statements that you made tonight?"

Rodger Eddy: "No."

John Rankin: "So you are representing yourself personally, as any called by the notice "responsible person."

Rodger Eddy: "I am not trying to make it difficult for you. Although, it, it, it, a, I understand your concerns. Certainly, I understand your concerns. It is a legitimate one, but, and so I don't want to fly under any false colors, and tell you anything that isn't correct."

John Rankin: "Do you know when the owner of the property would be available to a meet with the city council in a public hearing segment?"

Rodger Eddy: "Yes. According to, according to the notice after September 18, and frankly, a as a listed "person responsible" I would, its fine, if you wanted to wait until then and have a hearing or to continue this hearing. But, I would appreciate some feedback tonight, because that's a more than a month a way, and I would like to be doing something. Some other things that would a litigate the cities objections or to work with the city that is what I want to do, and my wife, who is not here has the same feelings. We would rather work with the city, and try to get some things accomplished at the property that the city feels is proper. And a, and that we can agree with, and a move ahead with some other things with some improvement, if you want to call it improvements or something, some work we will put it that way, we would like to do some work on the property in the meantime to litigate your concerns."

Councilor Joseph Schaefer: “Mr. Eddy. I would like to follow up with what you said a moment ago about Edventures not being an active corporation currently.”

Rodger Eddy: “It’s an active it’s just its not it’s not a corporation that conducts business on an on going bases. We don’t have a store that is owned by the corporation.”

Councilor Joseph Schaefer: “But it is an active corporation.”

Rodger Eddy: “It is an active a duly registered corporation, but its primary function is as a holding company for this particular real estate that is not a functional piece of real estate anymore.”

Councilor Joseph Schaefer: “Do you have any interest in the corporation?”

Rodger Eddy: “No. I don’t. I am a member of the corporation a.”

Councilor Joseph Schaefer: “Do you have any shares?”

Rodger Eddy: “No. I don’t own shares, but a I am a.”

Councilor Joseph Schaefer: “Are you an employee?”

Rodger Eddy: “No. I am not an employee.

Councilor Tom Ramsey: “If you are not an employee and you not representing the owner why then we just spent 20 minutes listening to your rebuttal to all of that stuff. I mean, a what do you have to do with anything?”

Rodger Eddy: “I think that Mr. Rankin can explain that a, as well as I can, but I am.”

Councilor Tom Ramsey: “So you don’t represent anybody and you don’t have anything to do with it. So why? What roll do you claim here?”

Rodger Eddy: “I have been assigned the roll of doing getting something done with the building.”

Councilor Tom Ramsey: “So you are representing someone?”

Rodger Eddy: “To that extent yes.”

Councilor Tom Ramsey: “So I guess I am trying to understand why we took all the time to listen to you.”

Rodger Eddy: "Because I am described as the "person responsible" so.

Councilor Tom Ramsey: "Are you?"

Rodger Eddy: "I am the "person responsible" for the project. Yes."

Councilor Joseph Schaefer: "The president of the company is aware that you are coming tonight for the hearing?"

Rodger Eddy: "Yes."

Councilor Joseph Schaefer: "And you discussed with the president that you would be coming and what you would be talking about. And you probably came up with a plan with the president of the company."

Rodger Eddy: "No."

Councilor Joseph Schaefer: "Did the president of the company just tell you to come?"

Rodger Eddy: "The president of the company is my wife, and she expects me to a present the picture that I presented to you."

Councilor Joseph Schaefer: "So the president of the property, of the corporation that owns the property directly sent you to testify tonight."

Rodger Eddy: "I was instructed to be here by the city as the "person responsible".

Councilor Joseph Schaefer: "Were you instructed by the president of the company to be here?"

Rodger Eddy: "I am not going to say that I was instructed by the president of the company to be here. The president of the company knew I would here as the "person responsible."

Councilor Tom Ramsey: "This is off the subject. What other animals do you have other than the cat? Are you keeping them or are they a stray cat that is some how feed there? Are there any other animals on the property?"

Rodger Eddy: "It is not a stray cat. It's a cat that calls that property its home, and lived there before the fire. He continues to live there in his a is a feed and watered on the property."

Councilor Tom Ramsey: "By."

Rodger Eddy: "By the owner of the cat who is a former tenant at the property who's name is Gary Hewitt."

Councilor Tom Ramsey: "They came by and feed it."

Rodger Eddy: "Yes."

Councilor John Steward: "To the best of your recollection was this change in ownership or the change of president change of officers of Edventures done within the last 60, 90, or 120 days or longer then that."

Rodger Eddy: "No. It was prior to that."

Councilor John Steward: "Prior to that. In Joseph's hand at the moment is the Secretary of State's Registration of your business. You are still listed as the registered owner registered agent of that business. Your wife is still listed as the secretary."

Councilor Joseph Schaefer: "And Mr. Eddy is still listed personally as the president, as well. Here is a copy of it, if you would like to look at it. We just pulled it off of the web a few minutes ago. And we will put that into the record, as well."

Rodger Eddy: "Well, I see that a the renewal date coming up is 9/23/06."

Councilor John Steward: "As of 11/05 a payment was made with that current information."

Chief Chris Conboy: "11/05/2005 you renewed the business under that name as the registered agent."

Rodger Eddy: "Alright. That was in 05, it could be."

Chief Chris Conboy: "November of 05. That was the date it was changed."

Rodger Eddy: "I am sorry I don't remember the date it was changed. If that."

Councilor John Steward: "But it was prior to 30 to 120 days ago."

Rodger Eddy: "Yes."

Councilor John Steward: "I don't know what the frequency is that they update that. I get updates to it of who the new businesses in town are on weekly bases, definitely a monthly base. So according to the State you are still the registered agent, as well as the president of the company. So, I guess do still we refer to Mr. Eddy as the owner of the corporation?"

Councilor Joseph Schaefer: Well, John. I would like to ask "Do you have copies of any corporate minutes or things of that nature. I am not familiar with corporate language. Do you have documentation that? "

Rodger Eddy: “We have we have a corporate minute book, which I certainly do not have it with me, a but a I am not disputing your records. But, all I know is that a it’s an annual report that has to be filed. It’s the annual report last year that showed me as the president. I presume that is correct.”

John Rankin: “And for the record, I have addressed a certified letter to Rodger Eddy’s residence, Janet Eddy Secretary, Edventures at P.O. Box here in Aurora. And, what I do is go right to the Corporation Division’s Registration records and do a name search, and found that, and that is why I addressed it to you, Mr. Eddy as the president instead of copying individually to you and Janet, your wife. So, are you saying now that you are here representing the Edventures, the owner of the property or?”

Rodger Eddy: “No.”

John Rankin: “Ok.”

Councilor John Steward: “So all the records.”

John Rankin: “All we have is the public record to go from, and normally, my experience, and this is my experience is that all the corporations that I have worked around and the LLC’s etc. that I form and work around that when you do change in your corporate minutes you do change the officers of the corporation. You go ahead and give notice of that change to the State. And, a I guess what the city would like to see is a some evidence that shows that you are no longer the president and that you weren’t at the time the notice was sent. All we can do is go by the public record. Public Record says you are the president so.”

Rodger Eddy: “All I can say is that I am a little baffled by the concern. I thought that I was addressing your concerns tonight forthrightly and a a technicality of whether I am an officer or not, I did not realize was a great concern to you when I was a discussing it.”

Chief Chris Conboy: “Mr. Eddy do you remember when the fire was on the property?”

Rodger Eddy: “August the 1st 2002.”

Chief Chris Conboy: “Do you remember how many court appearances that you had at Aurora Municipal Court, and how many delays and how many extensions you asked the judge for?”

Rodger Eddy: “No. I don’t.”

Chief Chris Conboy: “What was it? It was two plus years at court. Now you are here to tell the city council finding a way to do it again with the excuse that you are not the president. So you are trying to stop it. You are trying to bring this to a head.”

Rodger Eddy: "I am not accusing as an excuse that I am not the president. I am, I am conveying to you our desire, my desire, the corporation's desire to work with you. And, I am here tonight to try to work with you."

Chief Chris Conboy: "It has been two plus years. Hasn't it?"

Councilor Joseph Schaefer: "Is there any other council members that would like to ask questions of Mr. Eddy, if not, I would suggest that we move it along to other folks that would like to testify."

Mayor, Bill Carr: "Ok."

John Rankin: "And Mr. Eddy will have an opportunity to rebut any comments that are made."

Mayor, Bill Carr: "I will look at my list, and its says, opponents or rebuttal."

John Rankin: "Are there any opponents?"

Councilor Joseph Schaefer: "I would like to clarify what an opponent is."

John Rankin: "Yea. I would, let's say these are folks who want to comment on the public record, and really an opponent relates to a quas-i-judicial setting that we have an applicant, proponents and opponents so let me clarify that for the record so that there is no concern about Mr. Eddy, and a his wife, and a the company. What we are asking for now is testimony from any other interested parties who would like to speak to the issues that are raised by this Notice of Abatement, Notice to Abate Nuisance."

Noel Kinder: "My name is Noel Kinder and I live at 21533 Liberty Street N.E. I want, as much as I intend to. I will not explain point by point rebut the arguments that Mr. Eddy has put forth frankly, I don't it makes a lot of sense. First and for most, I see absolutely no reason to delay this hearing to September 19, 2006, based on any number of factors, largely do to the conversation we just had clearly identifies Mr. Eddy as the people representative of the corporation. So I am for you not to delay this again. I see absolutely no intention to restore this building; the building has been in such a state for more or less for the last four years. I want re-articulate all the points that I made in my letter to Mr. John Rankin did a very good job of capturing those in the complaint. The one thing that I will say that I think is missing is the fact that the basement might clearly attract young children with the fact that it is an open basement, open vault, and this bothers me. I have a four year who is clearly keep able of scaling the chain link fence that is behind my property that makes me a little nervous. Fence or no fence, kids from two to twenty have assessed to that property, and it is a dilapidated building in spite of what your presumption of reality of that would be. I see that this is a pretty open and shut case, frankly, I am not an attorney with all do respect to John Rankin, but the Municipal Code seems to be pretty adequate on this matter, and I am happy that the city council has

decided to take this action. I am surprised that it has taken this long. That is all that I want to say.”

Mayor, Bill Carr: “Am I suppose to read this words that are wrong or am I just suppose to do something else.”

Councilor Joseph Schaefer: “You are supposed to ask if there is anyone else that would like to testify.”

Mayor, Bill Carr: “Any one else, what he said. Anyone else that would like to testify.”

Mayor, Bill Carr: Ok. Hearing none.

John Rankin: “You need to jump back to Mr. Eddy to ask if there are rebuttal statements that he has.”

Mayor, Bill Carr: “Ok. Mr. Eddy any rebuttal. Mr. Eddy.”

Rodger Eddy: “Yes. Thank you. A Mr. Kinder sees no intention to restore the building and our desire is to have the building restored by a new owner. Short of that, as I mentioned we are willing to a enclose the basement, and continue to work on the building and enclose the basement, if that would a, if that would provide an answer. The basement is described as an open vault a, and I think that most basements are that could be described as open vaults. I don’t believe that kids have access to the property. There is a chain link fence that completely surrounding the property, if an animal, an adult, or a child wants to scale the fence with a ladder or by a climbing up, crawling the fence, it is certainly possible. But a, I don’t believe that a, if you want us to put barbed wire at the top. I mean, that is, maybe that is a deterrent maybe that would damage the intruder to the point they wouldn’t want to come in. We have had no intrusions that I know of. The gate and fence are soundly enclosed, and far from being an open and shut case. I think that there is a lot of room for discussion, investigation, and negotiations between our selves and the city, and that is why I am here tonight in hopes that we could arrive at some a concrete resolution.”

John Rankin: “Just for the record. I am, I think that the council needs to know the length that the city went to through with the previous declaration of nuisances’ process. It was citations into municipal court an I don’t remember the exact dates that we started, but it seems to be that it last 18 to 20 months. And, we were in court on a monthly or every other month bases a working with Mr. Eddy trying to get some compliance with the requirements of the land use code, building codes, and that sort of thing to Mr. Eddy’s credit he did prepare some drawings. They were not stamped by a the engineer, and I don’t think that they were ever stamped by an engineer. They were submitting to the building services division in Marion County, and the building services division kicked them back saying that they most be stamped in order for them to start there plan review. And, after numerous attempts by the judge a to a obtain compliance with Mr. Eddy and his company, and one day he walks in, and said that he wasn’t going any further, as I

remember the general statement. And, at the point, at that time, I immediately asked the judge to go ahead and sentence Mr. Eddy, and at that point she had found him guilty of Violation of a Nuisance Ordinance, and the sentencing didn't delay to that 18 or so months. And at that, a sentencing did occur a \$2,000 fine was assessed, and that has become a lien against the property. Just for the record."

Councilor Joseph Schaefer: "Mr. Mayor, Are we ready for a vote or do you think that we should have some discussion?"

Mayor, Bill Carr: "I guess it is up to us, and we need to discuss it."

John Rankin: "Let me interject a thought here, to is that the process under the ordinance. We have for the public record we have a sent notice, and that notice has been responded to, and I am looking at 8.08. I am looking at a 8.08.18 and it says "Determination of Notice of a Nuisance and Notice Procedure" so a determination of a nuisance was made by the city, made by the city back in a 2003, I believe it was. The judge actually determined that the nuisance did exist on the property, and it has been substantiated by a Police Chief Conboy recently. And in the nuisance it self a notice has been sent of this nuisance in Order to Abate was sent on the 28th of July, and this notice of hearing was set. We've got a Notice of Protest. The Protest was a is not complete in my estimation, because the Ordinance says and I am quoting from 8.08.190 "Abatement by the person responsible. The person responsible has the following options within 10 days after posting of the notice etc. The person responsible should remove the nuisance or show that no nuisances exists or within 10 days of posting the notice and mailing of the notice. The person responsible shall file a written statement with the recorder that specifies the bases for the protest that no nuisance exists. And Mr. Eddy has shown, and the city has provided a public hearing and Mr. Eddy has responded to the public hearing, and, his wife as at least responded with a protest that its interesting that protest itself is signed by Janet Eddy as an officer of Edventures Limited. So we got Edventures Limited filing a protest, but not giving us any bases for that protest except in slogan terms, oral testimony by Mr. Eddy, who says that he's no longer the president or no additional interest and no interest at all in the corporation. Now, the next step would be for the city council a to determine to make a Declaration of Nuisance to complete the process and maybe, Bob you can speak to this, the process of gathering estimates to a estimate the a cost of any abatement by the city a, and then instructing city forces to go forward with that. That Declaration of Nuisance needs to be in writing."

Councilor John Steward: "Joseph has already prepared the Declaration of Nuisance?"

John Rankin: "I think that the city council needs to do it again."

Councilor Joseph Schaefer: "Don't we have a Declaration in front of us, I presume."

John Rankin: "No. You have a notice in front of you. You don't have a Declaration prepared."

Councilor Joseph Schaefer: "I might suggest that we type one up immediately."

John Rankin: "Well. I would ask that with the reports and responses back that we have from Mr. Eddy that a Declaration of Nuisance can be drafted now that would address the issues specifically, because what Mr. Eddy and his testimony is referenced is that the statement of the ordinances and the ordinance violations in the report do not by themselves constitute a statement that he is making to you. They do not by themselves make a statement to you an adequate description for him to respond to, he has gone ahead and responded. There are the letters in the file that also address the nuisances in specific terms, but my opinion is that you need to put together a Declaration of Nuisance that has a careful crafted list of all of the existing nuisance issues that you see based on the police report and the judges Declaration back in those days, and the current report by the Police Chief. And, then that you extend this public hearing to a date certain where Mr. Eddy has an opportunity to respond to that Declaration and make a decision."

Councilor Tom Ramsey: "What would be the alternative?"

John Rankin: "The alternative would be to again a, honor a Janet Eddy's request as the officer, she doesn't say president, but is the officer a to extend the public hearing or this is my comment to close this public hearing and re-notice her for a new public hearing based on the representations that Rodger Mr. Eddy has made to us tonight."

Councilor Tom Ramsey: "I guess the alternative that I was looking for was what the alternative that this requires another time is?"

John Rankin: "Oh. Well."

Councilor Joseph Schaefer: "I am drafting a Declaration right now to incorporate some listed violations that we have in our packet and the report prepared by Chief Conboy. I also am going to include some instructions in there to direct the Public Works Department to immediately proceed with all do speeds. I think that we should all have a vote on it."

John Rankin: "Well. And, all I would say to you is I think that's a that would be not my suggestion. I will say it this way to you. I don't think that is appropriate under the circumstances to draft a Declaration of Nuisance that would be a legal document that would go forward and be appeal able by Mr. Eddy and his company a it is drafted tonight at a meeting."

Councilor Joseph Schaefer: "With all do respect John; I am shocked that we don't have such a draft in front of us. The agenda was listed as a public hearing and a decision was to be made. I just don't understand why we don't have such a precision document."

John Rankin: "A Joseph you can make a decision to declare it a nuisance. You can put your list together, and let me draft the document with your help; if you want to draft the beginning document you are certainly welcomed to do that."

Councilor Joseph Schaefer: "Right."

John Rankin: "It would certainly save me time to do it, but that document needs to be carefully crafted, and given back to and set another public meeting with a special public meeting, and it can be a week from now. And, the decision can be made based on the document that you have in front of you."

Mayor, Bill Carr: "Noel. You simply wanted to say something."

Noel Kinder: "There is probably no one in this room that wants this to happen faster than me, but I would prefer that this be iron clad."

Mayor, Bill Carr: "Absolutely."

Noel Kinder: "And, I would prefer, with all do respect Joseph that you take the time to do this right. I appreciate your earnestly, believe me I do."

Councilor Tom Ramsey: "I think that the idea is that we all know what where we want this to go, but let's make it as quickly as possible. I don't want think that we need to handle this with kid gloves on. But we need to do it right. But I don't think that we need to delay to find out on a piece of paper who's the president. But I think we need to do it correctly."

Councilor Joseph Schaefer: "Do we as least have a consensus that we don't need any more hearings. That it is a matter as just drafting a simple document."

Councilor Tom Ramsey: "Exactly. Everything else should be taken care of."

Councilor Charles Donald: "I think that we should leave the door open until we have crafted the Declaration of a Nuisance."

Mayor, Bill Carr: "I agree."

Councilor Joseph Schaefer: "How about you John?"

Councilor John Steward: "I think that we need to make the list, and this has gone on."

John Rankin: "What I would suggest to you, I understand what you are trying to do, but what I would suggest to you is that at the very least you give Mr. Eddy opportunity to prove some different ownership, because, if in, deed that's the case, this happened in '93, '94, '95 along through that era, and we had, and it was raised as an issue, but I am not the representative, I am not here, just responding. This is the same kind of discussion occurred, and resulted in a sufficient amount of litigation, and that is all in the public record. And, I would caution this council moving forward with any too quick judgment on this matter. I just think that you are doing it against my advice, frankly."

Councilor Tom Ramsey: "Let's refer to you. You make the decisions that are legal. I think that the consensus is that we move as quickly as possible."

John Rankin: "I understand that."

Councilor Tom Ramsey: "As quickly as we can."

Councilor John Steward: "The problem is that it will be October before we get started on this."

Councilor Joseph Schaefer: "I think those two goals are un-usual in its self. I guess, I have on this question. What's wrong with this list that was." (this was the end of the tape and the discussion kept going while I was changing the tape).

John Rankin: "The findings need to state the ordinance itself, acception of the Municipal Ordinance, the Municipal Code, and state the facts that were determined to be in existence on the property. And, then reach a conclusion, drawing those facts of that law together and reaching a conclusion."

Councilor Joseph Schafer: "And that drafting has not been started yet."

John Rankin: "No, because this public hearing was necessary before that. It was necessary, because you need to give the 'person responsible' the opportunity to respond to the determination of a nuisance."

Councilor Joseph Schaefer: "And, how quickly can you draft that?"

John Rankin: "That can be drafted for a meeting next week, at this point."

Councilor Joseph Schaefer: "So we could have a special meeting next Tuesday."

John Rankin: "You could have a special meeting next Tuesday, if you wanted to. What I would want to be able to happen, in the mean time, I want to be able to give Mr. Eddy enough time to communicate with me and or have his attorney to communicate with me, if he wants to be represented by an attorney in a way that proves who is the responsible party on the behalf of the corporation. Once, we determine who's the 'responsible party' is of the corporation, then I can, we can go through a very short process of giving him another ten (10) day notice, and making it work, because if a notice goes out, and this could be applicable, I want to make it squeaky clean. And, I want to make sure that everything you are doing is absolutely proper."

Councilor John Steward: "And could that be done in this next meeting, plus 10 (ten) days."

John Rankin: "Your question is?"

Councilor John Steward: “The question is. When could we have the next meeting?”

John Rankin: “Let me ask Mr. Eddy that question.”

John Rankin: “When, Mr. Eddy do you think a Mrs. Eddy can get us the documentation that we need to determine who is in charge?”

Rodger Eddy: “Probably within a few days.”

John Rankin: “Ok.”

Councilor John Steward: “Isn’t that public record at the state so that we can check it?”

John Rankin: “Well. Mr. Eddy is right that the public record even though you have some duty to inform the public record of changes of president, etc., is you still really don’t get to it until the annual report that comes out. And, when the annual report comes out you actually sign with the new officers, and it goes in. In many cases, that is what happens. This is sort of an industry standard. Even though there is a duty, my estimation for the corporation to inform the public by registration of who the new officers are.”

Chief, Chris Conboy: “So even though the document that you were given from the internet dated 11/05/2005, that was when it was posted. They have until January 2006 to November of 2006 to change.”

John Rankin: “They have until the date of their next annual report. What ever date their next annual report is. That is when the State sends out its notice, and it says “ok we need your annual report, who’s the president, who’s the officers etc.”

Councilor Tom Ramsey: “But at what capacity could that be changed? I mean, is it a something, and is it a minute book setting at someone’s house.”

John Rankin: “Yes. This would be a minute book that needs to be produced by Mr. Eddy. And, if that is done, then it is my opinions, even though you have given notice to Janet Eddy, as secretary, you haven’t given notice to Janet Eddy, as president. I am parceling all of this the way that I am, because of my history on other properties in town.”

Councilor Joseph Schaefer: “There are worse things then litigation.”

Councilor Tom Ramsey: “We have talked about Mr. Eddy every month it seems like so we are all aware of what the history looks like.”

Mayor, Bill Carr: “There is no chance of just getting you to abate the thing. Is there?”

Rodger Eddy: "I believe that we have abated a great deal of the problems already, because there is no updated report, and a within a few days, I would a. I don't know that a schedule would do any good. I would invite Mr. Conboy to inspect the premises again."

Chief Chris Conboy: "Mr. Eddy has an abandoned vehicle body, and possible vehicle parts on top of an engine compartment have been abated from the property. Has the vehicle tires steel-wheeled in the center of your dilapidated building been abated? Have tires and wheels, a pile of tires and wheels on top of a white car steel rim and tire photographed at the rear of the property been abated? The two bigger pickup trucks unlicensed and abandoned that are visible from the street. And they, the front of your building is dilapidated and dangerous that hasn't been abated. And, has a abandoned 1950's model panel-van unlicensed and available to a public street been abated? Have seven (7) used tires and three (3) steel-wheels been abated at the rear of your property that has been covered with a blue vinyl tarp? Has a rusty car body non-operative in the for ground in front of a car body assorted sizes, lengths of wood underneath the carport have been abated? Has a background of the for mentioned photographed a junked vehicle blue and white colored van been abated from the property?"

Councilor John Steward: "Mr. Eddy, what does your pure silence indicate?"

Rodger Eddy: "I believe that these are rhetorical questions for me."

Councilor Joseph Schaefer: "Thank you."

John Rankin: "Do you have a statement, as to whether those have been removed or not?"

Rodger Eddy: "A number of those have been removed, yes. A certain number of them of not been removed, and I addressed some of that in my earlier comments."

Chief Chris Conboy: "And you disagree with Mr. Kinder's statement that your open basement it's a dangerous open vault. It's an attractive nuisance to children and young adults."

Rodger Eddy: "Yes I do disagree strongly."

Chief Chris Conboy: "I disagree with you."

Councilor Tom Ramsey: "John, I have to question you I really don't know that he is really-really try to avoid any kind of litigation. Is this going to be a problem no matter what? Is there, at what point do we start drawing the line here and just say 'you know minute book or no minute book we need to take care of this dangerous problem' at what point do we do that?"

John Rankin: “Well, at the risk of talking about issues that are probably better suited to executive session this is the place to talk. I think that, a that the main thing that I think needs to occur is a Declaration, a formal Declaration of Nuisances needs to be drafted based on the additional information that we received. A formal Declaration of Nuisances needs to be carefully crafted to describe all that Chris has listed in his report. Send Chris back to look at the property to determine if there are any changes from those circumstances that were listed there.”

Councilor John Steward: “Then do we pull together?”

John Rankin: “Then we pull together, then pull together the abatement, because there has to be a clear understanding by the Eddy’s and the company that this is what it is going to cost the city to abate this nuisance, and that those costs are going to be assessed to his property as a lien, if the city takes down the building and cleans up the property to sell it and abates the nuisances. So those are the things that I think are important to consider when you are making your decision.”

Councilor Joseph Schaefer: “Do we have an estimate of the cost that we can take a look at? I think that these costs should be part of the record.”

John Rankin: “Let’s get some of that into the public record. That probably should have been, the hearing is still open, but just for the benefit of right now Bob can you give us what you thinks so far at this point.”

Public Works Superintendent, Bob Southard: “I have one bid proposal here to demolition the whole piece of property. I have called of two others, and I have not had any response from these people at all. I will pass this onto Mr. Schaefer and he can read.”

Councilor Joseph Schaefer: “It says ‘to remove the remaining building structure, copy of the foundation, and basement foundation concrete floor, and all miscellaneous items to the property. Total price \$12, 790.00.”

Councilor Charles Donald: “Do we need multiple bids or.”

John Rankin: “Yes. I would try to get multiple bids. We can document that. Certainly.”

Councilor Joseph Schaefer: “Do we need to have multiple bids?”

John Rankin: “No. You don’t have them. You just need to demonstrate that you put out notice to, not to quote, but multiple bids, potentially could be obtained.”

Councilor Joseph Schaefer: “Just to verify. We need to ‘Declare the Nuisance.’ We need to say the list of violations that we are relying on to cover our bases. We need to

say that we are going to abate it, and to have a dollar amount so that Mr. Eddy is informed about what the cost might be.”

John Rankin: “That is correct.”

Councilor Joseph Schaefer: “I think that we have those things available to us, I think that we need to proceed without further delay.”

Councilor John Steward: “I guess I would ask the obvious question. Mr. Eddy do you understand what the community is saying, and what the council is responding to, of, it is a mess, and it has gone on long since, as you said, the fire, August 1, 2002, and I haven’t heard anything else, but that date to refer to? We are now in 2006. It does not appear that there is anything going on to rectify the problem of being a burned down building or burned out building in the heart of downtown Aurora. Is it your intention on your own to get that property to a condition that is acceptable to the citizens of Aurora and the businesses of Aurora and to the City Council? Just saying that it is for sale and it has been for sale for, I don’t know how long, to me is un-acceptable just to say it is for sale, and if someone steps up, then they will take care of it. It is an eye sore. It is a nuisance to everybody else and we deal with it on a daily bases. Is it your intention to clean it up on your own or is that something that the city is going to have to do?”

Rodger Eddy: “Yes. It is my intention to clean it up on our own, and that was why I was asking the council tonight for ideas on what the council wants to see accomplished there. You want me to tear down the rest of the little bit of history that is there. I can do that. Do you want me to cover the basement? I can do that. That’s what I was hoping to find out tonight, but that’s what I would have liked to have known two or three months ago. And, if we had been asked at that time ‘why don’t you do a,b, and c now to your building a we would have had the opportunity to have done more work then what we have done, but we have been on the outside of the project. The first that I have heard recently, about the cities unhappiness is when I got the notice. And, grant it we went through some court procedures. We abated the nuisances that the court described. We were still found guilty of having nuisances long after the nuisances had been abated, and the court was giving us a list of additional things to do that had to do with re-building the building not with abating the nuisances. And we, we, did get plans and they weren’t prepared by an engineer and they were not stamped by an architect, they were prepared by a structural engineer. We paid for a building permit. We paid for building materials. We intended to do it until we ran into additional roadblocks that I can go into with you, but that is not going to accomplish anything.”

Councilor John Steward: “Is it clear to you, at this point, to you that the community is that the community wants that property cleaned up and level. That’s what we hear from the community, that’s what I hear. I believe that if you are not going to do anything with it, clean it out, and clean all the stuff off of it, and level the property.”

Mayor, Bill Carr: “I think it is saleable.”

Councilor John Steward: "I think that it is saleable."

Mayor, Bill Carr: "It would be to your advantage. You know."

Rodger Eddy: "Well, when you say level the property, I presume your not talking about filling the basement in with gravel. I presume, you are talking about."

Councilor John Steward: "Yes. I am talking about filling it in with gravel, having the Edventures Property, the Old Impressions Building in the same condition as your previous building in the triangle. Someone can walk across it to get to, for some reason if they feel the need, and if they don't there is no danger of someone getting hurt on the property."

Rodger Eddy: "And, why not cover and enclose the basement rather then fill it."

Councilor John Steward: "Get to it."

Rodger Eddy: "Well, that is what I."

Councilor John Steward: "At the moment, it has been four years since you said that anything has happened other then the thing fell down or burned down."

Rodger Eddy: "I am sorry, but that worked on it for more than two years."

Councilor John Steward: "You worked on it. I grant it, you did work on it. But there is no significant difference."

Rodger Eddy: "There is no significant difference for sake that I was fined by the court for what I felt were our intentions to re-build the building. Yes. You are right. Nothing happened, nothing significant has happened during that period of time. That is why I am here tonight to tell you that I am more than willing to comply with some of these suggestions that have been made tonight. That's why I am here tonight."

Councilor John Steward: "Are you willing to comply with what I said, with what was just said of getting the debris off of the property, and get the stuff off of the property what ever it is cars and trucks and fill in the basement, knock down the rest of the building that is there get rid of it off of the property, and get it in the same condition as the property across the street, that you, at one time owned, which is the building that burned down, I don't know how long ago."

Mayor, Bill Carr: "It was 1991."

Public Works Superintendent, Bob Southard: "I have a question for Mr. Eddy."

Rodger Eddy: "My answer is 'Yes.'"

Councilor John Steward: "As to what kind of time frame can we expect that to happen?"

Rodger Eddy: "I would say a to be realistic 120 days for the whole thing."

Mayor, Bill Carr: "I have another question. How long would it take you to start so that we could see something going on?"

Rodger Eddy: "We have already started doing something."

Councilor John Steward: "A 120 days from."

Councilor Tom Ramsey: "Can I call a time out for just a second? I am not interested in, if he wants to abate it before we lien the property and do it ourselves that is fine, in my book just to avoid the process. I just want to move forward. If you wants to do it before then, he understands what the wishes are, but I think it is our duty to go forward with the abatement process, and what goes on between here and then that is good. So that is my take on it."

Councilor Tom Ramsey: "Bob had a question."

Public Works Superintendent, Bob Southard: "Mr. Eddy previous to me becoming an employee of the City of Aurora I was an excavating contractor for 32 years. I still own a lot of equipment and do it on the side, if you are really interested in cleaning that up in a matter of ten (10) days, you could get it done. It is a matter of you getting on the ball saying look "Mr. Contractor come and get this" and from what I just told you, you could get it done. It don't take just a few minutes to make a phone call to make this stuff happen if you are really prepared, to abate this nuisance to make the community happy and in ten (10) days it could happen. If I moved in there with my equipment in 48 hours, I would have that mess cleaned up and gone. I am sorry but that is the way I feel. I was here when it burned. You haven't made any attempt to do anything, you have been fumbling around. Let's do something. Let's make some action now."

Councilor John Steward: "Are you offering to help clean it up?"

Public Works Superintendent, Bob Southard: "I can not do that."

Councilor Joseph Schaefer: "I think that would be a conflict of interest."

Councilor John Steward: "That is true."

John Rankin: "But the city has an estimate from the, incidentally the same construction company that abated the Krauss Building. This is Gary Wilmes, Sand and Gravel and this would be a contract between you and Gary and his company. So the idea is \$12,000, \$13,000, \$14,000 with permits, and maybe you could lower that by doing some of the work yourself, get some of the material out of there that he didn't have to remove."

Councilor John Steward: “Is that a proposal that you would, at least entertain?”

Rodger Eddy: “I would a, would a investigate it. I still think that a covering and securing the basement is a far better answer then filling the basement.”

Councilor John Steward: “If it were covered and secured it doesn’t take care of the appearance of the property. It still looks like a burned down building with a covered and secured basement.”

John Rankin: “And just for the record one of the issues that we ran into Rodger, I remember, was that the Building Services Division said that the foundation that was existing 2/3 of it at least, is in adequate, completely inadequate for re-building. And, that is one of the reasons that he stopped the process was because it became too expensive to restore the building, too expensive to restore the foundation. So I am really concerned as the city attorney, that he won’t be able to do all that you say you can do to cover the basement, because you are going to have to pour another wall there, as well, in the inside of the existing concrete wall and the brick wall back there. You are going to have to do a lot of work because a lot of discussions we had before the judge in other sessions, in the municipal court sessions. So a I think that you need to, and maybe I can, you guys can do what you like, but I would like to propose that he gets back to you in a matter of days, and tells you whether or not he is going to take you up on your offers.

Mayor, Bill Carr: “I have a better idea. You can craft that thing. He better get back to us before you get that thing crafted or we will continue on that.”

John Rankin: “Ok.”

Councilor Joseph Schafer: “I think that we are ready to close the public hearing and I would like to have a little deliberation and discussion about the next steps. So that we can nail that down here, a meeting notice sent, and so forth.”

Mayor, Bill Carr: “Well. Joseph have at it.”

Councilor Joseph Schaefer: “Well. First close the public hearing.”

Mayor, Bill Carr: “Ok. Close the public hearing.”

The public hearing was closed at 9:07 p.m.

John Rankin: “You need to re-open the public hearing.”

Mayor, Bill Carr: “Re-opened the public hearing at 9:10 p.m.”

Lynn Applebee: “My name is Lynn Applebee. I live at 21280 Main Street N.E. I have lived at the corner of Bobs Avenue and Main for at least five years. When I first arrived

the building burned. And, I heard rumors that Mr. Eddy had been in prior conflict with the city, and I felt that that was very-very sad. I found now as I am sitting here in this meeting that Mr. Eddy has taken a stand that he is going to show the city that the city can't do what the city wants him to do. I think that it is an absolute sin that he is able to take this city and hold it hostage when something is as ugly and dangerous is going on. And, I find it apparent that he sits here and plays this game with all of us to make us feel like idiots. I for one, think Mr. Eddy that you are a fool and I am so sorry that live or have lived in this community, because you are certainly not anybody that I would proud to call a neighbor. And, I would, I would say to you 'think about the fact that this is a community that we are proud. We have streets that look good. Your building is a total eye sore.' And, I as a person who lives here I am so sorry that you feel like that you have to come here and play these games. So that is what I have to say. And, I feel like I am speaking for a lot of the people that I know as neighbors and friends. So I say shame on you."

Mayor, Bill Carr: "May I close the public hearing now, please?"

John Rankin: "Just a moment, please."

John Rankin: "Go ahead and please state your name and address."

Gus Wettstein: "I live at 21055 Cody Lane."

Councilor Joseph Schaefer: "Gus, could you please direct your comments to the council?"

John Rankin: "Yes, please."

Gus Wettstein: "I second her comments on this building. We worry about safety and austenitic value of life and Mr. Eddy is a prime example of it."

Councilor John Steward: "We can close the public hearing now."

John Rankin: "No. We need to give Mr. Eddy he has heard some additional information here and with all do respect to him. He needs to have the opportunity to rebut those comments, if he sees fight."

Rodger Eddy: "Thank you for the courtesy."

John Rankin: "You're Welcome!"

Rodger Eddy: "A, I would reiterate that I a was primarily here tonight with the hope that a resolve could be arrived at a and, a it's a great news to me that the city has proceed in this direction without consultation, without further consultation with us a. So I feel like I am at a disadvantage for that reason, apparently the council has been talking about this for some time, but has chosen not to bring us in on the discussion. I am a part of the

discussion tonight, and further reiterate that we would like to a resolve the matter, and a arrive at a solution that is satisfactory to the city, and I think there's, there can be that kind of solution a but it is not going to happen within a week. And, I would like the opportunity to a work with the council on a elevating the problems.”

Mayor, Bill Carr: “Closed the public hearing at 9:11 p.m.”

Councilor Schaefer made a motion that he would suggest that the city council schedule another special city council meeting to adapt the findings and adopt the Declaration of Nuisance on this matter. Mayor Carr seconded the motion, with one accept ion. I think that anytime during this process that Mr. Eddy has a change of heart and start to abate this that the Declaration of Nuisance just stops. As long as it is being, abated. Councilor Schaefer stated that is concerned about a couple of tires being removed. Mayor Carr stated that that is not want he is talking about. Mayor Carr is talking about abating, and I am not talking about. Councilor Ramsey stated that kind of disagrees with it, but I agree with Bob 48 hours it is done. Motion Passed Unanimously.

It was the consensus of the city council to draft the Declaration of a Nuisance. It was also the consensus of the city council to have Bob Southard obtain two more bids. Chief Conboy stated to Mr. Eddy that he is not allowed to drive his vehicles inside of the city limits that are uninsured, and if I caught you, I will site you with the most citations that I can site you with, I will impound your vehicle, you will be sorry that you were caught driving. Do not drive a vehicle in the city.

It was the consensus of the city council to schedule the special city council meeting for Tuesday, August 22, 2006 at 7:00 p.m. The purpose of this special meeting is to have John Rankin draft a Declaration of Nuisance that lists all of the findings. John Rankin stated that he will draft the Declaration of Nuisance and Bob will obtain two more bids. Chris will take tabs on the status of the property.

8. PUBLIC HEARING

A discussion and possible approval of the Doug Snodderly annexation proposal, property line adjustment, partitioning, and approval of a non-remonstrance agreement - Mayor Carr opened the public hearing at 9:20 p.m. Mayor Carr read the procedures on how this public hearing will be handled. Councilor Schaefer stated that he is going to refrain from the discussion and from voting because he lives across the street.

Gus Wettstein, 21055 Cody Lane, stated that he would like to know exactly where this property is located. Wettstein stated that he is not opposed to the annexation. Wettstein stated that if the city council approves the annexation there is going to be a lot of potential nuisances that would exist on this property. Rankin stated that the building permit will come after the annexation has been approved and approval of the partition. Wettstein stated that he would like to see the property cleaned up as soon as possible,

Heidi Torian stated that this issue was discussed at the last Planning Commission Meeting.

5. PLANNING COMMISSION REPORT

Discussion on the notes from the Aurora Planning Commission Meeting that was held on November 7, 2006 – Commissioner Robert Lebens stated that the Planning Commission wanted me to give the City Council an update on updating the Visioning Plan. Commissioner Lebens stated that he has contacted two universities about updating the Vision Plan, one university was the University of Oregon and the other university was Portland State University. Lebens stated that the University of Oregon's Updating of the Visioning Plan was estimated to be around \$3,000 to \$5,000. Commissioner Lebens stated that he has contacted Portland State University for updating the Visioning Plan and there estimate would be around \$2,500.00. Commissioner Lebens stated that this would be a consideration for the City Council to consider for the upcoming budget cycle.

Noel Kinder, Liberty Street, stated that these students take this process very seriously, and we would get a very good document at the end of the six-months. Councilor Schaefer stated that the City of Aurora would get a group of students together working on this project very intensely.

6. ORDINANCE AND RESOLUTION

Discussion and approval on Resolution Number 514 – A Resolution of the City of Aurora, Oregon, Determining and Declaring a Nuisances Does Exist on That Real Property Located Within the City Limits of Aurora Commonly Known as 21520 Main Street N.E., Aurora, Oregon – Rankin stated that he has prepared an Amended Resolution Number 514, because the City Staff had some concerns about the previously adopted Resolution Number 514. Rankin stated that the City Council was handed a packet of information from Rodger Eddy. Rankin stated that Janet Eddy is the President who owns the property. Rankin stated that Rodger Eddy is the person in charge. Rankin stated that Police Chief Conboy needs to go back out to the proposed site and do a final report. Rankin stated that there needs to be an updated proposal from Gary Wilmes so that the report can be attached to Resolution Number 514. Rankin stated that he felt that the City of Aurora needs to contact the Marion County Building Inspection for the Building Permit Issues, and see if Marion County Building Inspection would red-tag the building. Rankin stated that for the record he is adding the 9th "Whereas Claus that states" Whereas, the City of Aurora believes it is in the best interest of the City and its citizens to order the public abatement of the above referenced nuisances.

Rankin stated that the Amended Resolution Number 514 is very complete. Rankin stated that once these documents are handed to Rankin then he can prepare the Resolution for Mayor Carr's signature.

John Rankin: "Mr. Eddy is here to night so let's give Mr. Eddy a chance to address the City Council."

Rodger Eddy: "I hand delivered a packet of information this afternoon for the council to review. I believe that this letter will answer any questions that you may have in regards to the potential nuisances that affect public health."

John Rankin: "Mr. Eddy. Did you take out a building permit for the work that you have done so far."

Rodger Eddy: "No. I don't have a building permit for the work that I have done. I did take out a building permit from Aurora City Hall last week. We will be submitting a complete set of building plans instead of piece mealing the plans together."

John Rankin: "Mr. Eddy did you say that you have picked up a building permit application."

Rodger Eddy: "No."

John Rankin: "So all the work that you have done to this point has been performed without a building permit."

Rodger Eddy: "Yes."

John Rankin: "What set of plans are you following in order to complete the covering of the basement."

Rodger Eddy: "We followed the same plans that we submitted a couple of years ago. We have temporary laid some roofing material on the foundation"

John Rankin: "Have you removed any of the potential nuisances that Officer Chris Conboy stated in his April 18, 2006 report."

Rodger Eddy: "I believe that we have removed the potential nuisances that Officer Chris Conboy stated in his April 18, 2006 report, because the nuisances do not exist."

Chief Police Chris Conboy: "With the permission from Mr. Eddy I was able to enter the property and take these pictures this afternoon. There is at least six inches of standing water in the basement. There is no basement wall on the north side of the basement, which could slide in during a very heavy rain storm. There is still an old delivery van that is located towards the back of the property that no longer runs, which is against the Nuisance Ordinance. Chief Conboy stated that there are still some items in the basement."

Rodger Eddy: "With due respect to Chief Conboy, I believe that this property doesn't not have any nuisances that exist."

John Rankin: "Mr. Eddy can you describe the items in the basement."

Rodger Eddy: "I think that there are two pallets in the basement that carry automobile parts on them, there is a cabinet that stores some automobile parts, there is a safe that is stored in the basement, and there is a pallet jack."

John Rankin: "What kind of condition are the items in that are in the basement?"

Rodger Eddy: "The items that are still in the basement have some water damage, but they are still useable items."

Councilor Schafer made a motion to approve Amended Resolution Number 514 – A Resolution of the City of Aurora, Oregon, Determining and Declaring That Nuisances Do Exist on That Real Property Located Within the City Limits of Aurora, Oregon Owned by Edventures, LTD., and Authorizing the City Recorder to Expend City Funds To Abate the Nuisances and Assess All Costs of Abatement to The Property, All Pursuant to The Requirements of Chapter 8.08 f the City of Aurora, Municipal Code. Councilor Ramsey seconded the motion. Motion Passed. Mayor Carr opposed.

7. NEW BUSINESS

Discussion on the memo from Jan Vlcek, Finance Officer in regards to the Status of the Audits – Mayor Carr stated that there has been a lot of conversation in the city about not having the audits done. Mayor Carr stated that there was a Finance Officer hired in 2002-2003 that performed a lot of double entries into Springbrook. Mayor Carr stated that the city hired a new finance officer that had not gotten the work done. Mayor Carr stated that the new finance officer moved her computer and work papers back into Aurora City Hall, and still could not get the work done to finish the Audits. Mayor Carr stated that in January of 2006 the City hired Jan Vlcek, as the new Finance Officer. Mayor Carr stated that Jan Vlcek will be working with the Auditors on Thursday and Friday of this week to complete 2002-2003 Audit.

Discussion on the memo from Jan Vlcek, Finance Officer in regards to the American Legion Hall Rental – Mayor Carr stated that the City Council approved the increased, but there has not been any funds budgeted for the increase of the American Legion Hall. Mayor Carr read the letter that Jan Vlcek, Finance Officer prepared and sent to Burney Ward. Councilor Ramsey made a motion to accept the rent increase for the American Legion Building. Councilor Schaefer seconded the motion. Motion Passed Unanimously.

Discussion on a letter from John Rankin in regards to his resignation – Rankin stated that he has spent a great deal of time on the needs of the City of Aurora for the last 13 years. Rankin stated that it has been a pleasure working with you. Councilor Donald stated that he would like to say that it has been a pleasure working with John Rankin for the last 13 years. Rankin stated that he will work very closely with the New Planner to make a smooth transition. Rankin stated that he would meet with the New Planner free of charge to bring the New Planner up to speed.

Discussion on the City Council Rules – Rankin stated that the City Council has a thick packet in front of them, and there is a memo attached to the City Council Rules and Procedures. Rankin stated that this would be a good idea to have something like this to be handed to every new City Councilor, to every new Historic Review Board member, and any other Planning Commission Members. Rankin stated that he would like to have some input from the current city councilors before they leave office, and this is a good working document. Rankin suggested that the current city councilors could email Laurie Boyce, City Recorder with any comments.

7. UNFINISHED BUSINESS

Discussion on the memo from Laurie Boyce, City Recorder in regards to the proposed building sites for a new city hall/police department – Councilor Schaefer stated that this is a good list. Mayor-Elect Jennifer Strutz stated that she has been in contact with a contractor with a lease/purchase price for the old Impressions Building. Gus Wettstein, Cody Lane stated that he would like to know what the size of the building would be and the size of the lot would be. Mayor Carr stated that the building size would be around 5,000 square feet. Rankin stated that the City could go with a lease option to purchase and this is totally legal. Councilor Donald stated that he would suggest that the city needs to work with the Finance Officer to find other ways to finance a new city hall/police department.

Update on Union Pacific Railroad in regards to replacing 651 feet of timber pike trestle on our bridge at mile post 743.51 – Mayor Carr stated that he has not heard anything from Union Pacific Railroad, and when Union Pacific Railroad awards the contract they will contact the city.

Discussion and approval of the cable-linked fence that will be installed at the City Park to help detour vehicles driving onto the grass at the City Park – This was tabled until the January 2007 City Council meeting.

Discussion on the Old Impression's Building – Rankin handed out a copy of the Amended Resolution Number 514 to Abate the Old Impressions Building Site. Rankin stated that he has just received Gary Wilmes's proposal for abating the Old Impressions Building Site. Rankin stated that Rodger Eddy has pulled down the Façade of the building, removed the old delivery van, and he stacked up the old lumber from the façade of the building. Rankin stated that Gary Wilmes's proposal is \$16,970.00. Rankin stated that this Resolution has been updated and Rankin would suggest that the Mayor needs to execute the Resolution tonight. Rankin stated that Chief Conboy can inform the City Council off the progress of Rodger Eddy's abatement process, and at this time we can poll the City Council. Mayor Carr stated that he has told Rodger Eddy that he has until Friday, December 15, 2006 by 5:00 p.m. or the City would go in on Saturday, December 16, 2006 to abate the nuisances. Rankin stated that he would suggest that the City Council would authorize Laurie Boyce, City Recorder to go back to Gary Wilmes and sandwich these two proposals together. Rankin stated that the basement is off limits, because the City is not going to touch the basement. Rankin stated that Gary Wilmes needs to provide a better detailed description of what the proposal consists off.

Discussion on the lawsuit for Janet Eddy on the Krauss Property -- Rankin handed out a letter from Richard Kuhn, which he is from City County Insurance Services. Rankin stated that the case will go to an arbitratory after the first of the year. Rankin stated that the City should get some resolution to this case by the end of February 2007.

8. COUNCIL ACTION/DISCUSSION

A. Council Committee Reports

- I. Park Improvement Committee Status -- Park Improvements -- Councilor Ramsey was unable to attend the City Council Meeting so there is nothing to report.

9. ADJOURN

Mayor Carr made a motion to adjourn. Councilor Donald seconded the motion. Motion Passed Unanimously.

The meeting adjourned at 8:27 p.m.

ATTEST

Charles Donald, Council President

Laurie Boyce, City Recorder

Rodger Eddy
2582 NW Lovejoy Street
Portland, Oregon 97210-2856
Phone 503-223-3606
April 26, 2013

Dennis Koho
Aurora City Attorney
21420 Main Street NE
Aurora, Oregon 97002

c/o P.O. Box 20790
Keizer, Oregon 97307

Dear Mr. Koho:

I'm enclosing a letter that I received today from my engineer, Michael Elia, regarding his inspection and evaluation of our building at 21520 Main Street NE, Aurora.

This is the final part for the materials that I sent to you dated April 16. I'm sorry for this delay, but Mr. Elia was involved at other projects when I asked for his report.

I trust that the materials would influence the city councilors to review previous opinions about the building and the site, and while I await a response, I will contact you by telephone next week to discuss the matter.

Very truly yours,


Rodger Eddy

April 19, 2013

Rodger Eddy
2582 NW Lovejoy St.
Portland, OR 97210

Re: Building at 21520 Main St. N.E., Aurora, Oregon 97002

Dear Mr. Eddy:

As requested, I have provided the following services:

1. I visited and inspected the building located at 21520 Main St. N.E., Aurora, Oregon 97002 on February 14, 2013;
2. I have reviewed a letter addressed to you from the City of Aurora, dated January 13, 2013.

General Summary

At the time of my visit on February 14, 2013, the wood structure and concrete foundation located at 21520 Main St. N.E., Aurora, Oregon 97002, did not appear to be in danger of imminent collapse. The letter from the City of Aurora, Dated January 13, 2013, did not provide evidence of structural distress or conditions consistent with danger of imminent collapse.

Background Information

The building located at 21520 Main St. N.E., Aurora, Oregon 97002, was damaged by fire in 2002. In 2004, I provided professional engineering services for the repair and reconstruction of the building. The services included the design and detailing of a lateral force resisting system, a gravity load carrying system and a method to strengthen the existing foundation walls.

Inspection Accomplished February 14, 2013

As requested, on February 14, 2013, I visited and inspected the structure. Generally, the structure was in a condition similar to that noted in 2004, with the exception that all upper elements above the main ground level diaphragm had been removed and the diaphragm had been covered with metal sheeting.

A few structural elements showed signs of early stages of decay, and some decay was noted in the diaphragm surface. The presence of minor surface decay was confirmed by pick tests. The interior conditions of some beams were evaluated by hammer soundings and were found to likely be free of decay. Evidence of structural distress consistent with the possibility of imminent collapse, such as excessive deflection of beams and joists, and the crushing of wood members at points of support, was not noted. At the time of my visit, the structure did not appear to be in danger of imminent collapse.

The condition of the foundation appeared to be unchanged from that observed in 2004. At the time of my recent visit, detrimental cracking, bulging or other evidence of foundation distress was not observed. The foundation did not appear to be in danger of imminent collapse.

City of Aurora Letter, Dated January 13, 2013

It appears that the letter provided by the City of Aurora was in response to the City's concern that the public health, safety and general welfare may be in jeopardy. The letter states that viewing the structure led them to the opinion that the building was dangerous. It appears that the letter drew conclusions as to the existing structure's structural strength and stability, and made claims that the structure is likely to partially or completely collapse, and made other specific conclusions based on a visual viewing of the property. No statements were provided to indicate that the conclusions presented in the letter were developed by an expert, or that close examination and testing of any kind had been accomplished to support the stated conclusions.

Generally, it has been my experience that opinions relating to a structure's and foundation's strength, stability, and risk of collapse need to be confirmed by a professionally licensed engineer. Reference to an expert of this type was not noted in the letter.

Conclusion

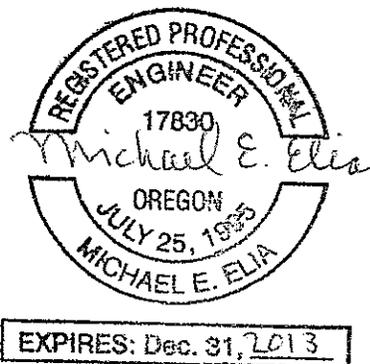
A visit was made to 21520 Main St. N.E., Aurora, Oregon 97002. The purpose of the visit was to inspect the structure at the site. The structure was visually inspected, and pick tests and hammer soundings were performed.

A letter from the City of Aurora addressed to Rodger Eddy, dated January 13, 2013, was reviewed. As noted in a general summary at the beginning of this letter, at the time of my visit on February 14, 2013, the wood structure and concrete foundation located at 21520 Main St. N.E., Aurora, Oregon 97002, did not appear to be in danger of imminent collapse. It appeared that the conclusions in the letter were based solely on a viewing of the structure.

If additional information is needed or if there are questions, please call.

Sincerely,

Michael E. Elia, P.E.



A copy of the attached letter from our attorney, C. Thomas Davis, dated July 17, 2007, stated some of the undisputed history and agreements, especially regarding installation and removal of the chain link fence.

Eddy's attempt to reinstall a chain link fence, as originally approved by the then police chief during 2012, was revoked by the city, citing historic restrictions. A subsequent application for a qualified fence was approved by the historic review board, with the board's proviso that the city council agree since the city council had not allowed its previous application review. Although the city council's jurisdiction in such approval might be in question, the mayor requested during a council meeting that Eddy hold off in the installation of the approved fence while other issues were being investigated. Eddy has been willing and eager to install such a fence, but has received no further notice of approval by the city. The required application fee was paid by Eddy.

C. THOMAS DAVIS
Attorney at Law
12220 SW First Street
Beaverton, OR 97005

Tel: (503) 644-9000
Fax: (503) 644-9050
ctd@davislawfirm.net

July 17, 2007

Cindy Phillips
PO Box 230669
Portland, OR 97281

RE: City of Aurora/Eddy

Dear Cindy:

Thank you for your conversation of July 16, 2007. I have had an opportunity to discuss it with Mr. Eddy. Regarding the property at 21510 Main Street I may represent to you as follows:

- 1) The City Court ordered that a fence be installed and it approved a chain link fence; nevertheless, in response to a conversation between Mr. Eddy and the chief of police, Mr. Eddy will remove the fence;
- 2) Mr. Eddy will post the property with no trespass signs;
- 3) The Police Chief represented that the property would be patrolled regularly as Mr. Eddy had expressed a concern regarding premise liability should the fence be taken down;
- 4) If there is any standing water, it will be removed.

I understand the property is actively listed with a broker for sale at \$195,000. If the city has any interest in purchasing the property, please immediately advise. Thank you and best wishes.

Very truly yours,

C. Thomas Davis
CTD: raw
CC: Mr. Eddy ✓

Rodger Eddy for Edventures Ltd.
Janet Eddy
2582 NW Lovejoy Street
Portland, Oregon 97210-2856

September 28, 2012

City of Aurora
City Hall

Attention: City Council

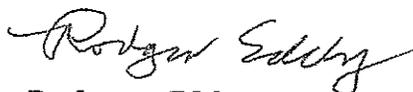
I appeared before the council during August, and was advised to go through the Historic Review Board. Since I would be out of state during late August, it was agreed that I would appear at the September HRB meeting. The review board would then consider my fence proposals from my August 6 application that I submitted through the council for consideration at your August council session.

I appeared at the September 26 HRB meeting, assuming I was on the agenda as discussed at the August council meeting. I sat through most of the meeting until realizing that apparently I was not on the agenda. The HRB board informed me that indeed I was not on the agenda, and that they had nothing in their hands to allow them to consider the matter.

I request that my materials regarding the application now be forwarded to the HRB for its consideration, that I be placed on the agenda for a forthcoming meeting, and that I receive notification and confirmation for an appearance.

Your assistance in furthering the matter so that the council will be assured that I am attempting to resolve the security and appearance matters involved in the city's notice to me.

Very truly yours,



Rodger Eddy
503-223-3606

**NOTICE OF FINAL DECISION
APPLICATION APPROVED BY THE HISTORIC REVIEW BOARD
CITY OF AURORA, OREGON**

Date application was heard by HRB: November 29 2012

Date this Notice is mailed: 12.6.2012

Name of Applicant: Roger & Janet Eddy – Edventures Ltd

Applicant's Mailing Address: 2582 NW Lovejoy St, Portland OR 97210

Project Description: Fence

Subject Property Address: 21520 Main Street, Aurora OR 97002

Findings:

**THE HISTORIC REVIEW BOARD APPROVAL FOR THIS APPLICATION IS
CONTINGENT WITH CITY COUNCIL APPROVAL.**

This application is approved per the City of Aurora Design Review Guidelines for Historic District Properties, Historic Fencing - #1 & #2.

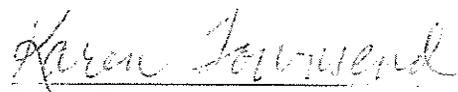
This application was approved for 4ft (48") permanent, wood, painted white picket fence with matching gates (current gates will need to be replaced).

Comments/Recommendation:

The findings and conclusions on which this decision is based are contained in the minutes for the HRB meeting at which this decision was made and audio-tape record of the HRB's meeting and deliberations. The minutes and audio-taped record are available at Aurora City Hall - 21420 Main Street, Aurora, Oregon. Ph: 503.678.1283

The Historic Review Board's decision is final on the date that this notice is mailed. Any party with standing may appeal this decision with the City of Aurora Municipal Code which provides that a written appeal, together with the required fee, shall be filed with the City Recorder within fifteen (15) calendar days of the date the Notice of Decision was mailed. The appeal fee schedule and forms are available at Aurora City Hall

This decision is approved and this Notice of Decision serves as the Certificate of Appropriateness subject to the conditions set forth above.



Karen Townsend, Chair, Aurora Historic Review Board

12/7/12

Date of Signature

Rodger Eddy
2582 NE Lovejoy Street
Portland, Oregon 97210

April 11, 2013

Dennis Koho, City Attorney
City of Aurora
21420 Main Street NE
Aurora, Oregon 97002

Dear Mr. Koho:

This is to acknowledge your letter of April 8, 2013.

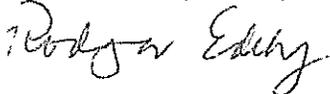
I have contacted the city several times, including a call to you, and apologize for not reaching you again before April 1. We have done work on the property, I have had an engineer examine the property and have been waiting for his evaluation letter, and we are prepared to erect a fence at any time the city does not object.

We do object to city repairs or demolition in the absence of any notice to us of a hearing. We still wish to cooperate any satisfy the city.

We have also had a purchase inquiry, based on the viability and presence of the basement structure, which confirms our belief that the structure is valuable and serviceable.

I request a further hearing on the matter.

Very truly yours,



Rodger Eddy

Fodger Eddy
2582 NW Lovejoy Street
Portland, Oregon 97210
April 16, 2013

Dennis Koho, City Attorney
City of Aurora
21420 Main Street NE
Aurora, Oregon 97002

Dear Mr. Koho:

This is a follow-up to my brief response to you dated April 11.

I am herewith presenting to you some historical data from 2006 and 2007 with a cover page of condensation. Also is presented with a cover page and the data regarding my fence application.

Regarding the January 31, 2013 letter from Kelly Richardson, I offer the following comments:

I find no adequate findings for any of the reasons that only refer to sections of AMC 8.10.020 regarding dangerous buildings. Ms. Richardson states that she has viewed the building and property and determined that it is dangerous. However, I have not been contacted for the purpose of allowing her on the property or to assist in an investigation. The previous Chief of Police made it clear that there was to be no trespassing on the property, and I wonder if there indeed was no trespassing by Ms. Richardson, how her "viewing" of the site could offer any substantial findings.

A. The subject property has not been compromised regarding structural strength or stability, and was certified as such by Resolution 515. I have been awaiting a letter from my engineer who did examine the property, and will furnish you with a copy as soon as possible; he was delayed by other projects.

B. There is no evidence that the building is an attractive nuisance or harbor for improper activity. There are no police reports of any such activity, and we believe there has been no such activity. Further, the City has delayed my building an approved fence, that would discourage or prohibit any such alleged activity.

C. All described conditions were considered by city council during January, 2007, and confirmed that no nuisances existed. The site, the condition of the basement covering, the nature of the property, and everything save the removal of the fence as ordered by the city, remains the same today. We have reviewed the property, we have done yard work, we have confirmed that no building access for hazard exists, our engineer has reviewed the site to assure the above, and therefore we deny that any nuisance exists. Our documentation will confirm this, and we have been presented with no material to deny this, save reports of "viewing" the site and conjecture of potential improper activity without substantiation.

We reiterate our position that we wish to comply with city requirements and to cooperate with city desires, and we still maintain that a fence would satisfy present concerns.

Any demolition on site (and we believe none is required) would diminish the value of the property and the likelihood for a purchaser to redevelop the site. The existence of the basement, floor and foundation, and the covering and support for the covering, are of historic significance, and of real value for many prospective owners of the property to allow and encourage a structure compatible with historic design requirements.

We ask for an affirmation of Resolution #15 and the acknowledgement that no nuisance exists, or for a hearing otherwise. We also ask that the city confirm that there is no legal reason that we cannot construct a fence.

Your consideration will be appreciated.

Very truly yours,

Rodger Eddy
Janet Eddy
Rodger Eddy
Janet Eddy
Edventures Ltd.

On August 8, 2006, there was lengthy discussion at city council regarding the Eddy property, with much discussion about points that had no direct bearing on the complaints, which were wide and included an official police report, with a lengthy rebuttal by Rodger Eddy. At that time the front part of the partially-rebuilt structure was still standing.

During the August 22, 2006 meeting there was reference to Mayor Bill Carr's meaning of "compromise" and City Attorney John Rankin in response to an Eddy letter recommended negotiation with Eddy's attorney to reach an agreement. Police Chief Chris Conboy said Eddy is clearing up the site.

During a public hearing of the October 10, 2006 meeting, Rankin said he prepared Resolution Number 514 regarding the alleged nuisance and its abatement. Eddy referred to his proposed improvement schedule and reviewed the recent history of the work on the property, and apparently the front structure of the main floor is still there. The council passed the resolution, a three page document, plus the police report and an estimate by a contractor to complete abatement, materials dated November 14, 2006.

That Resolution was an amended version, adopted during the November 14, 2006 meeting, to include additional material that Rankin said were needed. Eddy stated that more work had been completed on site, and claimed that all nuisances had been answered and no longer existed.

During the December 12, 2006 meeting, Rankin stated that Eddy has removed the main floor facade, removed a van, and stacked lumber; and that he has received a revised abatement bid of \$16,900. He suggested that Chief Conboy can inform the council of progress on Eddy's work, and the council can be polled. Mayor Carr said he has told Eddy that he has until Friday, December 15, to abate the nuisances. "Rankin stated that the basement is off limits, because the City is not going to touch the basement." (I believe this is evidence of the un-found agreement that the covered basement would remain if Eddy satisfied the city in other respects.)

During the January 9, 2007 meeting adopted Resolution Number 515, revoking Resolution Number 514, drafted at council request by Rankin, who said he would like Chief Conboy to address any nuisances remaining, and Conboy said the chain link fence needs to come down and the property will look pretty clean and that all nuisances have been abated, and that anyone who enters the property is in violation of trespassing. The motion to pass the resolution was unanimous.

The February and March meeting minutes refer to Chief Conboy's reports, but are not included in the records, but subsequent research by the city turned up the reports, with no references to the subject property, so presumably no further problems.

The attached/enclosed reports are Rodger Eddy's materials, as purchased from the City of Aurora, and for review by the city attorney or councilors, but to be returned to Eddy.

August 8, 2006 minutes

pg. 3 7- Public Hearing Thru pg. 32

August 22, 2006 minutes

page 2 Kinder remarks, Sablin comment

Public Hearing - tabled until Sept 06 meeting

October 10, 2006 minutes

pg. 12 - 7. Public Hearing Thru pg. 16

November 14, 2006 minutes

pg. 3 - 6 ord. & Resolution 514 thru pg. 5 (Corr & proposed)

December 12, 2006 minutes

pg. 4 Discussion

Rankin: basement is off limits

January 9, 2007

pg. 3 Res 515 regarding 514

ASK 1/9/07 Police Chief Report "Attached to the packet"

February 13, 2007 minutes

pg. 3 6 Reports

ASK 2/13/07 Police Chief Report "Attached to the packet"

February 3, 2007 minutes

pg. 2 proposed new city hall sites #6 The Eddy site on Main St

March 13, 2007 minutes

pg. 3 7 Reports

ASK 3/13/07 Police Chief Report "Attached to the packet"

April 10, 2007 minutes

pg. 4 8 REPORTS

May 8, 2007 minutes

June 12, 2007 minutes

RESOLUTION 515

RESOLUTION 214 Amended

DRAFT
Signed copies not to
be found.

City Council Meeting
21420 Main Street N.E.
Aurora, Oregon 97002
Council Chambers
August 8, 2006

COUNCIL PRESENT: John Steward, Tom Ramsey, Joseph Schafer,
Charles Donald, and Bill Carr, Mayor

COUNCIL ABSENT: None

STAFF PRESENT: Laurie Boyce, City Recorder
Chief Chris Conboy
Bob Southard, Public Works Superintendent
Jan Vlcek, Finance Officer

STAFF ABSENT: None

OTHERS PRESENT: John Rankin, City Attorney/City Planner
Gary Lovell
Fred and Teresa Netter
Rodger Eddy
Rod Yoder
Greg Eason
Debbie Southard
Richard Vlcek
Doug Snodderly
Heidi Torian
Noel Kinder
Lois Cameron-Smith
Richard Harrison

1. **CALL TO ORDER**

The meeting was called to order by Bill Carr, Mayor at 7:08 p.m.

2. **CONSENT AGENDA**

Councilor Donald made a motion to approve the minutes. Councilor Ramsey seconded the motion. Motion Passed Unanimously.

3. PRESENTATION FROM CITY COUNTY INSURANCE COMPANY

Scott Gustafson, Gustafson Insurance, introduced Valerie Saiki from City County Insurance Company. Saiki presented the city with the Longevity Award and a check. Saiki stated that the Public Works, Police Department, and Administration Department could use this award for any kind of Risk Management kind of things. Saiki stated that the only requirement is that Laurie Boyce; City Recorder needs to send City County Insurance Company an email to let City County Insurance Company know what the money was used for.

4. CITY ENGINEER'S REPORT

Discussion on the Head Works and discussion on a possible start date of installing the Head Works and the process that would be involved with installing the Head Works – Sigurdson handed out a hand out that deals with the installation of the Head Works. Sigurdson stated that he will have the bid documents ready in about three weeks. Sigurdson stated that the Head Works will be installed this year.

Sigurdson stated that the well house will be on line in about three weeks. Sigurdson stated that the System Development Charges should be increased some time in the future.

Sigurdson stated that the water rights should be on the front burner. Sigurdson stated that surface water rights could be turned into ground water rights. Sigurdson stated that the city needs to be at least a ¼ mile away from any river.

5. TOWN HALL MEETING

Discussion on the post card that will be mailed out to the citizens in regards to the Town Hall Meeting that is scheduled for Tuesday, September 19, 2006 at 7:00 pm. Discussion on the handouts that will be presented at the Town Hall Meeting - Commissioner Robert Lebens stated that the Planning Commission has scheduled a town hall meeting for September 19, 2006. Commissioner Lebens stated that the purpose of this Town Hall Meeting is to educate the general public about the annexation issue that will be placed on the November Ballot.

Commissioner Lebens stated that he would like to invite the City Council to address the general public. Rankin stated that it might be nice to have the city council see the final notice that will be sent out to the general public. Rankin stated that he thought that it would be a great idea to publish that notice in the newspaper, but the city council is not obligated to publish the notice in the newspaper. It was the consensus to go ahead with the Town Hall meeting for September 19, 2006. Commissioner Lebens stated that post cards should use the same language that was used on the agenda.

6. INITIATIVE PETITION DISCUSSION

Discussion and status report on the Annexation Initiative that will be on the November Ballot. Transcript of the March 14, 2006 City Council Meeting in regards to the Voter Annexation Initiative that will be placed on the November Ballot - It was the consensus of the city council to send any big annexations to the voters to be voted on in November.

7. PUBLIC HEARING

A public hearing to be Held and A Decision Made on the Abatement Process for the Old Impressions Building located at 21510 Main Street N.E., Aurora, Oregon – Mayor Carr opened the public hearing at 7:39 p.m.

Mayor, Bill Carr asked if anyone had any ex-parte contact, bias or conflicts of interest. Hearing none, Mayor Carr read a statement on how the public hearing will be conducted. (This is attached to the minutes).

Mayor, Bill Carr: “We usually have a staff report”.

John Rankin: “Yes. Quote unquote ...the staff report is included in your packet. It includes, if you look in your packets, a Notice-Order to Abate Nuisance a Notice of City Council Public Hearing dated July... Notice was dated July 28, 2006. It was sent to the persons responsible, which was Edventures Limited as the owner and Rodger Eddy as the person in charge, and I noticed that Rodger Eddy is here tonight. And that notice was sent to him regarding a piece of property that is described in the notice, tax lot tax assessor’s parcel number R97889, and tax lot 6300 on Main Street the address is 21510 Main Street N.E. And there is a Declaration of a Nuisance that was based in part on the December 7, Municipal Court Ruling...December 7, 2004 Municipal Court Ruling, which found the above persons responsible guilty of Nuisance Violations and based on the Aurora Municipal Code Violations Report prepared by the Police Department...Aurora Police Department.”

Chief Chris Conboy: “Did we attach the police report.”

John Rankin: “Yes we did. Good.”

John Rankin: “We got the Police Department’s Report attached to this notice, which itself is based on site visits to the subject property beginning April 18, 2006 and June 13, 2006, and there are photographs, and of course, detailed descriptions. And I say here the Notice of Additional Information can be obtained by contacting my self, the city attorney through the city recorder. What that Notice does it says that the Nuisance Must Be Abated...It says that the Above Persons Responsible Who Are Required to Abate the Nuisance within ten (10) days of the date of this Notice. The Nuisances Must be Abated or removed by the persons responsible within ten (10) days of the date of this Notice. If the Nuisance or Nuisances are not abated or removed within this ten (10) day period, then

the city may abate the Nuisance, and the cost of the abatement will be charged to the person responsible. If the cost of abatement is not paid by the person responsible, then the cost of abatement may be added and become a lien against the property. Additionally, failure to abate or remove the Nuisance may warrant an in-position of a fine. Notice is given at this public hearing...to hear testimony from the person responsible, as well as, all other interested parties regarding this matter and the notice also goes on to say that the person responsible may protest the Order to Abate the Nuisance by giving written notice to the city recorder within ten (10) days of this notice and we have received a Notice of Protest. ”

John Rankin: Read the protest letter in its entirety into the record that was presented by Rodger and Janet Eddy or at least the letterhead says Rodger and Janet Eddy 2582 N.W. Lovejoy Street, Portland, Oregon 97210, and it has a phone number. It is addressed to the City Recorder, City of Aurora, Aurora, Oregon, and it's dated August 7, 2006.

Here is the protest letter: “I protest the “NOTICE – ORDER TO ABATE NUISANCE” that was mailed to me at my home and dated July 28, 2006 and signed by John Rankin, City Attorney. I also request a hearing as provided by ordinance. I request that the hearing be scheduled after September 18, which is the date I will be returning from an out-of-state business trip.

John Rankin: “I have a returned receipt showing that it was picked up by Gary Hewitt on August 7th ...and of course, I sent a copy to Rodger and Janet Eddy and Edventures by regular mail at the same time I mailed it certified. I have done a trio and I thought that I had a copy of Rodger's here to add it to, but I believe that ...Edventures is a duly registered corporation in the State of Oregon. And, is as I remember, ...no I have another thicker file and I think I did a ... pull this out. As I remember, a Edventures “I will correct this for the record if necessary” Edventures is a duly registered corporation and its president is Rodger and I think the secretary is Janet. At this point, you open the public hearing, and I think that the purpose of opening this public hearing is to take testimony from those people who are here, who have appeared, who have gotten notice, and to ... my recommendation is based on the letter that you have received is to, and this is subject to discussion and a decision by the council is go ahead and extend and continue the public hearing until a date certain in the future that fits with Janet's schedule, Mrs. Eddy's schedule.”

Councilor Schaefer: But Mr. Eddy is here.

John Rankin: “But Mr. Eddy is here. And we will see what his representation is.”

Councilor Joseph Schaefer: “Mr. Eddy is the president of the corporation.”

John Rankin: “Yes.”

Councilor John Steward: “Janet Eddy is the secretary.”

John Rankin: “That is my remembrance and we will have to have Rodger confirm that, Mr. Eddy to confirm that.”

Mayor, Bill Carr: “I did not include a couple of things that I should have included. Are there any ex-parte contacts, bias or conflicts of interest to declare? Does anyone object to the City Council hearing this issue? Hearing none, Mayor Carr stated that we will hear from the applicant.”

John Rankin: “Just read the list of how it will proceed so that everyone can comment.”

Mayor, Bill Carr: “The building owner will be heard. Opponents will be heard. Proponents will be heard. Neutral parties will be heard. Any written materials received prior to the hearing by parties not in attendance will be heard. Building owner rebuttal of any points raised will be heard. Staff may comment on testimony or evidence presented. A decision will be made or the hearing may be continued.”

John Rankin: “Just for the record. I want to make sure that it is understand that this relates to this Nuisance Violation and this Notice of Order and to the procedures that you are following that will subjugate the process that you are going through is all done by pursuant to Chapter 8.08 of the City of Aurora’s Municipal Code. And of course, any and or all applicable Oregon Revised Status that is in the Notice, as well as, its based on part, as I mentioned earlier on the Aurora Police Department’s Report that is attached in your ... your packet and made part of the public record. It lists the Aurora Municipal Code Violations, and the persons involved. It discusses specific violations regarding nuisances affecting public health and nuisances, junk nuisances creating hazard nuisances, as well as, abandoned vehicles and prohibited action. And there is a series of evidence, we should have photographs, those don’t look like they have made it into the record. I do have copies of those here. And I will put those into the record. Chris do you have copies of these?”

Chief Chris Conboy: “I do. I was just writing Laurie a notice. When I gave her my packet to copy for council and you photographs were in a folder. And my manila folder was returned to me, but I didn’t have the photographs returned to me. And I was wondering if they were secured in city hall.”

City Recorder, Laurie Boyce: “I didn’t know anything about photographs until just a minute ago.”

John Rankin: “So I got. So I think that should be considered part of the record, as well. I got my file. I got the digital pictures here that were taken so I am going to put these into the record and I am going to give these to Laurie.”

John Rankin: “We also have other letters that should be put into the record. I got a March 10, 2006 letter from the American Legion Post talking about the vacant un-kept building next door to our post, and all of this will go into the record including part of this notice to Mr. Eddy and to Mrs. Eddy, and they talk about mice infestation etc., and

imposing a serious health issue so that document will in the record, and is not attached to the packets, incidentally, but it will be in the record. And I will hand it to Laurie here in a minute. Then we got another letter this is dated ... March 29, or at least it was received on March 29, 2006 and this one is, I think from, Noel Kinder. It looks like it. Yes. Noel it is from you."

Councilor Joseph Schafer: "We should add it to the abutting property owner. Correct?"

John Rankin: "Yes. It should be the abutting property owner to the east of the property, and Noel is here tonight to offer some public testimony, if he likes. And then we have a letter from Mike Ausec, a member of the Aurora Community since 1995. And he discusses his concerns about the property, so all of those documents are hereby going into the public record. And I will get copies of those later. Ok. I think that is everything in the record that needs to go at this point. And we got the photographs and we got the rest of of of Chris Conboy's police report and that is all in here, and these documents. So I think that you have everything into the public record. So we are ready for you Mr. Mayor, and talk with, and ask if the person responsible has any comments."

Mayor, Bill Carr: "Building owner will be heard. Is that right?"

John Rankin: "Yes."

Mayor, Bill Carr: "Mr. Building Owner."

John Rankin: "Yes."

Mayor, Bill Carr: "It is your turn."

John Rankin: "Rodger Eddy. Please Rodger give us your address for the record."

Rodger Eddy: "2582 N.W. Lovejoy Street, Portland, Oregon 97310, my residential address. I guess I would a really prefer, I would have preferred to hear the other complaints that might be forth coming so that I can address them, but I don't mind addressing the complaints that have been set forth."

John Rankin: "You will have an opportunity to rebut those."

Rodger Eddy: "Yes. I understand that. Yes. I was approached before the meeting by a citizen of Aurora who denounced my bickering with the city council. I would just like to put it into context that a, as far as, this matter goes I have had no contact from, by, or with city council or any city officer or anyone involved officially with the City of Aurora, or for that matter with any citizen of Aurora.

So I haven't had the opportunity to bicker with you folks and a it is not my intention to want to bicker with you folks, but I just want to make it clear that we are not bickering. And, I only wish that when this situation came to the attention of the city council that

1 1

someone would have contacted us at that time, and so that we could have approved to you that we are not interested in bickering, that we are interested in addressing the problems, as they might occur. But we didn't have that opportunity so that in the meantime a case has been built and presented without our knowledge and without our input. And we intend on answer that to the best of our ability. So I am not going to bore you and to take up a lot of your time with a point by point rebuttal for the material that has been presented. And, at this point I think that it is more productive for me to address the general situation, and try to lump some of the complaints into a single answer on our part. Most of you, I am not acquainted with, but a few of you unfortunately am.

Just to put the history into context, my family has owned the subject property since 1965 for more than a dozen years we operated Aurora's largest single business from that property. And, since that time, after that time, it has been rented out or leased out as an antique store until the time of the fire. At the time of the fire, at the time of the fire, I was not an occupant of the building, accept for storage purposes, and it was intended for business at the building. Also, to put it into context, there was a fire suppression, there were two fire suppressions systems in the building, one was a number of the fire extinguishers, and second, was a two inch water main connected to a fire hose, either of those fire suppressions systems were used in fighting the fire. And, unfortunately, the building was largely destroyed. The building a was on the National Registrar of Historical Places. It is, it was, and is an historic structure. And it was first listed as an important primary structure in the downtown Historic District.

After the fire, a I made it clear that our intention was to completely restore the building as closely as possible to the way it stood, because we value the historical site, we value the building, we value Aurora's history. I was given information that was partly correct and it turned out to be partly not to be correct. And, as a result of that, a to make a longer story shorter, a the family became discouraged from an economic stand point of the cost of the project was getting out of hand. However, we spent many thousands of dollars on our attempts to restore the building.

First of all, to go to the planning commission, which blessed our idea and which was thankful for our idea with wanting to restore the building. Secondly, our idea was approved by the planning commission, and subsequently, as I recall, ratified by the city council. We acquired a number of historically correct building materials so that we could restore the building as accurately and as authentically as possible. A lot of that material is still on site.

We even had some material especially milled so that the a piers and supports would be historically accurate. But it was very discouraging when we found out that the in spite of our planned duplication of the building we were not able to, we were not allowed to duplicate the building. At that point, a and a, and along with that was a substantial fine from the City of Aurora at a time when we were attempting to reconstruct the building, and it became clear that it was not a smart move to continue with the reconstruction project of the building.

At that time, we placed the building on the market for an active sale with the hope that we would attract somebody who would want to restore the building in the correct manner. And that is why, we have left the a front façade of the building standing, and is why we left the authentic building materials on site in the hopes that a subsequent owner will be interested in a correct restoration. We have had a number of interested parties nothing that has panned out. We continue to a attain interest for the property, but again, nothing has happened. My family and I a this is my finally historic note, my family and myself lived in the building for more than ten (10) years. So it's not that I am disinterested in the building or the site.

Now, to generalize the answer to my complaints, and again, rather than to go by detail by detail I will try to give you a general answer.”

Rodger Eddy: “You may want to follow along with the page headed “Aurora Police Department” dated April 18, 2006. And it lists first a “No person shall cause or permit a nuisance to affecting public health on property owned by and controlled by a person and so on.” It says accumulation of debris, rubbish, and manure and other refuge and compost, and that is not necessary an actuation, it is just a quote from ordinance. So I don't think that we have been accused of dumping manure on this site, stagnant water that hoards a breeding place for mesquites and other animals, old iron and so forth. I am going to skip the next one, because I need a separate answer to that.

Well, I'll just, I'll address these first two, because a couple of the letters of complaint regarding the property a reference to a mice and rat infestations. There are no mice or rats on the property. I see no plain evidence that there are mice and rats on the property. And, adjoining property owner has started that he has mice droppings in his basement, I can not refute that. It is very likely that he does have mice droppings in his basement. I talked to a former maintenance person at that building, who told me, and that is hear so, but he told me that there is always mice droppings in the basement that every time that he cleaned it up, he had to clean out the mice droppings. I am sorry that the neighbors have mice in there basement, but they are not our mice. I think that they are there mice.

There's comments about a this is a breeding place for rats and mice. A very popular accusation when there is a vacant property. My answer is that there are no rats or mice on our property. I can't say that one wouldn't travel across, occasionally. The other day I noticed a squirrel traveling across an Aurora public street. But certainly there are rodents in Aurora. I have no dispute about that. And, I would not be surprised that occasionally, that one would not cross our property. But I don't believe that they live there. I think that more to the point, is the fact that since the fire a cat has lived on the property, and therefore, is feed and water and is as far as I am concerned, patrols the property to prevent rat and mice infestations.

The other day, I noticed when we were doing some clean up, I noticed a small nest of yellow jackets coming out of some vegetation, and probably there are occasionally yellow jackets on the property is we have at our home in Portland.

I noticed a probably a couple hundred tiny ants under a piece of wood that we were cleaning out, and I would image that that type of wildlife exists on our property, as well as, probably most other properties not only in Aurora, but in the State of Oregon.

I don't believe that we are creating any particular nuisance or hazard by the existing condition of the property. I could regale you with more details, but I am not going to. Creating a hazard, failing to repair or remove any dangerous or dilapidated building and a I think that there, that there is certainly is a germ of argument about a failure to repair or remove any dilapidate building. It is not a dangerous building. The building, the entire property is, I think you are aware it's completely fenced with chain link fencing. And that was, and that was partly done at our belligerent and partly at the request of the city to fence that property a it is properly fenced. I don't believe that anything larger than a small cat that could crawl under one of the two gates that are on the property."

Rodger Eddy: "The a reference has been made in one of the complaints too, the fact that, 2 x 4's hold up this dilapidated structure. There are 2 x 4's attached to the existing walls of the building not to hold it up, but to present added safety in the event of a wind storm. The walls are still standing and they are sturdy, but we wanted to be extra safe. So we put up 2 x 4 angled boards to the wall to prevent any possible blow down in the event of any un-unusual wind situation, which has not occurred.

So the walls are standing and they are well braced. The walls are there simply because we hope that Aurora will use its history and utilize this part, this only part of the building that is visible and standing. We have put in a number of hours on restoring that front with new siding and a, and associated work, a work that we have abandoned at the time that we decided not to rebuild the building. We could tear down the building, which would not be difficult to tear down what is left. At that point, there is nothing left of the history of the building. And, somebody might want to replica it or they might want to do something completely different. So if it is its continued sense that this an eye sore and a dilapidated building rather than a piece of Aurora's history, and to hope for a future re-building, then we would certainly consider your wishes on that."

Rodger Eddy: "A next. 'Abandoned vehicles prohibited action. It is unlawful to store, or permit the storing of, a discarded vehicle upon any private property within the city and so on and so on unless stored in a building.' There are vehicles on the property and there have been historic vehicles stored on the property since 1965. There are presently four vehicles on the property. Two of them are in a carport that is invisible or nearly invisible from any a public view.

There is a another vehicle that we are hoping to use or utilize in our rebuilding project owned by another person and I have had a difficult time in reaching this other person, but I have reached this other person and that vehicle which is the one that is mentioned in the police report is going to be moved within probably two or three days because, frankly, I don't want that vehicle there any longer myself.

A the vehicles that are on site are licensed, I am not going to guarantee that the license plates are visible on those vehicles that are never moved out of there places, but they are registered-titled licensed vehicles. They all have a value. They have historic value, as well as, real market value. We're, I am not ataman about maintaining vehicles on the property, although, I believe that there is no reason not to maintain the vehicles at least in the carport. But again, I can only, give you my assurance that one of those vehicles probably, the most visible is going to be moved almost immediately.

The evidence that Mr. Conboy a brings forth and I am not disputing his report or evidence at all. I think that he has done an accurate job of portraying what he say and describing it to you, but I don't believe that stacks of lumber, assorted width and lengths, first of all, create a nesting area for rats, mice, and ferments. I don't believe that is the case. They are not stacked in piles so it provides a place for ferments and not to mention our watch cat. But there are several stacks of, what I call vintage lumber that were built or obtained that are correct for the rebuilding project. Now, if it is truly, a violation a we will probably just sell the lumber. Maybe, we need to obtain a business license for a lumber yard to sell the lumber that we have there, if that is going to be the Altamont desire of the council, we can do that. I would much prefer that the lumber and the building materials stay there in the hopes that they are going to be used in a restoration of the site.

There is a documented picture of a five gallon bucket that is containing water to its brim providing a breeding place for mesquites and other insect nests. Frankly, I don't know how the bucket got there, any time we worked, we would have a bucket, we would tip the bucket upside down. The bucket is no longer there and hasn't been there for some time, but I can't deny that it might not have been there at that time."

Rodger Eddy: "There is also a photographic documented pile of used tires and steel car wheels a and I am going to frankly say to you that I think some of Mr. Conboy's observations, and some of the cities complaints are legitimate, and accurate and we have been trying to correct some of those, particularly the wheels and tires, which should not have been there. And this vehicle, which is allowed to be there, which we are going to move a I felt that there are some other building materials that were not a neatly stored, and we tried to approach that."

Rodger Eddy: "We have done work on this property earlier this year, and we didn't get back, frankly to work on this property until just about the time of this complaint. Again, I regret that we were not notified or worked with or talked to before that and we probably would have gotten an earlier start. But I don't believe or I haven't heard, that Mr. Conboy or a city representative has been back to review the property in its condition at this time, because there are quite a few things that we have moved off, and there are quite a few other things that we are in the process of moving off, and intend to move off.

Because we do want to make the site presentable, but we also would appreciate the right to maintain some building materials there in hopes that somebody will restore the building. Short of that, we are stilling willing to cover the building.

The building materials are there so that we can do that. So that if, if it is, a partially open basement, because we did re-cover probably 2/3 of the basement. We could re-cover the rest of the basement, if the city would allow that, and that would that would essential element much of the complaint of standing water in the basement. And there is very little standing water, because we had a sump-pump hooked up that pumps out water a from the sump-pump, which the water primarily drains into, except for perhaps, an inch or two puddle in places that doesn't drain into the sump-pump. I think that covers most, well not it doesn't cover most of the complaints. We don't intend on hire the pipe piper of hamlet to filter the property to get rid of the rats and mice that don't exist. I can understand the frustration of business owners in the City of Aurora, because our building was the site, of what I believe, was the finest antique store in Aurora. And it had to be the great draw for the town of Aurora, as well as, for other antique businesses in town."

Rodger Eddy: "And, it is very regretful that the building burned down, and I regret it probably more than the complainers are dreading it. I very much regret it having lost an historic building, but the fact is, that the building did burn down a the fact is, that it probably has been a negative impact on Aurora's business. But, unfortunately, that is not our responsibility a the building has been for sale if somebody wants to step up, and do we what had chosen not to do or what we determined is not economically possible for us to do, the building is for sale. Check the sign and call the realtor and let them talk to me about it, if somebody thinks there should be a substitute structure there, like the old one or different talk to me about it and do it. It's open. It's on the market. It's available. If you don't want to spend the price for the land, talk to me, we will give you a lease. We are not trying to lock up a vacant lot in the City of Aurora without development. We are perfectly willing to listen to reasonable alternatives, reasonable answers, a that would bring something about on that site. And, I think with that, I probably ought to end my comments and let the other members of the public address there complaints. Thank you very much."

John Rankin: "Does a anybody any member of the council a or staff have a question of Rodger at this time? This is the opportunity to ask questions. If, there is something that needs to be addressed."

John Rankin: "I have one question Rodger, if you would please. Are you the president of Edventures?"

Rodger Eddy: "I am not at this time, but my report will show that I am not an officer any more."

John Rankin: "So you are not an officer any longer. How are the officers of the company?"

Rodger Eddy: "My wife and daughter."

John Rankin: “And that is Janet and what is your daughter’s name.”

Rodger Eddy: “Angela.”

John Rankin: “Angela. Your wife is the president. Is she?”

Rodger Eddy: “Yes.”

John Rankin: “And, your daughter, Angela is the secretary.”

Rodger Eddy: “Yes.”

John Rankin: “So what capacity are you here in.”

Rodger Eddy: “Well. According to your notice, and I quote.”

John Rankin: “Yes.”

Rodger Eddy: “Notice is also hereby given so on and so on and so forth to hear testimony from the “persons responsible” and all other interested parties regarding this matter. So I guess, I am both a person responsible and an interested party.”

John Rankin: “Ok.”

Rodger Eddy: “Because I am listed at the heading as the person responsible.”

John Rankin: “I remember back at over a decade and that is why I am asking you the question. As you know, back a decade there were representation you made that you weren’t part of, at one point in time.”

Rodger Eddy: “That is not correct, John. I respectfully, and it is on the record that I did clearly identify the owner of the property that is across the street that was the subject at that time, the Krauss site. I clearly identified to the city council the owner of the property, and that I was there not as owner of the property. I made that very clear. It is on the record and it’s in the minutes of the city council. So if there was any offverification it was not on our part.”

John Rankin: “Ok. Go ahead Chris.”

Chief Chris Conboy: “Mr. Eddy when I sited you with a civil citation into Municipal Court, well, 8 or 10 months after the fire. You told the municipal court that you were still the president of Edventures Unlimited.”

Rodger Eddy: “I believe so.”

Rankin: “Can you tell me Mr. Eddy when did a, when did the change occur, the change changes in officers?”

Rodger Eddy: “I would have to, rather than guessing its, its not an active corporation. Its not the kind of corporation that has monthly meetings from month to month, because, it is essentially, a holding company. We have meetings were we have action in lieu of meetings, but without looking into the corporate records I am only guessing.”

John Rankin: “Ok. Are you represented by an attorney on this matter?”

Rodger Eddy: “No.”

John Rankin: “Um. So at this point, you are responding because you are listed as a “person responsible” not because you are representing the owner of the property. Is that an accurate statement?”

Rodger Eddy: “Yes. I am listed as a “person responsible” and so that is the manner in which I am responding.”

John Rankin: “So you’re not made, none of the representation made. Are you representing the owner in the statements that you made tonight?”

Rodger Eddy: “No.”

John Rankin: “So you are representing yourself personally, as any called by the notice “responsible person.”

Rodger Eddy: “I am not trying to make it difficult for you. Although, it, it, it, a, I understand your concerns. Certainly, I understand your concerns. It is a legitimate one, but, and so I don’t want to fly under any false colors, and tell you anything that isn’t correct.”

John Rankin: “Do you know when the owner of the property would be available to a meet with the city council in a public hearing segment?”

Rodger Eddy: “Yes. According to, according to the notice after September 18, and frankly, a as a listed “person responsible” I would, its fine, if you wanted to wait until then and have a hearing or to continue this hearing. But, I would appreciate some feedback tonight, because that’s a more than a month a way, and I would like to be doing something. Some other things that would a litigate the cities objections or to work with the city that is what I want to do, and my wife, who is not here has the same feelings. We would rather work with the city, and try to get some things accomplished at the property that the city feels is proper. And a, and that we can agree with, and a move ahead with some other things with some improvement, if you want to call it improvements or something, some work we will put it that way, we would like to do some work on the property in the meantime to litigate your concerns.”

Councilor Joseph Schaefer: “Mr. Eddy. I would like to follow up with what you said a moment ago about Edventures not being an active corporation currently.”

Rodger Eddy: “It’s an active it’s just its not it’s not a corporation that conducts business on an on going bases. We don’t have a store that is owned by the corporation.”

Councilor Joseph Schaefer: “But it is an active corporation.”

Rodger Eddy: “It is an active a duly registered corporation, but its primary function is as a holding company for this particular real estate that is not a functional piece of real estate anymore.”

Councilor Joseph Schaefer: “Do you have any interest in the corporation?”

Rodger Eddy: “No. I don’t. I am a member of the corporation a.”

Councilor Joseph Schaefer: “Do you have any shares?”

Rodger Eddy: “No. I don’t own shares, but a I am a.”

Councilor Joseph Schaefer: “Are you an employee?”

Rodger Eddy: “No. I am not an employee.

Councilor Tom Ramsey: “If you are not an employee and you not representing the owner why then we just spent 20 minutes listening to your rebuttal to all of that stuff. I mean, a what do you have to do with anything?”

Rodger Eddy: “I think that Mr. Rankin can explain that a, as well as I can, but I am.”

Councilor Tom Ramsey: “So you don’t represent anybody and you don’t have anything to do with it. So why? What roll do you claim here?”

Rodger Eddy: “I have been assigned the roll of doing getting something done with the building.”

Councilor Tom Ramsey: “So you are representing someone?”

Rodger Eddy: “To that extent yes.”

Councilor Tom Ramsey: “So I guess I am trying to understand why we took all the time to listen to you.”

Rodger Eddy: “Because I am described as the “person responsible” so.

Councilor Tom Ramsey: “Are you?”

Rodger Eddy: “I am the “person responsible” for the project. Yes.”

Councilor Joseph Schaefer: “The president of the company is aware that you are coming tonight for the hearing?”

Rodger Eddy: “Yes.”

Councilor Joseph Schaefer: “And you discussed with the president that you would be coming and what you would be talking about. And you probably came up with a plan with the president of the company.”

Rodger Eddy: “No.”

Councilor Joseph Schaefer: “Did the president of the company just tell you to come?”

Rodger Eddy: “The president of the company is my wife, and she expects me to a present the picture that I presented to you.”

Councilor Joseph Schaefer: “So the president of the property, of the corporation that owns the property directly sent you to testify tonight.”

Rodger Eddy: “I was instructed to be here by the city as the “person responsible”.

Councilor Joseph Schaefer: “Were you instructed by the president of the company to be here?”

Rodger Eddy: “I am not going to say that I was instructed by the president of the company to be here. The president of the company knew I would here as the “person responsible.”

Councilor Tom Ramsey: “This is off the subject. What other animals do you have other than the cat? Are you keeping them or are they a stray cat that is some how feed there? Are there any other animals on the property?”

Rodger Eddy: “It is not a stray cat. It’s a cat that calls that property its home, and lived there before the fire. He continues to live there in his a is a feed and watered on the property.”

Councilor Tom Ramsey: “By.”

Rodger Eddy: “By the owner of the cat who is a former tenant at the property who’s name is Gary Hewitt.”

Councilor Tom Ramsey: "They came by and feed it."

Rodger Eddy: "Yes."

Councilor John Steward: "To the best of your recollection was this change in ownership or the change of president change of officers of Edventures done within the last 60, 90, or 120 days or longer than that."

Rodger Eddy: "No. It was prior to that."

Councilor John Steward: "Prior to that. In Joseph's hand at the moment is the Secretary of State's Registration of your business. You are still listed as the registered owner registered agent of that business. Your wife is still listed as the secretary."

Councilor Joseph Schaefer: "And Mr. Eddy is still listed personally as the president, as well. Here is a copy of it, if you would like to look at it. We just pulled it off of the web a few minutes ago. And we will put that into the record, as well."

Rodger Eddy: "Well, I see that a the renewal date coming up is 9/23/06."

Councilor John Steward: "As of 11/05 a payment was made with that current information."

Chief Chris Conboy: "11/05/2005 you renewed the business under that name as the registered agent."

Rodger Eddy: "Alright. That was in 05, it could be."

Chief Chris Conboy: "November of 05. That was the date it was changed."

Rodger Eddy: "I am sorry I don't remember the date it was changed. If that."

Councilor John Steward: "But it was prior to 30 to 120 days ago."

Rodger Eddy: "Yes."

Councilor John Steward: "I don't know what the frequency is that they update that. I get updates to it of who the new businesses in town are on weekly bases, definitely a monthly base. So according to the State you are still the registered agent, as well as the president of the company. So, I guess do still we refer to Mr. Eddy as the owner of the corporation?"

Councilor Joseph Schaefer: Well, John. I would like to ask "Do you have copies of any corporate minutes or things of that nature. I am not familiar with corporate language. Do you have documentation that? "

Rodger Eddy: “We have we have a corporate minute book, which I certainly do not have it with me, a but a I am not disputing your records. But, all I know is that a it’s an annual report that has to be filed. It’s the annual report last year that showed me as the president. I presume that is correct.”

John Rankin: “And for the record, I have addressed a certified letter to Rodger Eddy’s residence, Janet Eddy Secretary, Edventures at P.O. Box here in Aurora. And, what I do is go right to the Corporation Division’s Registration records and do a name search, and found that, and that is why I addressed it to you, Mr. Eddy as the president instead of copying individually to you and Janet, your wife. So, are you saying now that you are here representing the Edventures, the owner of the property or?”

Rodger Eddy: “No.”

John Rankin: “Ok.”

Councilor John Steward: “So all the records.”

John Rankin: “All we have is the public record to go from, and normally, my experience, and this is my experience is that all the corporations that I have worked around and the LLC’s etc. that I form and work around that when you do change in your corporate minutes you do change the officers of the corporation. You go ahead and give notice of that change to the State. And, a I guess what the city would like to see is a some evidence that shows that you are no longer the president and that you weren’t at the time the notice was sent. All we can do is go by the public record. Public Record says you are the president so.”

Rodger Eddy: “All I can say is that I am a little baffled by the concern. I thought that I was a addressing your concerns tonight forthrightly and a a technicality of whether I am an officer or not, I did not realize was a great concern to you when I was a discussing it.”

Chief Chris Conboy: “Mr. Eddy do you remember when the fire was on the property?”

Rodger Eddy: “August the 1st 2002.”

Chief Chris Conboy: “Do you remember how many court appearances that you had at Aurora Municipal Court, and how many delays and how many extensions you asked the judge for?”

Rodger Eddy: “No. I don’t.”

Chief Chris Conboy: “What was it? It was two plus years at court. Now you are here to tell the city council finding a way to do it again with the excuse that you are not the president. So you are trying to stop it. You are trying to bring this to a head.”

Rodger Eddy: "I am not accusing as an excuse that I am not the president. I am, I am conveying to you our desire, my desire, the corporation's desire to work with you. And, I am here tonight to try to work with you."

Chief Chris Conboy: "It has been two plus years. Hasn't it?"

Councilor Joseph Schaefer: "Is there any other council members that would like to ask questions of Mr. Eddy, if not, I would suggest that we move it along to other folks that would like to testify."

Mayor, Bill Carr: "Ok."

John Rankin: "And Mr. Eddy will have an opportunity to rebut any comments that are made."

Mayor, Bill Carr: "I will look at my list, and its says, opponents or rebuttal."

John Rankin: "Are there any opponents?"

Councilor Joseph Schaefer: "I would like to clarify what an opponent is."

John Rankin: "Yea. I would, let's say these are folks who want to comment on the public record, and really an opponent relates to a quas-i-judicial setting that we have an applicant, proponents and opponents so let me clarify that for the record so that there is no concern about Mr. Eddy, and a his wife, and a the company. What we are asking for now is testimony from any other interested parties who would like to speak to the issues that are raised by this Notice of Abatement, Notice to Abate Nuisance."

Noel Kinder: "My name is Noel Kinder and I live at 21533 Liberty Street N.E. I want, as much as I intend to. I will not explain point by point rebut the arguments that Mr. Eddy has put forth frankly, I don't it makes a lot of sense. First and for most, I see absolutely no reason to delay this hearing to September 19, 2006, based on any number of factors, largely do to the conversation we just had clearly identifies Mr. Eddy as the people representative of the corporation. So I am for you not to delay this again. I see absolutely no intention to restore this building; the building has been in such a state for more or less for the last four years. I want re-articulate all the points that I made in my letter to Mr. John Rankin did a very good job of capturing those in the complaint. The one thing that I will say that I think is missing is the fact that the basement might clearly attract young children with the fact that it is an open basement, open vault, and this bothers me. I have a four year who is clearly keep able of scaling the chain link fence that is behind my property that makes me a little nervous. Fence or no fence, kids from two to twenty have assessed to that property, and it is a dilapidated building in spite of what your presumption of reality of that would be. I see that this is a pretty open and shut case, frankly, I am not an attorney with all do respect to John Rankin, but the Municipal Code seems to be pretty adequate on this matter, and I am happy that the city council has

decided to take this action. I am surprised that it has taken this long. That is all that I want to say.”

Mayor, Bill Carr: “Am I suppose to read this words that are wrong or am I just suppose to do something else.”

Councilor Joseph Schaefer: “You are supposed to ask if there is anyone else that would like to testify.”

Mayor, Bill Carr: “Any one else, what he said. Anyone else that would like to testify.”

Mayor, Bill Carr: Ok. Hearing none.

John Rankin: “You need to jump back to Mr. Eddy to ask if there are rebuttal statements that he has.”

Mayor, Bill Carr: “Ok. Mr. Eddy any rebuttal. Mr. Eddy.”

Rodger Eddy: “Yes. Thank you. A Mr. Kinder sees no intention to restore the building and our desire is to have the building restored by a new owner. Short of that, as I mentioned we are willing to a enclose the basement, and continue to work on the building and enclose the basement, if that would a, if that would provide an answer. The basement is described as an open vault a, and I think that most basements are that could be described as open vaults. I don’t believe that kids have access to the property. There is a chain link fence that completely surrounding the property, if an animal, an adult, or a child wants to scale the fence with a ladder or by a climbing up, crawling the fence, it is certainly possible. But a, I don’t believe that a, if you want us to put barbed wire at the top. I mean, that is, maybe that is a deterrent maybe that would damage the intruder to the point they wouldn’t want to come in. We have had no intrusions that I know of. The gate and fence are soundly enclosed, and far from being an open and shut case. I think that there is a lot of room for discussion, investigation, and negotiations between our selves and the city, and that is why I am here tonight in hopes that we could arrive at some a concrete resolution.”

John Rankin: “Just for the record. I am, I think that the council needs to know the length that the city went to through with the previous declaration of nuisances’ process. It was citations into municipal court an I don’t remember the exact dates that we started, but it seems to be that it last 18 to 20 months. And, we were in court on a monthly or every other month bases a working with Mr. Eddy trying to get some compliance with the requirements of the land use code, building codes, and that sort of thing to Mr. Eddy’s credit he did prepare some drawings. They were not stamped by a the engineer, and I don’t think that they were ever stamped by an engineer. They were submitting to the building services division in Marion County, and the building services division kicked them back saying that they most be stamped in order for them to start there plan review. And, after numerous attempts by the judge a to a obtain compliance with Mr. Eddy and his company, and one day he walks in, and said that he wasn’t going any further, as I

remember the general statement. And, at the point, at that time, I immediately asked the judge to go ahead and sentence Mr. Eddy, and at that point she had found him guilty of Violation of a Nuisance Ordinance, and the sentencing didn't delay to that 18 or so months. And that, a sentencing did occur a \$2,000 fine was assessed, and that has become a lien against the property. Just for the record."

Councilor Joseph Schaefer: "Mr. Mayor, Are we ready for a vote or do you think that we should have some discussion?"

Mayor, Bill Carr: "I guess it is up to us, and we need to discuss it."

John Rankin: "Let me interject a thought here, to is that the process under the ordinance. We have for the public record we have a sent notice, and that notice has been responded to, and I am looking at 8.08. I am looking at a 8.08.18 and it says "Determination of Notice of a Nuisance and Notice Procedure" so a determination of a nuisance was made by the city, made by the city back in a 2003, I believe it was. The judge actually determined that the nuisance did exist on the property, and it has been substantiated by a Police Chief Conboy recently. And in the nuisance itself a notice has been sent of this nuisance in Order to Abate was sent on the 28th of July, and this notice of hearing was set. We've got a Notice of Protest. The Protest was a is not complete in my estimation, because the Ordinance says and I am quoting from 8.08.190 "Abatement by the person responsible. The person responsible has the following options within 10 days after posting of the notice etc. The person responsible should remove the nuisance or show that no nuisances exists or within 10 days of posting the notice and mailing of the notice. The person responsible shall file a written statement with the recorder that specifies the bases for the protest that no nuisance exists. And Mr. Eddy has shown, and the city has provided a public hearing and Mr. Eddy has responded to the public hearing, and, his wife as at least responded with a protest that its interesting that protest itself is signed by Janet Eddy as an officer of Edventures Limited. So we got Edventures Limited filing a protest, but not giving us any bases for that protest except in slogan terms, oral testimony by Mr. Eddy, who says that he's no longer the president or no additional interest and no interest at all in the corporation. Now, the next step would be for the city council a to determine to make a Declaration of Nuisance to complete the process and maybe, Bob you can speak to this, the process of gathering estimates to a estimate the a cost of any abatement by the city a, and then instructing city forces to go forward with that. That Declaration of Nuisance needs to be in writing."

Councilor John Steward: "Joseph has already prepared the Declaration of Nuisance?"

John Rankin: "I think that the city council needs to do it again."

Councilor Joseph Schaefer: "Don't we have a Declaration in front of us, I presume."

John Rankin: "No. You have a notice in front of you. You don't have a Declaration prepared."

Councilor Joseph Schaefer: "I might suggest that we type one up immediately."

John Rankin: "Well. I would ask that with the reports and responses back that we have from Mr. Eddy that a Declaration of Nuisance can be drafted now that would address the issues specifically, because what Mr. Eddy and his testimony is referenced is that the statement of the ordinances and the ordinance violations in the report do not by themselves constitute a statement that he is making to you. They do not by themselves make a statement to you an adequate description for him to respond to, he has gone ahead and responded. There are the letters in the file that also address the nuisances in specific terms, but my opinion is that you need to put together a Declaration of Nuisance that has a careful crafted list of all of the existing nuisance issues that you see based on the police report and the judges Declaration back in those days, and the current report by the Police Chief. And, then that you extend this public hearing to a date certain where Mr. Eddy has an opportunity to respond to that Declaration and make a decision."

Councilor Tom Ramsey: "What would be the alternative?"

John Rankin: "The alternative would be to again honor a Janet Eddy's request as the officer, she doesn't say president, but is the officer to extend the public hearing or this is my comment to close this public hearing and re-notice her for a new public hearing based on the representations that Rodger Mr. Eddy has made to us tonight."

Councilor Tom Ramsey: "I guess the alternative that I was looking for was what the alternative that this requires another time is?"

John Rankin: "Oh. Well."

Councilor Joseph Schaefer: "I am drafting a Declaration right now to incorporate some listed violations that we have in our packet and the report prepared by Chief Conboy. I also am going to include some instructions in there to direct the Public Works Department to immediately proceed with all do speeds. I think that we should all have a vote on it."

John Rankin: "Well. And, all I would say to you is I think that's a that would be not my suggestion. I will say it this way to you. I don't think that is appropriate under the circumstances to draft a Declaration of Nuisance that would be a legal document that would go forward and be appeal able by Mr. Eddy and his company if it is drafted tonight at a meeting."

Councilor Joseph Schaefer: "With all do respect John; I am shocked that we don't have such a draft in front of us. The agenda was listed as a public hearing and a decision was to be made. I just don't understand why we don't have such a precision document."

John Rankin: "A Joseph you can make a decision to declare it a nuisance. You can put your list together, and let me draft the document with your help; if you want to draft the beginning document you are certainly welcomed to do that."

Councilor Joseph Schaefer: "Right."

John Rankin: "It would certainly save me time to do it, but that document needs to be carefully crafted, and given back to and set another public meeting with a special public meeting, and it can be a week from now. And, the decision can be made based on the document that you have in front of you."

Mayor, Bill Carr: "Noel. You simply wanted to say something."

Noel Kinder: "There is probably no one in this room that wants this to happen faster than me, but I would prefer that this be iron clad."

Mayor, Bill Carr: "Absolutely."

Noel Kinder: "And, I would prefer, with all do respect Joseph that you take the time to do this right. I appreciate your earnestly, believe me I do."

Councilor Tom Ramsey: "I think that the idea is that we all know what where we want this to go, but let's make it as quickly as possible. I don't want think that we need to handle this with kid gloves on. But we need to do it right. But I don't think that we need to delay to find out on a piece of paper who's the president. But I think we need to do it correctly."

Councilor Joseph Schaefer: "Do we as least have a consensus that we don't need any more hearings. That it is a matter as just drafting a simple document."

Councilor Tom Ramsey: "Exactly. Everything else should be taken care of."

Councilor Charles Donald: "I think that we should leave the door open until we have crafted the Declaration of a Nuisance."

Mayor, Bill Carr: "I agree."

Councilor Joseph Schaefer: "How about you John?"

Councilor John Steward: "I think that we need to make the list, and this has gone on."

John Rankin: "What I would suggest to you, I understand what you are trying to do, but what I would suggest to you is that at the very least you give Mr. Eddy opportunity to prove some different ownership, because, if in, deed that's the case, this happened in '93, '94, '95 along through that era, and we had, and it was raised as an issue, but I am not the representative, I am not here, just responding. This is the same kind of discussion occurred, and resulted in a sufficient amount of litigation, and that is all in the public record. And, I would caution this council moving forward with any too quick judgment on this matter. I just think that you are doing it against my advice, frankly."

Councilor Tom Ramsey: “Let’s refer to you. You make the decisions that are legal. I think that the consensus is that we move as quickly as possible.”

John Rankin: “I understand that.”

Councilor Tom Ramsey: “As quickly as we can.”

Councilor John Steward: “The problem is that it will be October before we get started on this.”

Councilor Joseph Schaefer: “I think those two goals are un-usual in its self. I guess, I have on this question. What’s wrong with this list that was.” (this was the end of the tape and the discussion kept going while I was changing the tape).

John Rankin: “The findings need to state the ordinance itself, acception of the Municipal Ordinance, the Municipal Code, and state the facts that were determined to be in existence on the property. And, then reach a conclusion, drawing those facts of that law together and reaching a conclusion.”

Councilor Joseph Schafer: “And that drafting has not been started yet.”

John Rankin: “No, because this public hearing was necessary before that. It was necessary, because you need to give the ‘person responsible’ the opportunity to respond to the determination of a nuisance.”

Councilor Joseph Schaefer: “And, how quickly can you draft that?”

John Rankin: “That can be drafted for a meeting next week, at this point.”

Councilor Joseph Schaefer: “So we could have a special meeting next Tuesday.”

John Rankin: “You could have a special meeting next Tuesday, if you wanted to. What I would want to be able to happen, in the mean time, I want to be able to give Mr. Eddy enough time to communicate with me and or have his attorney to communicate with me, if he wants to be represented by an attorney in a way that proves who is the responsible party on the behalf of the corporation. Once, we determine who’s the ‘responsible party’ is of the corporation, then I can, we can go through a very short process of giving him another ten (10) day notice, and making it work, because if a notice goes out, and this could be applicable, I want to make it squeaky clean. And, I want to make sure that everything you are doing is absolutely proper.”

Councilor John Steward: “And could that be done in this next meeting, plus 10 (ten) days.”

John Rankin: “Your question is?”

Councilor John Steward: "The question is. When could we have the next meeting?"

John Rankin: "Let me ask Mr. Eddy that question."

John Rankin: "When, Mr. Eddy do you think a Mrs. Eddy can get us the documentation that we need to determine who is in charge?"

Rodger Eddy: "Probably within a few days."

John Rankin: "Ok."

Councilor John Steward: "Isn't that public record at the state so that we can check it?"

John Rankin: "Well. Mr. Eddy is right that the public record even though you have some duty to inform the public record of changes of president, etc., is you still really don't get to it until the annual report that comes out. And, when the annual report comes out you actually sign with the new officers, and it goes in. In many cases, that is what happens. This is sort of an industry standard. Even though there is a duty, my estimation for the corporation to inform the public by registration of who the new officers are."

Chief, Chris Conboy: "So even though the document that you were given from the internet dated 11/05/2005, that was when it was posted. They have until January 2006 to November of 2006 to change."

John Rankin: "They have until the date of their next annual report. What ever date their next annual report is. That is when the State sends out its notice, and it says "ok we need your annual report, who's the president, who's the officers etc."

Councilor Tom Ramsey: "But at what capacity could that be changed? I mean, is it a something, and is it a minute book setting at someone's house."

John Rankin: "Yes. This would be a minute book that needs to be produced by Mr. Eddy. And, if that is done, then it is my opinions, even though you have given notice to Janet Eddy, as secretary, you haven't given notice to Janet Eddy, as president. I am parceling all of this the way that I am, because of my history on other properties in town."

Councilor Joseph Schaefer: "There are worse things then litigation."

Councilor Tom Ramsey: "We have talked about Mr. Eddy every month it seems like so we are all aware of what the history looks like."

Mayor, Bill Carr: "There is no chance of just getting you to abate the thing. Is there?"

Rodger Eddy: “I believe that we have abated a great deal of the problems already, because there is no updated report, and a within a few days, I would a. I don’t know that a schedule would do any good. I would invite Mr. Conboy to inspect the premises again.”

Chief Chris Conboy: “Mr. Eddy has an abandoned vehicle body, and possible vehicle parts on top of an engine compartment have been abated from the property. Has the vehicle tires steel-wheeled in the center of your dilapidated building been abated? Have tires and wheels, a pile of tires and wheels on top of a white car steel rim and tire photographed at the rear of the property been abated? The two bigger pickup trucks unlicensed and abandoned that are visible from the street. And they, the front of your building is dilapidated and dangerous that hasn’t been abated. And, has a abandoned 1950’s model panel-van unlicensed and available to a public street been abated? Have seven (7) used tires and three (3) steel-wheels been abated at the rear of your property that has been covered with a blue vinyl tarp? Has a rusty car body non-operative in the for ground in front of a car body assorted sizes, lengths of wood underneath the carport have been abated? Has a background of the for mentioned photographed a junked vehicle blue and white colored van been abated from the property?”

Councilor John Steward: “Mr. Eddy, what does your pure silence indicate?”

Rodger Eddy: “I believe that these are rhetorical questions for me.”

Councilor Joseph Schaefer: “Thank you.”

John Rankin: “Do you have a statement, as to whether those have been removed or not?”

Rodger Eddy: “A number of those have been removed, yes. A certain number of them of not been removed, and I addressed some of that in my earlier comments.”

Chief Chris Conboy: “And you disagree with Mr. Kinder’s statement that your open basement it’s a dangerous open vault. It’s an attractive nuisance to children and young adults.”

Rodger Eddy: “Yes I do disagree strongly.”

Chief Chris Conboy: “I disagree with you.”

Councilor Tom Ramsey: “John, I have to question you I really don’t know that he is really-really try to avoid any kind of litigation. Is this going to be a problem no matter what? Is there, at what point do we start drawing the line here and just say ‘you know minute book or no minute book we need to take care of this dangerous problem’ at what point do we do that?”

John Rankin: “Well, at the risk of talking about issues that are probably better suited to executive session this is the place to talk. I think that, a that the main thing that I think needs to occur is a Declaration, a formal Declaration of Nuisances needs to be drafted based on the additional information that we received. A formal Declaration of Nuisances needs to be carefully crafted to describe all that Chris has listed in his report. Send Chris back to look at the property to determine if there are any changes from those circumstances that were listed there.”

Councilor John Steward: “Then do we pull together?”

John Rankin: “Then we pull together, then pull together the abatement, because there has to be a clear understanding by the Eddy’s and the company that this is what it is going to cost the city to abate this nuisance, and that those costs are going to be assessed to his property as a lien, if the city takes down the building and cleans up the property to sell it and abates the nuisances. So those are the things that I think are important to consider when you are making your decision.”

Councilor Joseph Schaefer: “Do we have an estimate of the cost that we can take a look at? I think that these costs should be part of the record.”

John Rankin: “Let’s get some of that into the public record. That probably should have been, the hearing is still open, but just for the benefit of right now Bob can you give us what you thinks so far at this point.”

Public Works Superintendent, Bob Southard: “I have one bid proposal here to demolition the whole piece of property. I have called of two others, and I have not had any response from these people at all. I will pass this onto Mr. Schaefer and he can read.”

Councilor Joseph Schaefer: “It says ‘to remove the remaining building structure, copy of the foundation, and basement foundation concrete floor, and all miscellaneous items to the property. Total price \$12, 790.00.”

Councilor Charles Donald: “Do we need multiple bids or.”

John Rankin: “Yes. I would try to get multiple bids. We can document that. Certainly.”

Councilor Joseph Schaefer: “Do we need to have multiple bids?”

John Rankin: “No. You don’t have them. You just need to demonstrate that you put out notice to, not to quote, but multiple bids, potentially could be obtained.”

Councilor Joseph Schaefer: “Just to verify. We need to ‘Declare the Nuisance.’ We need to say the list of violations that we are relying on to cover our bases. We need to

say that we are going to abate it, and to have a dollar amount so that Mr. Eddy is informed about what the cost might be.”

John Rankin: “That is correct.”

Councilor Joseph Schaefer: “I think that we have those things available to us, I think that we need to proceed without further delay.”

Councilor John Steward: “I guess I would ask the obvious question. Mr. Eddy do you understand what the community is saying, and what the council is responding to, of, it is a mess, and it has gone on long since, as you said, the fire, August 1, 2002, and I haven’t heard anything else, but that date to refer to? We are now in 2006. It does not appear that there is anything going on to rectify the problem of being a burned down building or burned out building in the heart of downtown Aurora. Is it your intention on your own to get that property to a condition that is acceptable to the citizens of Aurora and the businesses of Aurora and to the City Council? Just saying that it is for sale and it has been for sale for, I don’t know how long, to me is un-acceptable just to say it is for sale, and if someone steps up, then they will take care of it. It is an eye sore. It is a nuisance to everybody else and we deal with it on a daily bases. Is it your intention to clean it up on your own or is that something that the city is going to have to do?”

Rodger Eddy: “Yes. It is my intention to clean it up on our own, and that was why I was asking the council tonight for ideas on what the council wants to see accomplished there. You want me to tear down the rest of the little bit of history that is there. I can do that. Do you want me to cover the basement? I can do that. That’s what I was hoping to find out tonight, but that’s what I would have liked to have known two or three months ago. And, if we had been asked at that time ‘why don’t you do a,b, and c now to your building a we would have had the opportunity to have done more work then what we have done, but we have been on the outside of the project. The first that I have heard recently, about the cities unhappiness is when I got the notice. And, grant it we went through some court procedures. We abated the nuisances that the court described. We were still found guilty of having nuisances long after the nuisances had been abated, and the court was giving us a list of additional things to do that had to do with re-building the building not with abating the nuisances. And we, we, did get plans and they weren’t prepared by an engineer and they were not stamped by an architect, they were prepared by a structural engineer. We paid for a building permit. We paid for building materials. We intended to do it until we ran into additional roadblocks that I can go into with you, but that is not going to accomplish anything.”

Councilor John Steward: “Is it clear to you, at this point, to you that the community is that the community wants that property cleaned up and level. That’s what we hear from the community, that’s what I hear. I believe that if you are not going to do anything with it, clean it out, and clean all the stuff off of it, and level the property.”

Mayor, Bill Carr: “I think it is saleable.”