AGENDA
Aurora City Council Meeting
Tuesday, September 10, 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 Graupp
Councilor TBA
Councilor Brotherton
Councilor Sahlin
Councilor Vlcek

3. Consent Agenda

I. City Council Meeting Minutes – August 13, 2013 & August 29
II. Planning Commission Meeting Minutes – August 06, 2013
III. Historic Review Board Minutes –July 18, 2013

Correspondence

I. Email Brownfields Assessment for Marion County
II.

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

6. Discussion with Traffic Safety Commission

7. Reports

A. Marion County Deputy Report – (NOT **included in your packet**)

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

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

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)
   3. Parks Report, OSU Tree Report

   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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8. Ordinances and Resolutions

A. Discussion and or Action on Ordinance 473 On Municipal Code Update to Title 17. From Legislative Amendment 2013-01 (LA-13-01)

9. New Business

A. Election of New Councilor from the Attached Letters of Interest
B. Discussion and or Action on Job Postings

10. Old Business

A.

11. Adjourn

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

Minutes
Aurora City Council Meeting
Tuesday, August 13, 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 Otis Phillips, Waste Water Superintendent Dennis Koho, City Attorney Pete Marcellais, Marion County Deputy
STAFF ABSENT:	NONE
VISITORS PRESENT:	Kris Sallee, Aurora Ernie Peter, 21383 Liberty Aurora Karen Townsend, Aurora Gayle Abernathy, 15109 2nd Aurora Jim Metzger, 21151 Main Aurora Mella Frasier, 20940 Yosemite, Aurora Merra Frochen, Aurora Ron & Mary Vankleef, 20787 Yukon Josie Hyde, 14953 Ottaway Patrick Harris, 15038 2nd ST Bill Matthiu, Smith Rock Joseph Schaefer, Aurora Paul & Tina Zock, 14947 RoosterRock Annie Kirk, 21370 Main

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 – present

3. Consent Agenda

I. City Council Meeting Minutes – July 09, 2013

II. Planning Commission Meeting Minutes – July 02, 2013
III. Historic Review Board Minutes –June 27, 2013

Correspondence

I. Letter of Resignation/Retirement from Public Works Assistant Ricky Sellers
II. Email from Luanne Berkey in regards to the LED proposal and the bridge poles.
III. Added at meeting Ted Reasler Letter
IV. Added Resignation/Retirement letter's from Bob Southard, Public Works Superintendent and Jan Vlcek, Finance Officer.

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

Ernie Peter, Liberty Street informed Council about the puddle in front of my side walk, **Mayor Taylor** there are 2 leaks in a 60 year old line and we are trying to come up with a plan so we do not have to turn the entire town's water supply off while completing the work.

Jan Metger 21151 Main Street, water bills are so high and now because of the law suit we are expected to pay even more. **Mayor Taylor** 1st the law suits in the past have nothing to do with water prices we are not a loud to transfer money out of the water fund to pay those types of expenses the water sales are only for the water department expenditures and infrastructure. **Metger** asks about whether it is true or not if we have sold our water. **Mayor Taylor** we have sold water for bulk water permits which is metered however during this hot dry spell we have not. We did have one mistake where some water was sold however we did address this and it was not a lot.

Ron Vankleef, Yukon, how much water do we really have in the underground reservoir I thought we had enough to sustain Aurora.

Mayor Taylor many people do not understand where we get our water, many cities pull water from a river so there is more of it to go around. We pull our water from an aquifer we tap the Mt. Hood Troutdale aquifer and because there are so many before us we are last in line so then the ability to refill our wells has been slow to recover. Because of the surrounding area we are in a serious situation if the wells had gone much lower we could have been forced to shut the water off completely we were trying to avoid that.

We have a daily consumption lately of 204, 000, 00 gallons a day almost double what we pull during normal times. Of that 56,000 thousand gallons goes through the sewer plant that's

what you use in your home so the other 140 thousand gallons goes on the ground this is a serious situation. We are not the only city having this problem many cities are having this issue. We did initiate this a few years back and it was successful however this time the odd/even schedule was not observed and did not work so we were forced to declare and emergency.

Lois Smith Cody Lane, I don't understand the whole thing about the aquifer however during the rainy season maybe we need to store water in some sort of a tank for just these types of situations.

Mayor Taylor, we could look at this as a solution however currently it is not in the budget this is a very expensive issue and we have obligations to attend too.

Smith do we have a moratorium on building in our area because it seems to me that we should regulate that.

Mayor Taylor, let me put it to you this way if you were to stop all watering outside then it would put us back in the safe zone so please conserve water is not a never ending resource.

Annie Kirk, please clarify rumor or not is our current filtration unit taxed/over worked because of this issue. **Mayor Taylor** no it is not a problem it remains the same.

(Question from audience no name was stated) how many wells do we have and **Mayor Taylor** currently we have 5 but 3 are currently on line.

Smith is there any way to tap into the Pudding river? **Mayor Taylor** no there isn't.

Annie Kirk asks about the leak at the park **Taylor** both leaks will be taken care of at same time which will be very soon.

Vancleef, question I don't like it but now we have people policing each other and this is becoming an issue in my opinion.

Mayor Taylor, I understand but that is why we are trying to address this issue, this is a blanket deal this is not an individual problem please don't take offense to it.

No one else spoke.

5. Public Hearing Calls

Mayor Taylor calls to order at 7:25 pm

A. Discussion on Legislative Amendment 2013-01 (LA-13-01)

Mayor Taylor calls for the staff report, items below are read into the record it gives explanation of the hearing and that everyone was notified in the Historic District.

REQUESTED ACTION

Upon closing of the August 13, 2013 City Council public hearing on Legislative Amendment 13-01, the Council's task is to make a decision whether to adopt the proposed amendments to Title 17 of the Aurora Development Code.

The City Council's options and sample motions to support each option follow:

A. Motion to adopt the staff report and direct staff to prepare an ordinance **approving Legislative Amendment 13-01:**

1. As presented by staff and the Planning Commission; or
2. As amended by the City Council (stating revisions)

B. Motion to adopt the staff report with changes and direct staff to prepare a resolution **denying Legislative Amendment 13-01** for the reasons specified in the City Council's deliberations (the motion should include a summary of reasons for the denial from the deliberations)

C. **Continue** the public hearing:
1. To a time certain, or
2. Indefinitely

BACKGROUND

In 2012, the City Council directed the Planning Commission to work with the Historic Review Board on an update to Title 17- Historic Preservation, also known as the "Historic Preservation Ordinance of the City of Aurora", which provides preservation standards and regulations for the design of buildings and structures within the historic commercial and residential overlays of the City of Aurora.

Generally, the proposed update includes changes to the following:

- Clarify which structures in the district are considered "contributing" and "non-contributing".
- Clarify/establish standards related to: additions, porches, landscaping, paint colors, signage, etc.
- Clarify noticing requirements and the responsible entities for decisions in the historic district.
- Clarify/update design standards applicable to properties and structures within the historic district.

Legislative Amendment 13-01 includes the adoption of the draft code amendments to the Aurora Municipal Code. The revisions are attached in a **bold** and ~~strikethrough~~ format for review purposes under **Exhibit A**.

On July 2, 2013, the Planning Commission held a public hearing on the proposed amendments. The staff report was presented and testimony was received from the audience. The draft minutes from the July planning commission meeting are included under **Exhibit C**. The Planning Commission directed staff to adjust the proposed amendments based upon testimony received and deliberations among the Planning Commission.

FINDING OF FACT AND CONCLUSIONS

The Aurora City Council, after careful consideration of the testimony and evidence in the record, adopts the following Findings of Fact and Conclusions:

1. In accordance with the post-acknowledgement plan amendment process set forth in Oregon Revised Statute 197.610(1), the City Planner submitted the draft proposed amendments to the Oregon Department of Land Conservation and Development on May 29, 2013, which was 35-days prior to the first evidentiary hearing on July 2, 2013.
2. Amendments to the Code, Comprehensive Plan, and/or Maps are considered Legislative Amendments subject to 16.80.20. Legislative Amendments shall be made in accordance with the procedures and standards set forth in AMC 16.74-Procedures for Decision Making-Legislative. A legislative application may be approved or denied.
3. AMC 16.74.030 outlines notice requirements. 10 days prior to the first evidentiary hearing, the City sent written notice of both hearings to all property owners within the historic commercial and historic residential overlays. Section 16.74.030.C.3. requires notice to be published at least seven days prior to the scheduled hearing date. Notice was also published in the Canby Herald on July 3rd, 2013 for the City Council public hearing date. As there are two hearing dates, staff finds adequate notice to allow for comment period has been provided in conformance with the Aurora Municipal Code. Notice was also posted at City Hall on August 7, 2013.
4. Proposed amendments for consideration of legislative changes to the provisions of the Comprehensive Plan, implementing ordinances and maps are a legislative action, not a quasi- judicial action. Section 16.74 calls for amendments to the Development Code to be processed as a recommendation by the planning commission and the decision by the city council.
5. AMC 16.74.060 includes the standards for decision of Legislative Amendments as outlined under FINDINGS below.
6. The Planning Commission reviewed the proposed legislative amendments at the July 2, 2013 public hearing and recommended approval of the amendment with minor changes.

The Aurora City Council reviewed the proposed legislative amendments at a August 13, 2013 public hearing.

FINDINGS

A. The recommendation by the planning commission and the decision by the council shall be based on consideration of the following factors:

1. Any applicable statewide planning goals and guidelines adopted under Oregon Revised Statutes (ORS) Chapter 197;

FINDINGS: Goal 1, Citizen Involvement: A public hearing on the proposed amendments was held before the Planning Commission on July 2, 2013 and a second hearing was held by the City Council on August 13, 2013. Notice was posted at City Hall, published in the Canby Herald, and provide to the Historic Review Board. The staff report was available for review one week prior to the planning commission hearing. This is consistent with City procedures. Goal 1 is met.

Goal 2, Land Use Planning: The proposal does not involve exceptions to the Statewide Goals. Adoption actions are consistent with the acknowledged AMC. Goal 2 generally supports clear and thorough local procedures and the code update is intended to clarify, simplify and streamline regulations for the approval entity and the general public. Goal 2 is met.

Goal 3, Agricultural Lands: Goal 4, Forest lands: Goals 3 and 4 are not applicable. The proposal does not involve or affect farm or forest lands.

Goal 5, Open Spaces, Scenic and Historic Areas, and Natural Resources. Goal 5 states that state and federal agencies should develop statewide natural resource, open space, scenic and historic area plans and provide technical assistance to local and regional agencies. The City consulted with the State Historic Preservation Office (SHPO) on the draft code amendments and received feedback from SHPO which was discussed by the Planning Commission at their July 2nd hearing. SHPO also provided feedback and a draft historic resources inventory for use by the City. Staff finds the code amendments are in compliance with Goal 5.

Goal 6, Air, Water and Land Resource Quality: Goal 6 is not applicable. The proposal does not address Goal 6 resources.

Goal 7, Natural Hazards: Goal 7 is not applicable. The proposal does not address Goal 7 resources.

Goal 8, Recreational Needs: Goal 8 is not applicable. The proposal does not address Goal 8 resources.

Goal 9, Economic Development: The draft code amendments partially respond to a need identified within the business community to clarify code requirements. The proposed code amendments are not found to deter employment or business opportunities. Goal 9 is met.

Goal 10, Housing: Goal 10 is not applicable. The proposal does not address Goal 10 issues.

Goal 11, Public Facilities and Services: Goal 11 is not applicable. The proposal does not address Goal 11 issues.

Goal 12, Transportation: The draft code amendment provide for some parking exemptions for historic commercial properties to allow greater flexibility for historic resources in meeting newer code provision for parking. However, the proposal does not address Goal 12 issues.

Goal 13, Energy Conservation: Goal 13 is not applicable. The proposal does not address Goal 13 resources.

Goal 14, Urbanization: Goal 14 is not applicable. The proposal does not address Goal 14 issues.

ORS 197 does not include specific notice requirements for legislative processes but the City met all notice requirements under AMC for processing a legislative amendment application. ORS 227.186, more commonly known as Measure 56 notice, does not apply as the proposed amendment does not reduce permissible uses of properties in the affected zone. However, the City did send notice to every property owner within the historic commercial and residential overlay for both hearings.

2. Any federal or state statutes or rules found applicable;

FINDINGS: Staff finds the adoption actions are consistent with Oregon Revised Statute 197.610(1) for notice to the Department of Land Conservation and Development. Measure 56 notice was not required as the proposed amendments do not reduce permissible uses on historic commercial and residential overlay zone properties. However, notice was mailed at least 10 days prior to the first public hearing to all historic commercial and residential overlay properties. lands. Notice was also mailed to the Oregon State Historic Preservation Office (SHPO) who provided comments on the draft code update (see **Exhibit B**). Staff finds this criterion is met.

3. The applicable comprehensive plan policies and map; and

The following Comprehensive Plan Goals and associated policies were found to be applicable to this application:

Goal 1- Citizen Participation: Develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.

FINDINGS: A public hearing on the proposed amendments was held before the Planning Commission on July 2, 2013 and a second hearing was be held by the City Council on August 13, 2013. Notice was posted at City Hall for both public hearings at least one week prior to the hearing and published in the Canby Herald on July 3rd for the August City Council meeting. The staff report was available for review one week prior to both hearings. This is consistent with City procedures. Staff finds this condition is met.

Goal 2- Planning Process: Establish a land use planning process and policy framework document (comprehensive plan) as a basis for all decisions and actions related to use of land and ensure adequate factual base for such activities.

FINDINGS: Adoption actions are consistent with the acknowledged AMC. The update to Title 17 is also intended to clarify when properties or structures are subject to decisions or actions and clarify the approval authority for said decisions. The intent of the update is also to provide better noticing of decisions and appeal opportunities for all decision. Staff finds this condition is met.

Goal 9- Economic Policies

3. *Foster commercial and industrial activities to meet the expressed needs of City residents.*

FINDINGS: The draft code amendments respond to a need/concern identified within the historic overlay to clarify the code and remove interpretations of the code in order to all applicants a greater understanding and clarity on the regulations and design standards to be followed. The proposed code amendments are not found to deter employment or business opportunities. Staff finds this condition is met.

Goal 12- Transportation Policies

2. *Encourage transportation improvements which support the community's economic development and create a pedestrian friendly atmosphere.*
3. *Establish a street system which is consistent with orderly growth, minimizes conflicts with adjacent land uses, and provides a circulation system which is safe and efficient for both vehicles and pedestrians.*

FINDINGS: The draft code amendments reduce the parking standards for some commercial historic properties to be more in line with the small lot sizes and their potential inability to meet current parking standards. Staff finds this condition is met.

4. The applicable provisions of the implementing ordinances.

FINDINGS: Title 17 is intended to provides preservation standards and regulations for the design of buildings and structures within the historic commercial and residential overlays of the City of Aurora. The application and legislative amendment intends to clarify implementing ordinance within Title 17. In addition, the update intends to clarify noticing requirements and decision authorities for properties subject to Title 17. Staff finds the proposed code amendments can be established in compliance with the development requirements and implementation ordinances of the Aurora Municipal Code.

B. Consideration may also be given to proof of a substantial change in circumstances, a mistake, or inconsistency in the comprehensive plan or implementing ordinance which is the subject of the application.

FINDINGS: Staff does not find a change in circumstance or mistake but rather the City Council directed the Planning Commission to work with the Historic Review Board to clarify and update inconsistencies in the implementing ordinances so as to ease understanding of requirements for property and business owners within the historic district. Staff finds this criterion is met.

STAFF FOLLOW-UP /NEXT STEPS:

If the Council's oral motion is to approve the amendments, staff will prepare an ordinance for the Council to pass at the September 10, 2013 Council meeting. The ordinance will include a "clean copy" of the amended language (the ~~strikeout~~ and ***bold italics*** will be removed), and findings as an exhibit (same as above) to support the decision, along with a "mark-up" copy as an exhibit.

Once the ordinance has been passed and signed, a copy will be provided to the Oregon Department of Land Conservation and Development within 5 working days of being signed and a 21-day appeal period will ensue. A notice of the decision with appeal instructions will be provided to any party that participated at the Planning Commission or City Council public hearings.

The ordinance will be effective 30-days after passage and signature unless council would like to insert an emergency clause establishing an earlier effective date.

a) The Council should note that the proposed amendments to Title 17 include ***noticing requirements*** to property owners within 100 feet of a subject application on Notices of Decisions. This procedure has not been historically followed and the resulting procedures may add additional cost to the City for mailings and staff time. Staff suggests the City Council review the current Historic Review Board fee schedule to account for these additional costs.

b) Section VI. Public Facilities, Item K. Local Government of the Aurora ***Comprehensive Plan*** (page 79 of 100), the Historic Review Board is described as comprised of "a

representative from the Council, a representative from the Planning Commission, a member of the Aurora Colony Historical Society, a resident of the Historic District and either a licensed builder or architect, or a citizen at large". The City has found difficulty in staffing the HRB in the past and the current HRB does not meet this text. The Council should consider an update to HRB description within the Comprehensive Plan at some point in the future.

EXHIBITS:

Exhibit A- Draft code update to Title 17

Exhibit B- Review comments from State Historic Preservation Office (SHPO)

Exhibit C- Minutes from the July 2, 2013 Planning Commission hearing on draft code updates to Title 17

Open public testimony at this time,

Karen Townsend, The HRB recommends that the City Council not pass this yet– We believe that it still lacks some very important elements that could be achieved in a relatively short period of time. We are asking you to return it to PC to have a joint meeting with HRB to complete the following four elements:

- The sidewalk standard has been changed to require trowelled borders which are a conflict with the city's substantial investment in new sidewalks over more than ten years.
- A special designation and standards section for Colony structures is of vital importance in protecting their original facades and workmanship which is not fully covered in the proposed standards like it was in our current Guidelines. Landmark status alone does not answer our concerns and there are no special standards in the code for landmarks anyway.
- The code lacks a set of general guidelines to guide the board when a question arises that is not specifically addressed.
- Taking the responsibility for all new construction out of HRB has never been proposed or discussed at any PC or HRB meetings and needs to be addressed by the boards together.

Due to time constraints, other members of the board will address some of these points

Chapter 17.16.010 (page 10)
The Historic Review Board shall no longer have the authority to approve, deny or approve with conditions new construction within the historic overlay zones.

- ***Why has this come up at the last hour of nearly a two year process with so little discussion?*** This is a major change in the confidence the city has in the HRB and the process it has been using for more than twenty years. In that time, we are aware of no issues with previous applications for new construction that have gone through the board and been denied, no lawsuits based on any decision by HRB regarding new construction nor any appeals going to the city for a denial of a new construction application.
- ***The Aurora Comprehensive Plan addresses Goal 5 requirements for Historic Resource Policies*** by giving the HRB responsibility for "Maintaining the historic context within which significant sites and structures are located by managing of existing AND FUTURE DEVELOPMENT. (pg 59)
- ***What all will constitute "new construction"?*** Besides new buildings on vacant lots, will this also include new accessory buildings (see accessory structures) and what about new construction in attachments and additions to existing structures?
- ***Why was this proposed change never brought forward prior to the end of the public hearing at PC***? There has been no opportunity until now to respond to it. It was never discussed at either PC or HRB meetings. We believe the PC acted on it at the public hearing without fully thinking it through and without any input from HRB. No one from the public was informed of this proposed change in advance of the

public hearing and because of the public hearing format it could not be debated except by PC. This looks to the public like the city is pushing something through without enough notice or comment.

- After the public hearing I was asked by people attending the hearing to explain what the reasoning was. I formally asked for a written explanation so that I could understand it myself but was refused. The PC chairman came to the following HRB meeting and verbally gave us the reasoning which included:

    - **SHPO recommended it**. No, SHPO did not recommend this. SHPO only recommended that some functions such as what they term "aesthetics – landscaping, signs" be done by PC so that HRB could focus on more permanent elements including materials and "citing" which refers to new construction or relocating buildings. And remember, SHPO only recommends – each city takes from their recommendations only what fits their own circumstances and policies.
    - **The legal element: PC has a city planner to provide staff reports for new construction.** Well, doesn't the city planner work for the city? In the past, HRB always has had a city planner's staff report for applications like new construction. There would be no difference in the cost – it would be the same report that she would furnish PC.

    - **The appeal process "If the HRB denies a new construction application".** The same standards are to be used by both HRB and PC. If it is to be denied by HRB is would also be denied by PC. If appealed, either would go to the city council. Denials are issued by either body on the basis of findings of fact. The new standards are clear and easy to understand without interpretation, isn't that the point of this whole exercise?

By taking away HRB authority on new construction **you are sending a message to the public that you do not trust the board to make a correct decision**. The public expects that the Historic Review Board will not only follow the city code but will also reflect the importance of Aurora's historic context as it is spelled out in the Comprehensive Plan and policies.

- We urge you to retain the original language in this section or send this back to the PC and HRB for more discussion.

Gayle Abernathy Board Member, Special Designation and Standards for Colony Structures

It is vitally important that the city of Aurora protects the original Colony structures that remain and have language for both their designation and standards in place in this code. The current Guidelines protect Colony structures by:

- Prohibiting changes to all facades, not just visible facades
- Prohibiting additions, therefore keeping their original form
- Allowing only original paint colors
- Preserving original workmanship for which the Colony was known by repairing and rehabilitating rather than replacing.
- Retaining original features such as the Colony's original eave detailing.

It has been suggested that using the term Landmark will be sufficient, however:

- There are no special standards included in the code for landmarks, only a definition and a procedure for designating them.
- Aurora's current landmarks list includes Post-Colony structures which do not have the same unique architectural features as Colony structures. Post Colony structures, while they are important landmarks to Aurora's history; do not vary from other buildings of the same type throughout the broader local area or in the US itself. The code as proposed allows more liberal standards on these type of properties for paint, additions, and façade changes to the rear for instance. The HRB believes these allowances are justified.

Why it is important to highlight Colony structures:

- The Comprehensive Plan specifically addresses the significance of the Aurora Colony to the city's identity, vision, growth, and quality of living on 9 different pages.
    - The Colony's historic character is a vital part of the city's plans to enhance community livability and economic expansion as stated in the Comp Plan on its opening page.

- The Colony's architecture is the visual remainder of the Colony's history and is unique in that it is the largest collection of its type in the Northwest.
- The national historic district designation is based on the history and architecture of the Aurora Colony. The original colony was one of the nations most socially and economically successful 19th century experiments in communal Christian living.
- Aurora has become a national destination for heritage tourism contributing to the city's economic vitality.
- In its Vision Statement, the city's foundation document is based upon preserving and enhancing this historic legacy and village atmosphere.

There are twelve Colony structures within the city's historic overlay zones. We believe these important structures need to retain the protection they now have in our current Guidelines. The HRB chairman has submitted a draft of Design Standards for Aurora Colony Structures to the Planning commission in the same format as our new code. It has never been discussed by them but is a lot of work already done and this could be included with very little extra effort

Patrick Harris Museum Curator, these are well stated points I will address Planning Commission there are open spaces within the city let's look at how difficult it would be to address these. This is not something that the Board could not address they have been doing so for years quite successfully. It was brought up by Councilor Graupp and there really was not a lot of time to address it. I ask the Council not to pass the document at this time and to send it back to Planning so some of these issues could be resolved.

Mella Frazier Board Member, Change in our Sidewalk Standard for Historic District

Section 17.40.130 Public Right of Way
A.1. and B.l
It has been changed to "trowelled edges are required"

We have been gradually building and replacing hundreds of feet of sidewalks with the design that was offered by the city's contracted designers and accepted by the city, county and state over the last dozen years at a cost of hundreds of thousands of dollars. Currently almost 20 blocks plus two islands are using the current standard which represents about ¾ of the commercial historic overlay.

Our current design: The design consists of a plain crosswise broom finish with scoring into squares measuring 24-36" with no trowelled edges. This was designed to be a reasonably priced alternative to traditional brick sidewalks which were never used in Aurora.

There have been no safety issues as a result of this design. The proposal increases costs as well as it will not look compatible with the existing design.

Mera Frochen Board Member, I have nothing to read simply here for support.

Wakeley, contributing and non-contributing structure identification was started by SHPO You have control of interpretations.

Joseph Schafer Commission, to address the sidewalks, currently we have a broom finish and the edges are not trowelled and my concern is a tripping issue. You now have a sharp corner. So by requiring a trowelled edge you now have a rounded edge and I believe it takes away the tripping hazard.

So it has been suggested to trawl the edge and then fully broom over the top so there is no smooth edge section.

Townsend, I do not think at this point we should be changing what we are already doing. I disagree that this is a tripping hazard.

Mayor Taylor this is a debate for later.

Chairman Schaefer, taking away authority from HRB on new construction this didn't come out of left field this came out SHPO comments many cities don't handle signs, paint, and landscape. This was something that was brought out in the public meeting and it could have been discussed.

Any more testimony, hearing none.

Mayor Taylor closes the public hearing at 7:59 pm

Mayor Taylor opens the floor to the councilors for deliberation,

Councilor Graupp The Planning Commission along with the Historic Review Board has been working on this document for a year or so now and they have presented a very clear and precise document.

A few years ago SHPO completed an inventory that used the contributing and non contributing distinction the Planning Commission using this distinction took the Historic Guidelines and made it easier to understand in some areas it relaxed the issues and in some it made the rules much stricter.

Graupp, secondly if an application is heard through the HRB and a decision is appealed it would then go straight to Council. Land use decisions should be heard by the Planning Commission the Historic Board should recommend to them and if an appeal is filed it would then go to council.

Graupp recommends 17.16.030 PG 405 section D no member should reside on any other board. I would like to see this removed so we are in better alignment with the comp plan.

City Attorney **Koho** I think this exempts city council.

Wakeley there is a distinction for HRB in the comp plan statement, regarding the makeup of the board.

Koho, I think that there is a problem with council being on the HRB especially since they are on the appeal board.

Councilor Sahlin, if we send it back to PC will we have to go through the public hearing process again. **Wakeley,** You can state a time and place to go through this again following the review by the PC.

Not sure that I am so worried about sidewalks, however I do have concerns on new construction. **Wakeley** this is an unwritten rule that it would go to HRB for comment. Also the PC has to follow the same Title 17 criteria as would HRB for new construction.

Councilor Vlcek back to D,

Sahlin, answer to my own question on SHPO comments, pg 404 section 17:16:20 B
Pg 409 we have really essentially added responsibilities to the HRB not taken them away.

Councilor Brotherton we are trying to streamline this issue.

Graupp, I was asked by a citizen in regards to section 17.40.50 pg 446 on sky lights on the rear of a building or where they would be unseen. I spoke to SHPO about this issue since they were not visual their comments were that it would be allowed. For Commercial only and on a contributing structure. Councilor Sahlin maybe only on flat roof.

No more comments

Mayor Taylor an enormous amount of work has gone into this document I think a lot of great things have been done here. I had hoped that both entities would be at a better accord and agreement. If it was up to me I would send it back and have these items fixed however it's up to the entire council.

1. First do we consider removing the word appoint yes it is agreed by all.
2. Sky lights no, I think we need more discussion on this.

So we are looking at

Motion to adopt the staff report and direct staff to prepare an ordinance approving Legislative Amendment 13-01: with revisions stated to remove the word appoint and to continue discussion on sky lights was made by Councilor Brotherton and seconded by Councilor Graupp. Passes Unanimously. Staff is directed to draft and Ordinance.

6. Discussion with Traffic Safety Commission, none

7. Reports

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

- **Reads his report as presented**
- **National night out was a success**
- **I would like to get watch groups**

No more questions from Council.

- **Finance Officer's Report – Financials** (included in your packets)
  1. Revenue & Expense Report
  2. Letter of intent to retire

- Spring Book training for $175.00 an hour is a great deal

- **Public Works Department's Report –** (included in your packet)
  1. Monthly Status Report (Storm Water)
  2. Monthly Status Report (Water),

You can see where some (water) came back according to my report. We are gaining a little ground.

A. **Waste Water Treatment Plant Update** (from Otis Phillips, (included in your packet)
B. All good, no problems currently I am getting an estimate on software to check on the plant from home to save me from driving in every Saturday and Sunday.

Reuse plan bring in some options at the next council meeting.

No questions from Council.

- **City Recorder's Report** (included in your packet) **,** Reads her report as presented there were no questions from the Council.

- **City Attorney's Report –** (not Included in your packet)

  - **Ordinance later on in the agenda**

8. Ordinances and Resolutions

A. Discussion and or Action on Resolution Number 676 a Resolution On volunteer Workman's Comp.

Motion to approve Resolution Number 676 was made by Councilor Graupp and is seconded by Councilor Vlcek with the additions of number 2 and 3. Motion Passes Unanimously.

B. Discussion and or Action on Ordinance 471 On Making Water Conservation Plan Mandatory yearly. No motion or consideration was made however a discussion did ensue.

Mayor Taylor explains that he put in place a level 3 all exterior band on watering. It is my intention to move it to a level 2 this comes out of the water conservation plan with these changes To make mandatory odd even, would be under permitted use, sprinklers 10 minutes per zone in 24 hour period. No watering between 10 am and 6 pm complete ban on pools, washing sidewalks, or houses unless there is a safety issue. Until October 1st 2013

Councilor Sahlin what about washing vehicles well that is up for discussion, it is decide to ban washing vehicles.

Councilor Vlcek what about a specific zone ban. I think that it's good that citizens are policing one another that way the ban should help.

Mayor Taylor proposes a question about charging high users more. Nothing comes of this question.

It is the consensus of the council to approve the outline as presented to council stated by Mayor Taylor.

C. Discussion and or Action on Ordinance 472 on Making a Water Usage Cap and Accessing a Possible Fee. This Ordinance was not considered.

9. New Business

A. Discussion and or Action on Legislative Amendment 2013-01 (LA-13-01)

Motion to adopt the staff report and direct staff to prepare an ordinance approving Legislative Amendment 13-01: with revisions stated to remove the word appoint and to continue discussion on sky lights was made by Councilor Brotherton and seconded by Councilor Graupp. Passes Unanimously. Staff is directed to draft and Ordinance.

10. Old Business

Discussion and or Action on LED Proposal from PGE, Councilor Sahlin and I met with PGE we chose the top one (Leo Tek),

Councilor Vlcek, I am still not clear on which poles are being replaced (all)

1. Except the acorn style because they do not have the technology to so as of yet and the bridge remains ours. Lumens there are different lights and different light appear differently so I would suggest that they be uniform across the board.

2, How do we get the money? We will receive a credit in the street fund. We will see it in about a year. They won't cut us a check it will be as a credit.

Motion to authorize the Mayor to sign the agreement and to ask for them to be uniform across the board is made by Councilor Graupp and seconded by Councilor Brotherton. Passes Unanimously.

B. Discussion and or Action on Consideration on Eddy Property Proposal.

As presented by City Attorney Dennis Koho as follows;
Mayor Taylor and Members of the Council:

I met with Mr. Eddy today to see if there is any way in which we could agree on steps he could take to avoid fines. I told him I could agree to nothing, but could discuss possibilities and forward them to the Council for consideration. His biggest problem is time. He will be out of state for about a month starting in early August. He wants to reach agreement, if possible, before then. Here is what he can agree to at this point:

- A five-year agreement, signed by both parties
- The basement would be covered by a camouflage tarp or the existing metal top, at the Council's option
- Underlying wood would be inspected to make sure it has at least five years of life remaining
- The top (tarp or metal) would be covered by bark dust
- The bark dust would be maintained in good condition during the life of the agreement
- Fencing exists on three sides of the property now. He will fill in the remaining side with arborvitae or cedar at the Council's choice and approved fencing.
- Completed by October 15
- Fines and enforcement to be stayed until October 15. If not completed on time, fines would be backdated to the original date of enforcement.

Because he will be leaving town soon, he needs to have some idea if this proposal will be acceptable. If not, what will be acceptable? The Council may not meet via email, but you can discuss concerns with staff. Staff can come to some conclusion about the Council's position and relay it to Mr. Eddy. Formal resolution will need to be in open council session at your next meeting.

Very little discussion by council on the proposal,

A motion is made by Councilor Vlcek to reject the proposal and seconded by Councilor Sahlin. Motion Passes Unanimously.

11. Adjourn

A motion to adjourn the August 13, 2013, meeting at 9:27 p.m. was made by Councilor Vlcek and seconded by Councilor Sahlin and passed unanimously.

_____

Bill Graupp, Acting Mayor

ATTEST:

_____

Kelly Richardson, City Recorder

Minutes
Aurora Special City Council Meeting
Thursday, August 29, 2013, at 6:00 P.M.
City Council Chambers, Aurora City Hall
21420 Main St. NE, Aurora, OR 97002

STAFF PRESENT:		Kelly Richardson, City Recorder Dennis Koho, City Attorney Pete Marcellais, Marion County Deputy
STAFF ABSENT:	Excused,	Bob Southard, Public Works Jan Vlcek, Finance Otis Phillips, Waste Water
VISITORS PRESENT:		Kris Sallee, Aurora Jackie Valentine Aurora Tom Roeder, Wilsonville Bill Simon, Aurora Joseph Schaefer, Aurora Jeff McDonald, Woodburn Independent

1. Call to Order of the City Council Meeting

   The meeting was called to order by Acting Mayor Bill Graupp at 6:00 p.m.

2. Administrative Assistant does roll call

   Mayor – Acting Bill Graupp- present
   Councilor Brotherton -present
   Councilor Sahlin – present
   Councilor Vlcek – present

3. Consent Agenda

Correspondence

I. Letter of Resignation from Mayor Greg Taylor.

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.

No one spoke from the audience.

5. New Business

A. Acceptance of Resignation Letter from Mayor Taylor,

A motion to accept Mayor Taylors resignation letter is made by Councilor Sahlin and is seconded by Councilor Vlcek. Motion Passes.

B. Election of Mayor's Position by Council

A motion to elect Council President Bill Graupp as the new Mayor is made by Councilor Sahlin and is seconded by Councilor Brotherton. Motion Passes 3 ayes and 1 abstained by Councilor Graupp.

C. Discussion and or Action if Council Position Becomes Vacant

A motion to elect Councilor Sahlin as the new Council President is made by Councilor Brotherton and is seconded by Councilor Vlcek. Motion Passes and Sahlin accepts.

D. Discussion and or Action on Council President If Created by Vacancy.

6. Resolution and or Ordinances

A. Resolution Number 677 Declaring Council Vacancy

A motion to approve Resolution Number 677 declaring a Council Vacancy is made by Councilor Sahlin and is seconded by Councilor Vlcek. Motion Passes.

Newly elect Mayor Graupp took a moment to acknowledge Greg Taylor and his family because of their endless commitment to the city of Aurora and for their wonderful volunteer spirit.

7. Adjourn

Mayor Graupp adjourned the August 29th special meeting at 6:15 pm

_____

Bill Graupp, Mayor

ATTEST:

_____

Kelly Richardson, City Recorder

Minutes
Aurora Planning Commission Meeting
Tuesday, August 06, 2013 at 7:00 P.M.
Aurora Commons Room, Aurora City Hall
21420 Main St. NE, Aurora, OR 97002

STAFF PRESENT: Excused

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

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 7:01 p.m.

2. City Recorder Did Roll Call

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

3. Consent Agenda

Minutes

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

No comments….

A motion is made by Commissioner Sallee to approve the consent agenda as presented and seconded by Commissioner Gibson. Motion Approved.

Correspondence

I. **NA**

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.

5. New Business

A. Discussion and or Action on Supreme Court Ruling on Takings. Not a lot of action Ruling on Koontz VS St.Johns River Water Management District they decided two things.

In this case the Koontz family had some wetlands that they wanted to develop. As often happens while development occurs surrounding it,the property got a lot wetter and so they proposed to develop and donate the rest to the water district. But the water district wanted more land and said if they didn't do as they asked the application would be denied. On that issue the Supreme Court agreed 9-0 that governments cannot escape the takings liability by denying an application. Many governments have used this in the past as a work around to have requirements be apart of the approval.

In the case of City of Tigard, they required an easement for a bike path to expand a plumbing store, and so many governments used it as a work around stating that if you don't include what we want we will deny you. This is what the Supreme Court said is unconstitutional. 9-0

Secondly, the water district told the Koontz family that if they didn't want to perform wetlands mitigation on their own property that they could pay a fee. Key thing is that if we ask someone to do something in response to an application, to dedicate a stream or something of that nature, that if we just decided to ask them to write us a check and we will take care of what actually needs doing we need to be careful that what we ask for is in direct impact of the development that is proposed.

6. Old Business

A. Discussion and or Action on Vending Carts on Private Property.

In your packet is a flyer that was prepared for the City of Portland that talks about the mechanics of how they regulate food carts however it really doesn't get to the issue of where food carts are allowed. I wanted it in the packet because it illustrates some of the practical issues that need to be flushed out.

- Zoning
- Permits
- Fire bureau
- Signs
- Health dept
    - Our bigger issue is when and where to allow food carts
    - Tricky thing is how they compare to other food businesses
    - We allow them to sell food items but not trinkets or other goods
    - I wanted to get a discussion going about this to see where everyone stands

- **Sallee** asks what is required of a food cart during Colony Days, that really is a temporary use permit or special event permit.
- **Gibson** has there been requests recently, Schaefer yes several recently.
    - On 99E at Southards property a few years ago that was denied
    - On 99E at Erickson's property we allowed one because it was actually where they manufactured the carts so it was an extension of that business.
    - There has been a request for the downtown area most recently.

Sallee what has been the cities response, **Schaefer** there not permitted the code doesn't allow them. **Gibson** so they are being excluded, correct. We do not have a code provision that allows them. **Graham** how come we allowed the one on 99E on the Erickson's property? Because it was considered as an accessory or promotional sale item for the original business on the premises. The cart is gone it is no longer operating on this site.
I would like to hear from others:

Sallee had not really thought about it

Fawcett I think that if it were an extension of the business in some way I think it would be ok. I think a food cart permanently would it be successful and how much business would it take away from other businesses in town that's really not fair. When Amy's food cart for coffee was done they didn't have running water they had to treat the water with salt products to sanitize. It really could be an issue or result in issues. In the summer they might be nice for the other businesses in town to utilize a food cart to promote themselves.

Schaefer my thoughts are to allow them as an accessory use to the main business in town. My thought behind that is not only that its fair because they are all ready following our code as an established business but that they already are aware of the sanitary issues that goes along with operating a food business and infrastructure such as restrooms.

Sallee on this flyer it states that if you are not connected to plumbing fixtures and sanitary sewer than it's not allowed.

Gibson I am certainly an advocate for a small business and not a lot of capital outlay to have a way of starting and then certainly it could grow into something larger. Schaefer then you could have the opposite effect. As well.

Sallee well then what about regulations on a certain length of time criteria that would allow a temporary business until you could grow.

Councilor Graupp in the audience, I think if they are on private property and they have access to water, and bathrooms. So my vision is to allow a Permanente cart on private property that has access to all services and are used for special events or seasons that already have a food business and then you have the temporary say taco truck that is there during lunch hour everyday during the weekend but is able to move.

Sallee right off I would say that the temporary or rolling cart is not flattering to our city. Even if not in the Historic District it's really not a look for Aurora.

Fawcett, isn't there something that specifically calls out drive through businesses, yes they are prohibited in the Historic District however in the remainder of the city it's ok.

There has been a recent application for a drive through at the old bank building on 3rd street and since it is not in the HRB then it is allowed.

Whats next?

Seems like everyone agrees with an extension of an established food service business in town mobile or fixed we should require access to bathrooms of the already established business.
Seems like everyone likes the concept and for the next step we present it to the HRB to see what they have as input.

Discussion goes on with a variety of comments..

B. **New discussion item is ODOT discussion** the I-5 Donald/Aurora interchange. Spoke with Dan Fricke with ODOT this is really on the back burner but they have been discussing realigning Bentz Rd to be potentially run around to the west.

C. **Discussion on SEDCOR**, We met with them myself (Sallee), Schaefer, Scott Brotherton and Bill Graupp with SEDCOR members Chad Freeman, President and Nick Harveld, Marion County Rep. about our tax incentives for our Enterprise Zone, to pick their brains on what those could be and set up a future meeting, The next steps would be for them to put a sample training together and then get volunteers in our area to collect data. At this point they are still approaching other communities.

Schaefer the main point I took away from that meeting was to focus on existing businesses and to help them grow and come into our community verses bringing others in from out of state.

Sallee, marketing our selves is very important for the success of this.

7. Commission Action/Discussion

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

9. Adjourn 7:54 P.M.

A motion to adjourn the August 06, 2013 meeting is made by Commissioner Sallee and seconded by Commissioner Fawcett. Motion Passes Unanimously.

Chairman, Schaefer

ATTEST:

Kelly Richardson, City Recorder

HISTORIC REVIEW BOARD MINUTES
21420 MAIN ST. NE, AURORA OR 97002
July 18, 2013

Staff Members Present: Kelly Richardson, City Recorder

Others Present: Bill Graupp, City Council member
Scott Brotherton, City Council
Kris Sallee, Planning Commission
Samantha Feder, Aurora
Sharon Harbeck, Aurora

The meeting of July 18, 2013 was called to order at 7:00 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

I. Historic Review Board Minutes – June 27, 2013
II. City Council Meeting Minutes - none
III. Planning Commission Meeting Minutes - none

A motion to approve the HRB minutes of June 27, 2013, as presented, was made by Member Fraser, seconded by Member Frochen and passed unanimously.

CORRESPONDENCE

None

VISITORS

No one spoke.

OLD BUSINESS

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

1. **Review of Design Standards as part of title 17.**

Chairman Townsend informs members that the most current version of title 17 is in your packet Planning Commission Chair Schaefer is here. Planning Commission had the public hearing on title 17 July 2, 2013. I and member Simon were in attendance.

I did look at the document and had a few questions:

1. On pg 398 applicability, what was discussed was that paint color for non-contributing commercial structures was that it would need staff approval and when I look back later on in section 17.21.40 the new language is there on pg 441 under paint but it's not reflected in the beginning in applicability,

I think what you say is, 17:40:50 B 3 add after the word structure, and insert (and of non contributing structure in the historic commercial overlay,)

Pg 408 same 17.20.50 C, admin approval process #4 it should also say non-contributing in commercial overlay.
#2, I am bothered by this statement. Before if you were using the same color paint along with the same materials same everything you didn't have to get approval. During discussion it is agreed that this should be taken out and not have to have approval. DELETE #2 agreed.

Pg 404 I asked for clarification on this it was a big change and no discussion was offered nor clarification or reasoning that HRB should no longer have authority to approve items on new construction. **Chairman Schaefer** item #3 on the memo from SHPO. This item was proposed by Councilor Graupp that new construction is not Historic and so the idea was new construction was not really related to HRB and that Planning Commission can over see that and it would cut down on time spent by the applicant.
Chairman Townsend it really is complicated because when you are looking at the commercial district and when 3 original buildings were lost to fire when you are replacing these contributing structures this really is of HRB expertise. I think it is crucial to the Historic District and I think it takes away significant authority. Member Fraizer is there away to work together on these types of applications.
The discussion among members is to do one stop shopping or one meeting once someone wants to appeal a HRB decision it then goes to council but with my proposal the governing body is Planning Commission and if they do an appeal it has a formal appeal process with the Planning Commission itself rather than going to council first.

Chairman Townsend states people have come up to her and stated that one particular property that they would want HRB to have input on. In the past Planning Commission members historically are not interested in HRB items and they typically are not familiar with the historic district is doesn't give a good vibe.

Member Frochen comments doesn't it take away the checks and balance so that one body isn't making all the decisions. **Chairman Townsend** states that really there is no

recourse if we disagree with a decision, **Chairman Schaefer** you can appeal just like anyone else could.
It doesn't mean the HRB will be taken seriously and our comments heard.
I think that this was a significant change and since this was a public hearing on this no one could make comments during that type of forum.
Member Fraizer I would like to see all members in one meeting working together.

Member Abernathy I think that the Planning Commission gets involved in economics and building and I don't think that the Planning Commission would look at the Historic significance of our history.

Member Simon how much vacant property is there, Townsend we are looking at 3 buildings that burned and they have to be replaced and these are significant to our history.

Commissioner Sallee, comments when you look at new construction you still have to consult the Design Standards which are within the Historic Frame work so I think this covers what you are speaking about. It validates that we have to follow exactly the same document. **Abernathy** we just want to have checks and balances I guess I don't have confidence that Planning Commission will follow this document. (Sallee) I have been to these meetings and as Chairman Schaefer stated you can appeal it just like anyone else if you don't agree with the decision made.

Chairman Schaefer points out that this document is written in such a way that you really could have staff do this the new rules are very clear and what the decision or outcome will be. **Chair Townsend** that's true but the board did suggest on more than one occasion items that should be covered and Planning Commission didn't like the format or what was presented.

Chairman Schaefer we structured the document in this format because we thought it would be user friendly with the citizens. This document should be very clear and objective very much trying to stay away from general statements because they can be so easily misunderstood.

Member Abernathy the HRB and the preservation of the historic district must be maintained.

Chairman Townsend The Comp Plan is full of comments and stresses the importance of the HRB. **(Schaefer)** Good idea everyone reread the comp plan.

Chair Townsend Signs, since we have taken out existing signs on pg 416 does that mean that these properties would need to bring their signs into compliance. I believe I understood it to say if they are up by OCT 1995 or after then they would be grandfathered in. **Chairman Schaefer** 1995 to present they would be in compliance if they received approval but if there is no approval then these properties must update their signs to be in compliance.

Pg 420 exempt signs I see a that LED sign has a separate definition, we proposed that we could live with this and I believe we came to a middle ground and I thought we came up with no control on images. **Chair Townsend** currently we control images on signs. **Chair Schaefer** as per legal requirements according to the City Planner we cannot limit content. Colors we limited to two colors (Townsend) why, if you are allowing them to be expressive can't they have more colors. (Schaefer)We are doing the best that we can and we are trying to solve a business situation where many businesses want it. The best we can.

Chair Townsend On new business signs we had asked that this be expanded (17.24.060 C 3 pg 420) so that new businesses such as a temporary business they cannot use a temporary sign and have no restrictions and we asked that they can only have up temporary signs while the approval process is taking place.

UNDER Standards PG 442

Sidewalks, there has been a sidewalk standard for many years and this is found in downtown improvement plan and HRB guidelines that you don't have to have trowelled edges and we have many in town that aren't trowelled. The history behind this is when Marion County discussed our options they offered 3 kinds of sidewalks and so we came up with a solution we decided on un-trowelled edges because they looked old.

Chairman Schaefer it is a safety issue and a tripping/safety issue and it last longer I get the ascetic situation but I think for a safety this is better. **Chairman Townsend** what about brick they don't have trowelled edges Schaefer I don't know that's a good point. So why can't we keep what we have had in the past. Member Frochen that's the checks and balance that we are up against new verses old.

Member Abernathy is the City Council going to listen to us. Schaefer yes but they may not agree with everyone.

446pg transom and clear story 17.40.190 B 4 I think this is a typo Schaeffer agrees. Should state above doors.

Pg 450 17.48.020 designated HRB refers to 10A is a typo?

Chairman Townsend I presented a few items to Planning Commission about Colony Structures it should have their own section and or more rules/regulation. I feel that it could have been inserted easily and it was not mentioned at the Planning meeting. **Chair Schaefer** it was agreed upon long ago through Planning to use contributing and non contributing as the separation of structure types. Chair Townsend these items have already been designated a landmark. **Chairman Schaefer** I wasn't aware of that. **Chair Townsend** where are the different standards for the landmarks that HRB proposed, **Schaefer** I think that the contributing structures is strict enough and Planning Commission did not act on the proposed changes. **Abernathy** why didn't you act on it? **Schaefer** because we are trying to simplify the code.
Townsend if you don't call this out and show the distinction and show the difference you fail to show the history. **Schaefer** that is why it is in the guidelines and the Comp

Plan along with the inventory those documents show the history of Aurora. The inventory the HRB can change the inventory at any time.

Townsend, I think that you are going to lose the historic uniqueness for Aurora.

Schaefer I am not saying they are not important but title 17's function is to be the regulatory document.

Abernathy are you familiar with other historic cities and do you think they are happy with how they are being regulated. By their codes and plans.

Agreement on the board is to press City Council to recognize this colony distinction.

NEW BUSINESS

A. **Discussion and/or action on Wall Sign Application for Pudding Lane, 21620 Main St. Application submitted by Sharon Harbeck.,** Two Wall signs on the application, Chairman Townsend let's look at the sign section of the Guidelines,

1. 415 pg Section 17.20.100 B Wall signs, 17.20.070 Materials wood, Font is approved from the list, Font the lettering is black on white background is met. A, B, C.
2. 417 pg Type of sign for wall signs placement,

The applicant is asked about square footage, it's agreed amongst the group 25 square foot of frontage. The application is asking for two wall signs (one is allowed) however I see this sign over the window and I see it as a parapet sign they generally identify the name of the business. I believe that we can take the top sign as a parapet sign, we can allow the two signs and it looks appropriate for the frontage area.

Next we would then look at size for the wall sign 30x18 and the Parapet 72x12 this would work for the frontage requirements.

Chairman Townsend calls for comments hearing none all is in agreement
17.20.100 B and C

A Motion to approve the application as written was made by Member Simon and is seconded by Member Frazier. Motion Approved by all.

Chairman Townsend asks the applicant if you might be interested in an A-board sign the applicant has a picture on her camera and the board reviews the picture.

- Hand Painted, no more than 5 colors
- Wood material
- Easel back, which will be placed towards the bushes and won't be seen.

Applicant is adding this easel sign and the location would be to the left of the arch on the patio.

Board discussion of sign,

- Pg 415 17.20.100 general sign provisions, discussion on figural sign
- Colors you are limited to 5 colors so that is met
- Printing it would be black (stated by applicant) and one of the approved fonts from the list.
- Lets cite that the applicant has shown a picture of an additional sign a figural sign and it meets, Color, material, a figure and graphics are to be from font list also meets 1720.0790 A 1, 2 B and C,3 and meets free standing 17.20.100 F.

Member Frazier makes a motion to approve the sign as discussed with the applicant and is seconded by Member Simon as cited. Motion Passes.

Tell us about your business it's a typical English tea room. With British flair and English parameters

ADJOURN

A motion to adjourn was made at 8:45 pm by Member Simon, seconded by Member Frochen and passed unanimously.

Karen Townsend

Karen Townsend, Chairman

ATTEST:

Kelly A Richardson

Kelly Richardson, City Recorder

From: Wakeley, Renata [renatac@mwvcog.org]
Sent: Friday, August 09, 2013 1:09 PM
To: recorder; Bill Graupp; Joseph Schaefer
Subject: FW: Brownfields Assessment for Marion County
Attachments: Aurora_Donald_final inventory.jpg; AuroraBrownfieldSites.xlsx

Councilor Graupp and Chair Schaefer,

Attached please find follow up data to the email below. The information specific to Aurora identifies the Bixler site and two airport sites as potential brownfields. I am working with DEQ and Business Oregon to identify potential fund sources to potentially assist private property owners with Phase I assessments of these sites.

If funding is identified, we will work to assist jurisdictions in reaching out to property owners to solicit interest. In the meantime, please let me know if the City is interested in participating in this potential project and/or if you have more information on these sites or other sites that should be added to the inventory.

Regards,

Renata Wakeley, Senior Planner
Mid-Willamette Valley Council of Governments
100 High Street SE, Suite 200, Salem, OR 97301
503 540 1618 direct
503 588 6177 reception
503 588 6094 fax

From: Wakeley, Renata
Sent: Tuesday, July 16, 2013 3:53 PM
To: Bill Graupp; Bob Willoughby; Brandon Reich; Carrie Corcoran; Kelly Richardson; Pavoni, Christine; City of Donald (manager@donaldoregon.gov); Downer, Judy; City of Gervais (ssasaki@cityofgervais.com); Ammon, Wenonah; Amie Kennison; COGContact, St. Paul; Sawyer, David; Dan Fleishman; Gregg Gorthy; Jim Hendryx; Joseph Schaefer; Kelsey Lewis; Lora Hoffman; Hills, Maryann; Nogle, Vickie; Bob Willoughby
Cc: Dufner, Suzanne; Jacks, Jim; Mattson, Marjorie; Wakeley, Renata
Subject: Brownfields Assessment for Marion County

All,

In May 2013, Mid-Willamette COG partnered with a University of Oregon graduate student in the identification of employment lands that may be underutilized or vacant due to potential brownfield contamination, using Oregon Department of Environmental Quality's environmental databases (brownfield properties are underutilized sites with known or perceived contamination.) The attached report is a result of the graduate students work within Marion County, which includes feedback from economic development professionals and DEQ staff in our area regarding how to prioritize sites with the highest redevelopment potential.

COG staff will be sending each jurisdiction specific data and maps within the week for their review and use. The DEQ has expressed interest in potentially partnering with one or two local governments on a pilot study/program to gauge property owner interest in pursuing further assessment on the sites identified in the report. Look for an email from Renata Wakeley at

COG for specific data for your jurisdiction.

If you have question or concerns on the data or think your jurisdiction may be interested in partnering on a pilot project, please contact Renata at COG (ph: 503-540-161) or Mary Camarata at DEQ (ph: 541-687-7435).

Renata Wakeley, Senior Planner
Mid-Willamette Valley Council of Governments
100 High Street SE, Suite 200, Salem, OR 97301
503 540 1618 direct
503 588 6177 reception
503 588 6094 fax

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CITY OF AURORA - TREASURER'S REPORT FOR JULY, 2013

	FUND	BEGINNING BALANCE	REVENUE TOTAL	% TO DATE	TOTAL EXPENSES	%	END BALANCE
10	GENERAL	296,755.39	18,925.26	3.01%	44,146.32	7.01%	271,534.33
15	CITY HALL BUILDING	115,774.71	78.37	0.07%		0.00%	115,853.08
25	PARK RESERVE	1,125.92	0.48	0.01%		0.00%	1,126.40
29	PARK SDCs	22,423.95	9.37	0.04%		0.00%	22,433.32
30	STREET/STORM	108,472.66	7,706.86	4.28%	7,758.70	4.31%	108,420.82
35	ST/STORM RESERVE	32,811.26	2,148.78	4.47%		0.00%	34,960.04
39	ST/STORM SDCs	12,132.43	5.08	0.02%		0.00%	12,137.51
40	WATER OPERATING	185,062.66	47,123.33	9.23%	25,024.76	4.90%	207,161.23
42	SPW MAINTENANCE	22,695.30	9.46	0.04%		0.00%	22,704.76
45	WATER RESERVE	6,509.43	2.73	0.01%		0.00%	6,512.16
49	WATER SDCs	23,133.58	9.67	0.01%		0.00%	23,143.25
50	SEWER OPERATING	148,020.59	42,988.03	9.98%	25,210.33	5.85%	165,798.29
55	SEWER RESERVE	5,452.49	2.26	0.04%		0.00%	5,454.75
57	G. O. DEBT SERVICE	20,409.54	1,356.82	0.44%		0.00%	21,766.36
59	SEWER SDCs	20,379.04	8.50	0.04%		0.00%	20,387.54
	TOTALS	1,021,158.95	120,375.00		102,140.11		**1,039,393.84**

CITY OF AURORA - TREASURER'S REPORT FOR AUGUST, 2013

	FUND	BEGINNING BALANCE	REVENUE TOTAL	TOTAL EXPENSES	END BALANCE
10	GENERAL	271,534.33	20,043.10	44,538.67	247,038.76
15	CITY HALL BUILDING	115,853.08	136.64		115,989.72
25	PARK RESERVE	1,126.40	0.46		1,126.86
29	PARK SDCs	22,433.32	9.04		22,442.36
30	STREET/STORM	108,420.82	4,313.57	4,879.34	107,855.05
35	ST/STORM RESERVE	34,960.04	208.09	2,683.00	32,485.13
39	ST/STORM SDCs	12,137.51	4.89		12,142.40
40	WATER OPERATING	207,161.23	6,266.28	17,778.80	195,648.71
42	SPW MAINTENANCE	22,704.76	9.12		22,713.88
45	WATER RESERVE	6,512.16	2.64		6,514.80
49	WATER SDCs	23,143.25	9.33		23,152.58
50	SEWER OPERATING	165,798.29	4,119.32	22,104.89	147,812.72
55	SEWER RESERVE	5,454.75	2.18		5,456.93
57	G. O. DEBT SERVICE	21,766.36	2,116.57		23,882.93
59	SEWER SDCs	20,387.54	8.20		20,395.74
	TOTALS	1,039,393.84	37,249.43	91,984.70	**984,658.57**

City of Aurora
FOUNDED 1856
"National Historic Site"

Public Works department

City Council
Public Works Activity Report
August 2013

Waste Water

Routine operation maintenance. Plant has and will continue not to violate permit. See report from Otis. On Monday Sept. 2 Bob and Ricky where called out to pump station #4 for generator transfer switch malfunction, and called gen service contractor out. Transfer switch controller unit has locked up and generator is now off line until repairs can be made

Water

Routine operation and maintenance. Water use has gone down to a safer level and pumps are not cavitating at this time, if use stays the same or less we will make it to rainy season. Liberty St. old water main leaks, parts are here and will isolate Sept. 16-19th. Meter reads were done 8-21. 6" water main at 4th and Main St. has a leak and has been patched 3 times, will need replaced with PVC, approximately 100ft.

Streets

Routine operation and maintenance. Still working on storm water data,other things keep coming up.

Parks

Routine maintenance and operation.

Administration

Public Works scheduling and planning for staff.
Capitol improvement planning for entire city.
Budget

Overtime has been suspended until emergency call out happens.
Respectfully: Bob Southard

City Recorder Report

Memo

To: City Council

From: Kelly Richardson

CC: None

Date: 9/5/2013

Re: Recorders Report Month of August 2013 report

Activities and ongoing projects are as follows:

- Ongoing secretarial duties for the City Council and Planning, along with attending the meetings once a month.
- Attending Records Management Meeting
- Records Request update
  - None pending at this time
- **Working on updating and scanning of address files. <u>Ongoing</u>**
- **Code Enforcement issues.**
- Reading and studying the Aurora Municipal Code.
- Continuing research on what other cities are doing for charges concerning Epermitting.
- Updating job descriptions for Public Works Superintendent and Assistant Positions
- Working towards obtaining certification
- Training with Finance Officer as back up position.
- Getting ready for the auditors

ORDINANCE NUMBER 473

AN ORDINANCE AMENDING TITLE 17 OF THE CITY OF AURORA MUNICIPAL CODE

WHEREAS, the Aurora City Council submitted an application to amend sections of the Aurora Municipal Code (AMC) to amend Title 17, also known as the "Historic Preservation Ordinance of the City of Aurora", to update the design standards and provide greater clarity on the processing of applications under this Historic District Overlays; and

WHEREAS, the Aurora Planning Commission held a public hearing on the proposed Title 17 amendments, file no. LA-2013-01, on July 2, 2013, and the City Council held a public hearing on the proposed Title 17 amendments on August 13, 2013;

NOW, THEREFORE, The City of Aurora Ordains as Follows:

SECTION 1. Title. The City of Aurora Municipal Code, Title 17- Historic Preservation Ordinance of the City of Aurora and all exhibits attached thereto are incorporated herein and shall be known as "Title 17- Historic Preservation Ordinance of the City of Aurora"**. Title 17- Historic Preservation Ordinance of the City of Aurora and all exhibits thereto are on file in the City Recorder's Office are incorporated herein.

SECTION 2. Adoption of Plan Update. Based on the findings of the staff report dated August 6, 2013; and the testimony received at the public hearings on July 2, 2013, and August 13, 2013, the City of Aurora Comprehensive Plan Update, 2009 to 2029 and all exhibits attached thereto, (attached and marked Exhibit A and Exhibit B), are hereby adopted.

SECTION 3. <u>Amendments.</u> The "City of Aurora Historic Preservation Ordinance of the City of Aurora" adopted by Ordinance No. 325, December 26, 1989 as amended by Ordinance No. 416, (January 8, 2002). Ordinance No.416, January 8, 2002 and Ordinance No. 419, November 12, 2002, are repealed and replaced by the "Historic Preservation Ordinance of the City of Aurora", 2013, attached and marked Exhibit A.

SECTION 4. <u>Effective Date</u>. This Ordinance being the final decision shall be in full force and effect upon the thirtieth day after its passage by the Council and approval by the Mayor.

** For the convenience of the reader the attachments to this Ordinance include an unmarked version of Title 17 of the Aurora Municipal Code (Exhibit A), and a marked version (Exhibit B), which shows changes from the previous Title 17.

Passed by the Council this_____ day of _____, 2013.

AYES:

_____

NAYES:

_____

Approved by the Mayor this _____ day of _____ 2013.

_____
Mayor, Bill Graupp

_____
City Recorder

Attachments:

Exhibit A: Unmarked version of Title 17 of the City of Aurora Municipal Code, 2013.
Exhibit B: Marked version of Title 17 of the City of Aurora Municipal Code, 2013, showing changes from the previous Title 17.

EXHIBIT A

Unmarked version of Title 17 of the City of Aurora Municipal Code, 2013.

EXHIBIT B

Marked version of Title 17 of the City of Aurora Municipal Code, 2013, showing changes from the previous Title 17.