

Minutes
Aurora City Council Meeting
Tuesday, January 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
Pete Marcellais, Marion County Deputy
Dennis Koho, City Attorney
Mary Lambert, Finance

STAFF ABSENT: Darrel Lockard, Public Works Superintendent

VISITORS PRESENT:

1. Call to Order of the City Council Meeting

The meeting was called to order by Mayor Bill Graupp at 7:00 p.m.

2. Administrative Assistant does roll call

Mayor Graupp – present
Councilor Sallee- present
Councilor Brotherton -Absent
Councilor Sahlin – present
Councilor Vlcek – Absent

3. Consent Agenda

- I. City Council Meeting Minutes – December 10, 2013
- II. Planning Commission Meeting Minutes – December, 2013, Councilor Sahlin asks about food carts and what was the driving force behind this. Mayor Graupp explains the discussion that happened between pheasant run and another cart on 99E that happened and some ugliness that occurred so we decided to have some code language to address food carts.
- III. Historic Review Board Minutes –November, 2013

Correspondence

- I. Future Discussion Item Franchise Renewal for Wave Division Cable Television.** Do we want to maintain and activity clause. We will discuss this over the next year.
- II. Oregon Court of Appeals Regarding Water Rights,** we will be updating those and moving them around for well #1. Currently all of our water rights are up to date.
- III. News letter Bairds Update and Email**
- IV. Information Regarding Independent Contracting.**

Motion to approve the consent agenda was made by Councilor Sallee and is seconded by Councilor Sahlin. Motion Approved by all.

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.

Byron Shriver, Keil Park, presents a water update on our water filter situation he shows council his filter and states that this one has been in place 3 months. It is currently quite brown. I do appreciate that every Friday public works comes down and blows off the water line to remove sediment. I will be back in 3 months to show you another update. I am not sure if you know what the problem is but you might. If you notice in the news we rely on our local government to keep our water safe. He explains the study that was done back in 2009 and asks this current council to read it so they can understand our water system and what our problems are. I believe the ORS requires an update every 5 years but I am not sure on that. He reminds council of the water rationing that took place over the summer of this year. He urges the council to continue making progress and moving forward with our water supply.

Any questions of the council none.

Annie Kirk asks about the water situation and the notice regarding the airport (Marion County January 22, 2014 Meeting) and asks if it is on the agenda tonight. **Mayor Graupp** no it is not currently on the agenda it is at the Planning Commission level at this time. This is a legal land use issue we have not gone through this yet with Planning Commission to discuss all of the land use issue regarding this situation and what Marion County can and cannot do and the ramifications of what that is. It is going through the process with Planning Commission and then a staff report to follow. I cannot speak to what Marion County is moving ahead with they have an agenda Mayor Graupp states that you should go and provide comments at the meeting with Marion County. As far as Mayor I cannot give you an opinion as Bill Graupp citizen I can. So at a later meeting after Planning Commission has an opportunity to make a recommendation back to council at which time we would then discuss it.

Mayor Graupp, Explains the Airport raised an issue through Marion County regarding the potential of providing clean water for the people who work there and that they wanted to go out and find a solution. Marion County contacted the City and said do you want to participate in this discussion regarding a public health issue. The answer is always yes if we can help and assist in a situation regarding a health issue. The answer was certainly we want to participate with anything regarding the Airport whenever possible. So we said sure so we went up there and at that meeting they stated that they had a public health issue and the response from us was that if there is a public health issue we want to collaborate with you using our resources and yours to come together and come up with a solution if possible. What that would be needed to be figured out. But what they didn't have when I went up there was actual data to support the risk that they stated they had. They agreed to go out and get the testing needed to prove there issue. (So far no response). So as far as what I was talking about with them they have not justified a public health risk if they do Marion County rolls out that I said lets collaborate let's see if there is a common solution that helps our city and there situation and pool our resources to help us and them. We are probably in a win – win situation with it. I was told they were going out to Wilsonville. True or False I actually met with the Mayor of Wilsonville this morning he didn't go straight to that exact statement but we did talk a lot. Until there is a public health issue and I called Marion County when I saw the notice and said hey you were there and we said show us the data but they have not at this point.

As far as what Marion County is doing with the public notice and the hearing process I can't speak for these guys but I want my city planner to provide a staff report because this is a legal situation and I am not able to provide this. Leave it to the professionals. I am not making any judgment on what Marion County is doing so that's where we are at they have their staff working for them. I am not sure If I answered your question or not.

Annie Kirk, I appreciate your explanation of the situation it was very clear. **Graupp**, we are not there to take over the airport or push our way into the airport but if anyone comes to meetings it's our responsibility to give them our comments. **Annie** in closing if not already brought to your attention I am under the impression that there is a water master plan that was done during Nick Kaiser term and **Graupp** yes we have one and I am currently reading through the information. Fred Netter has been very helpful with explaining the report.

Scott Reilly, Walnut Street I have a staff report from Marion County, where the legislative notice regarding our own city why did we not hear this from Aurora. Mayor Graupp I asked Marion County why they worded the notice this way. Again I say Marion County contacted us and asked if we wanted to have a conversation regarding the issue at the airport. **Mayor Graupp** states that if there is a documented concern I had stated that maybe we could look into a collaborated effort. So clearly this is misstated from Marion County. We had never discussed selling the Airport water. I spoke with Brendan from Marion County. Councilor Sahlin let me add that when I received the notice I called the Mayor within minutes and asked him why Marion County is stating this and making assumptions as to what our actions would be because that statement is clearly false. **Graupp** anyone can misread what my intended words were and I can misread what their

intended words were as well. So we called them up directly and said we were there we talked to the guy and again regarding it as a possible public health issue here so that is all we were doing the whole conversation was regarding water testing and them stating their case and showing that there was a public health issue it was never at any time was it stated that we want to sell you water. All of the action items when we left that meeting were for the airport there were no action items for us until we receive data from the airport.

Annie, is there a digital recording of the meeting? **Mayor Graupp** know that meeting was and ODA meeting so I doubt it I am just a guest at that meeting.

Reilly, so we continue to talk about it being a public safety issue I guess also when we discuss the potential of partnering on anything we have our own public safety issue potentially from July through October when you put the water restrictions on and the potential shortage for fires as we have many farms around in the area. It's an issue a couple of years ago we had a fire at Anderson hay which almost ran us out of water. So if we are going to put credence towards public safety I think it's important to remember the folks here at home before we consider the airport safety issues. **Mayor Graupp** no question about it.

Tom Potter 21244 Liberty Street, I would reiterate that we have a problem with our water and we need to look at this issue for us first. Again the Mayor states no one from the city has spent money on this issue except myself attending two meetings and there has been no resources spent on this and I informed Marion County that we have no intention to until we see some data. Again I don't know why we would do anything even if they show us data we have our own problems here and they have their own let them solve it. **Mayor Graupp** there is always a potential to collaborate especially money issues to make a better solution that usually always can come up with a better solution for a situation. Our contract with Marion County is a perfect example that collaborating works for the betterment of our citizen. **Mayor Graupp** we are in no way speaking with the Aurora Airport regarding selling water and I am not going to speculate on there resources lets face they have a lot more than we do. It is always a possibility and a fiduciary responsibility to look at those potentials. It doesn't mean that I am doing it but I have to look at those potentials because that is my job. I look at every possible solution for our cities problems. So which comes first this hearing or the Planning Commission meeting? **Graupp** we have not even started Marion County just leap forward on this. **Graupp** there meeting as far as I can tell wont effect our town at this point. That's there wording you are correct. The airport water district needs to come to us and ask through there board. **Councilor Sallee** again this is for everyone to provide comments from our citizens. **Potter**, will we have representation there **Graupp** no we are encouraging our citizens to attend and make comments. **Councilor Sahlin**, yes this is very concerning to the council they put us in a position to defend this to our citizens which; is we are not considering selling water. We get that they worded it poorly.

Annie Kirk, I would say maybe Nick Kaiser attend because of his long standing with the airport.

Potter, if someone from Council will not be in attendance will someone be writing a letter expressing concerns over the language on this notice or regarding this issue.

Councilor Sahlin, we had not really discussed that yet. We just received notice on this on Monday ourselves we really have not had time to do much at this point.

Graupp, I did speak with Marion County and reminded them of the action items from that meeting and that none of them were mine. I see what you guys are doing here but were not.

Annie, Did you submit anything in writing to correct what they have stated **Graupp** no.

Tara Weidman, you are talking about public awareness how can we get the word out to our citizens, can we put it on the aurora alerts email well really this is not our action so it really wouldn't be a part of that email service. **Graupp** we have been working hard to inform people that this public meeting that is held every month is our tool to get information out to our citizens. Can anything happen without the Council approval?

Graupp No this is only a start and we will bring it to the Planning Commission. To make it clear if there is a public safety concern with data provided then we could look at the possibility. **Graupp**, it must be a public safety concern.

Mary Van Cleef, shouldn't we have received a notice? **Graupp** well yes if it would have directly concerned you then you would have received a notice in the mail from Marion County. They put it on their web-site. **Councilor Sahlin**, if it would have concerned us by law they would have to notice everyone.

Graupp, there is no way to supply sewer this is a goal exception from DLCD and it is almost impossible to do.

Graupp, there is a DLCD goal exception on the truck stop and the city of Donald provides there sewer. It has possibilities.

Dennis Koho, comments that the odd thing that is dangerous for the airport is once there is a declaration of a public health emergency it would permit Aurora to annex that area above and over the objection of the airport for the water district. The city would have to want to do this. **Graupp**, this would be very costly.

Sahlin, in a nutshell if we ignore the airport they are going to do what they want. So as citizens you need to voice your concerns so they are held accountable.

Sahlin I say that as a city we need to formally comment on how they wrote this because we have received many citizen complaints on this. I am hearing that our citizens want someone to attend and or comment on how they wrote this and Sallee agrees. We need to at the very least write a letter. I don't like the fact that we had to defend ourselves to our citizens on something they wrote. To say we openly offered to give them water is wrong. **Graupp** we didn't. I would need to talk with Mitch and the gang to see how you misinterpreted this. I have the meeting minutes and I have an email from Marion County that states since we started this action you really can't do these kind of things **Graupp** yes you started it.

Councilor Sahlin well all I know is receiving emails and knocks on my door insinuating that we are doing something behind everyone's back is a problem for me.

Councilor Sallee, I think a letter needs to go out with our position, **Councilor Sahlin** I am hearing what our constituents are saying. If this really is our position than I want a letter to go out as well.

Dennis I can attend if need be. **Graupp** well we can talk about that it's a little more complicated than that but ok. **Councilor Sallee**, so is that we are agreeing on is to send a letter **Graupp** no we are agreeing that Dennis and I are going to talk about it. I am not sure it's that easy to word such a thing. **Sallee** well I think it's important. **Graupp** how we go about it Dennis and I will have some time together.

No one else spoke.

5. **Mayor's Report,**

Not a lot to report,

A. Discuss in planning as we did before spending a cycle of looking at potential of Marijuana laws however Planning Commission stated not to make comments yet until other cities have finished their law suits and then maybe start the process. I did have a conversation with Kate Brown and she did imply that this is something that everyone needs to be considering. Realize that any time medical marijuana dispensary can come here at any time and currently we have nothing allowing it nor to deny it. Do we want further discussion on this now?

B. The other item we need is a parade manager very soon or were not going to have one.

There were really no more questions at this time.

6. **Discussion with Parks Committee, Councilor Sahlin** nothing in parks however I will add that we are looking at Public Works taking over the maintenance of the park. I will take care of the baseball field. Bringing it back in house is more feasible. **Lori Sahlin** points out what the park used to look like when it was done by public works and under the city.

Annie well than I assume that the city owns or can rent the equipment needed to take over that maintenance.

7. **Discussion with Traffic Safety Commission,** Status meeting with ODOT regarding intersection 551 and Grimm Rd. **Graupp** I explained to ODOT from my other hat as school board that this is very unsafe for our youngsters leaving school as inexperienced

drivers. **Councilor Sallee** explains her experience for the first time in that area and was shocked.

8. Reports

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

- Nothing Major any questions about calls for service,
- Donald had a house fire and discovered that it was a medical Marijuana dispensary. Donald stated there was not a business license. They are discussing if they need a license or not because they are technically selling only to their patients. It would really not be any different of a home health care nurse come in and give them their medication. **Graupp**, interesting.
- Cannons, they are not illegal to have or fire as long as they are not firing a projectile. I have had discussion with this person explained to him that he shouldn't fire it after 11 pm nor with any projectiles. I would suggest calling 911 to establish a report if it were to continue. **Graupp** if it is air cannon we cannot regulate it if it is on EFU land.

No more questions at this time.

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

1. Revenue & Expense Report

Council members welcome Mary to her first meeting.

Where do we stand in funds, the treasure report revenue has gone up in November because of the tax turn over. Do we have enough information to estimate turn over? I will look into that for our next meeting.

The letters on your desk top are the letters accompanying the audit and some of them are corrections. We passed the audit. How many copies do we need?

Any questions, none

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

You're here so is the pump running; yes stated Ray Lockard, Public Works Superintendent.

Were doing well we finished the runoff, well 5 proposals at next month's meeting, streets routine maintenance and looking into budget.

Graupp, We are having an issue with pump at well 5, which is the Keil park pump we are currently seeking bids for the problem because the screens are plugged. The potential fix is

blowing sand in there and clearing it out however this is a situation that we would have to maintain. We have two companies bidding to blow out the well and see if we can't get it fixed.

Councilor Sahlin Do you have any in site on the brown water issues? We have only been flushing for 3 weeks now and it took **Mayor Graupp** states it took Keizer almost 1 year before they saw better water quality.

Graupp, Marion County has agreed to get rid of those trees on Ehlen Rd affecting the wall.

We picked up an intern from School to help out.

Jim Fisher, if I trim trees near Legion Hall can I throw brush on the pile down at the treatment plant. Bob allowed it before but not sure what to do. Well that really is a grey area.

No more

D. City Recorder's Report (included in your packet) reads her report and there were no questions from Council.

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

- Not a lot going on
- Working on contracts and producing a model contract for future employees.
- Nothing more on Eddy Ventures,
- Sahlin asks, about the public officials bonds that we are being asked to sign. I will look at it and let you know.

9. Ordinances and Resolutions

A. Discussion and or Action on Resolution Number 680 Regarding Bank Account Signers.

Motion to approve Resolution 680 Regarding Bank Account Signers is made by Councilor Sahlin and is seconded by Councilor Sallee. Motion passes by all.

10. New Business

A. Discussion and or Action on OLCC Applications.

- **Aurora Colony Market**
- **Aurora Market & Deli**
- **Pacific Hazel Nut Factory**
- **Colony Pub**
- **Vang Star Store & Gas**

Motion to approve the OLCC license applications is made by Councilor Sallee and is seconded by Councilor Sahlin. Passed by all.

B. Discussion and or Action on Historic Review Board Members Renewal for Member Townsend and Member Fraser.

Motion to approve continued term for Karen Townsend and Mella Fraser is made by Councilor Sahlin and is seconded by Councilor Sallee. Motion passes by all.

C. Discussion and or Action with Scott Mills, House Candidate 18, didn't show up.

D. Discussion and or Action on Draft Audit Report by Grove Mueller and Swank.

Motion to approve the audit from Grove Mueller and Swank is made by Councilor Sallee and is seconded by Councilor Sahlin, Motion passes by all.

E. Discussion and or Action on Supplemental Budget Proposal for 2013-2014

Mayor Graupp, hands out the supplemental budget for this year to each council member,

Jan put 99 percent of this together and I helped to reorganize it.

Let's talk about it and highlight some issues,

- 25,000 deficit in the General fund, is you see now it's a 19,000
- Reduced municipal court fines. With the reduction of 10 it looks better.
- Pg 3 personnel services assistants and finance changes
- Pg 4 contract services for Jan Vlcek to help when needed
- Legal incorrect so I corrected that to 24,000
- Police services, currently 153 versus the 240 from our old dept.
- Pg6 same
- Court major 7 line 21 refund amount changes. Less tickets less refunds
- Pg 12 parks we increased the value of the park, can we bring this back in house for maintenance.
- 3,000 for tree removal and pruning.
- No change city Hall fund
- Parks SDC, pg 16 nothing
- Pg 17 line 2 PGE sale of the light Poles.
- Pg 18 see basic budget for streets

Sallee Cost of PGE will that save us yes it will.

- Pg 20 no changes
- Pg 22 water operating fund estimate
- Pg 25 last payment LID for sidewalks
- Pg 26 water reserve fund, no change

- Pg 30 line item 1 and 24 increased 6,000 on 1 and lowered it on 24.

Motion to accept the changes as discussed was made by Councilor Sahlin and is seconded by Councilor Sallee passes by all.

F. Discussion and or Action on ACVA Grant Fund Request for Island Maintenance.

Question is do we want to keep it with the city or do we want to discuss it later. We need to look at scope of work. **Table this discussion until February.**

G. Discussion and or Action on approval of ACVA Draft Letter to Citizens Regarding Weed Control. Any thoughts on this letter, talk about it in February.

Jim Fisher thanks the city for the paving on 3rd street.

Mayor Graupp, in forms Jim Fisher that the trees on or near main street through discussion with Council will be the property owners responsibility. Does that include replacement of side walk yes it does.

11. Old Business

A. NA

12. Adjourn

Mayor Graupp adjourns the meeting at 9:04 pm.

Bill Graupp, Mayor

ATTEST:

Kelly Richardson, City Recorder

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Bill Graupp, Mayor

ATTEST:



Kelly Richardson, City Recorder