

**Minutes**  
**Aurora City Council Meeting**  
Tuesday, June 14, 2016, at 7:00 P.M.  
City Council Chambers, Aurora City Hall  
21420 Main Street NE, Aurora, OR 97002

**STAFF PRESENT:** Kelly Richardson, City Recorder  
Mary Lambert, Finance Officer  
Darrel Lockard, Public Works Superintendent  
Officer Sherburn, Marion County  
Dennis Koho, City Attorney  
Linda Kendrick, Koho Law  
Eleanor Beatty, Koho Law

**STAFF ABSENT:** None

**VISITORS PRESENT:** Daniel Pearson, Canby Herald  
Steve Richardson, Molalla  
Theresa Whisenhunt, Koho Law  
Robin Schaefer, Aurora  
Scott Ross, Aurora  
Ron & Mary VanKleef, Aurora  
Don Thwing, Aurora

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**1. CALL TO ORDER OF THE CITY COUNCIL MEETING**

Meeting was called to order by Mayor Bill Graupp at 7:00 pm

**2. CITY RECORDER DOES ROLL CALL**

Mayor William Graupp- Present  
Councilor Jason Sahlin - Absent  
Councilor Kris Sallee-Present  
Councilor Robert Southard-Present  
Councilor Tom Heitmanek - Present

**3. CONSENT AGENDA**

- a) City Council Meeting Minutes – May, 2016
- b) Planning Commission – May, 2016
- c) Historic Review Board Meeting – April, 2016

**ACTION ITEM: NA**

Motion to approve the consent agenda as presented was made by Councilor Southard and is seconded by Councilor Heitmanek. Motion approved by all.

**4. CORRESPONDENCE –**

- a) Letter of Rate Increase from Wave Broadband for a \$1.05 a month. Is acknowledged by Council however there is no discussion.

**5. VISITORS**

Anyone wishing to address the Aurora 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 Aurora City Council could look into the matter and provide some response in the future.

- Ron Vankleef, Yukion Street asks Council for an update on the water leak occurring in his neighborhood. Public Works Director Lockard informs Mr. Vankleef that is scheduled for this next week.
- Scott Ross presents a letter to City Councilors regarding possible litigation.
- Robin Schaefer, Aurora states that she has had some recent contact with staff regarding Ordinance violations and feels as though there are some gaps in procedures and a lack of consistency. Schaefer is requesting a meeting with staff for some clarity on the matter in the future.

**6. REPORTS**

a) Mayor Bill Graupp

- Informs Councilors that he attended North Marion Graduation also that he attended the Cascadia Rising event that took place in conjunction with Marion County Sheriff's office along with Marion County Public works and the event was well attended and informative. Sgt Sherburn will email out some links of pictures and items from the event.

Council discussed. NA

**ACTION ITEM: NA**

b) Public Safety

Councilor Sallee ask Sgt Sherburn if it is true that Officer Huitt is leaving Aurora and he confirms that yes Officer Huitt has been promoted. We will be holding interviews on July 6<sup>th</sup>. Sallee requests that there be a citizen on the interview panel with them and Sherburn informs her that per Commander Lad that would not be a possibility. As we are only required to have one civilian on the interview panel and they have met that quota. Because we are having yourself and the Mayor attend the interviews. Sallee continues to push for the citizen and Sherburn says no per the Commander. Mayor Graupp intercedes and says he will contact Commander Lad at a later date.

**ACTION ITEM: NA**

c) Finance Officer

- Finance officer reports everything is looking good and we are keeping a watchful eye on the numbers at this point.

Council discussed, NA

**ACTION ITEM: NA**

d) Public Works

- Public Works report as attached for the most part everything is going well we are aware of various small water leaks and as time is available we address each of them. The park tree canopy is looking good and we have taken out approximately 12 more trees. We currently have the water turned off in the park as consumptions have been elevated and we want to do our part. Councilor Sallee asks about the street striping and how long is it estimated to last. Lockard states the hope is for at least 3 years. Sallee strongly recommends that we get 3 bids next time and Lockard informs her that they have to respond before I can get that many bids. Sallee also asks about the trees in front of the Legion Hall and who paid for that to be done and Lockard informs her it was the property owner. Sallee asks the status of the SCA grant and when that is due. Lockard replies it's in the works and in August.

Council discussed, NA

**ACTION ITEM: NA**

e) Planning Report, Heitmanek informs council that there was a brief discussion regarding FEMA and the Bio notification that went out.

f) Parks Committee

- Park report there is nothing really to report. There is a brief discussion regarding soccer goals and I have asked the school regarding these used goals.

Council discussed, NA

**ACTION ITEM: NA**

g) City Recorder

- Still working to get web-payments there has been various obstacles.
- Various code violation letters have gone out.
- Letter that was brought in by Ross all procedures were handled and legal was notified.

**Councilor Sallee** ask about the various items from last month's meeting what items were they. **Richardson** states there in the minutes however I probably should have had them in my report as well. Continually working on the IGA list and were working on making that a better list. **Sallee** I received my code chapter 16 but I was wondering about the appendix items. I was wondering if those have changed. **Richardson**, no they have not. **Sallee** have there been changes in title 17 **Richardson** no I finished the electronic version to become more searchable document.

- **Councilor Sallee** goes on to explain to the council that she has concerns regarding various other procedures. As she is out in the community things are being brought to her attention. Much the same as Doctor Schaefer's statements regarding her issues. There seems to be some disparity regarding the process and lack of procedure and them not making sense.
- **Richardson** explains to Council that we had gone over the processes last month and that I had given you a copy of the procedure that we follow. Now in this instance where Schaefer states she has 10 days to reply I can show you many letters where we have attempted to rectify this situation, throughout the year asking her to take care of her vegetation. I always try to go over and speak with each person and show them what it is that is out of compliance it's always better that way. Once a letter goes out in a sense the clock is ticking at that point so I try to get compliance before a letter has to go out.
- **Councilor Sallee** I am just talking in generalities not necessarily specific to her and people receiving door hangers before there bill is 30 days overdue. That is where there seems to be frustration out there in the community.
- **Richardson** well you need to come in and talk with me and find out what the procedure is before you say I am not following it.
- **Mayor Graupp** now you're talking two completely different situations and policies they have two different process and resolutions governing them.
- **Councilor Sallee** well they just don't appear that way,
- **Richardson** they are very consistent we have them mapped out almost for the entire year.
- **Councilor Sallee** well we have a copy of the food cart guy bill that he is getting a shut off notice here and its well before the 30 days
- **Richardson** well you don't know that you have not taken the time to ask me how that has all played out. **Sallee** well I have a copy of his bill. **Sallee**, he was given a door hanger and he was told that his water was going to get shut off on the same day and the city offices are closed on Friday.
- **Richardson** yes and that's why we don't do shut offs on Fridays and they had until Monday.
- **Mayor Graupp** and **City Attorney Koho** at this point interrupt Councilor Sallee because if we're going to continue we cannot go into details at this point.
- **Councilor Sallee** well it would be nice if there were written policy on our website outlining the process. **Richardson** and **Finance Officer Lambert** state there is an outline on our website.
- **Richardson** goes on to explain that as per your code and resolutions we are following the policy and any time you would like to come into the office I would be happy to explain to you how it all works.
- **Councilor Sallee** I am just trying to speak on behalf of a citizen and I get a door hanger and I go to the city website and I am trying to figure it out. When am I supposed pay my bill.
- **Richardson**, it's very clear pay it by the due date which is the 10<sup>th</sup> of the month.
- **Finance Officer, Lambert** the website is clear the bills are due by the 10<sup>th</sup> of the month and then there are late fees assessed and what those are. The late bill always goes out on the 20<sup>th</sup> and then the door hangers usually 7 days later.
- **Councilor Sallee**, well it doesn't seem clear we need to just check that.
- **Richardson**, OK
- **Sallee**, because it doesn't seem clear after 30 days you get this and after 60 days you get a shut off or anything.
- **Lockard**, we always give more time we would never shut off early.
- **Sallee**, well citizens don't know that though.

- **Richardson**, well were not going to post every little aspect of a procedure they know there bill is due on the 10<sup>th</sup> of the month all they have to do is pay it to avoid all of this. Were always going to error on their side.
- **Sallee**, all I am saying is we need to just inform them and explain.
- **Heitmanek**, when they get a door hanger how past due are they?
- **Richardson**, almost 30 days by then and we always give options and encourage people to talk to us regarding their bill.
- **Sallee**, were a small town. There have been inconsistencies' is all I am saying.
- **Richardson**, no there really hasn't been as I said we have the dates mapped out all year.
- **Mayor Graupp**, staff has been generous in many ways but they can stop that.
- **Richardson**, yes your correct there have been some thresholds as to when those go out however they are generous and error on the side of the citizen.
- **Mayor Graupp**, yes and those can go away.
- **Richardson**, yes according to the code if 5 cents is left on there they would receive a late notice.
- **Sallee**, that's fine I just think getting a shut off notice less than 30 days is a bit extensive.
- **Richardson**, I don't think you get a shut off notice for less than 30 days.
- **Sallee**, well I can just give you a copy of what I have then.
- **Mayor Graupp** well we can put that on future topics if there needs to be a change because this was something council passed.

**ACTION ITEM: IGA List**

**h) City Attorney**

- City Attorney report, Koho responds to the letter that was given to him by staff from Mr. Rosés Attorney I believe I received it last week. When we are made aware that when someone is represented by Council it is policy/Attorney Ethics that I cannot talk directly to that person I must go through his attorney. I will be contacting Ross's attorney and my understanding is that Ross was interested in this being an agenda item before the council and to do that it would need to be in executive session. I have not cleared that with his attorney yet at this point but I will.
- Originally when we received notice we submitted it right away to the city's insurance company and they denied the claim based on the evidence and the city did nothing wrong that would trigger a claim for insurance pay out. Obviously Mr. Ross has a different opinion on that. And that alone might be a good reason for having an executive session.
- One of the reasons we have executive sessions is if we anticipate that there might be litigation. So it would certainly be appropriate for executive session.

Council discussed, a target date of July 6<sup>th</sup> for an executive session.

**ACTION ITEM: Councilor Sallee wanted to review Council procedures because they are so vague. Mayor Graupp in August.**

- Sallee also points out the employee manual regarding the new laws Staff informs council it's not been started however employees are all aware of the new laws. Sallee have they signed paperwork I want to see anything like this they need to sign paperwork. This needs to be a part of their employee file that is what all HR people say. Is there a form they can sign **Mayor Graupp** there is

no process for that Sallee well can we make it one and get something done. Koho that is certainly something that is common. Sallee I am asking that this be something that will be done. Heitmanek, how many full time positions are there  
4. Sallee this is a critical thing. Mayor Graupp I will have Kelly work with Dennis and get something put together.

**7. PUBLIC HEARING,**

- a) Adopt the FY 2016/2017 Budget, Mayor Graupp opens the public hearing at 8 pm and staff presents the staff report.

Having no written communications and hearing neither proponents nor opponents the public hearing is closed at 8:03 pm.

Council discuss, merit increases as there is a resolution on the agenda to address them. The current budget doesn't address them and none are proposed. Councilor Sallee continues to go on about merit increases and that they are given when no review is done. Koho maybe we should define what is merit and step and cost of living. There has been no merit increase done in a while.

Graupp you can't go backwards, there are no raises in here they are all cola increases.

Motion is made by Councilor Sallee to approve the budget as presented and is seconded by Councilor Southard. Passed by all.

**8. ORDINANCES, RESOLUTIONS AND PROCLAMATIONS**

- a) Resolution Number 706 a Resolution Establishing Policy on Employee Merit Increases.

- o After a lengthy discussion regarding what is and not a merit raise and when and how they are done. It is the consensus of the Council to not vote on this resolution at this time.

- b) Resolution Number 707 A Resolution Continuing the Water Reserve Fund and the Sewer Reserve Fund.

A motion is made by Councilor Southard to approve Resolution Number 707 and is seconded by Councilor Heitmanek. Passed by all.

- c) Resolution Number 708 Dispensing Funds based on ORS 221.760

A motion is made by Councilor Sallee to approve Resolution Number 708 and is seconded by Councilor Heitmanek. Passed by all.

- d) Resolution Number 709 A Resolution Declaring the City's Election to Receive State Revenues.

A motion is made by Councilor Heitmanek to approve Resolution Number 709 and is seconded by Councilor Southard. Passed by all.

- e) Resolution Number 710 Adopting the 2016/2017 FY Budget, capital outlay funds waiting.

A motion is made by Councilor Southard to approve Resolution Number 710 and is seconded by Councilor Heitmanek. Passed by all.

- f) Resolution Number 711 Levying AD Valorem Taxes for Fiscal Year 2016-2017.  
A motion is made by Councilor Sallee to approve Resolution Number 711 and is seconded by Councilor Southard. Passed by all.
- g) Resolution Number 712 A Resolution to Purchase a New Truck for Public Works.  
A motion is made by Councilor Sallee to approve Resolution Number 712 and is seconded by Councilor Heitmanek. Passed by all.

Councilor Sallee asks if this resolution should be passed prior to ordering these types of items. Dennis I believe since it was fully discussed during the budget meetings it was approved. Sallee wonders why we couldn't have purchased a used vehicle. Mayor Graupp because that was not discussed.

## 9. NEW BUSINESS

- a) Discussion and or Action City Attorney Koho and Beatty Firm FY 2016/2017.  
Motion to approve City Attorney Koho and Beatty contract is made by Councilor Southard and is seconded by Councilor Sallee. Motion passed by all.
- b) Discussion and or Action on. Intergovernmental Agreement with Marion County Police Services FY 2016/2017.  
Motion to approve the Marion County Intergovernmental Agreement based on legal approval is made by Councilor Sallee and is seconded by Councilor Southard. Passed by all.  
  
Councilor Sallee requests a year end report from Marion County.
- c) Discussion and or Action on Contract for Land Use Services with Willamette Valley Council of Governments FY 2016/2017. (City Planner)  
Motion to approve the COG Contract is made by Councilor Sallee and is seconded by Councilor Southard. Passed by all.
- d) Discussion and or Action on Grove Mueller and Swank Contract for FY 2016/2017  
Motion to approve the Grove Mueller and Swank contract for FY 2016/2017 is made by Councilor Heitmanek and is seconded by Councilor Southard. Passed by all.
- e) Discussion and or Action on Current Contracts with Valley Credit Services and Gustafson Insurance. Future Topics contracts,  
It is the consensus of council to stay with Valley Credit Services.

Staff is asked at this point to put together a list of contracts so each year we can look at them just to make sure we are current.

**10. OLD BUSINESS**

- a) NA

**11. Future Topics**

- a) Webber Contract
- b) IGA List

Let's get out election packets.

**12. ADJOURN,**

Mayor Graupp adjourned the June 14, 2016 Council Meeting at 9:05 PM.



Bill Graupp, Mayor

ATTEST:



Kelly Richardson, CMC  
City Recorder