



MINUTES
KEIZER CITY COUNCIL
Monday, November 7, 2011
Keizer Civic Center, Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Christopher called the meeting to order at 7:13 p.m. Roll Call was taken as follows:

Present:

Lore Christopher, Mayor
Cathy Clark, Council President
Jim Taylor, Councilor
Brandon Smith, Councilor
Joe Egli, Councilor
David McKane, Councilor
Mark Caillier, Councilor

Staff:

Chris Eppley, City Manager
Shannon Johnson, City Attorney
Nate Brown, Community Development
Marc Adams, Police Chief
Susan Gahlsdorf, Finance Director
Rob Kissler, Public Works Director
Tracy Davis, City Recorder
Elaine Howard, Consultant

FLAG SALUTE

Mayor Christopher led the pledge of allegiance.

**PUBLIC
TESTIMONY**

Jason Heimerdinger, Keizer, representing the K-23 Advisory Board, reported that the committee hoped Council would approve the recommended policy for public submission procedures. He then invited citizens to get involved with the Keizer Points of Interest Committee or K-23 if they are interested in producing points of interest or oral history videos.

Christine Dieker and A.J. Nash, representing the Keizer Chamber of Commerce, invited everyone to the Christmas Tree Lighting Ceremony, Christmas Trolley rides, the Jingle Bell 5k Run, Candy Cane Day, Breakfast with Santa and the Festival of Lights parade. Ms. Dieker and Mr. Nash then provided additional information regarding the Jingle Bell run including plans to contact neighbors, security, street closures, liability and permits.

Salena Ravey, Keizer, a McNary track student, voiced support for the Jingle Bell Run noting that since it is a fundraiser it will give needed support to the track program.

Rick Fordney, Salem, a retired teacher from Whiteaker and Claggett Creek who now coaches at McNary, reviewed monetary needs of the track program noting that with budget cuts the program is limited and a

fundraiser would benefit the program greatly. Discussion then took place regarding the proposed route for the run and concerns of the Police Department.

Sherrie Gottfried, Keizer, distributed a folder of materials which included information on tourism development, site analytics and visitor services; the hotel quarterly report, a map, a calendar and information on grants available through Travel Oregon. She noted that there are currently six calendars listing events in Keizer and she hoped to combine them into a single one for visitor use and local businesses.

Ken LeDuc, Keizer, thanked the Volunteer Coordinating Committee for their outstanding selection for the volunteer of the quarter. He then reviewed all that the Keizer Tennis Association has done for the last three years, and listed associations that have supported Keizer Tennis Association from its inception and have matching funds if and when courts are built in Keizer. Mr. LeDuc concluded his testimony by asking Council to support building tennis courts at Claggett Creek Park.

Todd Bobeda, Keizer, former McNary assistant tennis coach urged Council to approve building tennis courts at Claggett Creek Park noting that with the new courts tournaments could be scheduled in the area. He then reviewed the benefits of playing tennis and being on a tennis team.

Brett Hall, Salem, director and manager of the Courthouse Athletic Club, *Sidney Carvanza, Keizer*, and *Ian Hammerquist, Keizer*, also urged Council to approve building the tennis courts at Claggett Creek Park.

Kristin Nolan, Salem and *Cheryl Mitchell, Salem*, speaking on behalf of the Festival of Lights, expressed concern regarding the Jingle Bell Run runner safety and security since the run is scheduled immediately after the parade. They explained that the run is totally separate from the parade and not covered under their liability umbrella. They noted that this year they are partnering with Marion-Polk Food Share for the event, and several events will be tied with the parade next year. They suggested that the run be scheduled for another time or day.

Chief Adams noted that the entire police department will be occupied with the parade so will be unavailable to assist with the run. Councilor Caillier suggested that the run take place before the parade on the parade route. Additional discussion took place regarding parade visitors going from the parade to the Miracle of Lights, crowds, the route, parade participants, an after-parade celebration or a pre-parade event, trash collection, road closures, and signage.

PUBLIC HEARING
a. Keizer
Development
Code Text

Community Development Director Nate Brown explained that this matter was being addressed at the request of Council to prepare an ordinance that would implement the changes proposed to the home occupation section of the Keizer Development Code. He noted that most changes were simply "housekeeping", highlighted some of the changes and noted

**Amendments –
Section 2.407
(Home
Occupations)
and Section
2.303 (Off-Street
Parking)**

that Planning Commission had thoroughly reviewed this over two meetings. Mr. Brown then fielded questions and provided clarification regarding assembly of employees, the number of vehicles allowed, outdoor storage and additional parking.

Mayor Christopher opened the Public Hearing.

Colleen Busch, Keizer, questioned if a nanny would be allowed to park outside the home in which the service is provided to which Mr. Brown replied that this would not be considered a home occupation.

With no further testimony, Mayor Christopher closed the Public Hearing.

Councilor Clark moved that the Keizer City Council direct City staff to prepare an Ordinance with findings that adopt revisions to the Keizer Development Code – Section 2.407 (Home Occupations) and Section 2.303 (Off-Street Parking). Councilor Smith seconded.

Discussion then took place regarding code enforcement with Mr. Brown explaining that Shane Witham handles complaints and works with the Police Department when there is no voluntary compliance.

Councilor Clark proposed a friendly amendment to add to Section J.3.: “~~The home occupation shall not be used for the assembly of more than 2~~ nonresident employees engaged primarily in work off-site of the home occupation location.” (Italics indicate addition)

Councilor McKane explained that this section is about the disturbance created by congregating rather than parking. Mr. Johnson added that this is more a policy question on whether or not it should 0, 1 or 2.

Councilor Clark withdrew her friendly amendment.

Further discussion took place regarding **Section G: Parking** with Mr. Brown explaining that this section is directed at employees who come to the home and stay there. He suggested adding the following: “If the home occupation requires an outside employee *that will stay on-site* then additional off-street parking space...”

Regarding Section J.3, Councilor McKane clarified that discussion is not about ‘assembling’ in general, it is about prohibiting workers from ‘assembling’ in a residential zone. Mr. Brown added that the City is making an exception to allow business in a residential area and that the intent is to make the business consistent with the neighborhood; to make it compatible with residential neighbors who have an expectation of the kinds of uses that would be consistent.

Councilor Clark offered a friendly amendment to Section G adding the following: “If the home occupation requires an outside employee *that will stay on-site* then additional off-street parking space...” (Italics indicate addition) Councilor Smith accepted the amendment.

Councilor Clark offered a friendly amendment to Section J: “The home

occupation shall not be used for the assembly of *more than 2* nonresident employees engaged primarily" (Italics indicate addition) Councilor Smith accepted the amendment.

Mayor Christopher restated the motion with the amended language.

Motion passed as follows:

AYES: Christopher, Egli, Smith, McKane and Clark (5)

NAYS: Caillier (1)

ABSTENTIONS: Taylor (1)

ABSENT: None (0)

**ADMINISTRATIVE
ACTION
a. RESOLUTION ~
Concurring
with an
Increase in the
Maximum
Indebtedness
for the Keizer
North River
Road Economic
Development
Area Urban
Renewal Plan**

Finance Director Susan Gahlsdorf provided background on the Urban Renewal District, past and present noting that the District has had a direct positive impact on all taxing jurisdictions: Keizer Station Area A alone has generated over \$1,000,000 in annual property tax revenues. Prior to development, tax revenues were significantly less. The project has created a significant number of jobs, transportation improvements have been established, public services have increased, and quality of life has improved including parks, aesthetics and convenience. She explained that Keizer has been a good steward of urban renewal and a good partner with other taxing jurisdictions and provided information supporting this. Ms. Gahlsdorf noted that actions are being pursued to address the issue of the defaulting developer; this does not relieve the developer of his obligation to pay his debt. Extending the District addresses the worst-case scenario and preserves all options with other measures being pursued at the same time. If the District is not extended, the other jurisdictions will be impacted in other ways. She then provided figures of other funds that are being held for this purpose as well as potential options and details.

Director Gahlsdorf noted that the City has taken all the risks but the other jurisdictions have benefited. She then directed Council attention to the staff report which listed options available to mitigate the risks to the City's General Fund.

Councilor Clark moved that the Keizer City Council adopt a Resolution Concurring with an Increase in the Maximum Indebtedness for the Keizer North River Road Economic Development Area Urban Renewal Plan. Councilor Taylor seconded.

Councilor Clark questioned if the change made by the Urban Renewal Agency was included in this resolution. Consultant Howard explained that this resolution only addresses the concurrency issue but the Agency change will be included in the actual Amendment.

Councilor Egli explained that as a Councilor he is warmer to the idea of doing this because it will relieve the City of some responsibilities; but the City committed to a specific direction and they should do everything

possible to honor that, so he would be voting no.

Motion passed as follows:

AYES: Christopher, Smith, McKane, Caillier, Taylor and Clark (6)

NAYS: Egli (1)

ABSTENTIONS: None (0)

ABSENT: None (0)

**b. RESOLUTION ~
Establishing
Rules and
Procedures for
Keizer Channel
23 Television
Services**

City Attorney Shannon Johnson explained that the K-23 Advisory Committee had met many times to go over these policies and he has approved them.

Councilor Clark moved that the Keizer City Council adopt a Resolution Establishing Rules and Procedures for Keizer Channel 23 Television Services. Councilor Taylor seconded. Motion passed unanimously as follows:

AYES: Christopher, Egli, Smith, McKane, Caillier, Taylor and Clark (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**CONSENT
CALENDAR**

- A. RESOLUTION – Authorizing Public Works Director to Expend Funds from the Water Fund for Reimbursement of Taxes on Water Reservoir Located in Area D – Keizer Station
- B. RESOLUTION – Authorizing the City Manager to Enter Into Lease Agreement with IKON Office Solutions for Primary Photocopy Machine
- C. RESOLUTION – Authorization for Appropriation of Grant Funds Received for Department of Land Conservation and Development Grant
- D. RESOLUTION – Authorizing the City Manager to Award and Enter Agreement with Westerberg Drilling Inc., for 17th Avenue Replacement Well
- E. Approval of October 3, 2011 Regular Session Minutes
- F. Approval of October 10, 2011 City Council/Urban Renewal Agency Joint Work Session Minutes
- G. Approval of October 17, 2011 Regular Session Minutes

Councilor Caillier pulled Item G

Councilor Clark moved for approval of Items A through F of the Consent Calendar. Councilor Taylor seconded. Motion passed unanimously as follows:

AYES: Christopher, Egli, Smith, McKane, Caillier, Taylor and Clark (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Mayor Christopher moved for approval of Item G of the Consent Calendar. Councilor Clark seconded. Motion passed as follows:

AYES: Egli, Smith, McKane, Taylor and Clark (5)

NAYS: None (0)

ABSTENTIONS: Christopher and Caillier (2)

ABSENT: None (0)

**COMMITTEE
REPORTS**
**a. Volunteer of the
Quarter Award
– Barb Smith-
Henke**

Rick Hammerquist thanked Keizer Tennis Association supporters and read the mission and goals for the association and a brief description of Barb Smith-Henke noting that she was passionate about tennis and tenacious and confident on the tennis court. He noted that she had put in countless volunteer hours and concluded his testimony expressing dismay that Keizer still does not have a viable site for tennis.

Matt Heimowitz, Keizer, son of Ms. Smith-Henke; Greg Burr, Salem, President of the Keizer Tennis Association; and Randy LeBuc, Keizer all expressed support for Ms. Smith-Henke receiving this award and shared their personal perspective regarding Ms. Smith-Henke.

Mayor Christopher presented the Volunteer of the Quarter Award clock to Ms. Smith-Henke who expressed gratitude for the award, acknowledged other volunteers for KTA and urged everyone to play.

Councilor McKane announced the next Planning Commission meeting.

Councilor Egli announced that the Keizer Urban Renewal Board would be meeting jointly with the Planning Commission at their next meeting.

Councilor Clark encouraged everyone to attend the upcoming Town Hall meeting and announced the time and date for the next West Keizer Neighborhood Association meeting.

Councilor Smith announced the time and date for the next Parks Advisory Board meeting. Mayor Christopher questioned if the Claggett Creek proposal for tennis courts would be addressed at this meeting. Councilor McKane responded that he thought a representative of the Keizer Tennis Association would be attending a Parks Board meeting in the near future.

OTHER BUSINESS

Chief Adams announced that the prescription pill dump is now installed in the police lobby. He urged citizens to bring their old pills there for disposal.

Councilor Egli noted that this year has been a year like no other for issues and items on the agenda and he has learned a lot over that time. He commended City staff noting that they have been patient with him and are very knowledgeable.

Mayor Christopher explained that her mother had passed away recently and thanked City staff for the tree that they purchased in her mother's name that has been planted at the dog park.

**WRITTEN
COMMUNICATIONS**

None

AGENDA INPUT

November 12, 2011 – Town Hall Forum

10:00 p.m. – 12:00 p.m.

- What's On My Property Tax Statement

November 14, 2011

5:45 p.m. – City Council Work Session - Cancelled

November 21, 2011

7:00 p.m. – City Council Meeting

December 5, 2011

7:00 p.m. – City Council Meeting

ADJOURNMENT

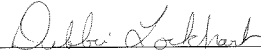
Council President Clark adjourned the meeting at 9:42 p.m.

MAYOR:

APPROVED:

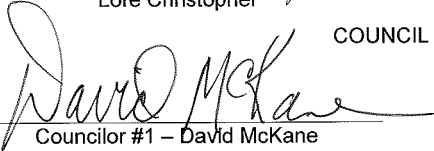


Lore Christopher



Debbie Lockhart, Deputy City Recorder

COUNCIL MEMBERS

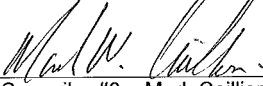


Councilor #1 – David McKane



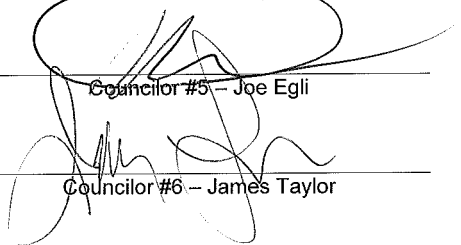
Councilor #4 – Cathy Clark

Councilor #2 – Brandon Smith



Councilor #3 – Mark Caillier

Councilor #5 – Joe Egli



Councilor #6 – James Taylor

Minutes approved:

December 5, 2011