

CITY COUNCIL AGENDA PACKET

MONDAY, NOVEMBER 3, 1998

- 7:00 P.M. CITY COUNCIL
MEETING

Please contact Wally Mull, City Manager if you have any questions or need additional information regarding any of the staff reports or issues contained on the agenda.



CITY COUNCIL AGENDA NOVEMBER 2, 1998

CITY COUNCIL MEMBERS

**MAYOR DENNIS KOHO
COUNCIL PRESIDENT JIM KELLER
COUNCILOR CARL BEACH
COUNCILOR LORE CHRISTOPHER
COUNCILOR JERRY MCGEE
COUNCILOR AL MILLER
COUNCILOR GARRY WHALEN**

WALLY G. MULL – CITY MANAGER

**KEIZER CITY HALL
930 CHEMAWA ROAD NE
KEIZER, OREGON 97303**

**PHONE: (503) 390-3700
FAX: (503) 393-9437**



CITY OF KEIZER

COUNCIL MEETING INFORMATION

The Keizer City Council meets on the first and third Mondays of the month at 7:00 p.m. in the Robert L. Simon Council Chambers, Keizer City Hall, 930 Chemawa Road NE, Keizer. All meetings, except executive sessions are open to the public. Agenda information is available three days prior to the meeting. The meetings are also broadcast live on community television - Channel 27. For agenda information or a calendar of events, please call City Hall at 390-3700.

The following information has been compiled to assist you in participating in your local government.

PUBLIC TESTIMONY

Each regular Council meeting begins with an opportunity for citizens to address the Council on items that are not scheduled on the agenda. A sign-up form can be found near the Council Chamber entry at the meeting. Please fill out the form and give to the City Recorder prior to the meeting. When your name is called, please come forward and give your name and address for the record. Your testimony will be **limited to five minutes**, unless an extension is granted by the presiding officer. If you will be providing handouts, please bring ten copies or stop by City Hall prior to the meeting to have the information copied for the Council members, City Manager, City Attorney, and a copy for the official record. When you have finished speaking, the Mayor will ask the Council if there are any questions of you, so please remain for a moment prior to returning to your seat.

PUBLIC HEARINGS

Notice of all Public Hearings is published in the legal section of the Keizertimes or Statesman Journal. A sign up sheet for each hearing will be displayed near the Council Chambers entry. Please print your name and address and designate if you are an opponent, proponent, or wish to provide general information. After the hearing is opened and the staff report presented, the Mayor will call your name to come forward. Your testimony will be **limited to five minutes**, unless additional time is granted by the presiding officer. In the event of a land-use hearing, the applicant will be allowed to testify first, then anyone who wishes to present evidence in favor of the application, followed by anyone presenting evidence in opposition or to provide general information. The applicant in the case will be offered an opportunity for rebuttal. After the hearing is closed, the Council will begin deliberations. A decision may be made at this time or continued to the next meeting.

SPECIAL ACCOMMODATIONS

Those individuals needing special accommodations such as sign or other language interpreters to participate in the City Council meeting must request such services at least 48 hour prior to the meeting. Please direct your request to the City Recorder at 390-3700, extension 108 or 588-6009 (TDD).

Thank you for your interest in the City of Keizer.

CITY OF KEIZER MISSION STATEMENT
**KEEP CITY GOVERNMENT COSTS AND SERVICES TO A MINIMUM BY PROVIDING CITY SERVICES TO
THE COMMUNITY IN A COORDINATED, EFFICIENT AND LEAST COST FASHION**

A G E N D A

KEIZER CITY COUNCIL

Monday, November 2, 1998

7:00 p.m.

**Robert L. Simon Council Chambers
Keizer City Hall, Keizer, Oregon 97303**

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC TESTIMONY

This time is provided for citizens to address the Council on matters not scheduled for public hearing or listed on the agenda.

4. COMMITTEE REPORTS

- a. Keizer Skate Park Update – Charlane Carlson**
- b. Appointment to Housing and Community Development Strategic Plan Advisory Committee**
- c. Council Liaison Reports**
 - Traffic Safety Commission – Mayor Koho**
 - Keizer Urban Renewal Board – Councilor Beach**

5. OTHER BUSINESS

This time is provided to allow the Mayor, Council members or staff an opportunity to bring new or old matters before the Council which are not on tonight's agenda.

- a. New Business**
- b. Old Business**
 - Response to Hannegan Letter**
 - Response to R. Beausoleil development complaint**

6. PUBLIC HEARINGS

7. ADMINISTRATIVE ACTION

- a. Special Levy Tax Refund**
- b. Youth Compact**

- c. Trail/Manzanita Property
- d. **RESOLUTION** – Authorizing City Manager to Enter Agreement to Purchase House and Property at 4965 Rickman Road
- e. City Manager Performance Evaluation Merit

8. **CONSENT CALENDAR**

- a. Miracle of Christmas Noise Variance
- b. Approval of May 4, 1998 Regular Session Minutes
- c. Approval of June 22, 1998 Special Session Minutes
- d. Approval of June 25, 1998 Special Session Minutes
- e. Approval of June 29, 1998 Special Session Minutes
- f. Approval of October 19, 1998 Regular Session Minutes

9. **WRITTEN COMMUNICATIONS**

To inform the Council of significant written communications and petitions.

10. **AGENDA INPUT**

November 9, 1998

- 5:30 p.m. City Council Work Session
 - McNary Estates Wetland Mitigation

November 16, 1998

- 7:00 p.m. City Council Meeting
 - Appeal of Hearings Officer Decision – Lent
 - Development Code Text Amendment – Motor Homes in Public Zone

November 23, 1998

- 5:30 p.m. City Council Work Session
 - 1999 Goal Setting Session

11. **ADJOURN**



November 2, 1998

AGENDA ITEM 4a

KEIZER SKATE PARK UPDATE

COUNCIL MEETING: January 20, 1998

AGENDA ITEM NUMBER:

TO: MAYOR KOHO AND CITY COUNCILOR MEMBERS

FROM: WALLY G. MULL
CITY MANAGER

SUBJECT: KEIZER SKATE PARK UPDATE

ISSUE:

Charlane Carlson will be present at the meeting to give a brief update on status of the Keizer Skate Park.



November 2, 1998

AGENDA ITEM 4b

**APPOINTMENT TO HOUSING AND COMMUNITY
DEVELOPMENT STRATEGIC PLAN ADVISORY COMMITTEE**

COUNCIL MEETING: January 20, 1998

AGENDA ITEM NUMBER:

TO: MAYOR KOHO AND CITY COUNCILOR MEMBERS

FROM: WALLY G. MULL
CITY MANAGER

SUBJECT: HOUSING AND COMMUNITY DEVELOPMENT STRATEGIC PLAN
ADVISORY COMMITTEE REPRESENTATIVE

ISSUE:

Maurice Anderson, Project Coordinator for the Housing and Community Development Strategic Plan Advisory Committee has requested the City Council appoint a representative from our community to serve on this committee during 1999. Bob French has served as our representative on this committee and has volunteered to continue in this role.

RECOMMENDATION:

It is recommended the City Council confirm the appointment of Bob French on the Housing and Community Development Strategic Plan Advisory Committee for 1999.

MEMORANDUM

Community Development Department

Urban Development Division



TO: Wally Mull, City Manager
City of Keizer

FROM: Maurice Anderson, Project Coordinator *MA*

DATE: October 14, 1998

SUBJECT: Nomination of Representative to the Housing and Community Development
Strategic Plan Advisory Committee (HCD Committee)

Staff is requesting that organizations having representatives on the HCD Committee nominate a member of its organization to serve on the 1999 committee. I have contacted your representative from last year, Bob French and he is willing to serve another year. I am requesting that you confirm this nomination.

At the present time, I expect that the committee will hold five meetings in January and February, 1999. The Committee has met on Wednesday nights in previous years.

I would appreciate if this matter could be considered by early November. This timetable will enable us to make contact with the person to answer any questions they may have and to send other information in a timely manner.



November 2, 1998

AGENDA ITEM 5b

OLD BUSINESS REPORT

City Council Meeting: November 2, 1998

Agenda Item: 5b

TO: Mayor Koho and City Council Members

SUBJECT: Old Business Report

- **Response to Hannegan Letter**
- **Response to R. Beausoleil Development Complaint**

**Response to Hannegan Letter
(William Peterson – City Engineer)**

Attached is a staff report from William Peterson, City Engineer on the City's administration of building permits under FEMA.

**Response to R. Beausoleil Development Complaint
(Rob Kissler – Public Works Director)**

At the October 19th City Council meeting, Mr. Roger Beausoleil addressed the Council with his concerns regarding the amount of fill dirt being placed on the development to the north of his property. Bill Peterson, City Engineer and I visited the site next to Mr. Beausoleil's residence. We have made contact with Mr. Beausoleil by phone to set up a meeting to review his specific concerns. I will keep the Council informed on our progress.

Note: If you have a matter that you would like to see under an old business report, please contact one of the members of the Council Management Committee to forward to the appropriate department.

TO: MAYOR KOHO AND CITY COUNCIL MEMBERS
FROM: WILLIAM I. PETERSON, P.E. - CITY ENGINEER
THROUGH: WALLY MULL-CITY MANAGER
SUBJECT: CITY ADMINISTRATION OF BUILDING PERMITS UNDER FEMA

QUESTION:

Is the City properly regulating floodplain development?

BACKGROUND:

Builders are voicing concerns that they should be able to fill and build on lots designated as being located in a floodplain. One builder has sent a letter to the Council stating, "We have learned from FEMA that they do not officially recognize any of these lots as being inside a flood plain."

INVESTIGATION:

The FEMA official referred to in the above letter was contacted. He stated that he told the builder that FEMA does not recognize any of these lots as being inside a flood plain *for flood plain insurance purposes*.

In response to the question of whether the City is correct in refusing to issue building permits the FEMA official referred the City to a FEMA document called "Floodplain Management Bulletin 1-98". This bulletin provides guidance on the use of FEMA draft or preliminary Flood Insurance Study data as "available data" for regulating floodplain development. The bulletin can be found on the Internet at <http://www.fema.gov/MIT/fis-data.htm>. Attached is page 3 of 9 of Bulletin 1-98.

CONCLUSION:

A review of Floodplain Management Bulletin 1-98 indicates the City is correctly regulating floodplain development based on the current preliminary mapping. We anticipate hearing from FEMA soon on our appeal of the most recent floodplain map for the City of Keizer.

are converted to the Regular Program with a FIRM in which all of the special flood hazard areas are designated Zone A without BFEs using approximate methodologies. Most NFIP communities will have FIRMs that include a combination of special flood hazard areas that have been studied in detail with BFEs and floodway data and special flood hazard areas that have been studied using approximate methods which have been designated Zone A.

National Flood Insurance Program (NFIP) Requirements: Use of Draft or Preliminary FIS Data

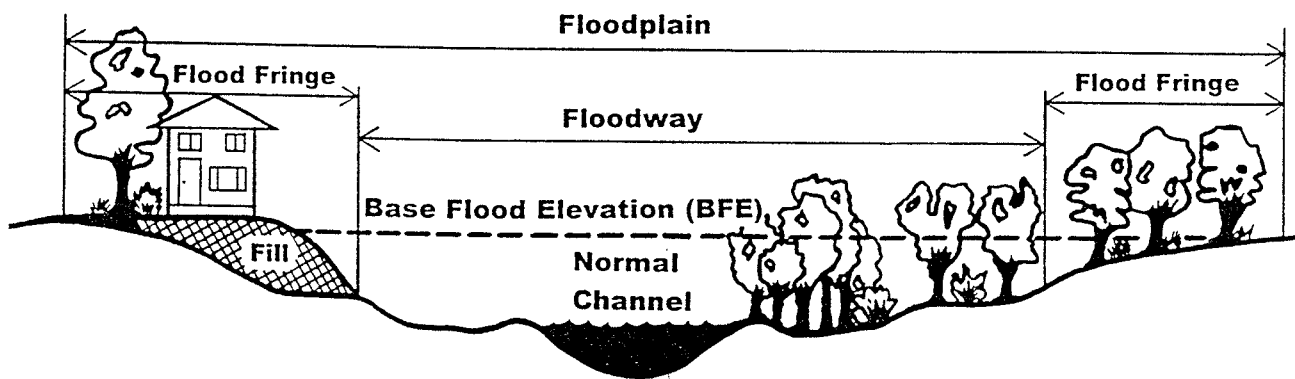
For Zone A:

For Zone A areas designated on the community's effective FHBM or FIRM, the BFE and floodway data from a draft or preliminary FIS constitute available data under Subparagraph 60.3(b)(4). The requirement at Subparagraph 60.3(b)(4) is an important floodplain management tool for reducing flood damages in areas where a detailed engineering study to develop BFEs and designate floodways on streams has not been conducted. Communities are required to reasonably utilize the data from a draft or preliminary FIS under the section of their ordinance that applies to this paragraph. A community is allowed discretion in using this data only to the extent that the technical or scientific validity of the data in the draft or preliminary FIS is questioned.

When all appeals have been resolved and a notice of final flood elevation determination has been provided in a LFD, communities are required to use the BFE and floodway data for regulating floodplain development in accordance with 44 CFR 60.3(b)(4) since the data represents the best data available. This includes meeting the standards at 44 CFR 60.3(c), and (d) which includes the requirement that new construction, substantial improvements, and other development have their lowest floor elevated to or above the BFE (non-residential structures can also be floodproofed to or above the BFE). Communities must regulate floodplain development using the data in the FIS under 60.3(b)(4) until such time as the community has adopted the revised FIRM and FIS.

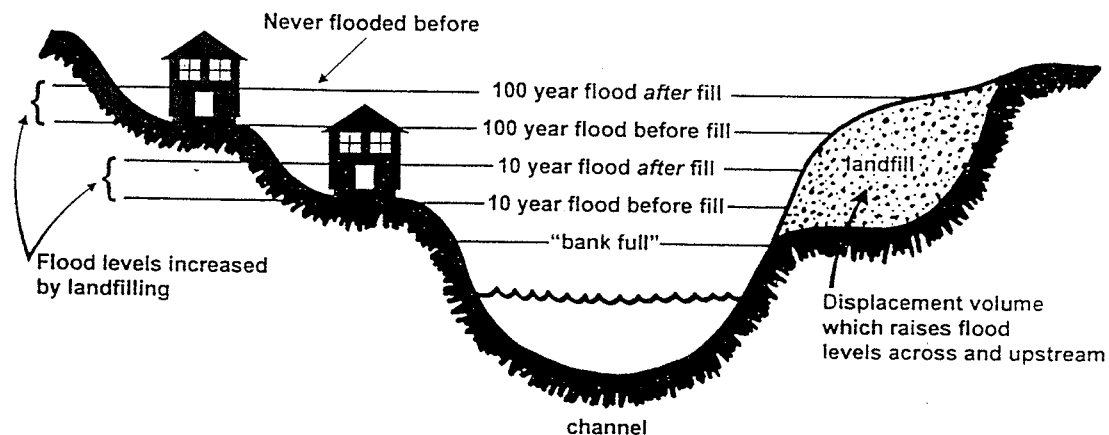
In Zone A areas, the rationale for requiring reasonable utilization of BFE and floodway data in a draft or preliminary FIS is premised on the absence of other BFE or floodway data and the need to protect new or substantially improved structures from flood damage until such time as appeals are completed and the BFEs and/or floodway are incorporated into the local ordinance. The use of the qualifier "reasonable"

Flood Fringe – The area on either side of the floodway is called the flood fringe. This area is subject to inundation by the base flood but conveys little or no velocity flows.



Fill – By nature, floodplains are low-lying areas which seem to invite filling activities. Filling is included under the NFIP definition of “development” and therefore requires a floodplain development permit. Care should be taken to ensure that the fill will not alter drainage or divert flood water to other properties.

Too much fill causes the river to rise higher...



(Note: this illustration is not to scale)

RESOURCES:

FEMA Publication “Protecting Floodplain Resources, A Guidebook for Communities”



October 5, 1998

Hannegan & Sons Inc.
PO Box 5343
Salem OR 97304

City Of Keizer
PO Box 21000
Keizer, OR 97307

ATTN: City Councilors

We have waited for the City to adapt a new flood elevation grade for Hidden Creek Estates and the surrounding area. We understand that at this time FEMA is still reviewing their calculations and will soon release new data. Based on an admittedly erroneous 1997 flood plain study you have not allowed new construction and or placement of fill material on 18 building lots we own in Hidden Creek Estates. We have learned from FEMA that they do not officially recognize any of these lots as being inside a flood plain.

We have paid thousands of dollars in taxes & interest for unmarketable land. We have waited and waited but now we need to have some resolution. Our financial situation is such that we need to pursue a legal remedy or preferably work with the City of Keizer to have the higher elevation lots released for building. Due to our conversation with FEMA and Bill Peterson, It seems only reasonable that you allow us to market these higher elevated lots. It has been anticipated by all parties that the lots on Brookhollow Ct will not be contained in the next flood plain. It appears that the City has not taken any action in order to protect itself from litigation while other members of the community have to suffer the consequences.

We are faced with a serious financial situation and are currently turning away clients. We have enjoyed a good working relationship with the City of Keizer and have been extremely patient, however we need to resolve this matter immediately.

Sincerely,

Ken Hannegan
Hannegan & Sons Inc.

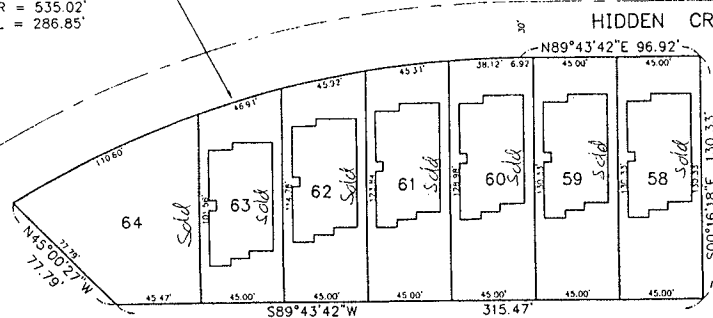
A handwritten signature in cursive script that reads "Ken Hannegan".

P.O. Box 5343 • Salem, Oregon 97304-0343
(503) 581-5895

CH = N74°22'07"E
283.43'
Δ = 30°43'09"
R = 535.02'
L = 286.85'



SCALE:
1" = 50'





November 2, 1998

AGENDA ITEM 7a

SPECIAL LEVY TAX REFUND

COUNCIL MEETING: January 20, 1998

AGENDA ITEM NUMBER:

TO: MAYOR KOHO AND CITY COUNCILOR MEMBERS

FROM: WALLY G. MULL
CITY MANAGER

SUBJECT: SPECIAL LEVY TAX REFUND

ISSUE:

This space is reserved on the agenda for discussion of the Urban Renewal Special Levy Tax refund.



November 2, 1998

AGENDA ITEM 7b

YOUTH COMPACT

TO:	Mayor and City Council City of Salem	For Meeting: 11/02/98
	Mayor and City Council City of Keizer	For Meeting: 11/02/98
	School Board Salem-Keizer School District	For Meeting: 10/27/98
	Marion County Commissioners Marion County	For Meeting: 11/04/98
	Polk County Commissioners Polk County	For Meeting: 10/21/98

FROM: Youth Compact
 Dave Bauer, School District Board Member
 Carl Beach, Keizer Councilor
 Randall Franke, Marion County Commissioner
 Bonnie Heitsch, School District Board Member
 Dennis Koho, Keizer Mayor
 Mike Propes, Polk County Commissioner
 Ann Gavin Sample, Salem Councilor
 Toni Stewart, School District Board Member
 Mike Swaim, Salem Mayor
 Glenn Wheeler, Salem Councilor

SUBJECT: GO with *MAKING AFTER-SCHOOL COUNT*

ISSUE

Sustainable after-school opportunities, with caring adult guidance, are a significant ingredient in the overall community strategy to reduce juvenile crime, drug and alcohol abuse, teen pregnancy and to nourish healthy environments for our children.

RECOMMENDATION

The representatives of the Youth Compact, through consensus, agreed to return to their respective jurisdictions with the recommendation for each to take the following actions:

1. Reaffirm participation in the Youth Compact formed by joint resolution in the fall of 1996.
2. GO with adopting the *MAKING AFTER-SCHOOL COUNT* report.
3. GO with agreeing to be a collaborative partner in championing the strategic directions and their accompanying action plans.
4. GO with agreeing to be the lead jurisdiction with the strategic directions as follows:

- a. HANGING-OUT - City of Salem and City of Keizer
- b. GETTING HEALTHY OPPORTUNITIES RIGHT IN FRONT OF KIDS - City of Salem and Salem-Keizer Public Schools
- c. MENTORING - Marion and Polk Counties
- d. SUSTAINING AND SUPPORTING AFTER-SCHOOL ACTIVITIES - City of Salem and Today's Choices
- e. SUPPORT TO PARENTS - Marion and Polk Counties
- f. SUSTAINABLE FUNDING - City of Keizer, City of Salem, Marion County, Polk County, and Salem Keizer School District

BACKGROUND

1. In the fall of 1996 the City of Salem, City of Keizer, Marion County, Polk County, and the Salem-Keizer School District formed, by resolution, the Youth Compact. The formation of the Compact was achieved to have a "... shared vision with Today's Choices...committed to the well being of children and the strengthening of families...shared goal of developing a well-thought out plan to address the needs of youth...inter-jurisdictional cooperation...maximize community resources, expand the pool of knowledge, clarify roles and responsibilities, establish and strengthen communication, cause greater effectiveness and efficiency, and establish a focused, integrated, and organized approach to the delivery of youth programs, services, and opportunities."
2. In January of 1997 the Youth Compact identified their long term focus as the following:

"In conjunction with community members, the Youth Compact will develop a Youth Master Plan which analyzes gaps and makes recommendations for policy implementation in the areas of leisure/recreation opportunities for youth; services for youth in crisis; education; health and wellness, and youth employment. The recommendations will result from careful analysis of current services.....development of the information and recommendations will occur in a process which involves and recognizes community organizations.....therole of the cities, counties, and school district will be to convene and facilitate the process.....establish an open, inclusive process....in meeting the needs of its youth."
3. Over the course of the past two years the Youth Compact has made incremental steps towards its overall goals. Achievements include the formation of the Compact, addressing the police liaison officers funding, receiving a report from the Youth Development Directors about their work in the community for and on the behalf of youth, successful completion of an intergovernmental agreement supporting the counties' efforts in the wellness of children and families, completion of the recreational opportunities report, learning about different community programs and their work for children and families, determination of support for Salem-Keizer Together, discussions on the community's Gang Intervention Project, completion of the *Making After-School Count* study and development of strategic directions.
4. In September 1997 the Youth Compact approved the following:
 - a. Continue to have as a long term focus of the Youth Compact the completion of a Youth

Master Plan.

- b. Identify as a short term focus the needs of our communities' youth in the 3:00 p.m.- 6:00 p.m./after school time of the day.
 - c. Direct the Youth Compact Design Team to return to the October 1997 meeting with the specifics of "pooling" of financial resources to engage a professional to complete an analysis of the needs and opportunities for youth in the after school hours.
 - d. Use the findings and recommendations from the after-school study as a basis for action.
5. Further work on the after-school study proposal with the Youth Compact in October 1997 refined the scope of work to be completed in the study. The questions to be asked in sequence are as follows:
- a. What problems exist involving juveniles between the hours of 3:00 - 6:00 p.m.?
 - b. What programs/activities exist for kids between 3:00 - 6:00 p.m.?
 - c. What programs/activities would uninvolved kids and their parents like to see? (What programs/activities should exist... where are the gaps)?
 - d. What reasons/barriers prevent engagement (monetary, transportation, unaware of program, programs don't meet the needs and interests, lack of parental support, etc.)?
 - e. How do we get more children and youth engaged (in healthy activities with caring adult supervision)?
6. At the December 1997 meeting the Youth Compact agreed upon the After-School Resources/Needs of School Age Youth Study project and associated budget of \$15,000 with \$13,500 for the consultant and \$1,500 to Today's Choices to administer the contract. The Youth Compact partners agreed to fund the study.

FACTS AND FINDINGS

1. The Youth Compact has worked diligently to make a considered analysis of the needs of our youth in their after-school hours since receiving approval of all jurisdictions. The results of those efforts are contained in the *Making After-School Count* report (Attachment A) that does a local needs analysis and presents strategic directions for the improvement of opportunities for youth in the after-school hours.
2. The Youth Compact at its September 1998 meeting approved the following actions regarding the *Making After-School Count* report:
 - a. Adopt the report.
 - b. Take the *Making After-School Count* report back to their respective jurisdictions for adoption.
 - c. Direct the Design Team to develop a community report.
 - d. Co-host, with Today's Choices: Tomorrow's Community, a community call to action event.
3. In anticipation of each jurisdiction considering this report, the members of the Youth Compact

Design Team have prepared a "brief" regarding the action plan for each of the adopted strategic directions. These actions plans are attached to this report as follows"

Attachment B	HANGING OUT (Strategic Direction #1) - City of Salem and City of Keizer
Attachment C	GETTING HEALTHY OPPORTUNITIES RIGHT IN FRONT OF KIDS (Strategic Direction #2) - City of Salem and Salem-Keizer Public Schools
Attachment D	MENTORING (Strategic Direction #3) - Marion and Polk Counties
Attachment E	SUSTAINING AND SUPPORTING AFTER-SCHOOL ACTIVITIES (Strategic Direction #4) - City of Salem and Today's Choices
Attachment F	SUPPORT TO PARENTS (Strategic Direction #5) - Marion and Polk Counties
Attachment G	SUSTAINABLE FUNDING (Strategic Direction #6) - City of Keizer, City of Salem, Marion County, Polk County, and Salem Keizer School District

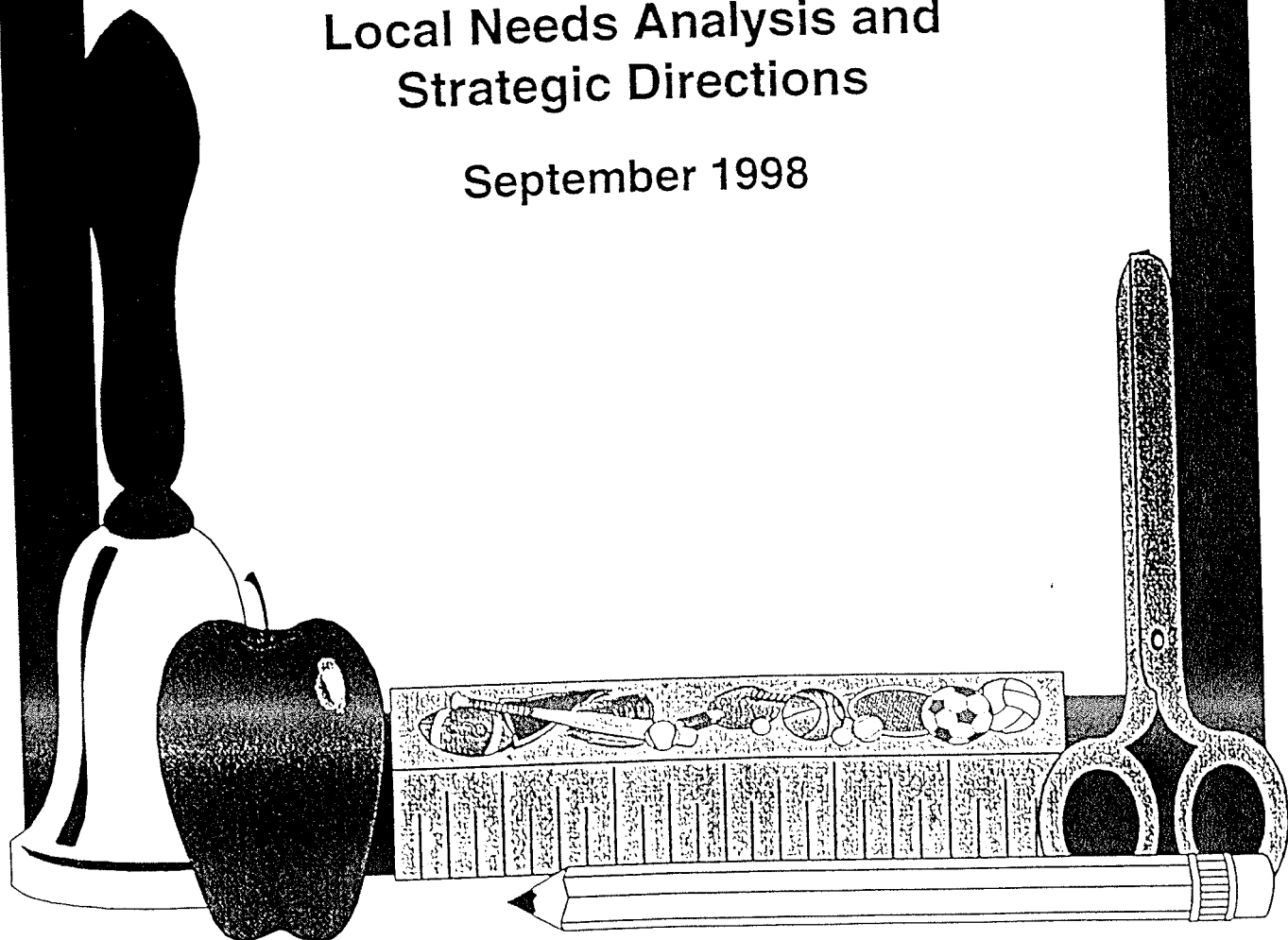
4. Analysis of the report and subsequent action plans means the following to each jurisdiction:
 - a. Reaffirmation of commitment to improving the conditions for children and families in our communities.
 - b. Elevating and focusing on youth opportunities to achieve community based actions to improve the conditions and opportunities in the after-school hours.
 - c. The deployment of existing resources (primarily staff time) to facilitate the actions contemplated in each action plan.
 - d. Consideration of each jurisdiction's policies as they relate to strategic directions.
 - e. A hand-in-hand approach characterized by partnership among the governments and with the community, to find and implement short and long term solutions.
 - f. The lead jurisdiction will organize and plan activities and actions to fulfill the desired outcome in partnership with the other jurisdictions.
 - g. Recognize that we are at the starting blocks, that we have collectively agreed to be READY, that we have SET forth a plan of action, and its time to GO!

Attachment(s): A: MAKING AFTER-SCHOOL COUNT REPORT
 B: HANGING-OUT (Strategic Direction #1)
 C: GETTING HEALTHY OPPORTUNITIES RIGHT IN FRONT OF KIDS (Strategic Direction #2)
 D: MENTORING (Strategic Direction #3)
 E: SUSTAINING AND SUPPORTING AFTER-SCHOOL ACTIVITIES (Strategic Direction #4)
 F: SUPPORT TO PARENTS (Strategic Direction #5)
 G: SUSTAINABLE FUNDING (Strategic Direction #6)

MAKING AFTER-SCHOOL COUNT

Youth Compact
Local Needs Analysis and
Strategic Directions

September 1998



MAKING AFTER-SCHOOL COUNT

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I. INTRODUCTION

The Youth Compact, comprised of elected officials from the Cities of Salem and Keizer, Marion and Polk Counties, and Salem-Keizer Public Schools, operates on the belief that as partners they can better address today's complex youth issues.

A central focus of the Compact's work is to develop a well-thought out, long-term plan for youth opportunities. In December 1997, members agreed to focus research and discussion on the after-school hours. Prompted by both alarming national statistics and local data that further supported their concern, Compact members were convinced that there was a need locally to plan strategically for youth in the after-school hours.

Consider the following facts:

- School-aged children and teens who are unsupervised during the hours after school are far more likely to use alcohol, drugs, and tobacco, engage in criminal and other high-risk behaviors, receive poor grades, and drop out of school than those children who have the opportunity to benefit from constructive activities supervised by responsible adults. In a 1994 Harris poll, over one-half of teachers singled out "children who are left on their own after school" as the primary explanation for students' difficulties in class. (National Education Commission on Time and Learning)
- Young children are at most risk of violent victimization at dinnertime, while victimization of older juveniles peaks around the end of the school day. (Office of Juvenile Justice and Delinquency Prevention, 1997)
- 60% of all larcenies known to be committed by juveniles happen during the time period 2:00-8:00 PM (City of Salem, 1996-97 data)
- 89% of all assaults known to be committed by juveniles occur between 2:00-8:00 PM (City of Salem, 1996-97 data)
- 64% of trespass/prowler incidents known to be committed by juveniles occur between 2:00-8:00 p.m. (City of Salem, 1996-97 data)
- 41% of all vandalism known to be committed by arrested juveniles occurs between 2:00-8:00 p.m. (City of Salem, 1996-97 data)
- 30% of juvenile crime is committed between 2:00-6:00 p.m. (Salem-Keizer Together 1998 Community Profile)
- 45% of Salem-Keizer sixth graders report a lot or some drug/alcohol problems among kids attending their school. (Salem-Keizer Together 1998 Community Profile)
- After-school and evening activities, monitored by caring adults that include an age-appropriate mix of arts, athletics, social clubs, study groups, work, community service, unstructured "hang-out" or rest times and other activities are effective strategies to help youth grow into healthy adults. (Building Results: From Wellness Goals to Positive Outcomes for Oregon's Children, Youth and Families, 1997)

Despite the clear picture painted by these facts, analyzing the problems associated with uninvolved and unsupervised children and youth is a complex task. Lack of supervision may increase the chances of unhealthy or criminal behaviors but it does not affect all youth the same. Many risk factors are inter-related. For example, increased work/job experiences, increased discretionary income, decreased parental contact and supervision, and increased contact with peers are likely to increase alcohol use and sexually intimate relationships (Steinberg, 1991). On the other hand, children who have the benefit of a family with strong values and who receive adequate parenting as well as access to a broader supportive environment, may not experience any problems if unsupervised.

II. THE YOUTH COMPACT AFTER SCHOOL STUDY

In order to build action on a credible foundation, the Youth Compact agreed to research the following questions:

1. What are kids doing after school between 3:00 and 6:00 p.m.?
2. Why are kids getting into trouble after school?
3. What activities appeal to kids in the after-school hours?
4. How do we get disenfranchised kids connected to healthy activities?

Marcia Morgan, Ph.D., was hired to conduct qualitative research to answer these questions. Nine focus groups with 76 individuals participating, were conducted during February and March 1998. The groups were put together to achieve diversity of ethnic, geographic, economic and life-situation. The participants in five groups were children and youth, in three groups were professionals working with youth, and in one group were parents. Raw data from the focus groups was presented to the Youth Compact in a work-session in May 1998.

A clearer understanding of issues facing youth in Salem and Keizer emerged from these focus groups. The following were frequently mentioned: the importance of connecting with friends, and "hanging-out"; the desire to have contact with positive adults; the reality of peer pressure; the presence of loneliness and boredom; the lack of parenting; participation in risky and unhealthy behavior; the wide variety of interests kids have; the wide range of activities kids participate in; the lack of information about existing activities; difficulty with transportation; the desire by youth to participate in finding solutions. Additional information from the focus groups can be found in Section VI.

The response of this "sample" was remarkably close to and consistent with the concerns and views of researchers, authors and professionals who work on youth development issues.

III. OTHER LOCAL INFORMATION GATHERING EFFORTS

A resonance between the Youth Compact findings and other local information-gathering processes gave added weight to the findings. During 1997-98, the following local studies, surveys and forums also focused on youth needs and opportunities:

- *Recreation Opportunities Report*, City of Salem
- *Survey of Youth Directors*, Youth Compact
- *Community Involvement, Engagement and Cohesion*, Marion County Children and Families Commission
- *A Matter of Time . . . in Salem*, Youth Focus Group, League of Women Voter's, Strengthening Families Council
- *Keizer United Community Survey*, Keizer United
- *Faith Community Informal Survey*, Salem Leadership Foundation
- *Youth Speak 3*, Youth Focus Group, Strengthening Families Council, TTPAC, Mano a Mano, North Area Community Progress Team
- *Salem Youth Commission Youth Forum*, Salem Youth Advisory Commission
- *Teen Pregnancy Prevention: Listening to the Voices of Youth Forum*, Teen Pregnancy Prevention Action Committee, Teen Parent Outreach Project

Frequently identified ideas include: being with friends is important; youth want to be part of the solution; parents cannot be counted on to link youth with healthy activities; a wide variety of opportunities exist; expansion by the non-profit sector depends on additional volunteers, staff, and additional dollars; churches are more interested than ever in being involved; the needs of some youth are not met with current opportunities; contact with positive adults is a need; fees and transportation are an issue with some activities. Additional details regarding these efforts can be found in Section VI.

IV. KEY FINDINGS

In analyzing concerns about the after-school hours, focus group responses, and information from other local surveys, studies, and forums, five findings serve to organize the variety of data and impressions. It is these findings that can serve as a compass to efforts to address the needs of the youth in our communities.

1. Healthy Opportunities Need to be Right in Front of Kids

The more effort and hassle involved in learning about, registering for, or getting to an activity, the less likely a youth is to be involved in that activity. Planning ahead is not a way of thinking for kids. If kids are getting into trouble, it is for a variety of complex reasons but many times the reason given was because they were bored, they had nothing else to do, or they didn't "see" other things. Kids generally think in the "here-and-now", not the future. Opportunities in front of them are their reality – if they see a brick on the ground and a window in an empty house, they may throw the brick through the window. Likewise, if they walk by and see a building with the door open and other kids inside playing basketball they may go in. Opportunities at the school and in the neighborhood have the additional benefit of increasing a sense of pride and community, and eliminating barriers of transportation, advanced planning and fear and discomfort. We need to ask, what are the opportunities surrounding these kids, what needs to change, be more visible, and move right into their neighborhood?

One 16-year old boy at the Structured Learning Center said, "If I'm offered something, like

someone calls, I might do it. I don't think to myself, 'I want to go on a canoe trip, how would I find a class' (the other kids laugh). That's just not the way I think." In other words, to expect kids to seek out healthy activities is a very adult way of being in the world. Additionally, the adults in a troubled kid's world who might help them get connected are often not trusted, listened to or a respected resource for these kids.

An issue in putting healthy opportunities right in front of kids is transportation. All groups said transportation can be a barrier to participating in an activity. Several suggestions were made about having more activities close to the school – or having late buses, using church buses, having the "Cherriot" bus people at the table when we are discussing transporting kids between 3-6 PM. Kids should also be at the table for these discussions to determine what would work for them.

2. Youth are often More Emotionally than Cognitively Connected to Activities

Although kids stated that there are certain activities they like and dislike, in many cases, the activity itself was almost irrelevant. Adults tended to talk in terms of programs (we need more basketball so they can blow off steam). Kids often talked about how something makes them feel – did they feel like they belonged, were valued, respected, listened to, were their friends there too, did their friends think it was cool? Acceptance and connectivity were essential. The two groups of 10-14 year olds both said that they would rather have sports at their school. It gave them a sense of pride, a sense of community, and connection. They didn't like going to another part of town and with kids they didn't know.

3. Youth have Relevant Information and a Desire to be Involved in Planning

Several of the youth focus groups, as well as youth in other local forums, have stated they want to be involved in planning that affects them. This message has been heard very clearly from kids that might be considered at-risk, marginalized or disengaged. They were very interested in becoming more involved in creating some of the opportunities they would like to see available. They see themselves as having needed information, and want to contribute that to the solutions that are developed.

4. Healthy Places to "Hang-out" are Needed

Relatively few new program ideas were generated from the focus groups. Youth readily identified the broad range of existing programs that serve them well. The groups did acknowledge that there is no one activity or program that is needed, given the diversity of kids and their interests. There was, however, a prevailing theme that kids want the opportunity to connect with other kids, and that places to do that are needed. "Hanging-out" places was also a frequently voiced need at local forums. Kids want places to go that are welcoming, where they feel valued and have a sense of belonging.

5. New Approaches to Disseminating Information about Activities Are Needed

Many kids in the focus groups had not heard about activities in which other kids were involved. It was apparent that information came primarily through friends. Suggestions to expand the information channels included: keying into informal grapevines to get the word out; posters in places where youth hang out; radio, or a cable TV teen show featuring after-school activities; an interesting web page with a calendar of after-school

activities; more information at the school. Many of these are low cost and simply a policy or procedural change regarding how information is disseminated.

V. STRATEGIC DIRECTIONS ADOPTED BY THE YOUTH COMPACT

In a May work-session, members of the Youth Compact discussed the consultant's findings, affirmed their goal for the after-school hours, identified principles to guide their effort, agreed upon priorities, and came to consensus on areas in which to focus action. In June, specific action steps were discussed. Preliminary adoption of the strategic directions occurred in August.

Youth Compact Goal

The goal of the Youth Compact in the after-school hours is both to increase the number of school aged youth involved in safe, enriching places and activities, supervised by caring adults, and to decrease the number of school-aged youth involved in harmful or illegal behaviors.

Guiding Principles

- A well-thought out, multi-faceted approach is required, given the varied needs of kids.
- Youth involvement is crucial to developing the right responses.
- Good choices and opportunities must be right in front of kids.
- Our solutions must be built on a model of wellness and strengths both in individuals and in communities.
- Government is not necessarily the primary choice for providing programs or activities for the youth in our communities, and must work in partnership with community organizations to support and enhance the work of those organizations.

Priorities Issues

- Those related to youth we are not reaching now
- Impact on a significant number of youth
- Are cost-effective and long-term in focus
- Built upon existing capacity and resources
- Resonate with youth; a priority for them

Strategic Directions

1. HANGING-OUT

Findings: The findings support the need for "hanging-out" places for youth. There are many unanswered questions such as desirable locations, what is available, how oversight is done, but the need for places where youth feel they belong and can connect with each other without unneeded structure is clear.

Action: Convene a blue ribbon task force comprised of youth, those who work with youth, and civic and business leaders to address unanswered questions and to bring forward concise recommendations regarding how to develop successful "hanging-out" places.

Timeline: Now-December 1, 1998

Result: The community's youth, including those who are now disengaged, will have safe, supportive places to go in the after-school hours where they feel they belong.

Lead Youth Compact Organization(s): City of Salem and City of Keizer

2. GETTING HEALTHY OPPORTUNITIES IN FRONT OF KIDS

Findings: The findings indicate that opportunities must be easily accessible to kids. Barriers to participation range from school schedules to knowing that an activity is occurring, to location chosen, to transportation.

Action:

- With Salem Area Transit, develop a plan to expand transit to and from schools.
- Engage the Teen Activity Network in developing strategies to get the word out, possibly including a youth activity hot-line, or conducting a Youth Activity Fair at one of the malls.
- Expand hours during which school-based classes and activities are offered.
- Continue to study other communities' experience with altering start/stop times K-12.

Timeline:

- (1) Now-June 1999
- (2) Now-November 1998
- (3) Now-ongoing
- (3) December 1998-September 1999

Result: Additional positive opportunities will be available, identified barriers will be removed and more kids will be involved.

Lead Youth Compact Organization(s): City of Salem and Salem-Keizer Public Schools

3. MENTORING

Findings: The need for positive adult relationships as a key means of addressing the Compact goal is clear in the findings. Young people talk about positive contact with adults, and describe the kind of adults they'd like to be around.

Action:

- Showcase mentoring opportunities at Youth Compact meetings.
- All Youth Compact member organizations publicize the need for mentors and conduct mentor drives.
- Youth Compact organizations continue to seek ways to incorporate one hour per month flex time for mentoring into their organization's policies.
- Support the development of a database and clearinghouse for mentoring opportunities.

Timeline:

- (1) Now-ongoing
- (2) Now-ongoing
- (3) Now-ongoing
- (4) Now-July 1999

Result: More youth will have a positive relationship with a caring adult. More adults will be involved as mentors. Mentoring relationships will enhance school performance.

Lead Youth Compact Organization(s): Marion and Polk Counties

4. SUSTAINING AND SUPPORTING AFTER-SCHOOL ACTIVITIES

Findings: The findings indicate many youth participate in currently available activities. There is a need to maintain existing, successful programs for youth, build on the activities kids like, and, where possible, create new opportunities. Opportunities should offer youth the chance to connect with caring adults, and enhance their feelings of being valued, respected, included and listened to.

Action:

- Convene focus group participants, those who are involved with youth activities, and interested community members to share the study findings.
- Maintain existing, successful programs, and with added resources, strategically support expanded programming.

Timeline:

- (1) Now-June 1999
- (2) Now-ongoing

Result: Current successful programs will be maintained, and as additional resources are available they will go to priority program needs. More activities will be available for youth.

Lead Youth Compact Organization(s): City of Salem and Today's Choices

5. SUPPORT TO PARENTS

Findings: Youth, parents and youth workers all indicate that many parents are not providing the support and structure that youth need.

Action:

- Monitor parent responsibility research to determine appropriate action.
- Support the existing one-point of contact number in Polk County.
- Evaluate establishment of a parent warm-line in Marion County.

Timeline:

- (1) Now-December 1998
- (2) Now-ongoing
- (3) Now-June 1999

Result: More youth will receive the parental support and structure they need.

Lead Youth Compact Organization(s): Marion and Polk Counties

6. SUSTAINABLE FUNDING

Findings: Federal and state dollars may increasingly be available to address after-school needs, but in order to continue programs begun with short-term dollars, a sustainable

funding mechanism for youth opportunities which is acceptable to the public must be found.

Action:

- Members of the Youth Compact collaboratively fund a grant monitor/writer in order to secure all appropriate federal, state and foundation dollars.
- Members of the Youth Compact commit themselves to identifying and pursuing feasible funding alternatives that are sustainable, including working with the legislature on either revenue sharing or "local option" legislation.

Timeline:

(1) Now-July 1999

(2) Now-July 1999

Result: Additional dollars will be available to meet the Youth Compact's goal.

Lead Youth Compact Organization: Salem-Keizer School District, City of Salem, City of Keizer, Polk County and Marion County

VI. ADDITIONAL DETAILS ON LOCAL INFORMATION GATHERING

1. Youth Compact After-School Study

Method

The study method chosen by the Youth Compact was qualitative, rather than quantitative. Believing that what was needed to move forward wisely was a more in depth understanding of the views of young people, those who work with youth, and parents, the Compact instructed the researcher to develop a process for providing them with that insight.

Nine focus groups, with 76 individuals participating, were conducted during February and March 1998. The groups were put together in such a way as to provide ethnic, geographic, economic and life-situation diversity. Their membership was:

Five groups, totaling 46 subjects, were youth from a variety of settings:

- "Average" boys and girls ages 10-14 years from Waldo Middle School and Washington Elementary School;
- "Average" boys and girls ages 10-14 years from Leslie Middle School and Morningside Elementary School;
- Homeless/street boys and girls ages 11-17 years from the HOME Youth and Resource Center and youth from Mano-a-Mano Family Center;
- High-risk girls from the Structured Learning Center Alternative School; and
- High-risk boys from the Structured Learning Center Alternative School.

Three groups, totaling 21 subjects, consisted of adults who worked with youth in a variety of capacities such as non-profit organizations, religious groups, governmental programs, and schools. They were direct line staff as well as management.

One group of 9 subjects consisted of parents of youth who had been or were currently being adjudicated through the juvenile system.

Each group met for one to two hours to answer the four focus questions:

1. What are kids doing after school, between 3:00-6:00?
2. Why are kids getting into trouble after school?
3. What activities appeal to kids in the after-school hours?
4. How do we get disenfranchised kids connected to healthy activities?

A professional facilitator established a climate of trust within the group and led participants through a discussion of each of the questions. Responses were recorded and analyzed by the researcher.

The Raw Data as well as the Summary of Raw Data was shared with the Youth Compact in a work-session in May 1998 as a basis for their analysis.

Frequent Responses to After-School Study Focus Group Questions

Responses heard in three or more of the focus groups are reported here. Responses heard in only one or two groups are contained in the summary of the raw data, but are not reported here.

Question #1: What are kids doing after school between 3-6 pm?

The focus groups gave answers that were both positive and negative activities that kids do after school. Positives include:

- All groups said that kids like to hang-out with their friends in a variety of settings (at home, friends house, downtown, park, etc.), do sports or watch TV after school.
- The majority of the groups also said that organized activity, such as clubs, Boys and Girls Club, Y, Scouts were popular.

Besides positive activities, 20 negative or unhealthy activities were also mentioned.

- All groups said some kids do drugs after school.
- Four or five groups said some kids do gang activities, get into fights or drink, or have sex.

Question #2: Why are kids getting into trouble after school?

- All groups indicated these as primary reasons kids get in trouble: Bored, lonely, have to create their own excitement, or "just because"; Peer pressure; Kids are alone and not parented.
- Three or four groups said that media messages present unhealthy images and ideas to kids and that kids in general don't feel heard or have no control in their lives.

Question #3: What activities appeal to kids?

The discussion regarding what appeals to kids during the hours of 3:00 and 6:00 p.m.,

clearly fell into two distinct categories. The first involved the emotional qualities that needed to be in place for an activity to be appealing to kids. The second kind of response listed specific activities or programs. It became clear through this discussion that anything we want to change or recommend must first be evaluated by its emotional characteristics, then the cognitive/physical merits.

- All groups stressed that different kids need different things and that no one program will work with everyone. A connection with peers or being with friends is the key element.
- Most groups said the following *qualities* appeal to kids:
 - Not educational or school like
 - Kids should have control/influence, ownership
 - Feel valued and needed; sense of belonging,
 - Encouraged not forced
 - No cost or low cost
- Most groups indicated that sports appeal to kids, but also that not all kids like sports so that shouldn't be the only place to put our efforts.
- Transportation must not be an issue for an activity to appeal to kids.

Question #4: How do we get disenfranchised kids connected to healthy activities?

Most of the focus groups indicated that the ideas they gave for the above question apply as well to dis-enfranchised kids. However, certain things have more appeal to this population and some special considerations are needed when trying to connect to high-risk youth.

- General considerations given by most of the groups include:
 - Parents should facilitate and help get these kids connected and they may need help to do this
 - Have the [disenfranchised] kids develop what is needed
 - Money issues – have things be low or no cost
 - Mentoring – these kids need good, positive role models and personal guidance; It is important to have good adults present in programs for this reason
- Transportation and access problems were identified as barriers to getting some kids connected.
- Specific marketing strategies suggested by the groups include:
 - Determining the youth's sphere of influence and work within that (such as through peers) but to definitely put effort into marketing person-to-person (word of mouth/human connection)
 - Bulletin boards near areas these kids go (bus stop, schools, coffee shops, skate parks)
 - More "traditional" places such as through the school PA system and paper and cable access TV.

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2. Other Studies, Surveys and Forums in Salem and Keizer Focused on Youth Needs

Recreation Opportunities Report:

Prepared by the City of Salem Department of Community Services Recreation Division. Contact Barbara Roberts, (503) 588-6261. This report presented in October 1997 provides the following information relevant to the questions being asked by the Youth Compact:

- Over 81 different organizations offer a wide variety of recreational opportunities.
- More recreational opportunities are conducted outside of the after school hours and occur in the evening and on weekends.
- The vast majority of recreational opportunities have fees associated with them.
- Barriers to participation include transportation, participation fees, equipment costs support/encouragement of parents, proximity to home, limited number of qualified volunteers, facilities and effective public information system.

Survey of Youth Directors

Conducted by the Youth Compact during the spring and fall of 1997. Contact Chris Neilsen, (503) 364-7897. Major youth serving organizations in the area were invited to participate. Those who became involved were: Boys and Girls Club, 24J Community Education Department, Girl Scouts, YWCA, City of Salem, Camp Fire Boys and Girls, Salem Public Library, Boy Scouts, and Gilbert House. Observations relevant to the questions being asked by the Youth Compact are:

- Many youth are being served by a variety of programs throughout the area, but clearly there are youth that are not being served.
- Organizations report the major barriers to expanding their capacity during the after school hours include recruiting additional volunteers, finding qualified youth development staff, added dollars, and, in some cases, size of the facility.
- Organizations also report getting information about their programs widely disseminated is a challenge.
- Finally they indicated that a community-wide commitment to address the need is important.

Community Involvement, Engagement and Cohesion

Conducted for the Marion County Children and Families Commission by DRC Research in November 1997. Contact Dan Murphy, (503) 588-7975. Key findings relevant to the questions being asked by the Youth Compact are:

- "Within the last year, how often has your child participated in any type of organized activity such as sports, music, dance, 4-H, extension or other activity?" 17.4% of those surveyed in Salem and Keizer said their child participated in weekly organized after

school activities, 8.9% said their child participates seasonally, 10.4% said not at all, 63.2% had no children.

- *"What does your child typically do after school – between 3 and 6 pm?"* 41.4% said organized after school activities, 22.5% said at home with an adult, 12.6% said hangs out, 5.8% said work, 1.6% said home alone.
- *"What is the major reason your child doesn't participate in organized after school activities?"* 42.7% said the major reason is no interest and 47% said it's because of some other reason.

A Matter of Time . . . in Salem

Conducted by the Youth Focus Group, League of Women Voters of Marion and Polk Counties/Human Needs Interest Group, Strengthening Families Council. Contact Susann Kaltwasser, (503) 363-3998. In early 1997, selected local agencies serving those age 10-18 were asked to respond to interview questions based on recommendations in the Carnegie Report, *A Matter of Time: Risk and Opportunity in the Non-School Hours*. In addition, in May 1997, a youth forum was held for discussion of the same issues. Observations relevant to the questions being asked by the Youth Compact are:

- Low-income youth do not have many opportunities for positive experiences outside of school hours.
- Youth who are no longer living with their families also need opportunities to develop positive relationships with caring adults.
- Some youth need a safe place to be where they feel welcome and can learn how to become a meaningful part of the community.
- There are gaps in opportunities and services for youth comprising several demographic groups. Examples include street youth, youth from cultural minority groups, special needs and mildly mentally retarded youth, low-income children, youth in rural areas and youth at risk of suicide.
- Many basic needs are unmet, and there is a gap in timely intervention for those not in crisis.

Keizer United Community Survey

Conducted by Keizer United Community Progress Team. Contact Jim Seymour, (503) 390-2600. In May 1997, Keizer United conducted a door to door survey of 334 households within the city of Keizer. Findings that are relevant to the questions asked by the Youth Compact include:

- When asked to mark the issues they found most important on a list of 15 issues, neighborhood safety was rated the highest.
- Following that was positive activities which teens and children enjoy.

Faith Community Informal Survey

Contact Sam Skillern, (503) 315-8924. In February 1998 Salem Leadership Foundation

did an informal poll of churches, youth pastors and para-church groups to get a snapshot of what available. Information relevant to the questions being asked by the Youth Compact includes:

- Several local churches have both facilities and programs in the after-school hours that are open.
- Volunteers in local programs in the schools are also recruited through local churches.
- There is a desire on the part of many in the faith community to be part of addressing the need in the after-school hours.

Youth Speak 3

Contact Vick Parkison, (503) 399-1798. The forum was held on February 21, 1998. Sponsors were the Youth Focus Group, Strengthening Families Council, TTPAC, Mano a Mano, and the North Area Community Progress Team. At the forum eight questions were asked. Those which coincide with the focus of the Youth Compact's information-gathering are reported. 69 youth filled out the questionnaire, 30 were female, 23 male, 16 didn't say. 31 go to public high school, 9 to alternative high school, 3 are in middle school, 4 in college, 4 have graduated, 18 listed no school.

Questions asked are in italics, with the responses following, numbers in parenthesis indicate the number of times that response was given. Because multiple responses were given, totals exceed 69.

- *"What sort of activities do you and your friends like to do?"* hangout (20), skateboard (13), go to concerts (shows) (15), go to coffee (15), play pool (5), music related activities (34), clubs (5), dancing (8), drugs and alcohol (3).
- *"Why do some youth get in trouble after school?"* nothing to do, bored, not enough activities (45), drugs (5), gangs (3).
- *"What do youth, yourself or friends do after school?"* hangout (26), work (4), skate (12), drugs or alcohol (1), go downtown (5), do music stuff (10), smoke (5), drink coffee (9).
- *"Are there things that prevent or discourage you/or friends from participating in activities?"* adults, abusive families, rude people, discrimination discourage them from participating (20), cops (4), gangs (3), drugs (2), a lot of the activities are things they don't want to do (12), getting rides (4).
- *"How do you hear about activities?"* friends (42), fliers (29), newspaper (9), word of mouth (14).
- *"What would adults need to do to really get connected to kids?"* adults need to communicate by talking and listening (20), kids want respect (6), adults need to be more accepting (8), adults need to be more understanding (8), adults need to be more open-minded (4).

Salem Youth Commission Youth Forum

Contact Jan Calvin, (503) 588-6261. The forum, sponsored by the Salem Youth Advisory Commission, was held on February 24, 1998. A panel of 25 youth responded to questions from the audience. Responses that are relevant to the questions being asked by the Youth Compact include:

- Youth want to be part of the "solution."
- They know they have a contribution to make to the community.
- Discrimination hurts and puzzles them.
- They would like places to go where it's OK to hang-out.
- They want contact with positive adults.
- Family means a lot.

Teen Pregnancy Prevention: Listening to the Voices of Youth

Contact Kirsten Collins, (503) 399-5517. The forum was held on March 12, 1998. Sponsors include the Teen Pregnancy Prevention Action Committee, the Teen Parent Outreach Project and other community groups. This event, a follow-up to Voices of Youth, was an opportunity for youth to tell the community what they think about preventing teen pregnancy. The format included a panel of 6 teens who spoke on their views of pregnancy prevention in Marion County. Four facilitated discussion groups followed this. Comments made in the After School Activities/Youth Development focus group are reported:

- The need for unstructured places to hang out was identified.
- The concept of on-going activities was described with low interest.
- Participants stated that structured activity held more appeal for youth when the structure was offered in conjunction with other types of activity.
- The participants stated that youth desire to be joint participants in decision making, planning and operating activities.

YOUTH COMPACT
 MAKING AFTER-SCHOOL COUNT
 STRATEGIC DIRECTION # 1 - HANGING OUT ACTION PLAN

LEAD ORGANIZATIONS:	City of Salem and City of Keizer
FINDINGS:	Support the need for "hanging-out" places for youth. There are many unanswered questions such as desirable locations, what is available, how oversight is done, but the need for places where youth feel they belong and can connect with each other without unneeded structure is clear.
ACTION:	1.1 Convene a blue ribbon task force comprised of youth, those who work with youth, and civic and business leaders to address unanswered questions and to bring forward concise recommendations regarding how to develop successful "hanging-out" places.
TIMELINE FOR ACTION:	1.1 Now - December 31, 1998
ACTIVITIES:	1.11 Convene the task force. Several organizations have undertaken looking into this matter already. The task force will include representatives of those groups and in addition those youth originally involved in the focus groups, youth service organizations, civic leaders, and business people. 1.12 Charge the task force with a defining what hanging-out places are, finding out if they currently exist and if so where, and what type of place or facility would meet the definition. Recommend what course of action the community might pursue to enhance or develop successful hanging-out places for youth. 1.13 Report back to the Youth Compact Design Team, Youth Compact, and community the results of the task force to assist them with developing future actions.
SHORT TERM RESULTS:	The community, as a whole, will have a better understanding of the needs of youth to "hang", what resources or places already exist, what additional places look like, and what financial resources may need to be developed to support this effort.
LONG TERM RESULTS:	The community's youth, including those who are now disengaged, will have safe, supportive places to go in the after-school hours where they feel they belong.
LEAD ORGANIZATION RESPONSIBILITY:	Guide, facilitate, and support the work of the task force in carrying out its charge report back to the Youth Compact Design Team and the Youth Compact and the community for future collaborative actions.
COLLABORATOR/PARTNERS RESPONSIBILITY:	Participate in the task force and coordinate with each other and the community as solutions come forward and need implementation.

YOUTH COMPACT
 MAKING AFTER-SCHOOL COUNT
 STRATEGIC DIRECTION #2 - GETTING HEALTHY OPPORTUNITIES IN FRONT OF KIDS

LEAD ORGANIZATIONS:	City of Salem and Salem-Keizer Public Schools
FINDINGS:	The findings indicate that opportunities must be easily accessible to kids. Barriers to participation range from school schedules to knowing that an activity is occurring, to location chosen, to transportation.
ACTION:	2.1 With Salem Area Transit, develop a plan to expand transit to and from schools. 2.2 Engage the Teen Activity Network in developing strategies to get the work out, possible including (TAN) a youth activity hot-line, or conducting a Youth Activity Fair at one of the malls. 2.3 Expand hours during which school-based classes and activities are offered. 2.4 Continue to study other communities' experience with altering start/stop times K-12.
TIMELINE FOR ACTION:	2.1 Now - December 1999 2.2 Now - March 1999 2.3 Now - ongoing 2.4 December 1998 - June 1999
ACTIVITIES:	2.1 Transportation Expansion: (City of Salem & Schools) ★Review of Transportation factors by staff (Winter 1998) ★Meet with transit staff and school staff (Spring 1998) ★Staff groups brainstorm future transportation model (Spring 1998) ★Staff identify existing collaboration efforts (Spring 1998) ★Staff generate and work on ongoing tasks (1998-99) ★Staff generate a report and recommendations (Fall 1999) 2.2 Engage Teen Activity Network: (City of Salem) ★ Present proposal to TAN - September 1998 ★ Meet with TAN as requested - ongoing ★ Develop report to Youth Compact Design Team - January 1999 ★ Present ideas to Youth Compact - March 1999 2.3 Expand school-based classes and activities: (City of Salem & Schools) ★Develop and implement Power Program at middle schools (Fall 1998) ★Explore potential of elementary after school programs (1998-99 school year) 2.4 Research start/stop times K-12: (Schools) ★Meet with selected school staff to begin dialogue (Spring 1998) ★Review research from districts adjusting times (Spring 1998)

- ★Review evaluation form district adjusting times (Winter 1999)
- ★Reference work with community and agencies (Fall 1999)
- ★Develop recommendations for Board (Spring 1999)

SHORT TERM RESULTS:

Agreements will be developed to capacity build on current resources for creating sustainable youth opportunities.

LONG TERM RESULTS:

Additional positive opportunities will be available, identified barriers will be removed and more kids will be involved.

LEAD ORGANIZATION
RESPONSIBILITY:

Implementation of the identifies action steps.

City of Salem: Teen Activity Network
 School-Based Classes (after school recreation)

School District: Transit planning
 School-Based Classes (after school educational)
 Altering Start/Stop times

COLLABORATOR/PARTNERS
RESPONSIBILITY:

Participate as appropriate.

**YOUTH COMPACT
MAKING AFTER-SCHOOL COUNT
STRATEGIC DIRECTION #3 - MENTORING**

LEAD ORGANIZATIONS:	Marion and Polk Counties
FINDINGS:	The need for positive adult relationships as a key means of addressing the Compact goal is clear in the findings. Young people talk about positive contact with adults, and describe the kind of adults they'd like to be around.
ACTION:	3.1 Showcase mentoring opportunities at Youth Compact meetings. 3.2 All Youth Compact member organizations publicize the need for mentors and conduct mentor drives. 3.3 Youth Compact organizations continue to seek ways to incorporate one hour per month flex time for mentoring into their organization's policies. 3.4 Support the development of a database and clearinghouse for mentoring opportunities.
TIMELINE FOR ACTION:	3.1 Now - ongoing 3.2 Now - ongoing 3.3 Now - ongoing 3.4 Now - July 1999
ACTIVITIES:	3.1 Mentoring opportunities: At each Youth Compact meeting, feature information about effective mentoring and mentoring approaches, as well as model projects (e.g., breakfast and lunch buddies, juvenile mentoring). (monthly) 3.2 Mentor drives/recruitment: Determine who is doing mentoring and coordinate a collective effort to recruit volunteer mentors. (February, 1999; plan with timelines) 3.3 Flex time policies: Investigate what policies Youth Compact member organizations have in place, as well as other counties and jurisdictions. Propose options to the governing boards of each Youth Compact organizations. (March 1999) 3.4 Database/clearinghouse: Explore the usefulness and feasibility of the support to current mentoring projects, including a possible link with the Polk County Family Resource Network, which provides information about mentoring opportunities in Polk County. (February, 1999) If this support proves beneficial, create an implementation plan. (April, 1999)
SHORT TERM RESULTS:	3.1 Mentoring opportunities: Increased awareness of mentoring research and practices, as well as advocacy for effective projects. 3.2 Mentor drives/recruitment: Heightened awareness about the power of mentoring relationships and increased number of mentors for youth.

- 3.3 Flex time policies: Increased support for public employees who wish to serve as mentors, as well as more mentors.
- 3.4 Database/clearinghouse: Improved understanding of the "capacity" needs of current mentoring projects, and if the project goes forward, increased information and support for mentoring projects and prospective mentors.

LONG TERM RESULTS:

-Youth compact's leadership in the area of mentoring, creating community awareness of its importance for youth.
 -Commitment of time and resources by current Youth Compact member organizations -e.g., flex time "donation," supporting the database/clearinghouse, helping with mentor drives, participation of elected officials and staff as volunteer mentors.

LEAD ORGANIZATION RESPONSIBILITY:

To guide and facilitate the broad actions and activities, reporting back to the Youth Compact Design Team and the Youth Compact for reflection and action.

COLLABORATOR/PARTNERS RESPONSIBILITY:

To share relevant information; to participate in Design Team and Youth Compact discussions and action; as appropriate, to take an active role in agreed-upon strategies, such as a collective mentor drive or implementation of flex time policies for employees who wish to serve as mentors.

YOUTH COMPACT
MAKING AFTER-SCHOOL COUNT
 STRATEGIC DIRECTION #4 - SUSTAINING AND SUPPORTING AFTER-SCHOOL ACTIVITIES

LEAD ORGANIZATIONS: City of Salem and Today's Choices

FINDINGS: The findings indicate that many youth participate in currently available activities. There is a need to maintain existing, successful programs for youth, build on activities kids like, and where possible create new opportunities. Opportunities should offer youth the chance to connect with caring adults, and enhance their feelings of being valued, respected, included and listened to.

ACTION:

- 4.1 ★Convene focus group participants, those who are involved with youth activities, and interested community members to share the findings.
 ★Convene those who contributed to the information contained in *Making After-School Count* (focus group members, youth development directors, those who lead parallel information-gathering processes).
 ★Discuss findings and cooperative and/or collaborative ways to sustain what is currently available and to expand opportunities.
- 4.2 ★Maintain existing, successful programs, and with added resources, strategically support expanded programming.
 ★Begin to meet with grassroots groups that express interest in enhancing currently available after-school opportunities.
 ★Link grassroots groups with those who are currently providing opportunities in their area to discuss how existing efforts can be sustained and new efforts can be supported.
 ★Develop a "resource fair" which showcases what is available for those who are interested in participating or volunteering.

TIMELINE FOR ACTION: 4.1 Now - ongoing
 4.2 Winter 1999

SHORT TERM RESULTS: A foundation for action will be built among those who care about the after-school time period, based on shared information and a better understanding of one another's goals and grass roots involvement in existing programs will grow.

LONG TERM RESULTS: 4.1 The findings will shape decision-making regarding youth opportunities.
 4.2 Additional opportunities will be available to youth. More productive partnerships will exist among the areas youth-serving organizations. More citizens will be involved as volunteers.

LEAD ORGANIZATIONS
 RESPONSIBILITY:

Today's Choices will convene meetings, engage in joint planning with partners, facilitate discussions aimed at producing results and report progress to the Youth Compact and the community.

The City will provide assistance and participate as appropriate.

COLLABORATOR/PARTNERS

RESPONSIBILITY:

Partners will determine who from their jurisdiction should attend the debriefing meeting, engage in planning for the resource fair, participate in community meetings providing information about opportunities for youth in their programs, and produce data about their youth programs that is helpful for assessing progress in serving more youth and expanding program opportunities.

YOUTH COMPACT
 MAKING AFTER-SCHOOL COUNT
 STRATEGIC DIRECTION # 5 - SUPPORT TO PARENTS

LEAD ORGANIZATIONS:	Marion and Polk Counties
FINDINGS:	Youth, parent and youth workers all indicate that many parents are not providing the support and structure that youth need.
ACTION:	5.1 Monitor parent responsibility research to determine appropriate action. 5.2 Support the existing one-point of contact number in Polk County (the Family Resource Network). 5.3 Evaluate establishment of a parent warm-line in Marion County.
TIMELINE FOR ACTION:	5.1 Now - December, 1998 5.2 Now - ongoing 5.3 Now - June, 1999
ACTIVITIES:	5.1 Monitor parent responsibility research. Utilize Marion County Resource Guide to Effective Parenting Programs to determine best practices and action steps. 5.2 Support Polk County number. Share Family Resource Network materials with families. Explore opportunities to connect with Marion County. Work with Polk County partners through the Service Integration Leadership Council. 5.3 Evaluate establishment of Marion County number. Determine feasibility of shared service with Polk County, shared computer database of resource information, and other areas of collaboration. Work with parent support partners throughout Marion County through the Family System Investment Consortium.
SHORT TERM:	-Increased understanding of best practice within parent responsibility research. -Potential identification of cost/resource savings through Marion/Polk collaboration
LONG TERM:	-Increased access by parents to helpful community resources -Increased early response to problem behaviors in youth, through early connections to community resources and supports; -Increase in "seamless" nature of services, as service providers have easy access to community resource information.
LEAD ORGANIZATIONS RESPONSIBILITY:	To guide and facilitate action and activities, and to report back to the Youth Compact Design Team and the Youth Compact for reflection and action.
COLLABORATOR/PARTNERS RESPONSIBILITY:	To share relevant information, to participate in Design Team and youth Compact discussions and action, and as appropriate, to take an active role in agreed-upon strategies, such as a distribution of materials to parents about Resource Network services.

YOUTH COMPACT
 MAKING AFTER-SCHOOL COUNT
 STRATEGIC DIRECTION # 5 - SUSTAINABLE FUNDING

LEAD ORGANIZATIONS:	Salem-Keizer School District, City of Salem, City of Keizer, Polk County and Marion County
FINDINGS:	Federal and state dollars may increasingly be available to address after-school needs, but in order to continue programs begun with short-term dollars, a sustainable funding mechanism for youth opportunities which is acceptable to the public must be found.
ACTION:	6.1 Members of the Youth Compact collaboratively fund a grant monitor/writer in order to secure all appropriate federal, state and foundation dollars. 6.2 Members of the Youth Compact commit themselves to identifying and pursuing feasible funding alternatives that are sustainable, including working with the legislature on either revenue sharing or "local option" legislation.
TIMELINE FOR ACTION:	Now - July 1999
ACTIVITIES:	6.1 Grant Monitor/Writer: (All members) ★Research local agencies currently using grant writers (Winter 1999) ★Determine a salary range and job description for grant writers (Winter 1999) ★Determine whether there are collaboration opportunities beyond the Compact (Winter 1999) ★Develop recommendations for the Compact to review, amend and recommend to their respective Boards (Spring 1999) 6.2 Funding Alternatives: (Schools and City of Salem) ★Develop a proposal for Youth Compact review (Fall 1998) ★Carry the approved proposal forward to League of Oregon Cities (Fall 1999) ★Work with local legislators to draft legislation in response to the Proposal and advocate for passage (Winter/Spring 1999)
SHORT TERM RESULTS:	Share information regarding agency and community work around grant-writing efforts and resources.
LONG TERM RESULTS:	Additional dollars will be available to meet the Youth Compact's goal.
LEAD ORGANIZATION RESPONSIBILITY:	All Youth Compact members will advocate for legislation during the 1999 session.



November 2, 1998

AGENDA ITEM 7C

TRAIL/MANZANITA PROPERTY

COUNCIL MEETING: _____

AGENDA ITEM NUMBER: _____

TO: MAYOR KOHO AND CITY COUNCILOR MEMBERS

FROM: WALLY G. MULL
CITY MANAGER

SUBJECT: TRAIL/MANZANITA PROPERTY

BACKGROUND:

This piece of property was acquired by the city when land was purchased for the extension of Manzanita Ave between Trail Ave and River Rd. Discussions concerning this property has been ongoing for years. On November 20, 1995 this property was declared surplus by the city council. Council directed staff at the October 19, 1998 council meeting to return with possible options for the property.

ISSUE:

If the council wishes to sell the property staff legal council recommends we hold a public hearing. Ideally any proposed sale would include terms and conditions as part of the sale. The city could also list or advertise the property itself or with a Realtor or do nothing and continue to hold the property.

FISCAL IMPACT:

In March 1998 the property was appraised at \$73,000.

RECOMMENDATION:

Direct staff as how to specifically proceed.



November 2, 1998

AGENDA ITEM 7d

PURCHASE OF PROPERTY AT 4965 RICKMAN RD

COUNCIL MEETING: _____

AGENDA ITEM NUMBER: _____

TO: MAYOR KOHO AND CITY COUNCILOR MEMBERS

FROM: WALLY G. MULL
CITY MANAGER

SUBJECT: PURCHASE OF PROPERTY (4969 RICKMAN RD NE)

BACKGROUND:

In August staff was approached by the owners of the property at 4969 Rickman Rd NE to see if the city was interested in purchasing the property. Over the last few years the city has expressed and interest in these properties as they have become available. With the purchase of this property the city would own all of the land (see attached map) from 4925 Rickman NE through 4975 Rickman Rd NE.

With the purchase, the house could be used as a rental, used by the parks department, donated to Habitat for Housing or cleared from the property.

FISCAL IMPACT:

Staff has negotiated a signed sale agreement and receipt for earnest money with the owner for \$48,000. The funding for this purchase is in the Urban Renewal Budget for land acquisition.

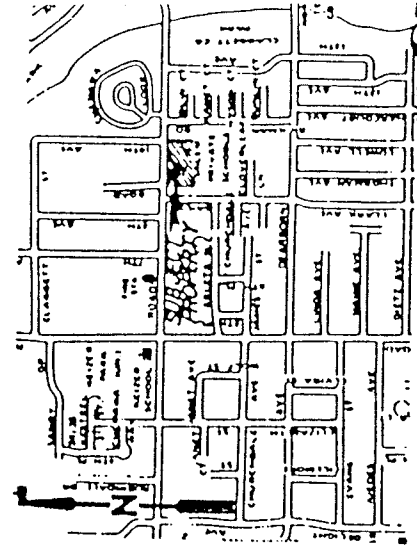
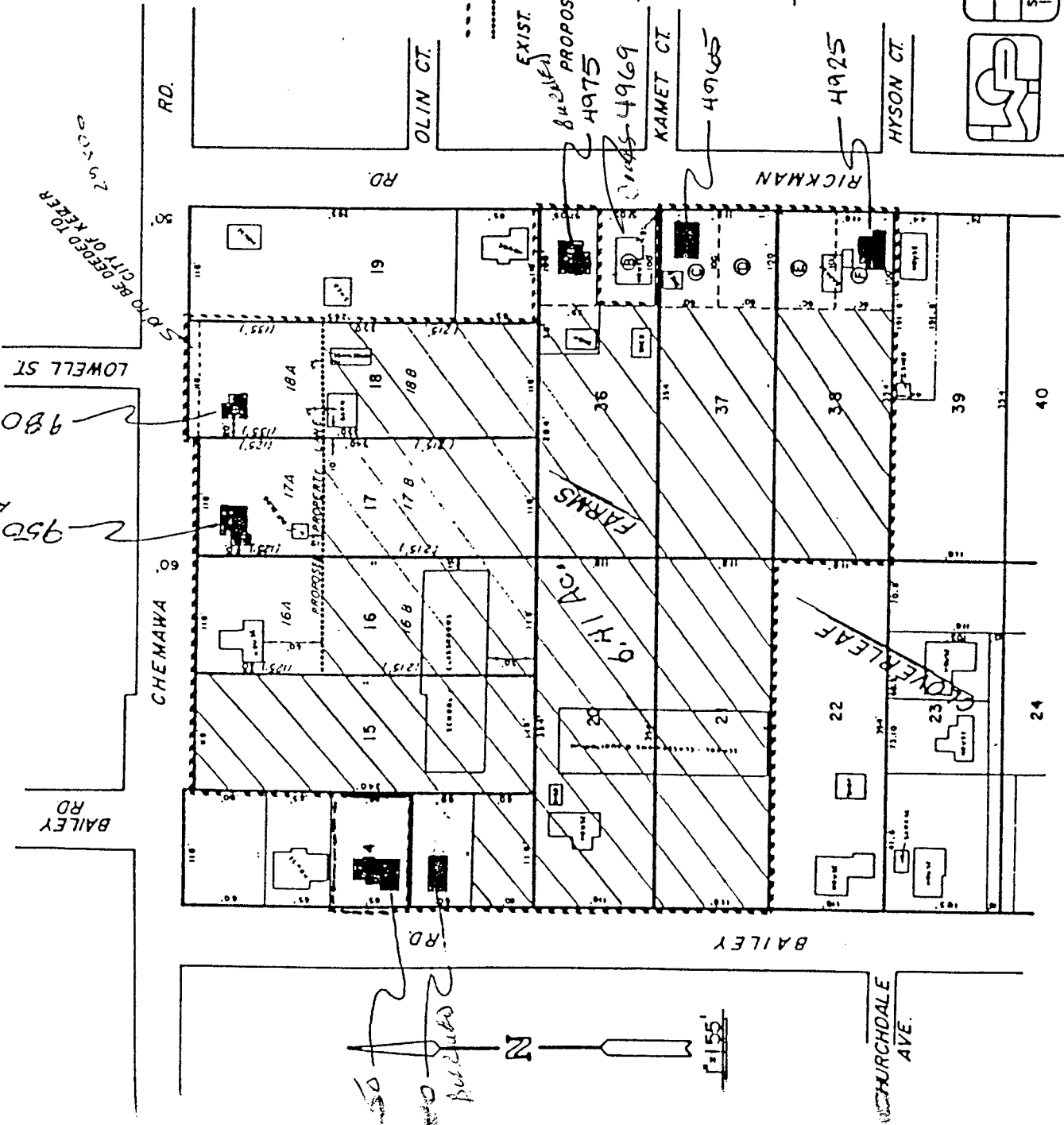
RECOMMENDATION:

Council approve a resolution authorizing the City Manager to enter into an agreement to purchase property owned by Mabel Kunz located at 4969 Rickman Rd NE, Keizer, Oregon.

950 Chemawa
980 Chemawa

66,280 S.F. = 1.52 Acres

\$62,000 = \$0.944/S.F. = \$40,739/



VICINITY MAP
(N.T.S.)

CONTIGUOUS OWNERSHIP
NEW PROPERTY LINE

EXIST. AREAS: PARCEL 16 = 0.92 AC. PARCEL 17 = 0.92 AC.
PARCEL 18 = 0.95 AC.

PROPOSED AREAS: PARCELS 16A, 17A & 18A = 0.34 AC. BOX
PARCELS 16B, 17B & 18B = 0.59 AC. BOX

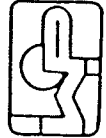
NOTE: LOTS 16, 17, 18 & 19 ARE SHOWN AS RECORDED
SURVEY (101282) FOR MINOR PARTITION/LOT LINE
ADJUSTMENT/VARIANCE CASE NO 81-31

SERVICES:

WATER: CITY OF KEIZER
SEWER: CITY OF KEIZER
ZONE: R.S. (LOTS 15, 16, 17, 20 & 21 ARE R.M.)

SECTION 2 T.T.S. R.3 W.

APPLICANT: GBRALTER SAVINGS OF WASHINGTON, F.A.
C/O RICHARD H. BUSBY
1500 SW FIRST AVE.
PORTLAND, ORE. 97201



LOT LINE ADJUSTMENT	
PROPOSED NEW CITY HALL SITE	
SHEET 1 of 1	WILLIAM I. PETERSON ENGINEERING 990 PROSPECT PLACE SALMON, OR 97132
DATE 5-12-85	SCALE 81/32000
DESIGN WIP	CHIEF WIP
DRAWN G.S.	FILE NO. 17

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R98-_____

AUTHORIZING THE CITY MANAGER TO
ENTER INTO AN AGREEMENT TO
PURCHASE PROPERTY OWNED BY MABEL
KUNZ LOCATED AT 4969 RICKMAN ROAD,
KEIZER, OREGON

WHEREAS, property adjacent to the Keizer City Hall property has become available
for purchase;

WHEREAS, the house and land available is situated as to be useful to the City;

WHEREAS, City staff has negotiated for the purchase of such land;

NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Keizer that the City Manager
is authorized to enter into the Sale Agreement and Receipt for Earnest Money with Mabel
Kunz for the purchase of such land, a copy of which is attached hereto and by this reference
incorporated herein.

BE IT FURTHER RESOLVED that the City Manager is authorized to sign all
necessary documents and take all necessary actions consistent with the Agreement and to
close the transaction on behalf of the City.

PASSED this _____ day of _____, 1998.

SIGNED this _____ day of _____, 1998.

Mayor

City Recorder

Lien & Johnson

Attorneys at Law
4855 River Road N.
Keizer, Oregon 97303
(503) 390-1635

SALE AGREEMENT AND
RECEIPT FOR EARNEST MONEY

DATE: Oct, 24, 1998

SELLER: MABEL KUNZ
302 N.W. 2nd, Apt. 1
Enterprise, OR 97828-1072

BUYER: CITY OF KEIZER, an Oregon
municipal corporation
PO Box 21000
Keizer, OR 97307

RECITAL:

Seller desires to sell to Buyer and Buyer desires to purchase from Seller certain real property with all improvements located on it commonly known as 4969 Rickman Rd., Keizer, Oregon (the "Property"): (Exact legal to follow from title company.)

AGREEMENT:

Now, therefore, for valuable consideration, the parties agree as follows:

1. **Sale and Purchase.** Buyer agrees to purchase the Property from Seller and Seller agrees to sell the Property to Buyer for the sum of \$48,000.00 (the "Purchase Price").

2. **Earnest Money.** Seller hereby acknowledges receipt of the sum of \$500.00 paid by Buyer as earnest money. The earnest money shall be applied to the Purchase Price on the Closing Date, as that term is defined below.

3. **Payment of Purchase Price.** The Purchase Price shall be paid as follows:

3.1 At closing, the earnest money shall be credited to the Purchase Price.

3.2 At closing, Buyer shall pay the balance of the purchase price in cash.

4. **Closing.** Closing shall take place on or before November 30, 1998 (the "Closing Date"), at the offices of First American Title.

5. **Preliminary Title Report.** Within ten (10) days after full execution of this Agreement, Seller shall furnish to Buyer a preliminary title report showing the condition of title to the Property, together with copies of all exceptions listed therein

(the "Title Report"). Buyer will have ten (10) days from receipt of the Title Report to review the Title Report and to notify Seller, in writing, of Buyer's disapproval of any exceptions shown in the Title Report. Buyer shall not be required to notify Seller with regard to any trust deed or mortgage or other monetary lien which will be presumed disapproved. Those exceptions not objected to by Buyer are referred to below as the "Permitted Exceptions." Zoning ordinances, building restrictions, taxes due and payable for the current tax year, and reservations in federal patents and state deeds shall be deemed Permitted Exceptions. If Buyer notifies Seller of disapproval of any exceptions, Seller shall have fifteen (15) days after receiving the disapproval notice to either remove the exceptions or provide Buyer with reasonable assurances of the manner in which the exceptions will be removed before the transaction closes. If Seller does not remove the exceptions or provide Buyer with such assurances, Buyer may terminate this Agreement by written notice to Seller given within fifteen (15) days after expiration of such 15-day period, in which event the earnest money shall be refunded to Buyer and this Agreement shall be null and void.

6. Condition

6.1 Buyer's obligation to purchase the Property is contingent on satisfaction of the following condition:

6.1.1 Buyer's written acceptance of any adverse conditions noted in any inspections, studies, surveys or tests conducted on the Property. Buyer shall have the right, at its expense, to conduct any such inspections, studies, surveys and tests, and Seller agrees to reasonably accommodate such inspectors.

The foregoing condition is for the benefit of Buyer and may be waived, in whole or in part, by Buyer only. Any waiver must be in writing. Unless waived, if any condition is not satisfied by the date specified, this Agreement may be terminated, at the option of Buyer, by written notice, in which event the earnest money shall be refunded to Buyer.

7. Deed. On the Closing Date, Seller shall execute and deliver to Buyer a statutory warranty deed, conveying the Property to Buyer, free and clear of all liens and encumbrances except the Permitted Exceptions.

8. Title Insurance. Within fifteen (15) days after closing, Seller shall furnish Buyer with an owner's policy of title insurance in the amount of the purchase price, standard form, insuring Buyer as the owner of the Property subject only to the usual printed exceptions and the Permitted Exceptions. The cost of the owner's policy of title insurance shall be paid by Buyer.

9. Costs and Expenses. Seller shall pay for Seller's share of prorations. Buyer shall pay for all premiums for the title insurance policy, all document recording charges, all escrow fees

and costs and Buyer's share of prorations. Buyer and Seller shall each pay their own legal and professional fees respectively. All other costs and expenses shall be allocated between Buyer and Seller in accordance with the customary practice in Marion County, Oregon.

10. **Taxes; Prorates.** Real property taxes for the current tax year and other usual items shall be prorated as of the Closing Date.

11. **Possession.** Buyer shall be entitled to possession immediately upon closing.

12. **Property Included.** All built-in appliances, floor coverings, window and door screens, storm doors and windows, irrigation, plumbing, ventilation, cooling and heating fixtures and equipment, water heaters, attached electric light fixtures, window coverings, awnings, attached television antenna, planted shrubs, plants and trees, and all fixtures are part of the Property and shall be left on the Property by Seller.

13. **Personal Property.** No personal property is included as part of the Property being sold to Buyer.

14. **Seller's Representations.** Seller represents and warrants to Buyer as follows:

(1) Seller knows of no material structural defects with respect to the Property.

(2) All electrical wiring, heating, cooling, and plumbing systems are in good working order and the balance of the Property, including the yard, will be in substantially its present condition on the Closing Date.

(3) Seller has received no written notice of any liens to be assessed against the Property.

(4) Seller has received no written notice from any governmental agency of any violation of any statute, law, ordinance, or deed restriction, rule, or regulation with respect to the Property.

(5) Seller is not a "foreign person" as that term is defined in IRC §1445. On the Closing Date, Seller will execute and deliver to Buyer a certification of nonforeign status on a form required by the IRS.

(6) The Property has never been used for the storage or disposal of any hazardous material or waste. There are no environmentally hazardous materials or wastes contained on or under the Property and the Property has not been identified by any governmental agency as a site upon which environmentally hazardous

materials or wastes have been or may have been located or deposited.

All representations and warranties contained in this Agreement will survive closing and the conveyance of the Property to Buyer.

Pursuant to ORS 105.465(1)(a), Buyer hereby indicates to the Seller, and such indication is conclusive, that the real property, will be used for purposes other than a residence for the Buyer or the Buyer's spouse, parent or child. Therefore, a statutory seller's disclosure or disclaimer form is not required.

15. **Binding Effect/Assignment Restricted.** This Agreement is binding on and will inure to the benefit of Seller, Buyer, and their respective heirs, legal representatives, successors, and assigns.

16. **Remedies.** TIME IS OF THE ESSENCE REGARDING THIS AGREEMENT. If the conditions described in Section 6 above are satisfied or waived by Buyer and the transaction does not thereafter close, through no fault of Seller, before the close of business on the Closing Date, Buyer shall forfeit the earnest money deposit to Seller as liquidated damages, and this Agreement shall be of no further effect, it being the intention of the parties that Buyer may forfeit the earnest money and be free of any further obligations under this Agreement. If Seller fails to deliver the deed described in Section 7 above on the Closing Date or otherwise fails to consummate this transaction, the earnest money shall be refunded to Buyer, but acceptance by Buyer of the refund will not constitute a waiver of other remedies available to Buyer.

17. **Attorney Fees.** In the event action is instituted to enforce any term of this Agreement, the prevailing party shall recover from the losing party reasonable attorney fees incurred in such action as set by the trial court and, in the event of appeal, as set by the appellate courts.

18. **Notices.** All notices and communications in connection with this Agreement shall be given in writing and shall be delivered personally or transmitted by certified or registered mail, return receipt requested, to the appropriate party at the address first set forth above. Any notice so transmitted shall be deemed effective on the date delivered personally or it is placed in the United States mail, postage prepaid. Either party may, by written notice, designate a different address for purposes of this Agreement.

19. **Entire Agreement.** This Agreement sets forth the entire understanding of the parties with respect to the purchase and sale of the Property. This Agreement supersedes any and all prior negotiations, discussions, agreements, and understandings between the parties. This Agreement may not be modified or amended except by a written agreement executed by both parties.

20. **Applicable Law.** This Agreement shall be construed, applied, and enforced in accordance with the laws of the state of Oregon.

21 **Required Statutory Warning.** THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND WHICH LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 IN ALL ZONES. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

23. **Agreement Preparation.** Seller understands that the law firm of Lien & Johnson prepared this Contract on behalf of the Buyer and in no way represents the Seller.

SELLER:

Dated: 10-24-98

Mabel Kunz
Mabel Kunz

BUYER:

Dated: _____

City of Keizer, an Oregon
Municipal corporation

By: _____
Wally Mull, City Manager



November 2, 1998

AGENDA ITEM 7e

CITY MANAGER PERFORMANCE EVALUATION MERIT

COUNCIL MEETING: January 20, 1998

AGENDA ITEM NUMBER:

TO: MAYOR KOHO AND CITY COUNCILOR MEMBERS

FROM: WALLY G. MULL
CITY MANAGER

SUBJECT: CITY MANAGER PERFORMANCE EVALUATION MERIT

ISSUE:

This space is reserved on the agenda for discussion of the City Manager's performance evaluation summary and bonus.



November 2, 1998

AGENDA ITEM 8a

MIRACLE OF CHRISTMAS NOISE VARIANCE

COUNCIL MEETING: November 2, 1998

AGENDA ITEM NUMBER: _____

TO: MAYOR KOHO AND CITY COUNCILORS

FROM: WALLY G. MULL
CITY MANAGER

SUBJECT: MIRACLE OF CHRISTMAS NOISE VARIANCE

BACKGROUND:

City Noise Ordinance 93-269 was passed by the City Council on November 1, 1993 which greatly expanded noise prohibitions within the City of Keizer. Provisions are contained within the Ordinance which allow for persons or groups to apply for a variance for certain events.

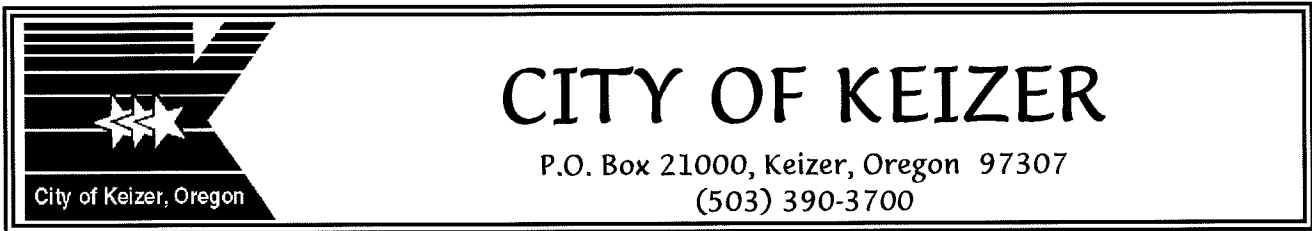
ISSUE:

The Gubser Neighborhood Association has submitted a variance application for Council approval, as stipulated in Section 8 of the Ordinance, for a Class B Variance. This variance specifically pertains to the upcoming Miracle of Christmas lighting display held annually within the boundaries of the Gubser Neighborhood Association. The variance is necessary due to the possible ordinance violations during this event. The various sounds involved include routine traffic noise generated from large volume of vehicles that visit the area; persons or groups singing seasonal music; seasonal music emitted from residential displays; and any other sounds generated from seasonal activities in the area.

The Miracle of Christmas lighting event begins on Friday, December 4, 1998 and runs through Sunday, December 27, 1998. The hours of display are from 6:00 p.m. to 10:00 p.m. daily.

RECOMMENDATION:

It is recommended the Council, by motion grant the Class B Noise Variance for the 1997 Miracle of Christmas lighting display and authorize the City Manager to sign the variance.



VARIANCE FROM KEIZER NOISE ORDINANCE (93-269)

Section 1. THE APPLICATION Bud Staudenmier, Gubser Neighborhood

Association Lighting Committee Chairperson has applied for a Class B Variance from the requirements of the Keizer Noise Ordinance, to allow for the event known as the Miracle of Christmas lighting display. This event is for a period from Friday, December 4, 1998 through Sunday, December 27, 1998. The lighting will be displayed from 6:00 p.m. to 10:00 p.m. daily. The noise produced by this event consists of noise generated from large volumes of vehicles that visit the area; persons or groups singing seasonal music; seasonal music emitted from residential displays; and the other sounds generated from seasonal activities in the area. The location of the event is within the Gubser Neighborhood Association boundaries.

Section 2 APPLICABLE PROCEDURE As the duration of this event is more than 72 hours, a Class B variance is applicable.

Section 3 GRANT OF THE VARIANCE On November 2, 1998 the Keizer City Council **GRANTED** a Class B variance for the event at the location stated and for the duration stated.

Section 4 EFFECTIVE DATE. This order is effective immediately upon passage by the City Council.

Wally G. Mull - City Manager

Date

GUBSER NEIGHBORHOOD ASSOCIATION

To: Keizer City Council

The Gubser Neighborhood Association is asking for a variance to City Noise Ordinance #93-269 for the annual "Miracle of Christmas" Lighting display. The lighting will be from 6 to 10 Friday Dec 4th 98 through Sunday Dec 27th.

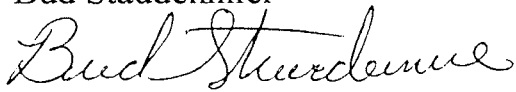
A variance is being sought under section 3 of City Ordinance #93-269

A variance is necessary due to possible ordinance violations during this event.

The various sound involved include routine traffic noise generated from vehicles that visit the area; persons or groups singing seasonal music; seasonal music emitted from residential displays; and any other sound's generated from seasonal activities in the area.

We are requesting that this variance be given without a public hearing, as it is an annual event.

Bud Staudenmier



Gubser Neighborhood Assoc Lighting Committee Chairperson



November 2, 1998

AGENDA ITEM 8b

APPROVAL OF MAY 4, 1998 REGULAR SESSION MINUTES

MINUTES
KEIZER CITY COUNCIL
Monday, May 4, 1998
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Koho called the regular meeting to order at 7:03 p.m. Roll Call was taken as follows:

Present:

Dennis Koho, Mayor
Carl Beach, Councilor
Jim Keller, Councilor
Jerry McGee Councilor
Al Miller, Councilor
Garry Whalen, Councilor
Dawn Meier, Councilor

Staff:

Wally Mull, City Manager
Shannon Johnson, City Attorney
Marc Adams, Chief of Police
Dianne Hunt, Human Resources Officer
Rob Kissler, Public Works Director
Amy Drought, City Planner
John Morgan, Planning Consultant
Tracy Davis, City Recorder

PUBLIC TESTIMONY

Presenting testimony to the Council were:

Marcia Bednarczyk, 7775 O'Neil Road N, Keizer, requested help from the Council in resolving a drainage issue brought about by construction of the Waterford Development project off O'Neil Road. Ms. Bednarczyk stated that concerns expressed during the public hearing process with regard to drainage and storm water runoff impacts have now proven valid. She commented on some of the damages already incurred during the construction phase of Waterford, and the effects of silt and water runoff due to the project's higher elevation. She believed altering the preexisting condition of the subdivision property caused the drainage pattern and volume of water to change, with the result that a stream now runs through her property. Ms. Bednarczyk had been told by staff that when the

houses are landscaped and guttered, the runoff will stop. She questioned what plan was in place to take care of the runoff should it not stop.

Ms. Bednarczyk voiced concerns over the close alliance between City Engineer Peterson and MultiTech Engineering, who is planning a majority of the development in the Clear Lake area. She related events at issue with MultiTech as to the absence of easement rights to her property, and with Mr. Peterson as to the lack of open communication. Her perception was that homeowners in Keizer were being asked to take a "back seat" to developers.

Ms. Bednarczyk noted that as development occurs on down O'Neil Road, other homeowners will be similarly impacted if nothing is done to protect their interests. In her case, she wanted from Council some assurances that steps will be taken to help keep her property from further damage should runoff still occur after the subdivision is completed.

Mayor Koho indicated that the issue of what the City can and ought to do will be looked into. He pointed out, however, that sometimes the only recourse is civil action.

Councilor Miller had visited Ms. Bednarczyk's property and observed some of the damage she mentioned. He agreed that the grade of the development land appeared to have been altered; dirt from the development had been pushed on to Ms. Bednarczyk's land, and fir trees were destroyed. He was particularly disturbed that utilities were put in on Ms. Bednarczyk's property without an easement. Councilor Miller requested that staff investigate the issue and come back with a detailed report.

It was Councilor McGee's understanding that water could not be drained off from one property onto another, even during construction. He asked that staff also address that issue.

Ms. Bednarczyk submitted a written record of her testimony.

Mayor Koho directed staff to investigate Ms. Bednarczyk's claims and report back as to what the City can and cannot do.

Roger Beausoleil, 7850 O'Neil Road N, Keizer, also expressed concerns about drainage impacts caused by the new development. On January 2, 1997 he took some aerial photos of his house. At that time the property just to the west of his was covered with about four inches of water. There was no threat to his property at that time, however, with the development, he now had concerns about where the water would flow. Mr. Beausoleil also commented on damage done to his property during the sewer line installation process for the new development. Councilor Miller suggested that staff obtain whatever documents Mr. Beausoleil has in preparation of their report.

There was no further testimony to come before the Council.

COMMITTEE REPORTS

a. Council Liaison Reports

Keizer Urban Renewal Board - Councilor Beach

The April KURB meeting was canceled due to lack of a quorum.

Traffic Safety Commission - Mayor Koho

Mayor Koho commented on the Traffic Safety Commission's persistent pursuit of some action from Council with regard to vision clearance regulations for existing properties. With adoption of the new Development Code which includes vision clearance requirements for new development, he suspected the timing might be right to consider vision clearance in general. He suggested that a date be scheduled for a public hearing or some type of public forum to receive input from the various neighborhood associations.

Councilor McGee shared the concerns about existing vision hazards. He believed an ordinance for existing development should be complimentary and align with regulations in the new Development Code, and that it should be done immediately.

Councilor Keller recalled that the Traffic Safety

Commission was going to bring forward a draft ordinance for Council's consideration. Mayor Koho acknowledged that the Traffic Safety Commission has provided a draft ordinance to staff. He perceived that once the proposal is put out to the public, it will be a volatile issue generating considerable discussion. He stressed the need for the public input, and reiterated that he would like a date scheduled for public comment, specifically targeting neighborhood associations.

At Councilor Meier's request, Mr. Morgan explained the issue of non-conformity as it relates to imposing new requirements on existing development. In looking at how existing properties might be required to comply with new requirements, he gave as an example the time limit allowed for signs to come into compliance upon adoption of the new Sign Code.

With Council's concurrence, Mayor Koho requested that staff schedule the vision clearance issue for mid-June to receive public input. He suggested that the Traffic Safety Commission's draft ordinance be mailed in advance to KNAG and the various neighborhood associations along with notice of the meeting.

OTHER BUSINESS

a. New Business

Councilor Beach asked when staff would be presenting the **capital improvements priority list** for Council discussion. Mr. Mull answered that the list would be considered during the budget process.

Councilor McGee asked staff for specifics about the "**Clean up day**" scheduled for this coming Saturday. Public Works Director Kissler advised that the May 9 city-wide clean-up day was promoted in garbage bills, water bills, and through the press. McNary High School is drop-off site for yard clippings, brush, short tree limbs, leaves, etc. The event is scheduled for 9 a.m. to 3 p.m., and drop-off is free of charge.

Police Chief Adams reported that last Saturday's first test of the **Stadium traffic reroute** went well. About 6,000 people passed through.

City Manager Mull reported that copies of the preliminary budget were sent out last week. He suggested that Councilors call him prior to next Thursday's meeting with questions they would like answered. Councilor Beach paid compliment to Finance Director Gahlsdorf, Jodi Sherwood who did the cover sheet, and the management team on what he considered the finest budget document in the last 15 years.

b. Old business Report

Mayor Koho asked if there was an update to last month's memo regarding **property appraisals**. Mr. Mull advised that one additional appraisal was in. A meeting will be scheduled to address related issues.

PUBLIC HEARINGS
Long Lumber Company
Sign Variance

Mayor Koho announced that the variance application for Long Lumber was withdrawn.

McNary High School Sign
Variance

Mayor Koho opened the public hearing.

City Attorney Johnson read the applicable criteria as set forth in Keizer Zoning Ordinance Section 15.9 (1) and (2). There were no questions or objections regarding the procedures.

It was pointed out in the written report submitted to Council that Chapter 15 of the Keizer Zoning Ordinance restricts allowable sign area in the Public Zone to 64 square feet, and 48 square feet for a free standing sign. McNary High School already has one existing free standing sign, a wall sign, and signs on the bleachers. Therefore, they have already exceeded their allowed area. It was noted that the proposed sign meets all other regulations of the Sign Code.

The findings described in the staff report were in support of the variance request. It was staff's recommendation that after hearing public testimony, Council close the public hearing, and approve the variance request.

Presenting testimony to the Council were:

Jason Tinder, 1637 Chemawa Road NE, Keizer, testified in support of the sign variance application he submitted on behalf of McNary High School. He described the free standing sign which is proposed to be located at the high school entrance at the corner of Lockhaven and Celtic Way. The proposed sign would be similar to one at the northern entrance to the school. He commented on the benefits of the sign to the school and to the City with regard to beautification, identity, and school pride.

Councilor Miller questioned the positioning of the proposed sign in the diagram that was submitted. It appeared to be angled to face only westbound traffic coming from the east. He wondered if it would not be better for the sign to be perpendicular with the north and south, and be two-sided so that traffic from either direction could read it. Jason answered that his teacher had suggested that it be angled to be visible to the 90% of traffic coming from River Road. He was, however, open to suggestions, and felt that Councilor Miller's was a good one. He felt it would not be difficult to make the sign two-sided. He would have to check on costs and available funding. It was suggested that he pursue any additional funding through local businesses.

Councilor Miller asked if vision clearance had been taken into consideration. Ms. Drought answered that she had visited the site and measured for vision clearance; there was plenty of room. She noted that vision clearance would be ensured in the sign permit review process.

Councilor McGee suggested that before proceeding with the artwork, Jason check out "McNary" as it appears on other signs to ensure consistency in the lettering.

There was no further testimony to come before the Council.

Mayor Koho closed the public hearing.

Councilor McGee moved to direct staff to return with an Order approving the McNary High School Sign Variance. Councilor Beach seconded the Motion.

The motion passed unanimously as follows:

AYES: Beach, Keller, Koho, McGee, Meier, Miller and Whalen (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Keizerfest Noise Variance Mayor Koho opened the public hearing.

City Manager Mull gave the staff report. He reported that St. Edward's Church has applied for a Noise Variance for the Keizerfest. The event is scheduled to begin on May 14 and continue until May 17, 1998. The letter and request from St. Edward's Church outlines the reasons the variance is necessary, the physical characteristics of the involved sound, the date and times the sound will be emitted, a site sketch plan and other supporting information as defined in the Ordinance. The required notice of the meeting in which the variance request would be considered was posted along River Road at the church property and in the Keizertimes.

There was no public testimony to come before the Council.

Mayor Koho closed the public hearing.

Mayor Koho moved an Order in the Matter of the Application of St. Edward's Church for a Variance from the Requirements of the Keizer Noise Ordinance (Ordinance No. 93-269). Council President Keller seconded the Motion.

The motion passed unanimously as follows:

AYES: Beach, Keller, Koho, McGee, Meier, Miller and Whalen (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

ADMINISTRATIVE

City Attorney Johnson gave the staff report. He noted that the proposed ordinance was prepared in accordance with

ACTION
ORDINANCE - Adopting I
Development Code

Council's direction at its April 20 meeting. Subsequent to the hearing being closed, Mr. Johnson was informed that one or two churches in Keizer had expressed some concerns about certain provisions in the proposed Code. As a point of clarification, Mr. Johnson pointed out that should Council wish to address any further concerns, it would be necessary to delay adoption of the code, and renotice and reopen the hearing; or, to proceed with adopting the Code, and consider amendments at some time in the future. It was Mr. Johnson's understanding that the regulations at issue had not changed much from the current Code. He deferred to Ms. Drought to comment on the changes.

City Planner Drought detailed the following changes: (1) The current 25-foot setbacks for side and rear yard when abutting a residential zone was changed to 20 feet, (2) New churches are required to be sited off arterial and collector streets, and (3) Street access now allows two driveways, rather than one as in the past.

Mayor Koho commented that he had received a number of letters and phone calls from various church members, largely from one church. He noted that because the record was closed, he was unable to get into a discussion of the issues of concern. However, in a call he received today, he had cleared up misconceptions the caller had about changes with regard to driveway access, setbacks, and the number of parking spaces allowed. Mayor Koho perceived that the concerns expressed by most of the church members were based on misinformation. He was highly reluctant to hold up the entire code for what might not be issues at all. He suggested that a more appropriate course would be to proceed with adopting the Code and then hold a public hearing on the provisions for houses of worship after providing churches with copies of the adopted regulations.

Mayor Koho moved a Bill for an Ordinance Adopting the Keizer Development Code; Repealing Ordinance No. 87-078 (Keizer Zoning Ordinance) and Ordinance No. 87-079 (Keizer Subdivision and Partitioning Ordinance). Council President Keller seconded the Motion.

Councilor Keller recalled previous discussion regarding the likelihood some provisions of the new Code would require further examination and discussion once the Code is in

effect.

Councilor Beach agreed with Mayor Koho's idea to mail out to churches copies of the adopted provisions for houses of worship. However, rather than scheduling a public hearing, his preference was to invite the churches to come to a regular meeting and talk about their concerns. He suspected most concerns would be addressed once the correct information is disseminated. Councilor Meier concurred. Councilor Miller suggested that copies of both the old and new Code be sent out to give the churches an opportunity to compare the provisions.

The motion passed unanimously as follows:

AYES: Beach, Keller, Koho, McGee, Meier, Miller and Whalen (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**ORDINANCE - Adopting
Zone Changes to Various
Areas in Keizer**

City Attorney Johnson presented the staff report. His office had prepared the Ordinance as directed by Council at its April 20 meeting. He noted that the zone changes are done in conjunction with adoption of the Development Code.

Mr. Johnson recalled that Council had not reached a decision on one of the proposed zone changes; a change in the Clear Lake area from the current Urban Transition (UT) to Single Family Residential (RS). Should Council agree with the change to RS, then findings 1(a) and 2(a)(1) in the draft Ordinance would remain. Keeping the UT zoning would require amending the Ordinance to delete those sections. Mr. Johnson noted that zone maps were prepared reflecting each of the alternatives. He recommended that Council's motion clearly indicated whether the findings need to be deleted and which map is being adopted.

City Planner Amy Drought answered questions about other zone changes reflected on the maps. She confirmed that no change was made to existing Commercial Office zoning on River Road. Councilor Keller indicated that he would like to see the Commercial Offices properties clearly

identified on the map.

Councilor Whalen stated that he would like to amend the proposed zone map by keeping all the Bowden property at the west end of Bowden Lane in the EFU zone instead of splitting it some EFU and some IA. He had earlier distributed a map showing the Bowden parcel. He noted that the property owner lives outside the local area and likely did not see the proposed map published in the local paper or receive other notice. Councilor Whalen believed it would be inappropriate to administratively make a change that would split the zoning on the property without allowing opportunity for comment from the property owner. There were no objections from the Council.

With regard to the proposed Clear Lake rezone, Councilor Miller recalled Council's 3 - 3 vote, with Mayor Koho absent at the last meeting. For clarification, he requested that Ms. Drought explain what would change with the proposed rezone from UT to RS. Ms. Drought explained the changes with regard to farm uses and land divisions.

Mayor Koho moved a Bill for an Ordinance in the Matter of the Legislative Zone Change for Several Properties in Conjunction with the Adoption of the Keizer Development Code; deleting from Exhibit "A," Findings, Subsections 1(a) and 2(a)(1), thereby retaining the UT zoning for properties north of Barnick Road and an imaginary extension of Barnick Road both west and east; and amending Subsection 1(h) to retain the EFU zoning for all of the Bowden property. And, to adopt the Zone Map reflecting such zone designation. Councilor Whalen seconded the Motion.

Mayor Koho stated that he listened to the taped testimony presented at the April 20 meeting. Although he believed starting a big farming or agricultural use in a transitioning area "not the right thing to do," he empathized with the Clear Lake property owners who had faced the pressures of uncertainty over the past 20 years. His preference had been for a new zone allowing farm uses on a smaller scale, but staff had rejected his suggestion as "regulating too closely." Mayor Koho believed that at the appropriate time the properties in the Clear Lake area would become residential, and he therefore would support retaining the UT zoning for now.

Councilor Keller disagreed. As he had previously argued, the proposed zone change would allow existing farm uses to continue. Anyone buying an adjacent piece of property could decide whether they wished to buy next to the existing farm use. Allowing new farm uses would take away that opportunity. Councilor Keller emphasized that the proposed rezone would strike a balance by allowing current uses to continue while protecting new people coming in against possible undesirable uses.

Councilor McGee could see merit in the concerns of the small group of residents in the Clear Lake area. However, he believed retaining the UT zone for an area on its way to being urbanized would be inconsistent with the approach Council is taking with regard to planning for the future. It was his feeling that the grandfather clause provided appropriate protection for existing property owners. He would not support the motion.

Councilor Meier commented on the merits of farming uses as neighbors.

The motion passed as follows:

AYES: Koho, Meier, Miller and Whalen (4)

NAYS: Keller, Beach, and McGee (3)

ABSTENTIONS: None (0)

ABSENT: None (0)

Mayor Koho announced that the Ordinance would come back for second reading on May 18.

RESOLUTION -
Suspending Ordinance to
Allow Street Vendors

City Manager Mull presented the staff report. He noted that the Keizer Chamber of Commerce has submitted a request that the Ordinance Prohibiting Street Vendors be suspended during the Iris Festival. The festival dates are Friday, May 15 through Sunday, May 17, 1998. Suspending the Ordinance will allow a sidewalk sale and a "Taste of Keizer."

Staff recommended that Council adopt the proposed Resolution Authorizing a Temporary Suspension of the Ordinance Prohibiting Street Vendors during the 1998 Iris Festival.

Council President Keller moved a Resolution Authorizing a Temporary Suspension of the Ordinance Prohibiting Street Vendors. Mayor Koho seconded the Motion.

The motion passed unanimously as follows:

AYES: Beach, Keller, Koho, McGee, Meier, Miller and Whalen (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

ORDINANCE - Amending Comprehensive Plan/Zone Change/Conditional Use Permit - Keizer Baseball Stadium - Case No. 96-04 (Traffic Management Plan)

(Taken out of order on the agenda.)

City Attorney Johnson presented the staff report. As directed by Council at its April 20 meeting, his office prepared an Ordinance approving an amendment to Condition C(2) of Ordinance No. 96-359, the ordinance approving the conditional use permit to allow construction of the stadium. Condition C(2) required an event traffic management plan and noted that Tepper Lane needed to be closed. The proposed Ordinance deletes the requirement for Tepper Lane to be closed, and adds the condition that the City Manager must annually approve the event traffic management plan.

Council President Keller moved a Bill for an Ordinance in the Matter of an Amendment to a Condition of Approval in Case No. CU-96-04 With Regard to Amending the Condition of Approval for Use of Tepper Lane for Stadium Events; Amending Ordinance No. 96-359; Declaring an Emergency. Councilor Whalen seconded the Motion.

Councilor Miller reiterated comments he made at the April 20 meeting in opposition to the proposed amendment. He indicated that he would abide by what he considered to be an agreement between the Council and the Gubser Neighborhood Association.

Referring back to Police Chief Adams' comments about the stadium traffic reroute (under "New Business"), Councilor Miller asked the Chief if the announcement made at the stadium was correct, that anyone leaving the stadium to get to I-5 (east on Lockhaven) was required to go down Tepper and then down McLeod and turn left on Lockhaven.

Chief Adams answered that vehicles intending to go north on I-5 were to use 35th Street; south on I-5, to use the Tepper/McLeod exit; to Keizer, to use the Radiant Drive exit. He had not been in the stadium and was unsure what was announced. Chief Adams noted, however, that a good flow went all three ways. Looking at the map, Councilor Miller wondered if it would not be better to direct the Radiant Drive traffic to turn left and the McLeod traffic to the right so that they would not be turning toward each other. Chief Adams pointed out that McLeod has a traffic control signal; Radiant Drive does not. Going east off Radiant would necessitate a left turn across traffic at an uncontrolled intersection.

Councilor Miller recalled that under the prior plan it took 30 minutes to clear out the stadium lot; the *Statesman Journal* reported that it took 45 minutes under the new plan. Chief Adams was unsure how effective the plan was prior to his coming to the City, but believed this particular exit went smoothly. City Manager Mull added that he considered the disbursement semi-successful for a first attempt. He pointed out that many of the people attending this football event were from out-of-town and unfamiliar with the street patterns. He perceived the plan would come back to Council for approval prior to baseball beginning.

Councilor Miller pointed out that the announcer at the event, and later the newspaper, had commented on the large backup off I-5 getting into the stadium. He asked if anyone was directing traffic on Lockhaven and Radiant prior to the event, and what might be done to prevent such an occurrence in the future. Chief Adams noted that a large number showed up all at once to tailgate, creating a traffic jam coming in. He conceded that traffic was monitored prior to the event, but not directed.

Mr. Mull surmised that some of the issues would be addressed with the parking permit for walkers now being worked on. He anticipated a smoother process with baseball than with some of the special events, but indicated that those issues are being looked at.

With regard to tailgating, Mayor Koho could not recall if alcohol consumption in the parking lot was prohibited. Mr. Mull answered that it was not. Chief Adams had heard from the parking lot people that this crowd was different from past crowds at baseball games.

Councilor Meier believed the disbursement of I-5 traffic down Tepper was a good solution because of the traffic light on McLeod. She did wonder, however, if there should be some sort of pedestrian path on Tepper. Mr. Mull answered that staff is looking into the possibility of putting a four-foot wide walking path on one side of Tepper Lane from the stadium to the newest subdivision just west of the railroad tracks.

The motion passed as follows:

AYES: Beach, Keller, McGee, Meier, and Whalen (5)

NAYS: Miller (1)

ABSTENTIONS: Koho (1)

ABSENT: None (0)

Mayor Koho announced that the Ordinance would come back for second reading on May 18.

ORDINANCE -
Establishment of Fire
Lanes

Police Lieutenant Mark Miranda presented the staff report. Lt. Miranda noted that the Keizer Fire District approached the Police Department requesting assistance in drafting an ordinance to address the continuing problem of vehicles blocking fire lanes. The primary areas of note have been at McNary High School and Whiteaker Middle School, particularly during sporting and other special events. Other areas of concern include residential development sites where access is via long driveways or alleys.

Sgt. Miranda pointed out that the current parking ordinance lacks provisions to prohibit parking in fire lanes. The Police Department, with the City Attorney's concurrence, prepared a new ordinance regulating parking and establishing enforcement procedures; and repealing the old ordinance. He commented on the enforcement procedures which allow issuing tickets or warnings for parking in fire lanes, depending on the seriousness of the violation. The Fire Department will also have the ability to issue warnings.

Mayor Koho asked what issues might arise if the Fire Department had the ability to issue actual citations. Sgt. Miranda was aware of other fire jurisdictions who have citing authority. He noted, however, that both the Fire

District and the City Attorney voiced objections because of the possibility for confusion with two different jurisdictions trying to enforce one particular law. City Attorney Johnson added that he did not consider it appropriate to in effect deputize the Fire District to enforce a City ordinance. He cited as an example liability issues in addressing a wrongful citation complaint.

Mayor Koho wondered if it would have been possible for the Fire District Board to adopt an ordinance on their own, and enforcement it. Mr. Johnson was unsure of their authority to do so, but pointed out that they are not set up with the court system to process citations.

Councilor Whalen took issue with the allowance for issuing warnings. He encouraged an aggressive stance to eliminate a lot of follow-up and nuisance issues.

Councilor McGee questioned the need to repeal the existing ordinance and establish a new one rather than doing an amendment to prohibit parking in fire lanes. Mr. Johnson recalled that a replacement ordinance seemed less cumbersome since sections that needed to be amended were spread throughout the existing ordinance. He acknowledged that the changes could have been made by amending each of the sections. Mr. Johnson confirmed that the only changes were specific to the issue of fire lanes.

Councilor Beach asked if there was anything in the old Code that addressed fire lanes. Sgt. Miranda answered that fire lanes were addressed only in the Fire Code, which has no enforcement provisions.

Councilor Keller asked if in the case of a serious violation a vehicle would be towed. Sgt. Miranda believed it would be a judgment call of the officer on the scene.

Mayor Koho indicated that he planned to move to adopt the ordinance, but with a language change to Section 21 (b) specific to the dollar amount of the fine. He proposed that the specified forfeiture be changed from "not more than \$250" to "not more than \$100" to be consistent with the \$100 bail forfeiture amount listed on the citation. He believed a person could be penalized for appearing in court if they might have to forfeit up to \$250. Lt. Miranda pointed out that larger fines are sometimes imposed on repeat

offenders.

Mayor Koho moved a Bill for an Ordinance Regulating Parking and Establishing Enforcement Procedures: Repealing Ordinance 89-156, with a change in the verbiage on page 11, line 5 (Section 21(b)) to "...a forfeiture of not more than \$100.00." Council President Keller seconded the Motion.

Councilor McGee believed the dollar amount should remain as it is in the draft to be consistent with forfeiture procedures for other violations listed in the ordinance.

Councilor Keller wondered if the ordinance might be written to provide for a \$100 fine for a first offense, and up to \$250 for any second or subsequent offense. City Attorney Johnson suggested specifying a time period. Lt. Miranda believed three years would be reasonable.

Mayor Koho accepted as a friendly amendment changing the verbiage, at the discretion of the City Attorney, to the effect "...a forfeiture of not more than \$100 for first offense within a three-year period or \$250 for a second or subsequent offense within a three-year period."

The Motion with the friendly amendment passed unanimously as follows:

AYES: Beach, Keller, Koho, McGee, Meier, Miller and Whalen (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Mayor Koho moved a Resolution Designating Certain Locations in Keizer as "No Parking - Fire Lane" Zones. Councilor Miller seconded the Motion.

The Motion passed unanimously as follows:

AYES: Beach, Keller, Koho, McGee, Meier, Miller and Whalen (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**RESOLUTION - Housing
and Community
Development Action Plan**

City Manager Mull presented the staff report. He noted that the City must annually adopt the Housing and Community Development Action Plan. Staff recommended that Council adopt the resolution adopting the one year use of funds for the Salem - Keizer Housing and Community Development Action Plan.

Mayor Koho moved a Resolution Adopting the Housing and Community Development Action Plan One Year use of Funds - Salem and Keizer 1998 - 1999. Council President Keller seconded the Motion.

Councilor McGee recalled Council's past debate and discussion of Keizer's participation in the Salem consortium. He recalled that Keizer's primary interest was to have Keizer retain control of the program within its jurisdiction. The particular program of interest to Keizer was the owner-occupied home improvement loan program. His recollection was that Keizer was less enthusiastic about other aspects of the overall program. In looking over this year's Plan document, Councilor McGee had concerns about other aspects now showing up in the Plan, without opportunity for debate. He cited as an example commentary in the Action Plan for Keizer with regard to "homelessness." He pointed out that the issue of homelessness in Keizer had never been discussed by the Council. Councilor McGee questioned the timeline for adopting the Plan. He indicated that he would like more time to study the document.

It was City Manager Mull's understanding that the document had to be adopted by the first of June. He commented on the successfulness of the home improvement loan program. He noted that the only change from the previous document was the addition of the "Continuum of Care" section.

Councilor Whalen indicated that he also would like more time to more thoroughly review the document. He wanted to be sure of the merits of the program for Keizer's citizens as well as Salem's. Councilors Beach and Miller agreed.

Mayor Koho stated that the document would be held over until the May 18 meeting to allow time for further review. Councilor Keller requested that staff provide an update on the benefits to Keizer. Councilor McGee asked that staff's

report address the issue of repayment of rehab loans when a property is sold.

**Appeal of Flood Insurance
Rate Map (FIRM) and
Flood Insurance Study
(FIS)**

City Manager Mull gave the staff report. He noted that the preliminary map is currently in a 90-day appeal period. The City has received an appeal request from Ted Cassidy, P.E. of the Firm of Marquess and Associates, Inc. Mr. Cassidy's documentation meets the FEMA criteria for an appeal. Staff has since been in contact with FEMA who believe there is some validity to the data submitted by Mr. Cassidy. They have recommended that the City proceed with an appeal. If it is determined that Mr. Cassidy's theories and calculations are correct, it is staff's belief that the resulting base flood elevations in the Labish Ditch area east of River Road would be substantially lower, possibly changing what is now being used as the 100-year flood plain. The lower flows could also result in a decision not to construct a bridge at the River Road crossing. Staff recommended that Council authorize staff to forward the appeal on to FEMA for their review.

Councilor Keller did not object to the appeal, but found it troubling that the City Engineer had guided a Council tour of the proposed bridge location and strongly advocated for the bridge. And that now, after receiving a new set of numbers from someone from outside the area, the City Engineer was concluding that maybe those new numbers were right. Councilor Keller indicated that he could not help but wonder whether Council should rely on the information given by staff to make decisions.

City Manager Mull noted that the information passed on to Council at the time of the tour was information provided by FEMA. Because the study was initiated by FEMA, not the City, they contracted for the engineer who prepared the original report. Mr. Mull was unsure who hired Mr. Cassidy's firm, but suspected he was part of the team for MultiTech Engineering and Larry Epping during the flood trial. He emphasized that Mr. Cassidy has extensive experience in flood plain modeling.

Councilor Meier agreed with Councilor Keller. She noted that the City Engineer's persuasive advocacy for the bridge had changed her opinion from a degree of caution to strong support for the bridge. She too was concerned

about relying on staff's information. She, however, would support the appeal. As a related issue, Councilor Meier had noticed that onion fields along Lake Labish were pushing up the dirt to form a dam. She wondered if it would cause further flooding through Keizer. Mr. Mull indicated that staff would investigate.

Mr. Mull reiterated that at the time of the tour of the proposed bridge location, the numbers that were quoted were numbers provided by FEMA at a public hearing. He noted that those numbers have been used by Keizer as the basis for the 100-year flood plain since July, 1997. He emphasized that the City must, by law, go by the numbers provided by the federal agency. It was FEMA who, at the time of the public hearing, determined the bridge would lower the water level on the east side of River Road. Mr. Mull noted that it is FEMA who is now saying that if Mr. Cassidy's numbers are correct, the bridge should not be built.

Councilor McGee questioned the advisability of putting trust in information provided by someone who, in the last paragraph of his letter, proposes that he be hired to do the additional study.

Mayor Koho, though extremely irritated with the manner in which FEMA handled Keizer's flooding issue, saw merit in proceeding with the appeal process. He saw opportunity to look at measures to keep the water from coming into Keizer.

Mayor Koho moved to authorize the City Manager, through the mayor, to file an official appeal of the draft Flood Insurance Rate Map and Flood Insurance Study dated March 31, 1997. Councilor Miller seconded the Motion.

Councilor Keller indicated at some point in time he would like a definitive answer as to who hired Mr. Cassidy.

The Motion passed unanimously as follows:

AYES: Beach, Keller, Koho, McGee, Meier, Miller and Whalen (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

CONSENT CALENDAR

- a. Accepting Petition to Vacate Alley near Appleblossom Avenue
- b. RESOLUTION - Authorizing Mayor to Enter Employment Agreement with City Manager
- c. RESOLUTION - Awarding Bid for Cherry Avenue Water Main Construction
- d. RESOLUTION - Initiating Jacobe Estates Phase II Street Lighting District
- e. Amendment to the Mid-Willamette Valley Council of Government Agreement

Mayor Koho removed Item "b" from the consent calendar.

Council President Keller moved for approval of the remaining items on the consent calendar. Councilor Beach seconded the Motion.

The Motion passed unanimously as follows:

AYES: Beach, Keller, Koho, McGee, Meier, Miller and Whalen (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Item "b"

Mayor Koho advised that the City Manager contract was discussed in executive session just prior to tonight's regular meeting. He noted that some minor changes were made to the contract. Those changes will be reflected in the copy of the contract that will be attached to the resolution.

Mayor Koho moved a Resolution Authorizing the Mayor to Enter Into an Extended Employment Contract with Wally Mull. Council President Keller seconded the Motion.

The Motion passed unanimously as follows:

AYES: Beach, Keller, Koho, McGee, Meier, Miller and Whalen (7)

NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

**WRITTEN
COMMUNICATIONS**

There were no written communications to come before the Council.

AGENDA INPUT

Mayor Koho noted the agenda input items.

ADJOURNMENT

The meeting was adjourned at 8:52 p.m.

APPROVED:
MAYOR:

Tracy L. Davis
City Recorder

Dennis Koho

COUNCIL MEMBERS:

Councilor #1 - Garry Whalen

Councilor #4 - Carl Beach

Councilor #2 - Dawn Meier

Councilor #5 - Al Miller

Councilor #3 - Jim Keller

Councilor #6 - Jerry McGee

Minutes approved:



November 2, 1998

AGENDA ITEM 8C

APPROVAL OF JUNE 22, 1998 SPECIAL SESSION MINUTES

MINUTES
KEIZER CITY COUNCIL
Special Session
Monday, June 22, 1998
Robert L. Simon Council Chambers
Keizer City Hall, Keizer, Oregon

CALL TO ORDER

Council President Keller called the special session to order at 8:55 p.m. Roll call was taken as follows:

Present:

Carl Beach, Councilor
Jim Keller, Council President
Jerry McGee, Councilor
Dawn Meier, Councilor
Garry Whalen, Councilor

Absent:

Dennis Koho, Mayor
Al Miller, Councilor

Staff:

Wally Mull, City Manager
Susan Gahlsdorf, Finance Director
Tracy L. Davis, City Recorder

PUBLIC HEARING

Council President Keller opened the Public Hearing

**ORDINANCE
ADOPTING THE THIRD
AMENDMENT TO THE
KEIZER NORTH RIVER
ROAD URBAN
RENEWAL PLAN**

Council President Keller requested testimony presented during the Urban Renewal Agency meeting earlier this evening, be made a part of this hearing.

The following testimony was presented:

*Mark Midema, 419 Dorcus Drive NE, Keizer addressed the Agency as a representative of the **Keizer Fire District**. He explained that prior to the adoption of measure 50, the tax increment assessed within the Urban Renewal District did not have a financial impact on the Keizer Fire District due to their ability to certify a certain dollar amount. However, with the adoption of measure 50 the system has moved from a dollar-based*

tax system to a rate based tax system. The growth of the increment in the future will have a negative impact on other taxing jurisdictions, including the Fire District. Mr. Midema urged the Agency to adopt financing option three for the least impact to the Keizer Fire District and other taxing jurisdictions. As an example, he noted the adoption of option one will not allow the Fire District to set aside funds for future purchases such as a ladder truck.

Charlie Kupper, Urban Renewal Agency Consultant explained the differences in the financing options. He pointed out option one provides a benefit to the taxpayer by allowing the renewal agency to collect more money within the division of tax amount. This would reduce any amount necessary under a special levy. He understood the desire of the Agency is to not implement a special levy, however future years might require this. Under option one there is less benefit to the surrounding tax jurisdictions because the new values from 98-99 forward would not be available to apply to their permanent tax rates. Mr. Kupper noted in option two there would be not be any money raised through the division of taxes, only by special levy. Furthermore, option three splits the difference by allowing a fixed dollar amount to be set through the division of tax method which would free all unneeded new values to the other taxing jurisdictions.

In response to an inquiry by Jerry McGee, Mr. Kupper explained the term special levy is not a special bond issue voted on by the taxpayers. When calculating the tax increment revenues, the Assessor first determines the maximum amount the Agency is entitled to. The division of tax method takes the current level of incremental value in the area and multiplies it by the consolidated ballot measure tax rate. This calculation through the division of tax method would give Keizer approximately half of the five million dollar maximum. Then if the desire would be to go to the maximum amount, these monies would be raised through the special levy process. Only the monies raised through the special levy would appear on the tax statements. Mr. Kupper pointed out in 1997 the City chose not to collect any amounts through the special levy process.

Jerry McGee confirmed if any additional revenue were received it would allow the early termination of the debt if no additional projects were added.

In regards to the potential effect on other taxing jurisdictions, Mr. Kupper explained that in the 1997-98 fiscal year, all other taxing jurisdictions have been made whole by virtue of increased values within the urban renewal district. There is no financial detriment to these agencies at this point, only future potential.

With regards to any potential effect on the general fund of the City, Ms. Gahlsdorf did not believe there would be any negative impact in the future under option one.

Mr. Midema explained the guidelines established by measures five and fifty prevent taxing jurisdictions from exceeding the ten-dollar limit and the three-percent growth. With the potential of the urban renewal district obtaining the maximum amount each year, it may effect the Fire District's ability to purchase additional equipment without asking for a special levy.

Referring to a table showing potential revenues forgone by other taxing bodies, Mr. Kupper pointed out the effect over the life of the urban renewal district ranges from .055% to 6.2%. The efforts of urban renewal increase the overall valuation, which in the end will be a benefit to all.

In response to an inquiry from Dawn Meier, Mr. Kupper stated the maximum indebtedness for this urban renewal district is approximately \$22,000,000. This does not preclude the City from creating another urban renewal district area in the future.

Carl Beach understood option one is beneficial to the taxpayers and option three is beneficial to the taxing bodies.

Mr. Kupper pointed out under any of the three options, the Agency could take the maximum amount of revenue the Assessor calculates. However, the option choice changes how much you can take under the division of tax method. Presently, the Agency is getting approximately 50% of maximum tax increment revenue under the division of tax. If the Agency desires the maximum

amount, it must use the special levy method as outlined in option one. Option two does not allow funds to be received under the division of tax, only via a special levy. Under option three the Agency can choose to cap the amount received under the division of tax.

Carl Beach confirmed the special levy would affect the taxpayers, not the tax bodies. The special levy would only affect the taxing jurisdictions, if it caused compression. However, the City is far from compression at this point.

Mr. Midema pointed out the option choice is only available at this time. This decision will affect the Agency and the other taxing jurisdictions for years to come. He urged the Agency to adopt option three, which would cap the amount and allow everyone to share in the increase in value for years to come.

If option three is chosen, and the division of tax revenue is limited, Mr. Kupper explained the chart displaying the potential revenue forgone by other taxing bodies would show zero. Furthermore, the list of urban renewal projects are completed by the year 2006, however the current bonded indebtedness is shown through the year 2013. Mr. Kupper stated the debt could be paid off in the year 2006 with the rate of increment presently collected.

Ms. Gahlsdorf believed by choosing option three, beginning in 1999, the budgeted \$2,000,000 could be collected by division of taxes and the special levy. This would require a specific amount be specified to the Assessor. Mr. Kupper noted the Agency must decide a financing option prior to July 1st. If a decision is not made, the default will be option one.

Jim Keller expressed his concern with placing the projects outlined in the urban renewal plan above the public services provided by the City, County, Fire District, and other taxing jurisdictions. He hoped the Agency could find a balancing point for all parties.

Garry Whalen concurred with the public safety issues expressed by Mr. Keller. However, he believed additional information is necessary before making a final decision.

Jerry McGee believed the decision of the Agency to take option one would not cause a decrease in the amount of money distributed to the other taxing jurisdictions, only the ability to collect additional revenue in the future.

Mr. Midema pointed out the addition of the Wittenberg Inn and other developments at the Chemawa interchange will require additional fire equipment and public safety officers in the future. He expressed his concern it may be necessary to request a special bond for additional funds from the voters in the future.

Responding to a question from Jim Keller, Mr. Kupper pointed out most of the urban renewal agencies in Oregon are opting for option one. He believed one of the urban renewal districts in Salem has chosen option three. In addition, Carol Samuels, who serves as our financial advisor on the urban renewal project, has recommended option one.

Dawn Meier pointed out this is a complicated issue that has a lot of uncertainty. She thanked Mr. Midema for bringing this issue before the Agency. Ms. Meier announced as a member of the Fire District Board, this issue was discussed recently, however she did not believe this would be considered an exparte contact or conflict of interest. In conclusion, she is a firm supporter of option three.

Greg Frank, Fire District Chief, 5316 Arcade Avenue NE, Keizer addressed the Agency Board as a member of the Keizer Urban Renewal Board. Mr. Kupper presented these options to the Board in December 1997 with the understanding that additional information would be provided and a recommendation would be sent forth to the Urban Renewal Agency. Mr. Frank voiced his disappointment in the role the Board was given on this matter. In his role as Fire Chief, Mr. Frank expressed his frustrations with the manner in which the District was provided notice of this hearing and the opportunity to provide comment, either positive or negative. Mr. Frank requested the specific taxing agencies affected by choosing option one, receive the projected \$47,348 in revenue and specific urban renewal projects be put on hold.

Responding to an inquiry by Jerry McGee, Mr. Kupper believed most of the 60 urban renewal districts in Oregon are choosing option one. Furthermore, he understood the City's continued desire to minimize the financial impact to the citizens. He believed option one provides the most benefit to the taxpayers. Mr. Kupper stated if option three is chosen a special meeting will be necessary to draft an Ordinance for adoption prior to July 1st. If option one is chosen, an ordinance is not necessary only a resolution reaffirming the choice of option one.

Responding to an inquiry by Garry Whalen, Fire District Chief Frank believed the delivery of the notice of the amendment to the urban renewal plan packet does not constitutes a negative or positive response from the District. He felt there was inadequate time to review the material and respond.

Charlie Kupper, Urban Renewal Consultant reported the changes suggested during the Urban Renewal Agency meeting be incorporated into the adopted plan. These changes include:

- *On page 5 – item “c” the second sentence should read...This cash will be applied to pay indebtedness to carry out the projects and activities shown on table 4.*
- *The term or \$5,000,000 on page 6 – item 4 of the plan should be stricken.*

In addition, Mr. Kupper recommended deleting all references to option one amendment at this time.

There was no further testimony to come before the Council.

Council President Keller closed the public hearing.

Council President Keller moved an Ordinance Adopting the Third Amendment to the Keizer North River Road Urban Renewal Plan and Report with the amendments as suggested by Mr. Kupper. Councilor Beach seconded the Motion.

The Motion passed as follows:

AYES: Beach, Keller, McGee, Meier, and Whalen (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Koho and Miller (2)

ADMINISTRATIVE ACTION

RESOLUTION – AFFIRMING THE SELECTION OF OPTION ONE FOR THE METHOD OF COLLECTING PROPERTY TAXES

Council President moved a Resolution Affirming the Selection of Option One for the Method of Collecting Ad Valorem Property Taxes to Pay Indebtedness Issued or Incurred to Carry Out the Keizer Urban Renewal Agency Urban Renewal Plan. Councilor McGee seconded the Motion.

Councilor McGee voiced his support for financing option three, which would be in the best interest of the citizens of Keizer. He noted if additional funds are necessary, a special levy could be implemented. Councilor McGee felt this is the fairest possible option for the entire community and other taxing jurisdictions.

Councilor Meier also expressed her support for option three based upon the effect to the other taxing jurisdictions.

Councilor Beach voiced his concern with the professional recommendation of Ms. Samuels to adopt option one. However, based upon the potential consequences to the Fire District, he is in support of option three.

Stating his support for option one, Councilor Whalen pointed out the implementation of the transient occupancy tax will offset some of the potential loss of revenue to the Keizer Fire District. The mutual aid agreements with other districts will provide the additional equipment if the need arises. Furthermore, Councilor Whalen pointed out the professional consultants have recommended the adoption of option one.

Responding to an inquiry from Council President Keller, City Manager Mull stated the overall impact to the general fund would be minimal. The completion of the projects will provide additional value to the City at the conclusion.

Councilor McGee pointed out the revenue generated by the transient room tax will be minimal for some time to come and will not prove the revenue as stated. Furthermore, he pointed out

most cities include a fire department, which puts Keizer in a unique situation. In conclusion, he believed option three provides the best option for the City.

Charlie Kupper explained his recommendation of option one is in consideration of the taxpayers. However, choosing option three would not jeopardize the urban renewal plan.

Council President Keller confirmed the period of the renewal plan could be shortened if additional income is received prior to the twenty-year period.

In regards to the transient room tax issue raised by Councilor Whalen, Councilor Meier believed this would not be a sufficient to cover the unknowns that could occur with the development of the Chemawa Activity Center. There should not be any consideration this revenue will offset the potential loss under the option one financing method.

Mr. Kupper suggested gathering additional information on option three before making a final decision. However, he believed option one is in the best interest of the City.

The Motion failed with the following votes:

AYES: Keller and Whalen (2)

NAYS: Beach, McGee, and Meier (3)

ABSTENTIONS: None (0)

ABSENT: Koho and Miller (2)

Councilor McGee moved to select Option Three as the Method of Financing for the Urban Renewal District. Councilor Meier seconded the Motion.

The Motion passed as follows:

AYES: Beach, McGee and Meier (3)

NAYS: Keller and Whalen (2)

ABSTENTIONS: None (0)

ABSENT: Koho and Miller (2)

Mr. Kupper indicated option three requires an Ordinance be passed by the City Council. It also must include the dollar amount for the assessment.

City Manager Mull stated additional information will need to be gathered and public notice issued prior to the adoption of the ordinance.

Council President Keller directed staff to gather all necessary information and prepare any legal notices for a meeting to be held prior to June 30th

OTHER BUSINESS **There was no other business to come before the Council.**

ADJOURNMENT **The meeting was adjourned at 9:54 p.m.**

Tracy L. Davis, CMC
City Recorder

APPROVED:

(absent)
Dennis Koho-Mayor

COUNCIL MEMBERS:

Councilor #1 - Garry Whalen

Councilor #4 - Carl Beach

Councilor #2 – Dawn Meier

(absent)
Councilor #5 - Al Miller

Council President - Jim Keller

Councilor #6 - Jerry McGee

Minutes approved:



November 2, 1998

AGENDA ITEM 8d

APPROVAL OF JUNE 25, 1998 SPECIAL SESSION MINUTES

MINUTES
KEIZER CITY COUNCIL
Special Session
Thursday, June 25, 1998
Robert L. Simon Council Chambers
Keizer City Hall, Keizer, Oregon

CALL TO ORDER

Council President Keller called the special session to order at 5:31 p.m. Roll call was taken as follows:

Present:

Carl Beach, Councilor
Jim Keller, Council President
Jerry McGee, Councilor
Dawn Meier, Councilor
Al Miller, Councilor (arrived at 5:35 p.m.)
Garry Whalen, Councilor

Absent:

Dennis Koho, Mayor

Staff:

Wally Mull, City Manager
Susan Gahlsdorf, Finance Director
Tracy L. Davis, City Recorder

Council President Keller announced there are budget housekeeping issues that need to be resolved prior to June 30th. A special session has been scheduled for **Monday, June 29th at 5:30 p.m.**

**ADMINISTRATIVE
ACTION**

Wally Mull, City Manager reported staff has gathered all of the information available on financing option three.

**ORDINANCE
CHOOSING OPTION
THREE FOR THE
COLLECTION OF
URBAN RENEWAL
TAXES**

Susan Gahlsdorf, Finance Director reported previously letters from Marion County and the Salem Area Transit District requested the Council adopt option three as the method of tax collection for the Keizer Urban Renewal Agency based upon tax compression issues. Ms. Gahlsdorf pointed out compression is not an issue within the City. Furthermore, the Keizer Fire District submitted a letter recommending the adoption of option three to enable

affected taxing jurisdictions to share in the increment revenues generated by the common tax area.

Ms. Gahlsdorf reviewed three financing scenarios for the Council's consideration. The first scenario freezes the revenues at the 1997-98 taxing level of approximately \$2 million dollars and does not levy taxes to make up for the increase in revenues forgone to the five affected taxing districts. This scenario would provide \$2 million dollars each year for the rest of the life of the urban renewal district, however projects would be completed in a less timely fashion. It would also allow all other taxing districts to receive incremental revenues. Ms. Gahlsdorf pointed out under this scenario; the property value would be less at the end of the Agency's life.

Under the second scenario, Ms. Gahlsdorf suggested freezing revenues at the 1997-98 taxing level of approximately \$2 million dollars and levy taxes to bring in property tax equal to the amount of growth. This would allow each taxing district to receive its prorated share of revenue and the taxpayers will pay additional taxes. The third scenario freezes the revenues at the maximum allowed in 1998-99, which is approximately \$3 million dollars. This scenario would not allow other taxing districts to begin receiving revenues until approximately 2007-2008, at which time the district is scheduled to terminate.

Ms. Gahlsdorf recommended the adoption of option one as this causes the least consequence to the taxpayers and allows the agency to assess the maximum allowed under the division of taxes.

Responding to a question from Councilor Meier, Ms. Gahlsdorf explained the target for completion of the urban renewal district is in approximately six years, however the debt matures in 2013. There is an option to pay off the bonds prior to this date. Until the debt obligation is completed, the Agency will remain in existence.

Councilor Miller pointed out the refinancing of the bond will save in interest and debt service over the life of the district.

Responding to an inquiry by Councilor Miller, Mr. Mull noted all of the projects are programmed into the plan. By receiving additional funds, it will allow the debt service to be retired earlier. He estimated the completion date for the projects is in 2006.

Councilor McGee believed under option three, however beneficial to the other taxing districts, it would cause the City to request a special levy for the funds necessary. He noted upon completion of the projects, the value of the property will be at the highest value, but there will not be adequate funds to purchase a fire truck as suggested by the Fire District. Councilor McGee believed option three provides several unknown impacts. In conclusion, Councilor McGee believes the Fire District will not obtain the additional funds as they described. He believes option one is the best choice for the City.

Councilor McGee moved a Resolution Affirming the Selection of Option One For the Method of Collecting Ad Valorem Property Taxes to Pay Indebtedness Issued or Incurred to Carry Out the Keizer urban Renewal Agency's Urban Renewal Plan. Councilor Whalen seconded the Motion.

The Motion passed as follows:

AYES: Beach, Keller, McGee, Miller, and Whalen (5)

NAYS: Meier (1)

ABSTENTIONS: None (0)

ABSENT: Koho (1)

ESTABLISHING COUNCIL POLICY ON IMPOSING URBAN RENEWAL SPECIAL LEVIES

Wally Mull, City Manager reported Marion County requested the Council adopt a policy on imposing Urban Renewal Special levies.

Councilor McGee requested additional time to gather information and consider this issue.

The Council directed staff to investigate this issue and consider it at the meeting on June 29th.

OTHER BUSINESS

Councilor Beach requested the Urban Renewal Agency consider the appointment of June Abbott as Chair of the Keizer Urban Renewal Board.

City Manager Mull indicated this matter would be scheduled for the June 29th agenda.

Councilor Miller announced he will be out of town on June 29th.

ADJOURNMENT

The meeting was adjourned at 5:54 p.m.

Tracy L. Davis, CMC
City Recorder

APPROVED:

(absent)
Dennis Koho-Mayor

COUNCIL MEMBERS:

Councilor #1 - Garry Whalen

Councilor #4 - Carl Beach

Councilor #2 - Dawn Meier

Councilor #5 - Al Miller

Council President - Jim Keller

Councilor #6 - Jerry McGee

Minutes approved:



November 2, 1998

AGENDA ITEM 8e

APPROVAL OF JUNE 29, 1998 SPECIAL SESSION MINUTES

MINUTES
KEIZER CITY COUNCIL
Special Session
Monday, June 29, 1998
Robert L. Simon Council Chambers
Keizer City Hall, Keizer, Oregon

CALL TO ORDER

Council President Keller called the special session to order at 5:32 p.m. Roll call was taken as follows:

Present:

Carl Beach, Councilor
Jim Keller, Council President
Jerry McGee, Councilor
Dawn Meier, Councilor
Garry Whalen, Councilor

Absent:

Dennis Koho, Mayor
Al Miller, Councilor

Staff:

Wally Mull, City Manager
Susan Gahlsdorf, Finance Director
Tracy L. Davis, City Recorder

PUBLIC HEARING

Council President Keller opened the Public Hearing.

**RESOLUTION –
ADOPTING
SUPPLEMENTAL
BUDGET AND MAKING
APPROPRIATIONS**

Susan Gahlsdorf, Finance Director reported a supplemental budget is necessary to modify the adopted 1997-98 budget. This supplemental budget request gives budgetary authority for receipt of Salem sewer billing revenues and the corresponding disbursement of these funds to the City of Salem and the receipt of 911 Excise Tax and the corresponding disbursement to 911 Agencies. Ms. Gahlsdorf noted these changes have no direct fiscal impact, only legal authority for the activities.

**RESOLUTION –
AUTHORIZING
RECEIPT OF REVENUES
AND MAKING
APPROPRIATIONS FOR
FISCAL YEAR 1997-98**

In addition, Ms. Gahlsdorf noted the City received an unanticipated housing grant of \$80,000. A supplemental budget is not necessary, however a resolution is necessary authorizing the receipt and making appropriations to the Housing Fund. The funds are targeted for the housing rehabilitation program.

There was no testimony to come before the Council.

Council President Keller closed the public hearing.

Councilor McGee moved a Resolution Adopting Supplemental Budget and Making Appropriations. Councilor Beach seconded the Motion.

The Motion passed as follows:

AYES: Beach, Keller, McGee, Meier, and Whalen (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Koho and Miller (2)

Councilor McGee moved a Resolution Authorizing Receipt of Revenues and Making Appropriations for Fiscal Year 1997-98. Councilor Beach seconded the Motion.

The Motion passed as follows:

AYES: Beach, Keller, McGee, Meier, and Whalen (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Koho and Miller (2)

ADMINISTRATIVE ACTION

RESOLUTION – ESTABLISHING COUNCIL POLICY ON IMPOSING URBAN RENEWAL SPECIAL LEVIES

Wally Mull, City Manager pointed out in a previous discussion the Council considered adopting a policy on imposing urban renewal special levies, however additional information was necessary before a final determination was made. Mr. Mull indicated this policy was requested by Marion County Commissioners to alleviate their concern that if tax collections in Keizer ever go into compression, it would limit the revenue cuts to Marion County. Mr. Mull believed the same situation could be achieved without the adoption of this policy. Furthermore, our consultant Charlie Kupper noted there would be no advantage to us having this in place. Rather than adopting this policy now, the Council would deal with compression issues in the future if it became necessary.

Councilor Beach believed the City would be in better shape without this policy. It would allow flexibility in future decisions.

Councilor McGee pointed out he is not opposed to the policy, however he does not feel any action is necessary at this time.

In regards to a concern voiced by Councilor Meier, Mr. Mull suggested a budget note be placed in the budget document to keep compression issues with other taxing jurisdictions in mind for the future.

The Council agreed by consensus that no action would be taken at this time.

OTHER BUSINESS

Council President Keller announced the submission of a letter of resignation by Councilor Meier. He pointed out the letter of resignation does not include a date. Council President Keller requested this matter be placed on the July 6th agenda to initiate the discussion of filling of the vacancy.

Councilor Beach pointed out the seat may not be filled until it has been officially declared vacant.

Councilor Meier indicated her resignation could be effective on July 7th.

Councilor McGee noted Councilor Meier would be able to take part in the process of filling her vacancy at the July 6th meeting.

In response to Councilor McGee, Councilor Meier indicated by making her resignation effective on July 7th, it would be in the best interest of the City to allow someone to carry on with the business at hand and be a part of the team.

Councilor McGee expressed his sorrow to hear of the resignation, however it would be in the best interest of all involved to set a resignation date.

Councilor Meier stated she will submit a formal resignation letter to the City attorney indicating July 7th as the date of resignation.

ADJOURNMENT

The meeting was adjourned at 5:40 p.m.

Tracy L. Davis, CMC
City Recorder

APPROVED:

(absent)
Dennis Koho-Mayor

COUNCIL MEMBERS:

Councilor #1 - Garry Whalen

Councilor #4 - Carl Beach

Councilor #2 – Dawn Meier

(absent)
Councilor #5 - Al Miller

Council President - Jim Keller

Councilor #6 - Jerry McGee

Minutes approved:



November 2, 1998

AGENDA ITEM 8f

**APPROVAL OF OCTOBER 19, 1998 REGULAR SESSION
MINUTES**

MINUTES
KEIZER CITY COUNCIL
Monday, October 19, 1998
Keizer City Hall
Robert L. Simon Council Chambers, Keizer, Oregon

CALL TO ORDER

Mayor Koho called the regular meeting to order at 7:03 p.m. Roll call was taken as follows:

Present:

Dennis Koho, Mayor
Carl Beach, Councilor
Lore Christopher, Councilor
Jim Keller, Council President
Jerry McGee, Councilor
Garry Whalen, Councilor

Absent:

Al Miller, Councilor

Staff:

Wally Mull, City Manager
Lt. Mark Miranda, Police Department
Susan Gahlsdorf, Finance Director
Dianne Hunt, Human Resources Officer
Amy Drought, City Planner
Rob Kissler, Public Works Director
Shannon Johnson, City Attorney
Tracy L. Davis, City Recorder

PUBLIC TESTIMONY Presenting testimony to the Council were:

Roger Beausoleil, 7850 O'Neil Road, Keizer conveyed his concern in regards to the residential development north of his property on O'Neil Road. Lydon construction brought in additional fill dirt raising the ground level over a foot. Mr. Beausoleil explained his concern with the rise in elevation, it will cause flooding to his property.

Mayor Koho requested staff investigate this matter and report back to the Council and to Mr. Beausoleil.

Evelyn Knight, 6455 Honeywood Court NE, Keizer expressed her opposition to the construction of a casino at the Chemawa Interchange area.

Mayor Koho also expressed his opposition to this endeavor. He explained there will be many hoops to jump through before final approval could be given to build a casino in Keizer.

Myrna Wogamott, 6255 Radiant Drive NE, Keizer voiced her concern with the number of coyotes near her home and the neighbors in her area. Upon contact with the Fish and Wildlife, they advised there could be nothing done unless it was a community problem.

Mayor Koho noted these residents are part of this community and therefore should be treated as a community issue. He requested staff check into the matter.

There was no further testimony to come before the Council.

COMMITTEE REPORTS

COUNCIL LIAISON REPORTS

Councilor Whalen reported the **Community Policing Committee** met on October 13th, 1998. The main discussion item was the review of the cruising ordinance adopted in 1991. The committee believed it had been an effective tool, even though cruising has not been a problem in Keizer. Councilor Whalen announced a press release will be issued to Salem-Keizer Schools to increase the awareness of this law. In addition, Councilor Whalen reported the newly hired officers are in the process of completing their training programs and all positions are filled with the exception of one. Furthermore, the remodeling of the Police Department lobby has begun and the service entrance has been moved to the rear of the building. The election of committee officers for the neighborhood associations will be held in November and elections for the main committee officers will be held in January.

In regards to the cruising ordinance, Councilor McGee explained this ordinance was adopted as a preventative measure, not in response to a problem. He believed a review is necessary, however the overall ordinance has worked very well.

Reporting on the recent **Parks Advisory Committee**, Councilor Christopher noted Roland Hererra attended the meeting and reported on the annual Punt, Pass, and Kick competition held at McNary High School. This year's event drew 108 kids, a record amount for this area event. The winners were Marissa Marker – 10 years old and Jared Houck – 11 years old. Special thanks to Fred Meyer for the donation of the footballs and McNary High School football team for their assistance. Furthermore, the Board discussed the wetland mitigation project at Pleasantview Park. This project has not been completed satisfactorily and staff will be working with the Division of State Lands to assure compliance. Councilor Christopher announced the South East Keizer Neighborhood Association has collected \$800.00 to assist in the purchase of a "big toy" for Pleasantview Park.

Council President Keller noted the **Planning Commission** met on Wednesday October 14, 1998 and continued their discussion on the bicycle portion of the Transportation Planning System. In addition, a public hearing was held on the text amendment to the development code to allow RV's in public zones (baseball stadium). Council President Keller reported a motion was made and passed to allow a RV for a maximum of 365 days in a public zone. He believed this action allows a conditional use rather than an actual text amendment. This recommendation will be forwarded to the Council on November 16th.

In response to an inquiry from Mayor Koho, Shannon Johnson, City Attorney explained this is a recommendation only and the City Council is not obligated to follow this direction.

Council President Keller pointed out the Planning Commission unanimously recommended a permanent sewer hookup be in place for the RV's.

In regard to concerns raised by the action of the Planning Commission, Mr. Johnson indicated it would be appropriate to discuss this matter further at the November 16th meeting.

OTHER BUSINESS

Mayor Koho announced the receipt of a letter from the City of Salem requesting a Keizer **representative on the Salem Area Comprehensive Plan Alternative Land Use Study**. The first meeting is Thursday, November 19th. The purpose of this committee is to analyze current trends and opportunities within the

greater Salem area and develop alternative land use scenarios which will be used as a basis for changes to the Comprehensive Plan.

Councilor Whalen volunteered to represent the City of Keizer on this committee.

Mayor Koho acknowledged information received on the formation of a **land owners marketing association in the Chemawa Activity Center area "A"**.

Wally Mull, City Manager announced he had been in contact with Mr. Herberger from this association and has volunteered to attend their meeting. He will keep the Council updated on any issues of importance.

In response to a letter written to Marion County by the Public Works Department, Rob Kissler explained he and the City Engineer met with Bob Hansen, Marion County Public Works Director and Steve Downs, City of Salem to discuss the proposed **Northeast Salem Master Drainage Plan**. The City will continue to participate in these discussions and will report back as needed.

Mayor Koho announced there will be a series of open houses to discuss the potential **construction of a bridge over the Willamette River**. The first meeting will be held at the Keizer Fire District on October 27th from 4:00 p.m. to 7:00 p.m. Anyone interested is invited to attend.

Councilor Beach reviewed a memorandum issued by the City Attorney regarding **taking action on items during the Other Business** portion of the Council meeting. He explained the Council procedures prohibit taking any action unless it is deemed urgent by a consensus of the Council. In addition, the procedures do not provide for a suspension of the rules in order to take action. Councilor Beach requested this issue be discussed in further detail with possible revisions to the procedures.

Mayor Koho suggested forming a sub-committee of Council President Keller, Bob Newton, and Craig Campbell to review the procedures and bring back a recommendation to the City Council for action.

In regards to the contribution of \$625 to the **Youth Compact** group voted upon at the last meeting, Councilor Whalen expressed his interest in reconsidering this payment.

Councilor Whalen moved to reconsider the vote on the approval of the payment of \$625 to the Youth Compact Commission.
Council President Keller seconded the Motion.

In discussing the process to handle this action, City Attorney Johnson indicated a motion to reconsider must be considered at the next official meeting. This matter should be voted upon this evening rather than scheduling it for the next City Council agenda.

The Motion to reconsider failed as follows:

AYES: Christopher, Keller, and Whalen (3)

NAYS: Beach, Koho, and McGee (3)

ABSTENTIONS: None (0)

ABSENT: Miller (1)

Councilor Beach announced Chris Nelson, coordinator for the Youth Compact committee will attend an upcoming City Council meeting to give a full explanation of the purpose, activities, and goals for the upcoming year.

Council President Keller requested information on the \$15,000 consultant fee approved in February, 1998.

Mayor Koho requested Ms. Nelson be invited to bring this information to the Council.

Lt. Miranda, **Keizer Police Department** reported the new officers are in the training process and will be on patrol in the near future. Interviews for reserve officers are in process and should be completed soon. The development of the cadet explorer program has begun and interest has been good. Lt. Miranda also noted the remodeling of the Police Department lobby will begin in the next few days and a temporary office has been set up in the back of the building. Presently, an investigation of stolen property is occurring at a house on Cummings Lane. This should be concluded in the next few days.

Rob Kissler, Public Works Director announced the City, Loren's Sanitation and Valley Garbage are sponsoring a **fall leaf haul** on Saturday, December 5th from 9:00 a.m. to 3:00 p.m. He encouraged all to participate to alleviate potential storm drainage backup during the winter. Mr. Kissler also extended an invitation to the City Council members and the citizens to attend the open house/ribbon cutting ceremony to be held on November 17th from 2:00 p.m. to 5:00 p.m. at the water reservoir at the Keizer Little League Park. This was a cooperative effort between the City of Keizer and the Keizer Little League Association.

Wally Mull, City Manager updated the Council on the progress of the **east/west connector** street between Cherry Avenue and River Road. The street should be opened and the traffic signal operative by next week.

Mayor Koho requested the **City Manager evaluation** format issue be placed on the next City Council agenda for discussion. A draft will be distributed and comments should be relayed to Councilor Christopher.

In regards to a letter submitted to the Council by **Ken Hannegan** regarding his inability to develop property in the Hidden Creek area, Mayor Koho requested staff prepare a response for the next meeting.

Furthermore, Mayor Koho requested the **Trail/Manzanita property** issue be placed on the November 2nd Council agenda for discussion and action.

Councilor McGee explained even if the property was declared surplus it would not necessitate an immediate sale.

Mayor Koho expressed his desire to give staff clear direction on this issue and bring this issue to a closure.

Councilor Whalen pointed out this issue has been pending for some time. He recollected a meeting with representatives of the Gubser Neighborhood Association, City Council, and Mr. VanCleave whereby an agreeable resolution was being discussed. However a final determination has not been reached. Councilor Whalen expressed his desire to resolve this issue for the benefit of the neighborhood association and adjacent property owners.

Mayor Koho directed staff to prepare a report outlining options for consideration to be discussed by the Council on November 2nd.

Councilor Beach expressed his concern of the amount of time this matter has been pending. He believed conditions for development should be placed on the property to protect or minimize the effect on the neighborhood.

Mayor Koho requested staff prepare a response to the complaints received from the **noise generated from the September concert** at the stadium.

In response to a request from Council President Keller, Rob Kissler provided a brief update on the **Keizer Skate Park**. He explained that volunteer labor has been difficult to schedule and contacts are being made with National Guard to request assistance to complete this project. Mr. Kissler indicated he will have a full report for the next Council meeting.

Councilor Beach asked that a summary on the amount of money spent and projected expenses be presented in this report.

PUBLIC HEARINGS

WITTENBERG LANE STREET LIGHTING DISTRICT

**Mayor Koho reopened the public hearing continued on
September 21st, 1998.**

There was no testimony to come before the Council.

Mayor Koho closed the public hearing.

Council President Keller moved a Resolution Forming the
Wittenberg Lane Street Lighting Local Improvement District.
Councilor Beach seconded the Motion.

The Motion passed as follows:

AYES: Beach, Christopher, Keller, Koho, McGee, and Whalen (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Miller (1)

Council President Keller moved a bill for an Ordinance Spreading
Assessments to the Wittenberg Lane Street Lighting Local
Improvement District. Councilor Beach seconded the Motion.

The Motion passed as follows:

AYES: Beach, Christopher, Keller, Koho, McGee, and Whalen (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Miller (1)

ADMINISTRATIVE ACTION

RESOLUTION ADOPTING NEW METHODOLOGY USED TO ESTABLISH THE SANITARY SEWER WASTEWATER COLLECTION AND TRANSMISSION S.D.C. IMPROVEMENT FEE

Wally Mull, City Manager reported a hearing was held on this matter on September 21, 1998. At that meeting, Eric Meurer of the Marion-Polk Building Industry Association requested additional time to discuss the increase with the staff. Mr. Mull indicated a meeting was held with Mr. Meurer and he has submitted a response supporting the increase in fees. Mr. Mull recommended Council approval of the resolutions.

Council President Keller moved a Resolution Adopting New
Methodology Used to Establish the Sanitary Sewer Wastewater
Collection and Transmission System Development Charge
Improvement Fee – Repealing R94-714. Councilor McGee
seconded the Motion.

**RESOLUTION –
ESTABLISHING NEW
S.D.C. IMPROVEMENT
FEE FOR KEIZER
SANITARY SEWER
WASTEWATER
COLLECTION AND
TRANSMISSION
SYSTEM**

Councilor McGee noted this is a substantial increase over the present amount of the fee. He understood this is based upon a large span in time and the rapid inflation of materials. Councilor McGee suggested an annual review or a cost of living index increase be established each year. He favored the annual review over the cost of living index attachment.

City Manager Mull believed the annual review would be agreeable option for staff.

Explaining this increase, Council Beach pointed out the last fee was established in 1994 at \$4400 per acre. The requested increase is to \$7460.

Mayor Koho announced an interested party has requested to provide testimony on this issue.

After discussing this request and the potential effect on the outcome of the vote, the Council agreed by consensus to allow the party to testify on this issue, however it will not be made part of the official record.

Presenting testimony was:

Jean Johnson, The Mildred F. Hays Family Limited Partnership, 5862 Rhinestone Court SE, Salem, 97306 explained she is a general partner with her mother, Mildred Hays who owns property on Radiant Drive, within the Chemawa Activity Center. In regards to the proposed 70% increase in the development cost of the sewer system installation, Ms. Johnson pointed out this will have a negative effect on the development of the property within the Chemawa Activity Center. She felt this is a continued attempt by the Council to restrict the development of this area. Ms. Johnson realized potential increases in development costs are avoidable, however this increase portrays a serious effort to stall their possible development.

Ms. Johnson indicated many property owners in this area have been robbed of their retirement by a 16-year long planning and development process that prevented sale or development of their property. In review, she noted this property was necessary for incorporation of the City in 1982. Since this time, these properties have been targeted and have received negative treatment over the

years. Ms. Johnson urged the Council to reevaluate the reasons for the 70% rate increase and allow the Chemawa Activity Center to develop as a beautiful entry way to Keizer.

Mayor Koho pointed out there was not an attempt to stop development in the Chemawa Activity Center. He apologized for the timing of the increase, noting it has been delayed for some time.

Ms. Johnson expressed her concern that the fee was kept low until the favored projects of the City were completed.

Wally Mull, City Manager explained previous construction project costs equaled the amount of the fee imposed, however if excess amounts were collected they would be returned to the developer.

Again, Ms. Johnson pointed out the direction of future development is in the Chemawa Activity Center and therefore she feels this substantial increase is targeted at those properties. She understands the necessity for the increase, however she is tired of the property owners in the Chemawa Activity Center being treated unfairly.

Mayor Koho explained the property owners are in control of future development of that area, not the City. He hopes this area will develop soon for the benefit of all.

Councilor McGee stated all developers and areas are treated equally in the City of Keizer.

In response, Ms. Johnson explained the entire process of developing the plan for the Chemawa Activity Center was delayed by the City, at the expense of the property owners. She understood the motives are good, however the property owners are tired of the delays and should be treated fairly.

The Motion passed as follows:

AYES: Beach, Christopher, Keller, Koho, McGee, and Whalen (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Miller (1)

Council President Keller moved a Resolution Establishing the New System Development Charge Improvement Fee for the Keizer Sanitary Sewer Waste Water Collection and Transmission System – Repealing R94-715. Councilor Beach seconded the Motion.

The Motion passed as follows:

AYES: Beach, Christopher, Keller, Koho, McGee, and Whalen (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Miller (1)

CONSENT CALENDAR

Items on the Consent Calendar were as follows:

- a. Resolution – Designating Checking Account Signers for the City of Keizer
- b. Approval of December 1, 1997 Regular Session Minutes
- c. Approval of December 15, 1997 Regular Session Minutes
- d. Approval of January 5, 1998 Regular Session Minutes
- e. Approval of January 20, 1998 Regular Session Minutes
- f. Approval of February 2, 1998 Regular Session Minutes
- g. Approval of February 17, 1998 Regular Session Minutes
- h. Approval of April 6, 1998 Regular Session Minutes
- i. Approval of April 20, 1998 Regular Session Minutes
- j. Approval of September 21, 1998 Regular Session Minutes
- k. Approval of October 5, 1998 Regular Session Minutes

Council President Keller moved for approval of the items on the consent calendar. Mayor Koho seconded the Motion.

The Motion passed as follows:

AYES: Beach, Christopher, Keller, Koho, McGee, and Whalen (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Miller (1)

**WRITTEN
COMMUNICATION**

Mayor Koho announced the receipt of a letter of thanks from Wink Miller of the Salem-Keizer School District for the Council's support on the upcoming school bond issue.

AGENDA INPUT

Mayor Koho noted the agenda input items.

ADJOURNMENT

The City Council meeting was adjourned at 8:18 p.m.

**Tracy L. Davis, CMC
City Recorder**

APPROVED:

Dennis Koho-Mayor

COUNCIL MEMBERS:

Councilor #1 - Garry Whalen

Councilor #4 - Carl Beach

Councilor #2 - Lore Christopher

**(absent)
Councilor #5 - Al Miller**

Council President - Jim Keller

Councilor #6 - Jerry McGee

Minutes approved:

715 Ventura St. N
Keizer OR 97303
390-5865
October 25, 1998

City of Keizer
930 Chemawa Rd. NE
Keizer OR 97303

Mayor Koho and City Council,

A casino in Keizer is a very bad idea that should be opposed by every citizen. Keizer has grown, by design, into a beautiful city with quality shopping, social and recreational amenities. Keizer continues to develop and pursue excellence in planning for the future.

A casino would undermine everything we have been working for in this city. A casino would bring in gambling, which is counterproductive to a family-oriented community striving to direct its young people toward positive life choices. Promoting games of chance instead of steady work, creating illusions of quick wealth instead of building a life rich in relationships strikes at the very heart of the strong, caring community that we desire to have in Keizer.

Many years have been spent exploring options for the I-5 interchange. It would be tragic to throw all the good ideas away for a casino which would be very harmful for Keizer and the surrounding community. I urge the City Council to oppose the development of a casino.

Sincerely,

Cathy Clark

Cathy Clark

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PETITION TO THE KEIZER CITY COUNCIL

We the undersigned are opposed to the siting of a casino in the city of Keizer.

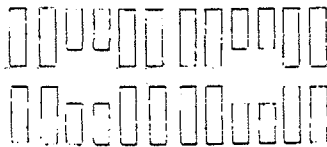
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PETITION TO THE KEIZER CITY COUNCIL

We the undersigned are opposed to the siting of a casino in the city of Keizer.

[illegible]

submitted
11-2-98



Spencer & Kupper
2510 NE Thompson St.
Portland, Or. 97212
FAX (503) 287-9428
Phone (503) 284-0342

MEMO

Date: November 1, 1998

To: Wally Mull

From: Charles Kupper

Re: Mistakes in Urban Renewal Levies are Statewide

I'm sorry to hear of the turmoil created by the Assessor imposing a levy you did not want. I've made some independent inquiries among my renewal contacts, and at this point, I find that the list of Renewal Agencies that received unwanted levies includes Eugene, Portland, City of Coos Bay, Coos County, Keizer, and Milton-Freewater.

Believe it or not, I haven't yet found an Agency that was successful in achieving its wish for a zero levy. I think Klamath Falls and The Dalles wanted no levy, and may have been successful, but I haven't been able to confirm that yet. It's clear there was mass confusion in interpreting that ambiguous UR50 form, both among Agencies and Assessors. At least three of the Agencies say Dept. Of Revenue supports their claim that they filled out the form "correctly", but the Assessor still gave them a levy. The UR50's from the mentioned Agencies were filled out by Agency staff, by City Finance personnel, and in two cases, by private accounting firms.

Based on my conversations and inquiries, it seems it didn't matter how one filled out the UR50 form, or who filled it out. No matter what an Agency did, there seemed to be a high probability that the Assessor was going to impose a levy. Since there were "errors" throughout the State both by Assessors, and Renewal Agencies, I think the fault lies in the form used for this year's certification process. It is obvious from the results that there was no certain, agreed-upon method for filling out the UR50 to avoid a levy.

I hope this information is of help to you. Feel free to share it as you see fit.

fax copy: Susan Gahlsdorff

October 28, 1998

TO: All City Councilors

From: Lore Christopher

Gentlemen:

Attached is a revised proposed summary form for use in the evaluation of our City Manager. I believe this form will help to quantify the narrative statements that were used in the staff and council evaluations, document the fiscal impact made by Wally and his staff during the past review period and establish some goals for the coming review period. This summary is a "living" document so it is changeable from year to year to adapt to our changing needs.

The form *this year* is divided into three categories; council evaluations, staff evaluation, and fiscal impact. The council evaluations and fiscal impact section have equal weight, and the staff evaluations have zero weight in the process to determine a bonus amount, but serves as an additional "tool" or reference in determining Wally's effectiveness during the past review period. I have used "A" for approve or agree with current performance, and "C" if a comment contained any concern of current performance. This is not necessarily a criticism, but a concern which can then be carried into the following year's goals. All of the "A's" were then added and assigned a percentage rating of approval.

This will be effective for two reasons: first it will document the reasons Council recommended a bonus for Wally for the 1997-98 review period, and second, it will itemize the areas of concern that can then be carried through to the goal setting section for 1998-99. This section is attached to the summary. We are providing Wally with goals centered around our concerns, not just criticism of his current performance.

The fiscal impact section details the savings and additional income that has been generated during the past rating period by Wally and his staff. I established an arbitrary rating for fiscal impact for this year, but again, Council can determine what levels we want the ratings to be set at for the 1998-99 review period.

We should take action Monday, based on this summary that would provide Wally with a performance bonus and establish some initial goals, these goals can then be finessed in future planning sessions, as well as the performance summary form and process.

The process this year was completed somewhat backwards, but we appear to be much farther along in the evaluation process than in previous years. I think our tax payers will appreciate our efforts in determining a more objective process for evaluation and administering a bonus, and we will be better able to defend our decision with documentation.

City Manager Performance Evaluation Summary

Evaluation Period 9/97 – 9/98

A= Approve of current performance

C= Concerns about current performance

COUNCIL EVALUATIONS:

Overall Composite Approval Rating: 82%

Weighted value = 50%

Questions	1	2	3	4	5	6	7	8	9	IND TLT
Beach	A	C	A	A	A	C	A	A	A	78%
Christopher							A	A	A	N/A
Keller	A	A	A	C	A	A	A	A	C	78%
Koho	C	A	A	C	A	A	A	A	A	78%
McGee	C	A	A	A	A	A	A	A	A	89%
Miller	C	C	A	A	A	A	A	A	A	78%
Whalen	A	C	A	A	A	A	A	A	A	89%
% Positive	50%	50%	100%	67%	100%	83%	100%	100%	86%	82%

Performance concerns/steps for improvement:

1. Frequent and comprehensive communication with Council members.
2. Improved administration of ordinances, franchises, leases, contracts, permits, and privileges.

STAFF EVALUATIONS:

Overall Composite Approval Rating: 100%

Weighted value = 0

Questions	1	2	3	4	5-Comments
Adams	A	A	A	A	"This review sounds a little like I am blowing smoke, but the truth be known, your doing a great job. I am very, very happy to be here and look forward to coming to work each day. We are setting and achieving our goals and the city is on a roll. That takes good leadership."
Davis	A	A	A	A	
Drought					
Gahlsdorf	A	A	A	A	"The City of Keizer is a great place to work because you make it fun and interesting. I have a great sense of accomplishment in my job. You have achieved that rare position as a leader who is well respected and well liked and your ideas are clever, and you will be rewarded."
Hunt	A	A	A	A	
Kissler	A	A	A	A	
% Positive	100%	100%	100%	100%	

FISCAL IMPACT ACTIONS: Positive Impact pct. of budget 16% Rating 100%

Weighted value = 50%

PROJECT	PROJECTED COST	ACTUAL COST	SAVINGS	% SAVINGS	ADDITIONAL INCOME
Claggett Shelter	41,000	5,000	36,000	88%	
Planning Department re-organization					15,000
Urban Renewal Bond financing			150,000		
Hiring certified police officers	110,000	0	110,000	100%	
K-9 Program	10,000	0	10,000	100%	
Labish Stables Condemnation	1,400,000	625,000	775,000	55%	
Iris Lane R-O-W acquisition	229,000	0	229,000	100%	
Labor Attorney fees	\$135 per hr	\$110 per hr	10,100		
Muni-Court Collection Agency					50,000
Amnesty Week					13,000
911 Fund					66,500
Flood Grant					375,000
COPS Grant					450,000
Police Overtime Grant					15,000
TOTALS			1,320,100		984,500

Rating Criteria

0-3% of city budget 25% 4-7% of city budget 75% Over 8% of city budget 100%

Total Bonus dollars available from budgeting process:**\$3,500****BONUS AVAILABLE FROM PERFORMANCE SUMMARY**

00-10% = \$ 0	50-60% = \$1,750
10-20% = \$ 0	60-70% = \$2,450
20-30% = \$ 0	70-80% = \$2,800
30-40% = \$ 0	80-90% = \$3,150
40-50% = \$ 0	90-100% = \$3,500

OVERALL PERFORMANCE RATING PERCENTAGE:91%**BONUS AMOUNT QUALIFIED FOR:**\$ 3,500_____
Wally Mull, City Manager_____
Date**GOALS FOR THE 1998-99 PERFORMANCE REVIEW PERIOD ARE ATTACHED**

CITY MANAGER GOALS FOR 1998-99

(as taken from 1997-98 performance evaluations by Keizer City Council)

1. Timely communication of negative information to council members. (5)
2. The renewal, terms, and process for city franchises, leases, contracts and permits needs to be reviewed or a new process developed. (towing, disposal of seized weapons, Keizer Art Assn.) (4)
3. Improved contract monitoring process. No lapse of agreements (towing). (2)
4. Measurable and perceptible, work towards resolution of flooding issues.
5. Resolution of current intergovernmental cooperation conflicts.
6. Improved accessibility of City Manager to council members during critical times.
7. Development of plan for growth and infilling
8. Development of plan for capital needs of City Hall and Police Department
9. Resolution of new Development Code.
10. Development of plan for Chemawa Activity Center
11. Completion of Heritage Foundation -old school project. Plan for uses.
12. Development of five (5) to ten (10) year plan for City space needs.
13. Development of plan for covered storage of confiscated bicycles and other property.
14. Positive fiscal impact action resulting in savings or additional income for the City.

CITY OF KEIZER MISSION STATEMENT
**KEEP CITY GOVERNMENT COSTS AND SERVICES TO A MINIMUM BY PROVIDING CITY
SERVICES TO THE COMMUNITY IN A COORDINATED, EFFICIENT AND LEAST COST FASHION**

A G E N D A

URBAN RENEWAL AGENCY OF THE CITY OF KEIZER

Monday, November 9, 1998

5:30 p.m.

**Robert L. Simon Council Chambers
Keizer, Oregon 97303**

1. CALL TO ORDER

2. ROLL CALL

3. ADMINISTRATIVE ACTION

- a. Refunding of Urban Renewal Special Levy Amount

4. CONSENT CALENDAR

- a. Approval of June 22, 1998 Urban Renewal Agency Minutes
b. Approval of June 29, 1998 Urban Renewal Agency Minutes

5. OTHER BUSINESS

This time is provided to allow Urban Renewal Agency members the opportunity to bring matters before the Agency which are not on tonight's agenda.

6. ADJOURN

Upon request, auxiliary aids and/or special services will be provided to participants with disabilities. To request services, please contact us at 390-3700 at least two working days (48 hours) in advance.

URBAN RENEWAL BOARD MEETING:

November 5, 1998

AGENDA ITEM NUMBER:

3a

TO: URBAN RENEWAL BOARD

**THROUGH: WALLY G. MULL
CITY MANAGER**

**FROM: SUSAN GAHLSDORF, CPA
FINANCE DIRECTOR**

SUBJECT: URBAN RENEWAL SPECIAL LEVY

BACKGROUND:

The 1998 Urban Renewal tax levy includes a \$1.1 million special levy. The Urban Renewal Board did not intend to assess this money nor has this revenue been appropriated in the 1998-99 Urban Renewal Budget.

ISSUE:

City Council members have expressed an interest in refunding the special levy to the taxpayers. Our bond council, Harvey Rogers, found that there was no clear legal basis to prohibit issuing a refund.

FISCAL IMPACT:

Mailing Notice: The Council asked staff what the cost would be to mail a letter to property taxpayers notifying them of the refund. We estimate the total cost to be over \$4,000 which includes at least \$2,800 for postage on an 11,000 piece mailing. The Council also asked about the possibility of providing notice to taxpayers on our water and sewer bills. The cost would be less than \$1,000, however, our next billing is scheduled for the last week of November and will only go to one-half of Keizer residence. The other half of our residence will receive bills the last week in December. Therefore, this notification may not be received timely.

Refund Costs: We will not know the cost of processing refunds until Marion County determines the type of information their system can provide. We are currently researching what is needed to prepare and mail a refund check. Furthermore, the Board needs to decide if interest earnings will be applied to the refund amount. As yet, we do not know the cost of calculating interest on each refund check. The interest earned on the special levy money could be deposited into the Urban Renewal Project Fund. This amount would offset tax revenues to be collected in the future since the Urban Renewal District is subject to a maximum indebtedness.

RECOMMENDATION:

We request the Board approve a resolution authorizing a refund to all property owners of record for the Urban Renewal Special Levy assessed in 1998.

URBAN RENEWAL AGENCY, CITY OF KEIZER, STATE OF OREGON

RESOLUTION R98-_____

IN THE MATTER OF DIRECTING A REFUND
OF 1998-99 SPECIAL LEVY AMOUNTS

WHEREAS, the Keizer Urban Renewal Agency specifically chose not to levy the maximum amount and chose not to impose any special levy for the 1998-99 property tax year;

WHEREAS, a special levy was erroneously imposed and set forth on the 1998-99 property tax statements;

WHEREAS, the Urban Renewal Agency finds it is appropriate to refund those amounts erroneously imposed; NOW THEREFORE,

BE IT RESOLVED by the board of directors of the Urban Renewal Agency of Keizer that the Agency orders refunds to be processed and issued as follows:

SECTION 1. TAX REFUND ACCOUNT. For accounting purposes only, there shall be an account known as the Tax Refund Account. All 1998-99 special levy revenues received shall be placed in such account.

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///

SECTION 2. SPECIAL LEVY REFUND. The Urban Renewal Agency shall issue refunds for the 1998-99 year from the Tax Refund Account in an amount equal to that actually paid in full by the respective taxpayer. Refunds shall be issued in the name of the taxpayers of record as of November 15, 1998. Refunds shall not be issued to taxpayers who have not paid special levy taxes in full by May 15, 1999.

PASSED this _____ day of _____, 1998.

SIGNED this _____ day of _____, 1998.

Chairman Urban Renewal
Agency of Keizer

2077URAK.006

2 - RESOLUTION R98-_____

Lien & Johnson
Attorneys at Law
4855 River Road N.
Keizer, Oregon 97303
(503) 390-1635

MINUTES
KEIZER URBAN RENEWAL AGENCY
Monday, June 22, 1998
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Jim Keller called the meeting to order at 7:02 p.m. Roll call was taken as follows:

Present:

Carl Beach
Jim Keller
Jerry McGee
Dawn Meier
Garry Whalen

Absent:

Dennis Koho
Al Miller

Staff:

Wally Mull, City Manager
Susan Gahlsdorf, Finance Director
Tracy L. Davis, City Recorder

PUBLIC TESTIMONY

There was no public testimony to come before the Agency.

PUBLIC HEARING

Jim Keller opened the public hearing.

**RESOLUTION –
ADOPTING 1998-99
URBAN RENEWAL
BUDGET AND MAKING
APPROPRIATIONS**

Susan Gahlsdorf, Finance Director reported the recommended Urban Renewal Agency Fiscal Year 1998-99 budget is before the Agency for consideration. The Agency has the authority to reduce or increase expenditures by up to ten percent of any fund without holding additional public hearings. Ms. Gahlsdorf clarified the adjustments that have come to the attention of the staff since the recommendation of the Budget Committee. These adjustments are a result of the refinancing of the urban renewal bonds and the addition of the buy-in fee for CCTV. Ms. Gahlsdorf indicated by using Option One as the method of collecting tax, the tax increment revenue is estimated to be \$2,011,227 for the fiscal year. The total appropriation for the 98-99 fiscal year is \$7,666,325.

Presenting testimony to the Council was:

Mark Midema, 419 Dorcus Drive NE, Keizer addressed the Agency as a representative of the **Keizer Fire District**. He explained that prior to the adoption of measure 50, the tax increment assessed within the Urban Renewal District did not have a financial impact on the Keizer Fire District due to their ability to certify a certain dollar amount. However, with the adoption of measure 50 the system has moved from a dollar-based tax system to a rate based tax system. The growth of the increment in the future will have a negative impact on other taxing jurisdictions, including the Fire District. Mr. Midema urged the Agency to adopt financing option three for the least impact to the Keizer Fire District and other taxing jurisdictions. As an example, he noted the adoption of option one will not allow the Fire District to set aside funds for future purchases such as a ladder truck.

Charlie Kupper, Urban Renewal Agency Consultant explained the differences in the financing options. He pointed out option one provides a benefit to the taxpayer by allowing the renewal agency to collect more money within the division of tax amount. This would reduce any amount necessary under a special levy. He understood the desire of the Agency is to not implement a special levy, however future years might require this. Under option one there is less benefit to the surrounding tax jurisdictions because the new values from 98-99 forward would not be available to apply to their permanent tax rates. Mr. Kupper noted in option two there would be not be any money raised through the division of taxes, only by special levy. Furthermore, option three splits the difference by allowing a fixed dollar amount to be set through the division of tax method which would free all unneeded new values to the other taxing jurisdictions.

In response to an inquiry by Jerry McGee, Mr. Kupper explained the term special levy is not a special bond issue voted on by the taxpayers. When calculating the tax increment revenues, the Assessor first determines the maximum amount the Agency is entitled to. The division of tax method takes the current level of incremental value in the area and multiplies it by the consolidated ballot measure tax rate. This calculation through the division of tax method would give Keizer approximately half of the five million dollar maximum. Then if the desire would be to go to the maximum amount, these monies would be raised through the special levy process. Only the monies raised through the special levy would appear on the tax statements. Mr. Kupper pointed out previously the City has chose not to collect any amounts through the special levy process.

Jerry McGee confirmed if any additional revenue were received, it would allow the early termination of the debt if no additional projects were added.

In regards to the potential effect on other taxing jurisdictions, Mr. Kupper explained that in the 1997-98 fiscal year, all other taxing jurisdictions have been made whole by virtue of increased values within the urban renewal district. There is no financial detriment to these agencies at this point, only future potential.

With regards to any potential effect on the general fund of the City, Ms. Gahlsdorf did not believe there would be any negative impact in the future under option one.

Mr. Midema explained the guidelines established by measures five and fifty prevent taxing jurisdictions from exceeding the ten-dollar limit and the three-percent growth. With the potential of the urban renewal district obtaining the maximum amount each year, it may effect the Fire District's ability to purchase additional equipment without asking for a special levy.

Referring to a table showing potential revenues forgone by other taxing bodies, Mr. Kupper pointed out the effect over the life of the urban renewal district ranges from .055% to 6.2%. The efforts of urban renewal increase the overall valuation, which in the end will be a benefit to all.

In response to an inquiry from Dawn Meier, Mr. Kupper stated the maximum indebtedness for this urban renewal district is approximately \$22,000,000. This does not preclude the City from creating another urban renewal district area in the future.

Carl Beach understood option one is beneficial to the taxpayers and option three is beneficial to the taxing bodies.

Mr. Kupper pointed out under any of the three options, the Agency could take the maximum amount of revenue the Assessor calculates. However, the option choice changes how much you can take under the division of tax method. Presently, the Agency is getting approximately 50% of maximum tax increment revenue under the division of tax. If the Agency desires the maximum amount, it must use the special levy method as outlined in option one. Option two does not allow funds to be received under the division of tax, only via

a special levy. Under option three the Agency can choose to cap the amount received under the division of tax.

Carl Beach confirmed the special levy would affect the taxpayers, not the tax bodies. The special levy would only affect the taxing jurisdictions, if it caused compression. However, the City is far from compression at this point.

Mr. Midema pointed out the option choice is only available at this time. This decision will affect the Agency and the other taxing jurisdictions for years to come. He urged the Agency to adopt option three, which would cap the amount and allow everyone to share in the increase in value for years to come.

If option three is chosen, and the division of tax revenue is limited, Mr. Kupper explained the chart displaying the potential revenue forgone by other taxing bodies would show zero. Furthermore, the list of urban renewal projects are completed by the year 2006, however the current bonded indebtedness is shown through the year 2013. Mr. Kupper stated the debt could be paid off in the year 2006 with the rate of increment presently collected.

Ms. Cahlsdorf believed by choosing option three, beginning in 1999, the budgeted \$2,000,000 could be collected by division of taxes and the special levy. This would require a specific amount be specified to the Assessor. Mr. Kupper noted the Agency must decide a financing option prior to July 1st. If a decision is not made, the default will be option one.

Jim Keller expressed his concern with placing the projects outlined in the urban renewal plan above the public services provided by the City, County, Fire District, and other taxing jurisdictions. He hoped the Agency could find a balancing point for all parties.

Garry Whalen concurred with the public safety issues expressed by Mr. Keller. However, he believed additional information is necessary before making a final decision.

Jerry McGee believed the decision of the Agency to take option one would not cause a decrease in the amount of money distributed to the other taxing jurisdictions, only the ability to collect additional revenue in the future.

Mr. Midema pointed out the addition of the Wittenberg Inn and other developments at the Chemawa interchange will require additional fire equipment and public safety officers in the future. He expressed his concern it may be necessary to request a special bond for additional funds from the voters in the future.

Responding to a question from Jim Keller, Mr. Kupper pointed out most of the urban renewal agencies in Oregon are opting for option one. He believed one of the urban renewal districts in Salem has chosen option three. In addition, Carol Samuels, who serves as our financial advisor on the urban renewal project, has recommended option one.

Dawn Meier pointed out this is a complicated issue that has a lot of uncertainty. She thanked Mr. Midema for bringing this issue before the Agency. Ms. Meier announced as a member of the Fire District Board, this issue was discussed recently, however she did not believe this would be considered an exparte contact or conflict of interest. In conclusion, she is a firm supporter of option three.

Greg Frank, Fire District Chief, 5316 Arcade Avenue NE, Keizer addressed the Agency Board as a member of the Keizer Urban Renewal Board. Mr. Kupper presented these options to the Board in December 1997 with the understanding that additional information would be provided and a recommendation would be sent forth to the Urban Renewal Agency. Mr. Frank voiced his disappointment in the role the Board was given on this matter.

In his role as Fire Chief, Mr. Frank expressed his frustrations with the manner in which the District was provided notice of this hearing and the opportunity to provide comment, either positive or negative. Mr. Frank requested the specific taxing agencies affected by choosing option one, receive the projected \$47,348 in revenue and specific urban renewal projects be put on hold.

Responding to an inquiry by Jerry McGee, Mr. Kupper believed most of the 60 urban renewal districts in Oregon are choosing option one. Furthermore, he understood the City's continued desire to minimize the financial impact to the citizens. He believed option one provides the most benefit to the taxpayers. Mr. Kupper stated if option three is chosen a special meeting will be necessary to draft an Ordinance for adoption prior to July 1st. If option one is chosen, an ordinance is not necessary, only a resolution reaffirming the choice of option one.

Responding to an inquiry by Garry Whalen, Fire District Chief Frank believed the delivery of the notice of the amendment to the urban renewal plan packet does not constitute a negative or positive response from the District. He felt there was inadequate time to review the material and respond.

There was no further testimony to come before the Agency.

Jim Keller closed the public hearing.

Jim Keller moved a Resolution Adopting the Fiscal Year 1998-99 Urban Renewal Agency Budget and Making Appropriations including the recommendations made by staff reflecting the 1998 Series A and 1998 Series B Refinancing of the 1996 Series A and 1996 Series B debt and the \$14,000 Appropriation for \$14,000 for the CCTV buy-in fee. Carl Beach seconded the Motion.

Jerry McGee pointed out there was a savings of \$150,000 by refinancing the bonds, however he believed this should be shown as a redirecting of the funds from a payment of interest to a payment of projects. The savings this year is approximately \$13,884, which is shown in the contingency line item, instead of reduction of the bond.

Ms. Gahlsdorf explained the bonded debt is less than it was for the 1996 series. There is a \$150,000 in interest savings.

In regards to the past establishment of the \$1.00 per \$1000 cap implemented by the Agency, Mr. Kupper explained the adoption of measure 50 no longer calculates in this method. Mr. McGee suggested this accountability be replaced with an estimation of projects, timelines, and budget guidelines.

The Motion passed as follows:

AYES: Beach, Keller, McGee, Meier, and Whalen (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Koho and Miller

ADMINISTRATIVE ACTION

Wally Mull, City Manager explained an amendment to the North River Road Urban Renewal Plan is necessary to include a maximum amount of indebtedness that may be issued or incurred under the plan.

**CONSIDERATION OF
THIRD AMENDMENT TO
KEIZER NORTH RIVER
ROAD URBAN RENEWAL
PLAN**

Charlie Kupper, Urban Renewal District Consultant, pointed out on page 5 – item “c” the second sentence should read...*This cash will be applied to pay indebtedness to carry out the projects and activities shown on table 4.*

Dawn Meier expressed her concern that this amendment is prepared under the assumption the City Council will choose the financing option one.

In response to an error pointed out by Jerry McGee, Mr. Kupper explained the term *or \$5,000,000* on page 6 – item 4 of the plan should be stricken. Furthermore, page one is the actual plan amendment and the additional pages are supporting documents. He believed it is not critical that the mention of option one in this portion of the plan is detrimental if another option is chosen.

Mr. Kupper noted the intent of the third amendment is to specify the maximum amount of indebtedness. Based upon the Agency’s direction to take only the division of tax amount, the estimates are based upon the maximum amount allowed under this provision. If a decision were made for option three, this would limit the amount under the division of taxes and increase the length of the plan. The maximum indebtedness amount of \$22,390,384 would be difficult to change at this point.

Jim Keller moved the Urban Renewal Agency approves and recommends to the City Council the Third Amendment to the Keizer North River Road Urban Renewal Plan. Garry Whalen seconded the Motion.

The Motion passed as follows:

AYES: Beach, Keller, McGee, and Whalen (4)

NAYS: Meier (1)

ABSTENTIONS: None (0)

ABSENT: Koho and Miller (2)

**KEIZER URBAN
RENEWAL BOARD
APPOINTMENTS**

Jim Keller reported Mayor Koho has recommended the appointment of Don Jensen to fill the unexpired term on the Keizer Urban Renewal Board. This would fill the vacancy created by the resignation of John Preston.

Jerry McGee announced he is recommending the appointment of Tom Woods to fill the vacancy created by the resignation of Sam Goesch.

Jim Keller moved to appoint Don Jensen and Tom Woods to the Keizer Urban Renewal Board to fill the present vacancies. Garry Whalen seconded the Motion.

Carl Beach suggested a recommendation be forwarded to the Keizer Urban Renewal Board to adopt an attendance policy similar to the Keizer Planning Commission.

Jim Keller believed this matter should be discussed at the next Keizer Urban Renewal Board meeting.

The Motion passed as follows:

AYES: Beach, Keller, McGee, Meier, and Whalen (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Koho and Miller (2)

**RESOLUTION –
DECLARING PUBLIC
NECESSITY AND
PURPOSE FOR
ACQUIRING LAND ON
CHERRY AVENUE**

Wally Mull, City Manager reported this resolution gives the authority to purchase the necessary right of way along Cherry Avenue. The legal descriptions of the property are available for review if needed.

Jim Keller moved a Resolution Declaring the Public Necessity and Purpose for Acquiring Parcels of Land Along Both Sides of Cherry Avenue Within the City of Keizer. Jerry McGee seconded the Motion.

The Motion passed as follows:

AYES: Beach, Keller, McGee, Meier, and Whalen (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Koho and Miller (2)

CONSENT CALENDAR

Items on the consent calendar included:

- a. Approval of the November 17, 1997 Urban Renewal Agency Minutes

- b. Approval of May 18, 1998 Urban Renewal Agency Minutes
- c. Approval of June 1, 1998 Urban Renewal Agency Minutes

Jim Keller moved for approval of the items on the Consent Calendar.
Dawn Meier seconded the Motion.

The Motion passed as follows:

AYES: Beach, Keller, McGee, Meier, and Whalen (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Koho and Miller (2)

OTHER BUSINESS

There was no other business to come before the Agency.

**WRITTEN
COMMUNICATIONS**

There were no written communications to come before the Agency.

ADJOURNMENT

The Urban Renewal Agency meeting was adjourned at 8:51 p.m.

Tracy L. Davis, CMC
City Recorder

APPROVED:

(absent)
Dennis Koho-Chair

URBAN RENEWAL AGENCY MEMBERS:

Garry Whalen

Carl Beach

Dawn Meier

(absent)
Al Miller

Jim Keller

Jerry McGee

MINUTES
KEIZER URBAN RENEWAL AGENCY
Monday, June 29, 1998
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Jim Keller called the meeting to order at 5:41 p.m. Roll call was taken as follows:

Present:

Carl Beach
Jim Keller
Jerry McGee
Dawn Meier
Garry Whalen

Absent:

Dennis Koho
Al Miller

Staff:

Wally Mull, City Manager
Susan Gahlsdorf, Finance Director
Tracy L. Davis, City Recorder

PUBLIC TESTIMONY

There was no public testimony to come before the Agency Board.

**ADMINISTRATIVE
ACTION**

**RESOLUTION –
AUTHORIZING
APPROPRIATIONS TO
REFINANCE DEBT AND
TRANSFER
APPROPRIATION**

Susan Gahlsdorf, Finance Director reported modifications are required to the adopted 97-98 budget due to the refinancing of the Urban Renewal Bonds. The debt relates to the extinguishment of the 1996 Series A and 1996 Series B debt and the issuance of the 1998 Series A and Series B debt. In addition, an appropriation transfer is necessary to correct an error in the adopted budget document. The original document did not include the January 1, 1998 interest payment on the 1993 Series Debt in the amount of \$103.905. These modifications are outlined in the Resolution.

Jim Keller moved a Resolution Authorizing Appropriations to Refinance Debt and Transfer Appropriations for Fiscal Year 1997-98. Jerry McGee seconded the Motion.

The Motion passed as follows:

AYES: Beach, Keller, McGee, Meier, and Whalen (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Koho and Miller (2)

OTHER BUSINESS

Carl Beach requested the Board appoint June Abbott as Chair of the Keizer Urban Renewal Board (KURB).

Carl Beach moved to appoint June Abbott as Chair of the Keizer Urban Renewal Board. Garry Whalen seconded the Motion.

AYES: Beach, Keller, McGee, Meier, and Whalen (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Koho and Miller (2)

**WRITTEN
COMMUNICATIONS**

There were no written communications to come before the Agency.

ADJOURNMENT

The Urban Renewal Agency meeting was adjourned at 5:45 p.m.

Tracy L. Davis, CMC
City Recorder

APPROVED:

(absent)
Dennis Koho-Chair

URBAN RENEWAL AGENCY MEMBERS:

Garry Whalen

Carl Beach

Dawn Meier

(absent)
Al Miller

Jim Keller

Jerry McGee