



**MINUTES
KEIZER CITY COUNCIL
Monday, November 1, 2004
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon**

CALL TO ORDER Mayor Christopher called the regular meeting to order at 7:02 pm.
Roll Call was taken as follows:

Present:

Lore Christopher, Mayor
Jacque Moir, Council President
Richard Walsh, Councilor
Jim Taylor, Councilor
Judy K. Smith, Councilor
Chuck Lee, Councilor (arrived 7:04)
Michel Gaynor, Councilor
Delilah Calhoun, Youth Councilor

Staff:

Chris Eppley, City Manager
Shannon Johnson, City Attorney
Rob Kissler, Public Works
Nate Brown, Community Development
Chief Marc Adams, Police Department
Tracy Davis, City Recorder

FLAG SALUTE

Mayor Christopher led the flag salute.

She continued with two announcements from the Chamber of Commerce:

1. The theme for the 2005 Iris Festival is "The Journey Continues" in recognition of the Lewis & Clark bicentennial celebration that begins in January. There will be a water craft float and citizens will be invited to bring a water craft reminiscent of the Lewis & Clark era. Additionally, all the proceeds from the Iris Walk will be used to benefit Habitat for Humanity.
2. The First Citizen Banquet will be January 29. Nominations for Keizer's "First Citizen", "Educator of the Year" and "Business of the Year" can be sent to Christine or Robin at the Chamber (503-393-9111).
3. The tree lighting ceremony has been set for November 30 at 6:30.

**PUBLIC
TESTIMONY**

Jerry McGee, 1030 Ridgepoint Street, addressed Council regarding the No Meth program. He voiced his confidence that Council members had researched the program thoroughly before considering donating funds. He hoped council would postpone this issue and (1) add a contingency that other jurisdictions must join in so that Keizer's money is the last in the pot rather than the first; and (2) insist that any

additional donation goes through the regular budget process.

Mayor Christopher reassured Mr. McGee that his concerns had already been addressed in the Work Session held October 25. City Manager, Chris Eppley, explained that the contingency fund is to be spent for unanticipated, unbudgeted items and allocated through a Council vote. Councilor Smith added that the meth problem has reached emergency proportions and this program will benefit the entire community. Councilor Moir added that she would pull the issue from the consent calendar to address his concerns. Councilor Lee echoed the assurances of other councilors adding that this effort needed the City's assistance in order to keep going forward. He added that he understood upon leaving the work session that the funds were being donated without contingencies. Mayor Christopher responded that she had spoken with Councilor Moir prior to the meeting and had agreed that they should add the following contingencies: (1) all other jurisdictions must participate and (2) any additional funds requested in the future would go through the budgetary process and be put under the Police Department budget.

Paul Pfister, 4406 Panther, explained that under the umbrella of EVAK is another program called EEVS (Emergency Evacuation Vehicle System) which was put together with the support of Dayspring Fellowship. He extended an invitation for the dedication of two new buses on November 14 at 1pm, at Dayspring and encouraged all to attend in support of Dayspring Fellowship as the organization has supported the POWER Program, EVAK, Peer Court and EEVS.

PUBLIC HEARING
a. RESOLUTION –
Exemption of
Keizer Station
LID Engineering
Designs from
Competitive
Bidding and
Purchasing

Director of Public Works, Rob Kissler, explained that Northwest National LLC has retained a project team consisting of Civil, Transportation, Site and Soils Engineers to develop a Master Plan for Area A of the Keizer Station Plan. Because of the project magnitude, it is important to streamline processes and integrate public/private infrastructure efficiently to conserve resources. The Keizer Station Plan Transportation Analysis has determined the need for a road under-crossing of the Portland and Western Railroad to serve Area A. P & W requires their consultants be used when designing and constructing improvements or repairs on their right of ways. Staff recommends Council adopt the Resolution authorizing the City Manager to enter into Public Infrastructure Engineering Designs with Northwest National LLC and the Portland and Western Railroad.

Mr. Kissler assured Council that the City Engineer and Public Works staff have the final say during the permit and design process.

Mayor Christopher opened the public hearing.

Hearing no testimony, Mayor Christopher closed the public hearing.

Councilor Moir moved to adopt Resolution R2004, Exemption of Keizer Station Local Improvement District Engineering Designs from Competitive Bidding and Purchasing Keizer Station Public Improvement Engineering Designs from Northwest National LLC and Portland and Western Railroad. Councilor Taylor seconded.

Motion passed unanimously as follows:

AYES: Christopher, Moir, Walsh, Smith, Gaynor, Taylor and Lee (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**b. RESOLUTION –
Forming Lent
Estates Street
Light District**

**ORDINANCE –
Spreading
Assessments to
Lent Estates
Street Light
District**

City Manager, Chris Eppley, provided a history of the formation of a Street Lighting Local Improvement District and noted that the Public Hearing was to consider remonstrances to the project and objections to proposed assessments. Staff recommendation is that City Council open a Public Hearing to consider oral objections and written remonstrances to the formation of Lent Estates Street Lighting Local Improvement District and if there are no objections, close the public hearing and consider adoption of the resolution forming the district and the proposed assessment ordinance. Rob Kissler explained the location of the subdivision.

Mayor Christopher opened the public hearing.

Hearing no testimony, Mayor Christopher closed the public hearing.

Councilor Moir moved to adopt Resolution R2004 Forming Lent Estates Street Lighting Local Improvement District. Councilor Lee seconded.

Motion passed unanimously as follows:

AYES: Christopher, Moir, Walsh, Smith, Gaynor, Taylor and Lee (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Councilor Moir moved to adopt a Bill for an Ordinance Spreading Assessments to Lent Estates Street Lighting Local Improvement District. Councilor Smith seconded.

Motion passed unanimously as follows:

AYES: Christopher, Moir, Walsh, Smith, Gaynor, Taylor and Lee (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**c. RESOLUTION –
Forming Barnick
Road Infill
Project Street
Light District**

City Manager, Chris Eppley, provided a history of the formation of a Street Lighting Local Improvement District and noted that the Public Hearing was to consider remonstrances to the project and objections to proposed assessments. Staff recommendation is that City Council open a Public Hearing to consider oral objections and written remonstrances to the formation of Barnick Road Infill Project Street Lighting Local Improvement District and if there are no objections, close the public hearing and consider adoption of the resolution forming the district and the proposed assessment ordinance. Rob Kissler explained the location of the project.

**ORDINANCE –
Spreading
Assessments to
Barnick Road
Infill Project
Street Light
District**

Mayor Christopher opened the public hearing.

Hearing no testimony, Mayor Christopher closed the public hearing.

Councilor Moir moved to adopt Resolution R2004 Forming Barnick Road Infill Project Lighting Local Improvement District. Councilor Smith seconded.

Motion passed unanimously as follows:

AYES: Christopher, Moir, Walsh, Smith, Gaynor, Taylor and Lee (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Councilor Moir moved to adopt a Bill for an Ordinance Spreading Assessments to Barnick Road Infill Project Street Lighting Local Improvement District. Councilor Gaynor seconded.

Motion passed unanimously as follows:

AYES: Christopher, Moir, Walsh, Smith, Gaynor, Taylor and Lee (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**COMMITTEE
REPORTS**

**a. Appointment to
Keizer Planning**

City Manager, Chris Eppley, reported that there was a vacancy on the Planning Commission. Notice of the vacancy had been published and Greg Ego had been unanimously recommended to fill the vacancy by the Volunteer Coordinating Committee. Mr. Ego was invited to attend the City Council meeting to receive a proclamation for his appointment.

Commission

Councilor Moir moved to accept the recommendation of the Volunteer Coordinating Committee and appoint Greg Ego to a 3-year term on the Keizer Planning Commission. Councilor Smith seconded.

Motion passed unanimously as follows:

AYES: Christopher, Moir, Walsh, Taylor, Smith, Gaynor and Lee (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

b. Appointment to Keizer Bikeways Committee

City Manager, Chris Eppley, reported that there was a vacancy on the Bikeways Committee. Notice of the vacancy had been published and Darlene Taylor had been unanimously recommended to fill the vacancy by the Volunteer Coordinating Committee. Ms. Taylor was invited to attend the City Council meeting to receive a proclamation for his appointment.

Councilor Moir moved to accept the recommendation of the Volunteer Coordinating Committee and appoint Darlene Taylor to fill the unexpired term on the Keizer Bikeways Committee. Councilor Smith seconded.

Councilor Taylor noted that he would abstain from voting because Ms. Taylor is his wife.

Motion passed unanimously as follows:

AYES: Christopher, Moir, Walsh, Smith, Gaynor and Lee (6)

NAYS: None (0)

ABSTENTIONS: Taylor (1)

ABSENT: None (0)

c. Traffic Safety Commission Report

Steve Prothero, 1629 Wiesner, Keizer, Chair of the Traffic Safety Commission, reported that the committee, together with the KPD received a grant from ACTS Oregon for the purchase of two traffic analyzers which have been deployed to deal with public concerns and they have been very effective. The Commission has applied for another ACTS Oregon grant which would allow the hiring of an intern from a local college to do a sidewalk/pedestrian/bicycle facilities inventory throughout the region. He continued that the Commission had received a complaint regarding speeding traffic on Verda Lane near Alder. He added that the commission appreciated when the staff and council liaison are at the meetings. Councilor Walsh complimented the TSC on their decisions and process.

OTHER BUSINESS

City Manager, Chris Eppley, reported that because of a question

➤ **New Business**
➤ **Old Business**
a. **Residency Requirement – Keizer Boards & Commissions**

raised by Chair of the Bikeways Committee at the October 18th meeting, staff researched residency requirements for members of Boards and Commissions. The review showed no objections to allowing non-residents to serve on committees.

Discussion followed regarding procedure. Councilor Walsh noted that the result of the research is that the owner of the Bike Shop in Keizer who lives in Salem can be on the Bikeways Committee.

Councilor Walsh reported that:

- **SKATS** (Salem-Keizer Area Transportation Study) meeting focused on freightways and freight designations. The committee is considering adding the Parkway and Highway 22 as freight designated routes.
- **MWACT** (Mid-Willamette Area Commission on Transportation) meeting will be on the 24th and the Statewide Transportation Improvement Program (STIPS) will be addressed with a Public Hearing about 2006-2009 plan.
- **RIVERR Task Force** (Regional Intergovernmental Visions Enhancing River Resources) received the Watershed Council endorsement. The OWEB (Oregon Watershed Enhancement Board) grant has been submitted. He explained the Chamber plans for the Iris Festival 2005.
- **BIKEWAYS COMMITTEE** – had no quorum for their last meeting.

Councilor Taylor reported that the **Keizer Points of Interest Committee** meetings are getting more and more interesting. He invited anyone interested to attend. Jerry McGee added that the committee has recently seen the family Bible of Thomas Dove Keizer and the committee is working with the family toward making the Bible available for public display.

Councilor Moir reported that the **Annual Miracle of Christmas** is coming up and Council will be working the food barrel on December 3 from 6 to 10 pm.

Councilor Lee reported that

- **"Keizer No Meth, Not in Our Neighborhood"** will hold their first meeting on Wednesday at noon. Jim Taylor, Judy Smith, Ruthie Stellmacher, Bill Adams, Greg Frank, Jeff Kuhns and Councilor Lee will be on the task force. He concluded that they are looking for a representative of the business community to serve on the task force and invited anyone interested to attend.
- He will be attending a **"Safe Schools"** Summit in Washington D.C.

Dianne Hunt reviewed new staff: temporary receptionist, Lisa

Newcomb; temporary facility maintenance worker, Mitch Blake; and permanent receptionist/court clerk, Sara Sol. An open recruitment is underway for a Utility Billing Clerk and the new Police Administrative Assistant, Wanda Blaylock has started work. She noted that annual hearing tests will be held on November 8 and 15.

Public Works Director, Rob Kissler, reported that the City of Salem's contractor on the sewer rehabilitation project along Windsor Island Road is moving along. Once the road is back together, the truck route will be switched back to its original location. Salem has agreed to do the next phase south of Chemawa Road into the Shoreline Drive area. Property owners will be notified.

Nate Brown reported that:

- The City of Salem will be considering a change in their Comprehensive Plan and their zoning code to create a new designation of "Employment Center" for the Mill Creek area (approx. 646 acres). He encouraged Councilors to provide input as soon as possible.
- The Claggett Street Subdivision will be before the Hearing Examiner on Thursday, November 4.

ADMINISTRATIVE ACTION

a. ORDER –

Application of Chemawa

Station LLC for Keizer Station Master Plan and Major Variance – Area D – Case No. 2004-38

City Attorney Shannon Johnson reported that the matter is up for adoption following the Public Hearing when Council directed staff to prepare an appropriate order approving the Chemawa Station LLC request for Master Plan approval and major variance. The Order is presented tonight.

Following discussion regarding the roof language and discussion held at the previous meeting, City Attorney Shannon Johnson agreed to add "Rooflines shall be more greatly exaggerated than the submitted designs from the applicant." to the end of Condition 27D (Page 41).

Councilor Moir moved to adopt an Order in the Matter of the Application of the Chemawa Station LLC for approval of the Keizer Station Master Plan, Area D, Commerce Center and Major Variance Master Plan, Major Variance Case No. 2004-38 as amended. Councilor Taylor seconded.

Motion passed unanimously as follows:

AYES: Christopher, Moir, Walsh, Taylor, Smith, Gaynor and Lee (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

CONSENT CALENDAR

- A. RESOLUTION – Authorizing City Manager to Purchase Property for Chemawa Road Improvements
- B. Authorization to Accept LLEBG (Local Law Enforcement Block) Grant – Keizer Police Department
- C. RESOLUTION – Authorization for Resolution Transfers
- D. RESOLUTION – Adopting the 2003 International Fire Code with State of Oregon Amendments

Councilor Moir pulled Item C.

Councilor Moir moved to approve Consent Calendar Items A, B and D. Councilor Smith seconded.

Motion passed unanimously as follows:

AYES: Christopher, Moir, Walsh, Taylor, Smith, Gaynor and Lee (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Councilor Moir moved that the "Meth, Not in My Neighborhood" transfer funds be released in phases and contingent on participation of the other jurisdictions and that if additional funds are requested in the future, it be done through the budgetary process and under the Police Department budget. Councilor Smith seconded.

Councilor Gaynor voiced his support of the program and the motion. Councilor Lee agreed with everything except the contingency for other jurisdiction participation. He suggested that if one other jurisdiction participated, Keizer would participate concluding that it was important for the city to show their commitment to fighting this battle, and the "all other jurisdictions" contingency might be better addressed at the time of the second allocation.

Councilor Moir did not accept this amendment. She explained that she was concerned that the Salem-Keizer school district was not part of the program and felt the program would not be effective without the support of the other jurisdictions.

Councilor Walsh explained that if one of the jurisdictions does not participate, the program will continue working, but will not focus on that jurisdiction. This means that any area not participating will be where the meth dealers will focus.

Councilor Walsh offered a friendly amendment that Keizer would support the program if Marion County or Salem participates.

Councilor Moir did not accept the amendment.

Discussion continued regarding funding criteria.

Motion passed as follows:

AYES: Christopher, Moir, Smith and Gaynor (4)

NAYS: Lee, Walsh and Taylor (3)

ABSTENTIONS: None (0)

ABSENT: None (0)

WRITTEN COMMUNICATIONS

Council of Governments invitation to "All Aboard – Building Community Support for Additional Funding" presented by Council of Governments on Saturday, December 4, 8 am to 12:30 pm at the Keizer Heritage Center.

Tracy Davis reported that election ballots can be dropped off at Keizer City Hall until 8 pm on November 2.

AGENDA INPUT

November 8, 2004

12:00 p.m. City Council Work Session

****CANCELLED****

November 15, 2004

7:00 p.m. City Council Regular Session

- Awarding of City of Keizer Towing Contracts
- Approving Engineer Report for Keizer Station LID
- Keizer Little League Lease Agreement

December 6, 2004

7:00 p.m. City Council Regular Session

ADJOURNMENT

Mayor Christopher adjourned the meeting at 8:45 p.m.

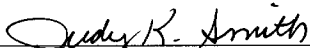
MAYOR:

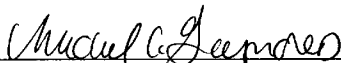
APPROVED:


Lore Christopher


Debbie Lockhart, Recording Secretary

COUNCIL MEMBERS


Councilor #1 – Judy K. Smith

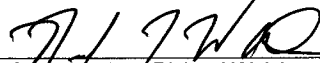

Councilor #2 – Michel Gaynor

Councilor #3 – Charles E. Lee

Minutes approved:


December 13, 2004

Councilor #4 – Jacque Moir


Councilor #5 – Richard Walsh

Councilor #6 – James Taylor