

NOTE! NEW LOCATION AND TIME

CITY OF KEIZER MISSION STATEMENT

KEEP CITY GOVERNMENT COSTS AND SERVICES TO A MINIMUM BY
PROVIDING BASIC CITY SERVICES TO THE COMMUNITY IN A
COORDINATED, EFFICIENT AND LEAST COST FASHION.

A G E N D A

KEIZER CITY COUNCIL
Monday, October 21, 1991
6.00 p.m.
Keizer City Hall
AUDITORIUM

1. CALL TO ORDER
2. ROLL CALL
3. PUBLIC TESTIMONY - This time is provided for citizens to address the Council on matters not on the agenda.
4. COMMITTEE REPORTS
5. DISCUSSION - Format for City Manager evaluation
(Councilors: Please bring your calendars with you to meeting.)
6. ORDINANCE - Purchase of Water Department Pickup.
7. DISCUSSION - Revision of State Law regarding property tax levy's and tax bases.
8. CONSENT CALENDAR
 - a. October 7, 1991 Regular Session Minutes
 - b. Resolution - Authorizing an agreement for the Law Enforcement Data System (LEDS)
 - c. Resolution - Declaring the city's intent to initiate a Street Lighting District (Willow Lake Estates Phases II & III) and directing the City Engineer to make a survey and file a written report with the City Recorder.
 - d. Resolution - The Meadows Phase 4 Street Lighting District
 - e. Resolution - Orchard Crest Street Lighting District

Employee Evaluation of CITY MANAGER PERFORMANCE

INSTRUCTIONS: Place a check mark on the line underneath the rating column which you feel is appropriate for each item.

I. Employee Relationships

- a. **Works well with other employees.**
- b. **Helps other employees when possible.**
- c. **Keeps commitments to other employees.**
- d. **Seeks to develop skills and abilities of employees.**
- e. **Motivates employees.**
- f. **Effectively handles grievances.**
- g. **Maintains sense of team work with employees.**
- h. **Effectively delegates.**
- i. **Gives credit to subordinates.**
- j. **Monitors and evaluates employee performance.**
- k. **Applies personnel policies equitably.**
- l. **Maintains respect with and of employees.**
- m. **Works to maintain the confidence of employees.**

[illegible]

Specific Comments: _____

.....

.....

Far Exceeds
Expectations
Exceeds Expectations
Meets Expectations
Requires Improvement
Not Satisfactory

Specific Comments: _____

IV. Personal Traits

- a. Controls emotions effectively in difficult situations.
- b. Is creative in developing practical solutions to problems faced in the course of work.
- c. Is flexible in accepting and adjusting to change.
- d. Demonstrates personal honesty and frankness in day-to-day relationships.
- e. Exercises diplomacy.
- f. Has positive attitude.

Specific Comments: _____

Please return in the self-addressed, stamped envelope.

SO THAT CONFIDENTIALITY WILL BE ENSURED, DO NOT SIGN YOUR NAME.

CITY OF KEIZER

CITY MANAGER PERFORMANCE EVALUATION

INSTRUCTIONS: Place a check mark on the line underneath the rating column which you feel is appropriate for each item.

I. Public Relations

- a. Is courteous to and presents a positive public image.
- b. Seeks to use criticism of self or city in positive ways.
- c. Effectively handles citizen complaints, inquiries, and contacts.
- d. Provides assistance to and works well with citizens and community groups.
- e. Educates public on city programs and operations.
- f. Seeks to promote intergovernmental cooperation.
- g. Seeks to understand and respond to changing community needs.

Far Exceeds Expectations	Exceeds Expectations	Meets Expectations	Requires Improvement	Not Satisfactory

Specific Comments: _____

II. Employee Relationships

- a. Works well with other employees and maintains a sense of team work.
- b. Seeks to develop skills and abilities of employees.
- c. Motivates employees.
- d. Effectively handles grievances.

Far Exceeds
Expectations
Exceeds Expectations
Meets Expectations
Requires Improvement
Not Satisfactory

Specific Comments: _____

IV. Leadership

- a. Delegates appropriate responsibilities
- b. Seeks to develop team work by City organization.
- c. Uses effective supervisory skills.
- d. Able to motivate, mobilize and persuade parties to action.
- e. Willing and able to organize/reorganize to increase effectiveness and efficiency.

Specific Comments: _____

V. Communications

- a. Written communications are clear, concise, accurate.
- b. Oral communications are clear, concise; expresses self effectively.
- c. Handles confidential matters appropriately.

VII. Goal Achieving

- a. Takes initiative to see that work is done correctly and thoroughly.
- b. Perceives new responsibilities and proceeds independently to undertake or expand these responsibilities.
- c. Accepts responsibility for own work.
- d. Able to anticipate and identify problems.

Far Exceeds Expectations	Exceeds Expectations	Meets Expectations	Requires Improvement	Not Satisfactory

Specific Comments: _____

VIII. Operational Management

- a. Manages affairs of city effectively and efficiently.
- b. Effectively delegates.
- c. Gives credit to subordinates.
- d. Monitors and evaluates employee performance.
- e. Utilizes resources properly.

Specific Comments: _____

- e. Consults with Council when appropriate.

Far Exceeds Expectations	Exceeds Expectations	Meets Expectations	Requires Improvement	Not Satisfactory

Specific Comments: _____

General Comments: _____

Signature

Date

Far Exceeds
Expectations
Exceeds Expectations
Meets Expectations
Requires Improvement
Not Satisfactory

IX. Fiscal Management

- a. Prepares realistic annual budgets.
- b. Seeks efficiency, economy and effectiveness in all programs.
- c. Controls expenditures in accordance with approved budgets.
- d. Keeps City Council informed about revenues and expenditures, actual and projected.
- e. Is effective in promoting/providing for economic growth/development.

Specific Comments: _____

X. Decision Making

- a. Attempts to obtain all available facts prior to making decision.
- b. Is objective in decision making.
- c. Considers possible alternatives and their consequences before making or proposing decisions.
- d. Makes decisions on a timely basis.

- d. Listens well and makes every attempt to understand what is being said.

Far Exceeds Expectations	Exceeds Expectations	Meets Expectations	Requires Improvement	Not Satisfactory

Specific Comments: _____

VI. Personal Traits

- a. Controls emotions effectively in difficult situations.
- b. Uses common sense.
- c. Is flexible in accepting and adjusting to change.
- d. Demonstrates personal honesty and frankness in day-to-day relationships.
- e. Completes work accurately in acceptable time periods.
- f. Exercises diplomacy.
- g. Demonstrates high personal integrity.
- h. Has positive attitude.

Specific Comments: _____

- e. Applies personnel policies equitably.
- f. Maintains respect with and of employees.

Far Exceeds Expectations	Exceeds Expectations	Meets Expectations	Requires Improvement	Not Satisfactory

Specific Comments: _____

III. City Council Relationships

- a. Effectively implements policies and programs approved by City Council.
- b. Reporting to City Council is timely, clear, concise and thorough.
- c. Accepts direction or instructions in a positive manner.
- d. Effectively aids the City Council in establishing long range goals.
- e. Keeps Council informed of current plans and activities of administration and new developments in technology, legislation, governmental practices, and economic development.
- f. Sensitive to and perceptive of Council needs and desires.
- g. Maintains a relationship of trust with each Council member and the Mayor.
- h. Availability to members of the Council.

II. Leadership

- a. Motivates others toward accomplishment of work.
- b. Delegates appropriate responsibilities
- c. Seeks to develop team work by City organization.
- d. Uses effective supervisory skills.
- e. Able to motivate, mobilize and persuade parties to action.
- f. Willing and able to organize/reorganize to increase effectiveness and efficiency.

	Far Exceeds Expectations	Exceeds Expectations	Meets Expectations	Requires Improvement	Not Satisfactory

Specific Comments: _____

III. Communications

- a. Written communications are clear, concise, accurate.
- b. Oral communications are clear, concise; expresses self effectively.
- c. Handles confidential matters appropriately.
- d. Listens well and makes every attempt to understand what is being said.

- f. Liquor License Renewal - Brey's Family Restaurant - 5024 River Road North - Dispenser Class "A" and Change of Privilege
- g. Resolution - Appointment of Records Manager
- h. Award Of Bid - Comprehensive Park System Development Plan
- 9. BREAK - 7:15 to 7:30 p.m.
- 10. PUBLIC TESTIMONY
PRESENTATION - Marion County presentation by Commissioner Gary Heer and Doug Ebner
- 11. PUBLIC HEARINGS
 - a. McNary Activity Center Plan (continued from October 7, 1991.)
 - b. Fernwood Park Vacation (Hearing set for time certain at 8:30 p.m.)
- 12. DELIBERATION - McNary Activity Center Plan
- 13. DELIBERATION - Fernwood Park Vacation
- 14. OTHER BUSINESS - This time is provided to allow Council members the opportunity to bring matters before the Council which are not on tonight's agenda.
- 15. WRITTEN COMMUNICATIONS - To inform the Council of significant written communications and petitions.
- 16. AGENDA INPUT - November 4, 1991
 - * OLCC/LaBrisa
 - * Vehicle Allowance vs. Travel Expenses (Councilor McGee)
 - * Willow Lake Phase II and III Street LID/Engineer's Report
 - * Surplus Property Program
- 17. ADJOURN

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1982

City of Keizer - Public Works Department

Phone: 390-3700 • 393-1608

930 Chemawa Rd. N.E. • P.O. Box 21030 • Keizer, Oregon 97307-1030

COUNCIL MEETING: OCTOBER 21, 1991

AGENDA ITEM NO.: 6

TO: MAYOR AND CITY COUNCIL
THROUGH: DONALD H. OTTERMAN M.S.P.A., CITY MANAGER *DM*
FROM: *WM* WALLY MULL, PUBLIC WORKS DIRECTOR
SUBJECT: ORDINANCE - PURCHASE OF WATER DEPARTMENT PICKUP

BACKGROUND

The 1991-92 Water Department budget provided \$19,000 for the purchase of a new pickup. Bids were received on October 4, 1991 for a new 1992 Ford Pickup, with either a gas or diesel engine option. The low bidder was Chuck Colvin Ford of McMinville:

<u>GAS</u>	<u>DIESEL</u>
\$17,395	\$19,277

By purchasing the diesel, over the gasoline model, a saving in fuel costs of approximately \$1,800 per year will be realized.

Because the \$19,277 is over the budgeted amount, the dealer has agreed to give us \$1,800 on our Ford Van that we are replacing and would have sold as surplus, according to the requirements of Ordinance 88-177.

Legal Counsel has prepared an Ordinance allowing the trade-in of the Ford Van to be exempted from Ordinance 88-177; disposing of surplus property.

RECOMMENDATION

It is recommended that the Council ADOPT an Ordinance allowing for the sale of the 1978 Ford Van to be exempted from the requirements of Ordinance 88-177; declaring an emergency, and to authorize the purchase of the 1992 Ford Diesel at a cost of \$17,477.

WM:clm
Attachment
f:\admin\pickup.adg

1 BILL NO.
2 099

A BILL
FOR

ORDINANCE NO.
88- 027 117

3 AN ORDINANCE DISPOSING OF UNCLAIMED
4 PROPERTY, SURPLUS PROPERTY,
5 FIREARMS AND CONTRABAND; REPEALING
6 ORDINANCE 85-051; DECLARING
7 EMERGENCY.

8 WHEREAS, Oregon law directs the procedures for Keizer to
9 follow for the Disposition of certain categories of personal
10 property that come into Keizer's custody; and

11 WHEREAS, Keizer wants to dispose of certain other personal
12 property which comes into Keizer's custody; and

13 WHEREAS, Keizer wants to dispose of personal property owned
14 by Keizer which is no longer needed for public purposes; Now
15 therefore,

16 THE CITY OF KEIZER ORDAINS AS FOLLOWS:

17 Section 1. Definitions, General Disposition Provisions.

18 A. Unclaimed personal property is property that has been
19 in the custody of Keizer for more than 6 months and Keizer has
20 made a reasonable effort under the circumstances to identify and
21 notify the owner of the property and ownership of the property
22 has not been established by the claimant by a preponderance of
23 the evidence.

24 B. Keizer personal property is declared surplus personal
25 property when the department head responsible for control of the
26 property determines it to be of no use for public purposes and
27 the City Manager approves that determination.

1 value and surplus personal property of greater than nominal value
2 which are not disposed of in accordance with other provisions of
3 this Ordinance shall be sold at public auction.

4 B. The City Manager shall determine when there is a
5 sufficient accumulation of unclaimed and surplus personal
6 property to conduct a public auction. Such auctions shall be
7 conducted at least every six months and shall coincide with
8 property inventories.

9 C. Auctions will begin at 10:00 a.m. at a designated place
10 within the city limits of Keizer. However, the City Manager may
11 direct in writing that any auction be held outside the city
12 limits and may be held in conjunction with other auctions of
public property.

14 D. When the City Manager determines that a public auction
15 is necessary, the property controller shall:

16 1. Publish a notice of public auction in a newspaper
17 of general circulation in Keizer at least ten days
18 prior to the date of such auction.

19 2. Insure that all property shall be available for
20 viewing by prospective buyers on the auction premises
21 at least one-half hour prior to sale time.

22 3. Property shall be sold to the highest bidder.
23 Payment must be made before the property can be
24 removed. Payment shall be in the form of cash or a
25 first party personal check acceptable to Keizer. A
receipt shall be issued for each article purchased.

1 firearms seized as evidence are to be released to a defendant's
2 attorney in lieu of a fee. To be valid, this notification must
3 be received before the firearm is placed for public auction or
4 destroyed.

5 E. Any firearm that Keizer declares to be surplus property
6 may be traded to a federally licensed firearms dealer for other
7 firearms for use by Keizer or the firearms may be disposed of at
8 public auction to the highest bidder who is a federally licensed
9 firearms dealer. Firearms classified as a special weapons may be
10 sold or traded only to federal firearms dealers possessing a
11 class III license or to another law enforcement agency.

12 F. Persons representing themselves as federally licensed
13 firearms dealers shall be required to furnish proof of such a
14 license prior to bidding on any firearms.

15 G. The Alcohol, Tobacco, and Firearms Bureau shall be
16 contacted if there is a question regarding the disposition of
17 firearms, the legitimacy of a firearm dealer's license or the
18 handling of illegal firearms.

19 H. All firearm auctions shall be conducted in accordance
20 with Section 2 of this Ordinance.

21 Section 4. Disposal of Contraband.

22 A. All contraband shall be rendered unusable by
23 destruction in a legally acceptable manner. The destruction of
24 contraband shall be recorded by the property controller and
25 witnessed by a member of the Keizer Police Department.

B. Contraband in the form of controlled substances shall

1 BILL NO. _____

A BILL

ORDINANCE NO.

2
3 FOR

91-_____

4 AN ORDINANCE

5 ALLOWING THE TRANSFER OF A 1978 FORD
6 E150 VAN TO BE EXEMPTED FROM THE
7 REQUIREMENTS OF ORDINANCE NO.
8 88-117; AND DECLARING AN EMERGENCY

9 WHEREAS, the City of Keizer Water Department owns a 1978 Ford
10 E150 van (hereinafter "surplus vehicle") which is to be replaced
11 by a 1992 Ford XLT diesel pickup truck (hereinafter the "new
12 vehicle");

13 WHEREAS, such new vehicle purchase was budgeted at
14 \$19,000.00, but the low bid for such vehicle that is acceptable to
15 the Public Works Director is \$19,277.00;

16 WHEREAS, the seller of the new vehicle is willing to accept
17 the surplus vehicle in trade, thus reducing the cash necessary to
18 purchase the new vehicle to \$17,477.00;

19 WHEREAS, such disposition of surplus property is not provided
20 for in the City of Keizer Ordinance No. 88-117 which sets forth
21 the procedures for disposition of surplus property;

22 WHEREAS, due to the time required to sell the surplus vehicle
23 and considering that the amount to be credited for trading in the
24 surplus vehicle will likely be more than the amount that would be
25 received under the process set forth in Ordinance No. 88-117, it
26 is in the best interest of the City of Keizer to allow the surplus
27 vehicle to be transferred to the seller of the new vehicle in
28 consideration of an \$1,800.00 trade-in credit on the purchase of
29 the new vehicle;

BILL NO.

099

A BILL
FOR

ORDINANCE NO.

88-117

AN ORDINANCE DISPOSING OF UNCLAIMED
PROPERTY, SURPLUS PROPERTY,
FIREARMS AND CONTRABAND; REPEALING
ORDINANCE 85-051; DECLARING
EMERGENCY.

WHEREAS, Oregon law directs the procedures for Keizer to follow for the Disposition of certain categories of personal property that come into Keizer's custody; and

WHEREAS, Keizer wants to dispose of certain other personal property which comes into Keizer's custody; and

WHEREAS, Keizer wants to dispose of personal property owned by Keizer which is no longer needed for public purposes; Now therefore,

THE CITY OF KEIZER ORDAINS AS FOLLOWS:

Section 1. Definitions, General Disposition Provisions.

A. Unclaimed personal property is property that has been in the custody of Keizer for more than 6 months and Keizer has made a reasonable effort under the circumstances to identify and notify the owner of the property and ownership of the property has not been established by the claimant by a preponderance of the evidence.

B. Keizer personal property is declared surplus personal property when the department head responsible for control of the property determines it to be of no use for public purposes and the City Manager approves that determination.

value and surplus personal property of greater than nominal value which are not disposed of in accordance with other provisions of this Ordinance shall be sold at public auction.

B. The City Manager shall determine when there is a sufficient accumulation of unclaimed and surplus personal property to conduct a public auction. Such auctions shall be conducted at least every six months and shall coincide with property inventories.

C. Auctions will begin at 10:00 a.m. at a designated place within the city limits of Keizer. However, the City Manager may direct in writing that any auction be held outside the city limits and may be held in conjunction with other auctions of public property.

D. When the City Manager determines that a public auction is necessary, the property controller shall:

1. Publish a notice of public auction in a newspaper of general circulation in Keizer at least ten days prior to the date of such auction.
2. Insure that all property shall be available for viewing by prospective buyers on the auction premises at least one-half hour prior to sale time.
3. Property shall be sold to the highest bidder. Payment must be made before the property can be removed. Payment shall be in the form of cash or a first party personal check acceptable to Keizer. A receipt shall be issued for each article purchased.

firearms seized as evidence are to be released to a defendant's attorney in lieu of a fee. To be valid, this notification must be received before the firearm is placed for public auction or destroyed.

E. Any firearm that Keizer declares to be surplus property may be traded to a federally licensed firearms dealer for other firearms for use by Keizer or the firearms may be disposed of at public auction to the highest bidder who is a federally licensed firearms dealer. Firearms classified as a special weapons may be sold or traded only to federal firearms dealers possessing a class III license or to another law enforcement agency.

F. Persons representing themselves as federally licensed firearms dealers shall be required to furnish proof of such a license prior to bidding on any firearms.

G. The Alcohol, Tobacco, and Firearms Bureau shall be contacted if there is a question regarding the disposition of firearms, the legitimacy of a firearm dealer's license or the handling of illegal firearms.

H. All firearm auctions shall be conducted in accordance with Section 2 of this Ordinance.

Section 4. Disposal of Contraband.

A. All contraband shall be rendered unusable by destruction in a legally acceptable manner. The destruction of contraband shall be recorded by the property controller and witnessed by a member of the Keizer Police Department.

B. Contraband in the form of controlled substances shall

also be destroyed in a legally acceptable manner, except when it is authorized by the District Attorney or a court of competent jurisdiction to be used as an investigative tool. In every instance, authorization to use a controlled substance as an investigative tool shall be obtained in writing from the Keizer Chief of Police. All such authorizations shall be in writing and shall accompany the property control report.

B. Controlled substances used as an investigative tool shall be returned to the property controller when the specific investigation is completed. The property controller shall again inventory, weigh and verify the substance.

Section 5. Repeal

Ordinance number 85-051, disposition of unclaimed property, surplus property, firearms and contraband, enacted July 15, 1985, is repealed.

Section 6. Emergency.

This ordinance being necessary for the immediate preservation of the public health, safety, and welfare, an emergency is declared to exist and this ordinance shall take effect immediately upon its passage.

PASSED this 20 day of June, 1988.

SIGNED this _____ day of _____, 1988.

Mayor

City Recorder

824F.24

Page

6 - ORDINANCE NO. 88-_____

LIEN & HOBSON

Attorneys at Law
4856 River Rd. N.
Keizer, Oregon 97303
503/260-1636

1 E. All articles sold at auction having a title or
2 registration shall require a Bill of Sale. The Bill of Sale
3 shall be signed by the Keizer Chief of Police.

4 F. Proceeds from such auction shall be used first to pay
5 all storage, maintenance and public notice publication costs.
6 Any proceeds remaining shall go to Keizer's general fund.

7 Section 3. Firearms.

8 A. Firearms which were seized under ORS 166.270 "certain
9 ex-convicts forbidden to possess arms" and not being held as
10 evidence shall be classified as contraband. Firearms seized
11 under ORS 166.280 "seizure of concealed weapons" and not being
12 held as evidence shall be classified as contraband.

13 B. Firearms classified as contraband shall be destroyed
14 annually between July 1st and July 10th. Such firearms shall be
15 destroyed by acetylene torch, arc welder or an automatic sawing
16 device until such firearms are rendered wholly and entirely
17 ineffective and useless for the purpose for which they were
18 manufactured.

19 C. Firearms remaining unclaimed after adjudication despite
20 notification of the owner shall be sold at auction to the highest
21 bidder who must be a federally licensed firearms dealer. Any
22 firearms in Keizer's custody which may be sold by Keizer must be
23 sold only to federally licensed firearms dealers at public
24 auction.

25 D. A court of competent jurisdiction or the District
26 Attorney's office shall advise the property controller when

1 C. Except as otherwise provided in this Section, the
2 Keizer Police Department property controller shall supervise and
3 control disposition of all property subject to the terms of this
4 Ordinance. The Keizer Police Department property controller
5 shall also supervise and control the disposition of property
6 Keizer is required to dispose of under Oregon law.

7 D. Upon recommendation by the Keizer City Manager and
8 approval by the Keizer City Council, unclaimed personal property
9 in Keizer's possession may be appropriated for public purposes by
10 Keizer and not disposed of under the terms of this Ordinance.

11 E. Upon recommendation by the Keizer City Manager and
12 approval by the Keizer City Council, unclaimed personal property
13 which is of nominal value and surplus personal property which is
14 of nominal value may be destroyed.

15 F. Upon recommendation by the Keizer City Manager and
16 approval by the Keizer City Council, unclaimed personal property
17 and surplus personal property may be sold or transferred with or
18 without consideration to any agency of the State of Oregon or any
19 political subdivision thereof authorized by law to enter into
20 public contracts and any public body created by intergovernmental
21 agreement or to the federal government. Any proceeds received by
22 the City under this provision shall go to Keizer's general fund
23 or the appropriate enterprise fund.

24 Section 2. Disposition of Unclaimed Personal Property and
25 Surplus Personal Property.

26 A. Unclaimed personal property of greater than nominal

1 NOW, THEREFORE, the City of Keizer ordains as follows:

2 Section 1. AUTHORIZATION TO TRANSFER VEHICLE.

3 The City Manager or Public Works Director is hereby
4 authorized to transfer the surplus vehicle to Chuck Colvin Ford in
5 consideration of a \$1,800.00 credit against the purchase of the
6 new vehicle as set forth above.

7 Section 2. EXEMPTION FROM REQUIREMENTS OF ORDINANCE NO. 88-117.

8 As set forth herein, the transfer of the surplus vehicle is
9 hereby exempted from the requirements of City of Keizer Ordinance
10 No. 88-117.

11 Section 3. EMERGENCY CLAUSE.

12 This Ordinance being necessary for the immediate preservation
13 of the public health, safety and welfare of the community, an
14 emergency is declared to exist and this Ordinance shall take
15 effect immediately upon its passage.

16 PASSED this _____ day of _____, 1991.

17 SIGNED this _____ day of _____, 1991.

18
19

Mayor

20
21

City Recorder

22 824.014

also be destroyed in a legally acceptable manner, except when it is authorized by the District Attorney or a court of competent jurisdiction to be used as an investigative tool. In every instance, authorization to use a controlled substance as an investigative tool shall be obtained in writing from the Keizer Chief of Police. All such authorizations shall be in writing and shall accompany the property control report.

B. Controlled substances used as an investigative tool shall be returned to the property controller when the specific investigation is completed. The property controller shall again inventory, weigh and verify the substance.

Section 5. Repeal

Ordinance number 85-051, disposition of unclaimed property, surplus property, firearms and contraband, enacted July 15, 1985, is repealed.

Section 6. Emergency.

This ordinance being necessary for the immediate preservation of the public health, safety, and welfare, an emergency is declared to exist and this ordinance shall take effect immediately upon its passage.

PASSED this 20th day of June, 1988.

SIGNED this 22nd day of June, 1988.


Mayor


City Recorder

1 E. All articles sold at auction having a title or
2 registration shall require a Bill of Sale. The Bill of Sale
3 shall be signed by the Keizer Chief of Police.

4 F. Proceeds from such auction shall be used first to pay
5 all storage, maintenance and public notice publication costs.
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21 bidder who must be a federally licensed firearms dealer. Any
22 firearms in Keizer's custody which may be sold by Keizer must be
23 sold only to federally licensed firearms dealers at public
24 auction.

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26 Attorney's office shall advise the property controller when

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17 and surplus personal property may be sold or transferred with or
18 without consideration to any agency of the State of Oregon or any
19 political subdivision thereof authorized by law to enter into
20 public contracts and any public body created by intergovernmental
21 agreement or to the federal government. Any proceeds received by
22 the City under this provision shall go to Keizer's general fund
23 or the appropriate enterprise fund.

24 Section 2. Disposition of Unclaimed Personal Property and
25 Surplus Personal Property.

26 A. Unclaimed personal property of greater than nominal



City of Keizer

Administration
930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

COUNCIL MEETING: OCTOBER 21, 1991

AGENDA ITEM NO.: 7

TO: MAYOR AND CITY COUNCIL

FROM: DONALD H. OTTERMAN M.S.P.A, CITY MANAGER *DMO*

SUBJECT: REVISIONS IN STATE LAW REGARDING PROPERTY TAX
LEVY'S

DISCUSSION

During the last legislative session SB 1185 was adopted. SB 1185 places a number of hurdles in the budget process. Many of those hurdles have a substantial impact upon the city and the budget process for FY 1992-93. These impacts are as follows;

1. The legislation requires that all counties must, by the end of the calendar year, prepare a report that analyzes the impact of tax levy requests, and requests for a new tax base, for the next fiscal year, upon other taxing jurisdictions that levy taxes within the city. If this report is not prepared, the county elections officer is directed to not place any measures requesting property tax funding on the ballot for that fiscal year.
2. The legislation also requires that each taxing jurisdiction hold a special public hearing to determine the impact of an increase in property taxes upon other taxing jurisdictions. The county has developed a time frame for that public hearing.

The above two changes have far reaching impacts upon the city and the budget process. The county is requiring that the information necessary for them to prepare their report be submitted to them no later than December 4, 1991. The information that they are requesting is an estimate of the total amount of money that the city will be requesting from property taxes for Fiscal Year 1992-93. That means the city must submit, for the county's review, before the budget process, information that normally is generated during the actual formal budget process. If the city is planning on only proposing a status quo budget, the information will not be difficult to generate. However, if the city is planning on requesting additional property tax funding to support additional programs or services, the additional cost must be prepared for review by the budget committee and city council

so that it can be transmitted to the county before the deadline.

The city has been planning to go to the voters with a request for a new tax base. State law requires that a tax base request can only be voted upon by the voters at the primary and general elections on even numbered years. State law also requires that if a city has been operating for three years above its voter approved tax base, it must go to the voters to request a new tax base. This means that the city would have to, by December 4, 1991, know how much the requested new tax base will be and include that information in the county report. The Keizer Tomorrow Committee was formed to develop a report of those city services that could be supported by the residents in a new tax base. Their report will not be ready in time for the council to review and develop the fundamentals of a tax base request by December 1991.

There is also now a new requirement that a public hearing be held on the impact of the city's request on other taxing jurisdictions. The county has established a calendar for the deadlines for holding those public hearings. If the city determines that it is to go to the voters for levy approval in March, it must hold the public hearing by December 24. If the levy request is not approved in March, the city because of the deadlines for the public hearing, cannot go to the voters again until June 30. If the city determines that it does not want to go to the voters until May it will not have a second chance to request voter approval if the levy is not approved.

The state statute also requires that the city officially designate a representative to attend the December 4 meeting at the county for the purpose of transmitting the city's estimate of taxes necessary.

ACTIONS REQUIRED OF CITY COUNCIL

The city council must make the following decisions:

1. Will the city request a status quo budget and levy request of the voters in March, with a fall back position of June if necessary, or request a levy in May, knowing that the city will only have one attempt to get the levy passed?
2. The city must, by state statute, request a new tax base on the ballot in May. Should the city attempt to develop an estimate for a new tax base without

MINUTES

KEIZER CITY COUNCIL
Monday, October 7, 1991
Robert L. Simon Council Chambers
Keizer City Hall

CALL TO ORDER

Mayor Orcutt called the regular session to order at 7:31 p.m. Roll call was taken as follows:

Present

Andrew J. Orcutt, Mayor
Mike Hart, Councilor
Dennis Koho, Councilor
Jerry McGee, Councilor
Al Miller, Councilor
Bob Newton, Councilor
Joe Van Meter, Councilor

Staff

Donald H. Otterman, City Manager
John Morgan, Community Development Director
John Lien, City Attorney
Shannon Johnson, City Attorney
Susan Darby, City Recorder

PUBLIC TESTIMONY DeMartino Court Case

David De Martino, 7162 S.E. Darling, Salem, asked the City Council to rectify a wrong that has occurred to him. He stated that he received a traffic infraction citation and that the City Attorney prosecuted him in Municipal Court. Such prosecution is not done in other courts under these circumstances. Mr. De Martino believed that he was singled out and that he suffered a miscarriage of justice. He appealed the citation and the City then dropped the case.

Mr. De Martino indicated that he believed the police officer did certain incorrect things, and that he eventually had to pay \$77 to appeal the conviction to a higher court. The police officer admitted that he falsified a document involving permission for his spouse to ride along with the officer. In early September, Mr. De Martino read in the Keizertimes that the same officer was terminated from employment for falsifying other documents. Mr. De Martino asked that the City apologize to him and that it reimburse him for the \$77 appeal fee.

Municipal Court level, and Mr. De Martino appealed the conviction. Because the officer admitted to falsifying the ride along form, and because of the amount of time necessary to prosecute the case, the City Attorney moved for dismissal.

Councilor McGee asked if it is common to put the City's resources into prosecution of these citations. Mr. Lien stated that as a general rule, the City Attorney does not appear in Municipal Court cases. Questioned further by Councilor McGee, Mr. Lien indicated that the decision to prosecute was jointly made by the City Manager, Chief of Police and himself.

The motion was put to a vote and carried, as follows:

AYES: Orcutt, Hart, Koho, Miller (4)

NAYS: McGee, Newton, Van Meter (3)

Chapman/Chemawa Road Work

Pat Chapman, 2235 Chemawa Road N.E., Keizer, asked the Council what would be done about the damage that has occurred to her curbs because of the county road grader, about the asphalt on her property, and about the survey stakes that were pulled out of her property.

Mr. Morgan explained that Public Works Director Wally Mull has been involved in this situation, however, he is out of town at the present time. He stated that there was some question as to whether the widening of the pavement resulted in a taking of a portion of Ms. Chapman's property, however, it was later determined that no such incident occurred. Mr. Morgan indicated that benchmarks were located at the inner edge of her property which is usual and customary, according to Mr. Mull. With respect to the curbs, Mr. Morgan stated that some scraping had apparently occurred and that Mr. Mull is aware of this and will deal with it as appropriate. There is still a disagreement, however, over the issue of the survey stakes. Mr. Mull will be better able to address this when he returns.

Ms. Chapman indicated that she is having estimates done of the work to repair the curb. She is also having a new survey done.

Mr. Morgan suggested that the City Council may wish to bring this back at its October 21 meeting when Mr. Mull is back.

Councilor Koho cautioned Ms. Chapman about having the work done before the issue is resolved.

Responding to a question from Councilor Van Meter, Mr. Morgan indicated that this is a unique situation in that the curbs belong to Ms. Chapman.

for the school district to look at opening a northern entrance even though it will impact their playing fields.

Councilor Van Meter suggested that the Police Department increase its patrols through the neighborhood, especially during the busy hours of the day. Mr. Otterman noted that there is a liaison officer assigned to McNary. He has been concentrating on Sandy Drive recently, but he can split his time between the two streets for a higher profile on Newberg Drive.

Councilor Newton suggested looking at whether a State law exists with respect to loitering. The City may be able to enforce this rather than adopt a new ordinance.

COMMITTEE REPORTS

Volunteer Recognition Program

JoAnne Beilke, Chairman of the Volunteer Coordinating Committee, addressed the Council with respect to recent accomplishments of the committee. She stated that the first two major tasks assigned to them included the recruitment of the Police Advisory Committee members and establishment of a volunteer recognition program. The Mayor recently appointed members to the Police Advisory Committee. She reported that this process went very smoothly. The subcommittee revised the volunteer application form and the full committee then interviewed the final 15 or so candidates. At the end of the interviews, the committee took a straw vote on the top seven candidates. She indicated that the top seven choices represented a unanimous vote among the committee members.

With respect to the volunteer recognition program, Ms. Beilke stated that the committee is recommending an annual potluck or picnic, a photo display at City Hall, and recognition in the Keizer Times and Statesman-Journal newspapers. In addition, the committee is working on a program to recognize a volunteer of the month at City Hall. An inventory of the existing volunteers is being done at the present time.

Ms. Beilke requested a commitment of \$300 from the City to provide this recognition to the volunteers.

Councilor Koho commended the Volunteer Coordinating Committee for their quick work. Ms. Beilke noted that the committee members have worked many hours to put this together.

Councilor Koho moved to authorize the expenditure of \$300 for the volunteer recognition program for 1991-92. Councilor Miller seconded the motion.

Councilor Van Meter encouraged the committee to look not only at volunteers who work directly for the City of Keizer, but also those who contribute to the

He reported that several commission members attended Portland's City Club meeting, some of the results of which have been incorporated into the McNary Activity Center Plan. The commission is also involved in the Keizer Tomorrow Committee process. Several commission members visited Stayton City Hall to see what other communities are doing.

Councilor Miller thanked Mr. Watson and the other members of the commission for their work. He asked whether the commission had resolved the issue of a developer who was interested in putting a development near Kennedy School earlier in the year and the amount of park land to be dedicated. Mr. Morgan responded that the Planning Commission did not review this issue. This involved the systems development charge of \$100 per dwelling for park land. State law says that developments must be developed based on a rational plan and that the systems development charge directly reflect the costs. Keizer's parks do not yet have that system in place. He believed this is an issue that will be addressed next spring, and that both the Parks Committee and Planning Commission will be looking at the issue.

Councilor Hart reported, as liaison to the Planning Commission, that the members will be attending City Council meetings. Mr. Watson indicated that the commission is benefitted by Councilor Hart's attendance at their meetings, and the commission determined it would be beneficial for the Planning Commission members to attend City Council meetings on a monthly, rotating basis. Sam Goesch will be attending the next two City Council meetings.

PUBLIC HEARING - PERIODIC REVIEW ORDER

Mayor Orcutt reopened the public hearing to consider testimony on the adoption of a periodic review order. The public hearing had been continued from the City Council's September 16, 1991 meeting.

Mr. Morgan reported that staff will be meeting with Salem officials and representatives from the Department of Land Conservation and Development to put together the final order for adoption.

There being no further testimony to come before the Council, Mayor Orcutt closed the public hearing.

Councilor Koho moved to direct staff to return to the Council with the final periodic review order after consulting with other appropriate agencies. Councilor McGee seconded the motion. The motion passed unanimously, by the following vote:

AYES: Orcutt, Hart, Koho, McGee, Miller, Van Meter (6)

NAYS: None (0)

ing the issue of the turnaround. Mr. Grenz disagreed with Mr. Morgan's statement that the McClure Street issue be separated from the McNary Activity Center Plan. He noted that there has always been some form of contention between Staats and Hillman with respect to McClure Street. The turnaround, however, does not pose a problem unless the McNary Estates Homeowners Association decides it wishes to gate McNary Estates Drive at some future time. The main area of contention appears to be the additional right-of-way which is creating the burden for Staats Corporation. With the proposed hammer head design, there would be no additional right-of-way necessary and, therefore, no detriment to Staats.

Responding to a question from Mayor Orcutt, Mr. Grenz explained that the turnaround would work by a vehicle pulling up the gate, backing into the hammer head, and pulling out.

Councilor Miller questioned whether it would be better to design McClure Street with the hammer head now rather than to come back and redesign it later. Mr. Grenz explained that this could pose an additional liability to the City and to Hillman Properties. Drivers probably would not understand such a design if the gate is not yet in place. Once the gate is installed, however, the liability is decreased because vehicles would not be allowed to travel past the gate and they would need to turn around. He acknowledged that there will be additional costs in the future when McClure is redesigned for the hammer head.

Donald Guthrie, Vice President/Residential Division, Hillman Properties, 900 N. Tomahawk Drive, Portland, provided a chronological history of McClure Street. He stressed that Hillman Properties is required, under agreement with the City, to contribute a maximum of \$50,000 to developing the McClure Street extension. However, Staats Corporation has suggested a number of conditions which would cost Hillman Properties in the area of \$288,000 in order to place the turnaround on the south side of McNary Estates Drive. He noted that a meeting was held to negotiate the issue, but representatives of the Staats Corporation did not attend. Mr. Guthrie noted that there are some benefits to Staats in building the McClure Street extension and the \$50,000 commitment from Hillman Properties. Mr. Guthrie stressed that an additional commitment of \$288,000 is unacceptable to Hillman Properties.

Jim Roop, 6428 Crampton Drive N., Keizer, stated that the homeowners in McNary Estates are very strongly opposed to placing the turnaround on the north side of McNary Estates Drive. He noted that a memorandum was sent to all McNary owners asking for their comments on placing the turnaround on the south side. Not one letter in opposition to this proposal was received.

Ernie Fish, 269 McNary Estates Drive N., Keizer, believed that Mr. Morgan takes lightly the development of 350 units at McNary Estates Drive. Future

Councilor Miller said that when Mr. Guthrie was outlining the proposal from Staats, there was no mention of not extending McClure by Staats Corporation. Mr. Sherman explained that his client is trying to be practical and accommodating and realizes that the street will probably be extended. He added that Staats did not suggest any specific dollar figures; the figures used by Mr. Guthrie are those developed by Hillman Properties. However, Hillman Properties has not come back to negotiate the conditions.

Councilor Miller declared a potential conflict of interest since he resides at McNary Estates.

Sandy Staats, Staats Corporation, 1950 Turner Road, Salem, stressed that she is still willing to work with Hillman Properties and McNary Estates on the negotiations.

Mr. Guthrie addressed a May, 1985 Marion County Planning Division partitioning and lot line adjustment decision which includes that one-third of the total residential growth will occur in the area of Olsen Street between River Road and Windsor Island Road, and that there is no north-south street to carry that traffic. With respect to the \$288,000 cost to meet Staats' conditions, Mr. Guthrie indicated that he is fairly certain of these costs, give or take \$10,000. He again stressed that Hillman Properties is committed for \$50,000.

Mr. Morgan clarified that it is staff's position that the turnaround issue be separated from the McNary Activity Center Plan, however, the extension of McClure Street is an integral part of the overall plan. He hoped that within the next two weeks Staats and Hillman came back with some resolution. Mr. Morgan asked whether the City Council wishes staff to be involved in these negotiations.

Mr. Fish questioned why Mr. Morgan appears now to be changing his mind with respect to the City's commitment to the turnaround as he proposed. Mr. Morgan responded that he sketched out half a dozen alternatives that would technically work. It is up to the parties to determine whether any of those sketches would politically work. Responding to a question from Mr. Guthrie, Mr. Morgan indicated that the City can pretty much do what it wishes within the right-of-way, however, it wouldn't proceed without the input of the affected parties.

Mayor Orcutt indicated that he will be recessing the public hearing to the City Council's October 21 meeting, and that he will be looking for a resolution at that time.

Councilor McGee commented that he enjoyed the debate, and asked that all of the parties go back to the table to negotiate, using staff as a facilitator if both parties so desire.

City of Hillsboro, appears to be concise and comprehensive. With respect to prior evaluations, Mr. Otterman stated that his personnel file shows that the last evaluation was conducted in December of 1990 for the period covering January to December of 1990. He believed the current evaluation should, therefore, cover the period from January 1991 to the present.

Councilor McGee indicated that he had requested a copy of the last written evaluation, and then learned that the last evaluation was oral. The information he received was a summary of the oral evaluation.

Councilor Hart stated that the Council should have more time following the end of the fiscal year should it decide to evaluate the manager on that schedule. He suggested that instead of conducting the evaluation in July of each year, that it be postponed to the first of August.

Councilor Koho suggested conducting the evaluation at the end of the calendar year, perhaps between Thanksgiving and Christmas. Otherwise, they would run into fall election cycles and other factors. He favored the process utilized by the City of Hillsboro.

Councilor McGee indicated that if the Council wishes to evaluate the manager on a date other than what is in the current agreement, then it will need to amend the contract. Otherwise, the City must comply with the terms of the contract as it is written.

Responding to a question from Councilor Koho, Mr. Lien stated that the City Council could amend the employment agreement by motion or by resolution.

Mr. Otterman indicated that since progress on the Council's goals will be a part of the evaluation, the Council may wish to postpone the evaluation until the end of the year when more goals could be accomplished. He believed it was the Council's earlier action that the process for evaluating the city manager be established within 30 days, not that the actual evaluation occur within 30 days.

Councilor McGee stated that the Council will not necessary evaluate him on how many goals are accomplished at that time, but rather on how he manages the goals.

Councilor Miller said that up until these recent goals were established, there were no new goals for two years. The December evaluation does not reflect whether the goals were considered. He indicated that the last evaluation was not done properly, nor has a proper evaluation been done for two years.

Councilor Van Meter stated that the December evaluation was a lengthy oral one and it was as evaluations are supposed to be. If a written evaluation is

AYES: Orcutt, Hart, Koho, McGee, Miller, Van Meter (6)
NAYS: None (0)
ABSENT: Newton (1)

OTHER BUSINESS

Checking Account Signers

Mr. Otterman said that a resolution has been distributed tonight with respect to changing the designated checking account signers. He explained that one of the staff signers has resigned. He is recommending that the Acting Office Supervisor be designated.

Councilor Koho moved for approval of a resolution designating checking account signers. Mayor Orcutt seconded the motion.

Councilor McGee believed that an individual in the Police Department was designated because there was a need to have someone in that department as a check signer. Mayor Orcutt and Mr. Otterman explained that there was no particular reason at the time for the other staff signer to be from the Police Department.

The motion was passed unanimously by the following vote:

AYES: Orcutt, Hart, Koho, McGee, Miller, Van Meter (6)
NAYS: None (0)
ABSENT: Newton (1)

Spring Meadow Estates Lighting District

Mr. Otterman explained that the original owner of Spring Meadow Estates petitioned for a street lighting district in the mobile home park. At that time, three street lights were approved by the Council. The new owners are now desiring to install a total of 22 street lights in the park. He spoke with the property owner today and informed him of the estimated annual assessment. The City Attorney has reviewed and approved the ordinance form.

Councilor Koho moved for passage of an ordinance spreading assessments to Spring Meadow Estates Street Lighting Local Improvement District, and amending Ordinance 90-166. Councilor Hart seconded the motion. The motion passed unanimously on first reading, as follows:

AYES: Orcutt, Hart, Koho, McGee, Miller, Van Meter (6)
NAYS: None (0)
ABSENT: Newton (1)

Enhanced 9-1-1

Councilor Hart informed the Council that he had the opportunity to see the new enhanced 9-1-1 dispatch center.

Sandy Drive Bike Path

Councilor Hart asked for staff to check into the situation with the bike path on the south side of Sandy Drive. Apparently vehicles have been parking in the bike path because it is not marked.

Council Social

Councilor Hart invited the Council members to his residence for a social within the next three to five weeks. Invitations will be sent out. He indicated that Mr. Otterman would be invited as well as spouses. Councilor Koho said that he was unavailable on October 23. Mr. Lien stated that the Council could get together in a social setting as long as business is not discussed.

Job Descriptions

Councilor McGee questioned whether staff job descriptions and the organizational chart have been completed. Mr. Otterman indicated that those have been done and the Council was so notified in one of his Friday memorandums to the Council. Councilor McGee asked for copies of all of the information.

AGENDA INPUT

Because of the heavy load on the October 21, 1991 Council agenda, Mayor Orcutt asked if any items might be moved to the next meeting. It was decided that the OLCC/LaBrisa issue could be temporarily postponed.

ADJOURNMENT

There being no further business, the meeting adjourned at approximately 11 p.m.

APPROVED:

Susan Darby, City Recorder

MAYOR

desired, the employee should have some input into that process since this was not specified in his contract.

Councilor Koho suggested a three member Council committee to put together a proposed evaluation criteria form, and that the evaluation be conducted between Thanksgiving and Christmas.

Councilor Miller clarified his earlier remarks that a proper evaluation should be reduced to writing and the employer and employee should both sign the document. Councilor McGee indicated that while the city manager should have some input and be aware of the evaluation, it is not necessary that he agree with the outcome.

Councilor McGee said he would like to be on the committee to put together the evaluation form, but that if he is not selected he will not be upset. He wants the committee to meet in time to propose the format to the City Council on October 21 and for the Council to conduct the evaluation the following week. He noted that the City is already in breach of its contract since the evaluation should have been completed in July by the terms of the contract. Several comments were made with respect to the Council members who were unavailable the following week for the evaluation.

Councilor McGee moved to authorize the Mayor to appoint a three member City Council committee to develop an evaluation criteria form for the City Manager performance evaluation, with the City Manager's input, and to return to the Council on October 21 for approval of the form, and to set a specific date for the evaluation to take place. Councilor Koho seconded the motion. The motion passed by the following vote:

AYES: Orcutt, Hart, Koho, McGee, Miller (5)

NAYS: Van Meter (1)

ABSENT: Newton (1)

CONSENT CALENDAR

The Consent Calendar consisted of the following items:

- September 3, 1991 City Council Minutes
- September 16, 1991 City Council Minutes
- Resolution - The Meadows Phase 4 Street Lighting District
- Resolution - Orchard Crest Street Lighting District

Councilor Van Meter noted that he was absent during the meeting of September 16, 1991.

Councilor Hart moved for approval of the Consent Calendar. Councilor Koho seconded the motion. The motion carried unanimously by the following vote:

Councilor Koho suggested that the Council wait until October 21, but that he would urge the Council to take action at that time regardless of whether the parties come to an agreement.

ANNEXATION - KA 91-1

Mr. Morgan reviewed the staff report regarding the annexation of the Reece, Blackman, Croteau and Wheatland Automotive, Inc., properties. An issue regarding the boundary was brought out in previous meetings. In discussions with Marion County, the Board of Commissioners has agreed to allow the use of the 170 foot contour, contrary to the recommendation of Russ Nebon, Marion County Planning Director. Mr. Morgan indicated that although the legal description included with the ordinance tonight is not specific, it is adequate for the purposes of annexation and he recommended that the Council proceed with passage of the ordinance as proposed.

Councilor Van Meter moved for passage of an ordinance annexing a portion of property to the City of Keizer. Councilor Miller seconded the motion.

In response to a question from Councilor Van Meter, Mr. Reimann indicated that he anticipates there will be some type of attached residential housing on the property, however, that decision will be made in the next 1 to 1-1/2 years.

The motion was passed unanimously, by the following vote:

AYES: Orcutt, Hart, Koho, McGee, Miller, Van Meter (6)

NAYS: None (0)

ABSENT: Newton (1)

LEAGUE OF OREGON CITIES

VOTING DELEGATE

Mayor Orcutt indicated that Councilor Newton has agreed to serve as the voting delegate to the 1992 League of Oregon Cities' Conference.

Councilor Koho moved to appoint Councilor Newton as the voting delegate for the 1992 League of Oregon Cities' Conference. Councilor Van Meter seconded the motion. The motion passed unanimously, as follows:

AYES: Orcutt, Hart, Koho, McGee, Miller, Van Meter (6)

NAYS: None (0)

ABSENT: Newton (1)

CITY MANAGER PERFORMANCE

EVALUATION FORMAT

Mr. Otterman distributed information to the Council regarding the process used by other jurisdictions in evaluating their city managers. One of these, from the

development may need to be halted if the issue of McClure Street cannot be resolved immediately. He urged the Council to take a stand on the situation.

Ken Sherman, Jr., Attorney at Law representing Staats Corporation, 687 Court Street N.E., Salem, agreed with staff's recommendation to bring the final draft document back to the City Council at its October 21 meeting. This will give the parties adequate time to review the draft, assuming it is completed in the near future.

Mr. Sherman indicated that Hillman Properties now makes it seem that a turnaround within the McNary Estates development would be a terrible thing to occur. With respect to the meeting held to negotiate, Mr. Sherman indicated that they were told by Mr. Morgan not to attend.

Mr. Sherman noted that in 1985, the Staats' family gave to the City the land for McClure Street with the understanding that it would not be extended through. The intent was to benefit the new school. Mr. Sherman indicated that while Mr. Guthrie is concerned about an agreement committing Hillman Properties to pay \$50,000 for the extension, he himself is concerned about earlier agreements between the Staats family and the City. He stated that driveways are limited off of collector streets. As a consequence, there would be significant devaluing of his client's property. With respect to the conditions proposed to Hillman Properties, he noted that those were starting proposals only.

Responding to a question from Councilor Hart, Mr. Sherman stated that it was his client's understanding that McClure would not need to be extended for one to two years. Now, tonight, he learns that this is an issue that needs to be resolved immediately.

Mr. Morgan stated that McClure is a designated collector street in the comprehensive plan and in the Year 2000 SKATS plan. The City would need to either purchase or condemn the right-of-way from Staats. Mr. Lien noted that such a condemnation proceeding could take eight to twelve months.

Responding to a question from Councilor Miller, Mr. Sherman said that his client was told that McClure Street would not be extended through, and that the school was also concerned about such an extension. Responding to a question from Councilor Miller, Mr. Sherman stated that a school located immediately next to residential property does not increase its value but rather decreases the value. A school two blocks away, however, is an advantage.

Councilor Miller asked if Staats realized any tax benefits by donating the land for McClure Street. Mr. Sherman indicated he did not know, but that if they did, it is not 100%.

ABSENT: Newton (1)

**PUBLIC HEARING -
MCNARY ACTIVITY CENTER PLAN**

Mayor Orcutt reopened the public hearing on the McNary Activity Center Design Plan. The public hearing had been continued from the September 3, 1991 City Council meeting.

Mr. Morgan stated that he is working with the parties to incorporate all of the agreed upon changes into a new draft document. That document is not yet finished. He asked the Council to hold this matter over to the next meeting to give the parties an opportunity to review the document once it is completed.

Mr. Morgan indicated that a second issue involves the McClure Street extension and the desirability for a turnaround. He met with representatives of Hillman Properties and McNary Estates to discuss possible alternatives. Mr. Morgan indicated that moving the turnaround onto Staats' property is a private matter between the parties, however, the negotiations between those two groups were unsuccessful. In order to move off the stalemate, he sketched several alternatives for achieving a turnaround without requiring additional property from Staats. One of those alternatives appeared to be acceptable to Hillman Properties. Mr. Morgan distributed a letter dated October 7 addressed to Ms. Staats and Mr. Fish which was prepared in an effort to clarify the facts of the situation and the staff's position concerning the controversy surrounding McClure Street. Attached to his letter was a letter dated October 3 from Mark Grenz and a suggested preliminary McClure Street access with a hammer head turnaround. Mr. Morgan indicated that McClure is the designated collector for the area and McNary Estates Drive is a functional collector.

Responding to a question from Councilor Miller, Mr. Morgan stated that the \$50,000 to be paid by Hillman may be in the ballpark for completion of the McClure Street extension. The hammer head design as proposed could be accomplished within the 60 foot right-of-way. The 60 foot right-of-way is what Staats will be required to donate to the City.

Gordon Cunningham, 210 Snead Drive N., Keizer, indicated that McNary Estates includes \$30 million in property value and it will continue to grow. He questioned why the developer is treated so badly. He said that Staats is not particularly interested in being involved in a solution to this problem of the turnaround. Mr. Cunningham stated that Mayor Orcutt asked that a decision be delayed on this matter for two weeks; that was 14 months ago. The street has to go in, and it is past time for the City to see that this is accomplished.

Mark Grenz, Multi/Tech Engineering Services, Inc., 1155 13th Street S.E., Salem, testified on behalf of Hillman Properties. He explained that he will be address-

community in other ways. Ms. Beilke asked for clarification on the status of the volunteers who do work at the Little League fields. Her original understanding from the Mayor was that the Volunteer Coordinating Committee was to recognize only those volunteers who do work for the City of Keizer itself. Councilor Newton indicated that he believes the committee is, at least for the present time, heading in the right direction, although the City may change the direction of the committee at some later point.

The motion was passed unanimously, as follows:

AYES: Orcutt, Hart, Koho, McGee, Miller, Newton, Van Meter (7)

NAYS: None (0)

Responding to a question from Councilor Hart, Ms. Beilke stated that the committee is now recruiting for members to the Charter Review Committee. Press releases are being done for this committee, as well as for a couple of vacancies on the Parks Committee. She indicated that the recognition program will be ready for the Council's first meeting in January.

Councilor Newton left the meeting at 8:09 p.m.

Planning Commission

Jerry Watson, representing the Planning Commission, highlighted some of the accomplishments and work of the commission, including:

- McNary Activity Center Plan involving four main components:
 - general patterns of land use
 - wetlands
 - parks
 - McClure Street
- Temporary Business Ordinance
- Manufactured Housing Ordinance

The commission held a special session on September 25 which was comparable to an in-house retreat. At this session, the members came up with future issues they will be studying:

- Comprehensive plan revisions for the periodic review process
- Temporary business ordinance
- Zone code revisions
- Systems development charges
- Planning Commission taking on an additional role in the current planning activities, i.e., variances, conditional uses, etc.

Mayor Orcutt indicated that staff will follow up on this when Mr. Mull returns, and that she will be contacted.

Newberg Drive Traffic

Judy Lathrop, 5433 Newberg Drive N., Keizer, testified that there has been a tremendous increase in traffic on Newberg since Lockhaven Drive was opened up. Traffic from McNary High School uses this access from Lockhaven Drive. She stated that there is no police patrolling the street and that the noise is intolerable. She suggested that the high school be required to open an access from Lockhaven Drive on the north side of the school's property. Although there is a direct access from Chemawa, it is easier and quicker for the students to use Newberg from Lockhaven.

Lono Dunn, 5303 Newberg Drive N., Keizer, stated that since Lockhaven opened to Newberg, the neighbors refer to the "peak hours of I-5". He spoke to school officials in an attempt to limit the amount of traffic that utilizes Newberg Drive. Also, opening the access to Chemawa was supposed to help, but it has not. On one afternoon he counted 16 buses on Newberg, on another he counted 25 buses. There are 500 cars on Newberg on any day. On a game night, a fire truck would not be able to travel down Newberg Drive because of the parking problem. Mr. Dunn stated that he has lived on Newberg for 17 years and that the neighbors are asking for the City's help in resolving the traffic problem.

Councilor Hart noted that he rode along with an officer recently and that two vehicles were cited for parking in front of fire plugs.

Mr. Dunn indicated that he has polled almost every resident on Newberg. He suggested options including the closure of Sandy and Newberg except for emergency traffic, opening a school entrance off of Lockhaven Drive, requiring residential parking permits, and adopting or enforcing a loitering ordinance. He added that Newberg and Sandy could remain open for pedestrian traffic. Another suggestion he received from a neighbor was to place a 3-way stop at Mc Arthur and Newberg.

Councilor McGee suggested this be channeled through the Traffic Safety Committee. Mayor Orcutt stressed that without the cooperation of the school district, there isn't much that the City can do. He indicated that he would assign this to the Traffic Safety Committee for further investigation.

Councilor Newton indicated that the Council was aware there may be some problems created when Lockhaven opened, however, the time may have come

Mr. De Martino expressed concern that the City spent \$800 in prosecution costs for a \$50 citation. If the City refunds the \$77, he would be happy to donate it back to the City for painting or other needs. However, he believes he was singled out because he pointed out what he believed to be a problem in the Police Department's policy regarding spouses riding along. In addition, he noted that when he contacted the Police Department to find out who was riding along with the officer that evening, the Police Department staff had no idea who was in the vehicle. Mr. De Martino indicated that he wrote a letter to the City Manager regarding this matter.

Responding to a question from Councilor Koho, Mr. De Martino stated that he paid \$77 out of his pocket to appeal the case which the City eventually dropped against him.

Councilor Miller questioned Mr. De Martino regarding the officer's wife being with her spouse in the patrol vehicle. Mr. De Martino indicated that he was told that the officer's spouse was riding along with her husband. However, he believed the policy to be a poor one because an officer would not put himself in danger when a loved one is in the vehicle. In addition, the officer then has a built in witness.

In response to a question from Councilor Miller, Mr. De Martino indicated that he does not believe the woman who was riding along with the officer was the officer's wife because of a difference in the physical appearance.

Councilor McGee suggested that this matter be thoroughly investigated. Once that is completed, the City would need to correct whatever needs to be adjusted, if necessary, and to apologize to Mr. De Martino if the situation warrants it, as well as reimbursing him for his costs.

Councilor Hart said that no further investigation needs to be done; the judicial system has done this already. As a result of having to file the appeal, the City Council could correct the monetary harm to Mr. De Martino.

Councilor Hart moved to reimburse Mr. De Martino his cost for filing the appeal. Councilor Koho seconded the motion.

Councilor McGee stated that he does not wish to get into the mode of making these decisions without more information and deliberation.

Councilor Newton said he would like to hear from staff on this issue prior to responding to Mr. De Martino's concerns.

Councilor Miller stated that appeals can be dropped for many reasons. He asked for Mr. Lien's input. Mr. Lien responded that Shannon Johnson handled the original hearing, and that there was quite a bit of disagreement at the

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R91-_____

AUTHORIZING AN AGREEMENT FOR THE
LAW ENFORCEMENT DATA SYSTEM (LEDS)

*RESTRICT
TO DMV
ACCESS ONLY*

WHEREAS, the Keizer Municipal Court is desirous of utilizing the Law Enforcement Data System (LEDS) for motor vehicle information; and

WHEREAS, the State of Oregon Executive Department, Criminal Justice Services Division is willing and able to provide such service; NOW, THEREFORE,

IT IS HEREBY RESOLVED by the City Council of the City of Keizer that the City enter into the attached Law Enforcement Data System User Agreement.

IT IS FURTHER RESOLVED that Municipal Judge Eric Larson is authorized to sign said agreement on behalf of the City of Keizer.

PASSED this _____ day of _____, 1991.

SIGNED this _____ day of _____, 1991.

Mayor

City Recorder

A. Oregon Administrative Rules (OAR 107-50-000 through OAR 107-50-050), governing use of the Law Enforcement Data System.

B. The LEDS Operating Manual

V. TIMELINESS OF RECORD ENTRY.

The User Agency agrees to enter records into LEDS and NCIC promptly, to ensure maximum system effectiveness.

Timeliness for various files is defined below.

- A. Wanted Persons: A timely entry in the wanted person files means entry made immediately after the decision to arrest or to authorize arrest has been made, and after the decision has been made as to whether and how far to go for extradition.
- B. Vehicles, Boats, Parts, License Plates: Timely entry of stolen or felony motor vehicles, boats, parts and license plates means entry made immediately upon receipt and verification of the information with the victim or other responsible party and with the appropriate motor vehicle or boat registration agency, if possible.
- C. Guns, Articles, Securities: Timely entry of stolen guns, articles or securities means entry within no more than twenty-four (24) hours of the time when complete information is available.
- D. Missing Persons, Unidentified Persons, Persons of Interest and Restraining Orders: Timely entry of missing persons, unidentified persons, persons of interest and restraining orders means entry immediately after the decision has been made that the record qualifies for entry.

VI. TIMELINESS OF RECORD REMOVAL.

The User Agency agrees to remove its records in a timely manner. Timely removal of a record from file means an immediate removal once a fugitive has been arrested or is no longer wanted, or when an item of property has been recovered, or when a missing person has been located, etc.

VII. TIMELINESS OF INQUIRY.

The User Agency recognizes that the timeliness of system inquiries is important for the promotion of justice and the safety of law enforcement officers and the public. Timeliness of inquiry means initiation of the inquiry before a

substantive response. A substantive response means a positive or negative confirmation or notice of the specific amount of time necessary to confirm the status of the record.

XI. LEGAL RESPONSIBILITIES FOR RECORD ENTRIES AND INFORMATION ACCESS AND DISSEMINATION.

The User Agency agrees that it shall be legally responsible, as between LEDS and other user agencies and the User Agency, for the accuracy and completeness of its records in LEDS and NCIC, the timeliness of entry and removal of records from the system, and for adhering to system security and information access and dissemination requirements. This paragraph pertains only to the relative rights and responsibilities of LEDS and user agencies and does not constitute an undertaking of any duties with respect to third parties.

XII. STANDARDS AND SANCTIONS.

The User Agency agrees to establish and maintain security standards, audit standards and personnel training standards adequate to ensure system security and the accuracy, completeness and timeliness of entries consistent with this Agreement and the standards established in the incorporated documents (Part IV).

The User Agency shall comply promptly with all directives of NCIC or LEDS regarding actions designed to assure compliance by the User Agency with the standards referenced in this part.

LEDS shall have the discretion to require the User Agency's compliance with the standards by taking such action as the circumstances of non-compliance or risks of non-compliance require in the particular case. Remedial action that may be required by LEDS may include, but is not limited to, informal verbal requests for curative action by the User Agency, letters requiring curative steps to be taken by the User Agency and specifying a reasonable time for the accomplishment of those steps, or requirements for the review or monitoring of the User Agency's operations.

LEDS also is authorized to impose sanctions for non-compliance with the standards contained or incorporated by reference in this Agreement, and for any failure or refusal to take corrective action. The nature and scope of the sanctions shall be at the sole discretion of LEDS. The authority to impose sanctions shall include authority to impose probationary terms and periods, and ultimately extends to temporarily or permanently disabling the User Agency's terminal access or terminating this Agreement on such notice as may be deemed reasonable by LEDS.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R91- _____

DECLARING THE CITY'S INTENT TO INITIATE A STREET LIGHTING
DISTRICT (WILLOW LAKE ESTATES PHASES II & III) AND DIRECTING THE
CITY ENGINEER TO MAKE A SURVEY AND FILE A WRITTEN REPORT
WITH THE CITY RECORDER

WHEREAS, the City Council of the City of Keizer has received
a petition to initiate a street lighting district in Willow Lake
Estates Phases II & III subdivisions, in the City of Keizer,
Oregon; and

WHEREAS, pursuant to City of Keizer Ordinance 87-094, the
necessary signatures of land owners comprising two-thirds of the
property to be included within Willow Lake Estates Phases II &
III Lighting District have requested the formation of the
district; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Keizer
that:

1. The City Council declares its intent to initiate
Willow Lake Estates Phases II & III Street Lighting District;

2. The City Engineer is hereby directed to make a survey
of the District;

3. The City Engineer shall file a written report with the
City Recorder to be considered by the City Council on November 4,
1991.

PASSED this _____ day of _____, 1991.

SIGNED this _____ day of _____, 1991.

Mayor

City Recorder

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Clarence E. Barker

OREGON
DATE: 11/1/88
CLARENCE E. BARKER

S.S.W 1/4 SEC. 34. T 6 S. R 3 W. W.M., CITY OF KEIZER, MARION COUNTY, OREGON

Abstract

- [illegible]

1. Finding and Distance of Record

Sample Date	Depth	Polys. % vol (no.)	Netws. % vol (no.)	Length mm (no.)	Zone Char.
9/20/00	20-25	54 (10)	70 (4)	31-42	Na 47/161/0/0
9/20/00	25-30	52 (10)	70 (4)	31-42	Na 47/161/0/0
9/20/00	30-35	52 (10)	70 (4)	31-42	Na 47/161/0/0
9/20/00	35-40	52 (10)	70 (4)	31-42	Na 47/161/0/0
9/20/00	40-45	52 (10)	70 (4)	31-42	Na 47/161/0/0
9/20/00	45-50	52 (10)	70 (4)	31-42	Na 47/161/0/0
9/20/00	50-55	52 (10)	70 (4)	31-42	Na 47/161/0/0
9/20/00	55-60	52 (10)	70 (4)	31-42	Na 47/161/0/0
9/20/00	60-65	52 (10)	70 (4)	31-42	Na 47/161/0/0
9/20/00	65-70	52 (10)	70 (4)	31-42	Na 47/161/0/0
9/20/00	70-75	52 (10)	70 (4)	31-42	Na 47/161/0/0
9/20/00	75-80	52 (10)	70 (4)	31-42	Na 47/161/0/0
9/20/00	80-85	52 (10)	70 (4)	31-42	Na 47/161/0/0
9/20/00	85-90	52 (10)	70 (4)	31-42	Na 47/161/0/0
9/20/00	90-95	52 (10)	70 (4)	31-42	Na 47/161/0/0
9/20/00	95-100	52 (10)	70 (4)	31-42	Na 47/161/0/0
9/20/00	100-105	52 (10)	70 (4)	31-42	Na 47/161/0/0
9/20/00	105-110	52 (10)	70 (4)	31-42	Na 47/161/0/0
9/20/00	110-115	52 (10)	70 (4)	31-42	Na 47/161/0/0
9/20/00	115-120	52 (10)	70 (4)	31-42	Na 47/161/0/0
9/20/00	120-125	52 (10)	70 (4)	31-42	Na 47/161/0/0
9/20/00	125-130	52 (10)	70 (4)	31-42	Na 47/161/0/0
9/20/00	130-135	52 (10)	70 (4)	31-42	Na 47/161/0/0
9/20/00	135-140	52 (10)	70 (4)	31-42	Na 47/161/0/0
9/20/00	140-145	52 (10)	70 (4)	31-42	Na 47/161/0/0
9/20/00	145-150	52 (10)	70 (4)	31-42	Na 47/161/0/0
9/20/00	150-155	52 (10)	70 (4)	31-42	Na 47/161/0/0
9/20/00	155-160	52 (10)	70 (4)	31-42	Na 47/161/0/0
9/20/00	160-165	52 (10)	70 (4)	31-42	Na 47/161/0/0
9/20/00	165-170	52 (10)	70 (4)	31-42	Na 47/161/0/0
9/20/00	170-175	52 (10)	70 (4)	31-42	Na 47/161/0/0
9/20/00	175-180	52 (10)	70 (4)	31-42	Na 47/161/0/0
9/20/00	180-185	52 (10)	70 (4)	31-42	Na 47/161/0/0
9/20/00	185-190	52 (10)	70 (4)	31-42	Na 47/161/0/0
9/20/00	190-195	52 (10)	70 (4)	31-42	Na 47/161/0/0
9/20/00	195-200	52 (10)	70 (4)	31-42	Na 47/161/0/0

14-00000
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1. Employment used: WJ104 1002 1000
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one half of the



City of Keizer

Administration
930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

COUNCIL MEETING: October 21, 1991

AGENDA ITEM NO.: 8D

TO: MAYOR AND CITY COUNCIL
FROM: DONALD H. OTTERMAN, M.S.P.A, CITY MANAGER *DHO*
SUBJECT: THE MEADOWS PHASE 4 STREET LIGHTING DISTRICT

ISSUE

Consideration of the Engineer's Report and consideration of a resolution to adopt the Engineer's Report and to set a public hearing date to receive remonstrances to the project.

BACKGROUND

On October 7, 1991, the City Council adopted Resolution 91-531 initiating a street lighting district and directing the City Engineer to make a survey and file a written report with the City Recorder on The Meadows Phase 4 Street Lighting District. This Council action was taken in response to a petition from the property owners in the subdivision requesting formation of a lighting district.

The Engineer's Report identifying the boundaries, improvements, estimated costs and property owners within the proposed street lighting district is attached.

FISCAL IMPACT

There is no direct fiscal impact on the City of Keizer. The City receives reimbursement from the property owners for electrical costs through assessments placed on the tax roll each year. The City may collect expenses for operational costs, i.e., tax roll preparation, audit, tax delinquencies and miscellaneous costs. An amount estimated to cover these expenses is included in the Engineer's Report. Spreading the lighting district assessments on an annual basis takes a minimal amount of staff time when the assessments are made on a per lot basis. All activity is budgeted through the Utility Fund.

RECOMMENDATION

City Council adoption of the attached Resolution approving the Engineer's Report, setting the public hearing for November 18, 1991 and directing the City Recorder to provide notice of the public hearing.

Attachments: Resolution - City Engineer's Report

"Pride, Spirit and Volunteerism"

1 also provide that information required under City of Keizer
2 Ordinance 87-094, an ordinance providing for procedures for
3 municipal lighting districts and special assessments.

4 Section 4. That the City Council hereby directs the City
5 Recorder to mail notice of the proposed assessments to each owner
6 in the local improvement district with notice that any objections
7 to the Engineer's Report and the proposed assessment will be
8 considered by the City Council at the aforesaid November 18, 1991
9 public hearing.

10 Section 5. That the City Council may abandon the
11 proceedings for the lighting district improvements if sufficient
12 property owner support for the local improvement district does
13 not materialize.

14 Section 6. If any section, subsection, sentence, clause or
15 phrase of this resolution is for any reason held to be invalid or
16 unconstitutional by the decision of any court of competent
17 jurisdiction, such decision shall not affect the validity of the
18 remaining portions of the resolution. The City Council hereby
19 declares that it would have passed this resolution and each
20 section, subsection, sentence, clause or phrase thereof
21 irrespective of the fact that any one or more sections,
22 subsections, sentences, clauses or phrases be declared invalid or
23 unconstitutional.

24 PASSED this ____ day of _____, 1991.

25 SIGNED this ____ day of _____, 1991.

26 _____
27 Mayor

28 _____
29 City Recorder

October 16, 1991

TO: The Hon. Mayor and City Council of the City of Keizer

FROM: William I. Peterson, PE

SUBJECT: Street Lighting District for The Meadows 4

Authority and Purpose: This report is submitted in accordance with the requirements of City of Keizer Ordinance No. 87-094 for the purpose of creating the subject Street Lighting District.

District Boundaries and Map: A Map of the proposed District is attached showing the areas benefited by the street lights proposed to be installed.

Lighting Plan Alternatives: The lighting improvements will consist of 10, 100 Watt High Pressure Sodium luminaires mounted on 8 foot long mast arms at a height of 25 feet using gray Fiberglas poles. This design is selected to be consistent with earlier phases of the subdivision. A Typical Pole and Light Detail is attached.

Installation may be accomplished by any one of the following methods.

METHOD A - Portland General Electric (PGE) would supply, install and maintain the luminaires, poles and underground or overhead wiring. PGE would also supply the electrical power to the District.

METHOD B - The City of Keizer would buy the poles and luminaires and contract with PGE for the installation, maintenance and power for the District.

Estimated Costs:

METHOD A:

Annual costs -

10 Poles & luminaires @ \$11.95 per month each	
x 12 mos.	
Annual operating costs @ 10 % ¹	\$1,434.00
Total Annual Cost	<u>443.40</u>
	\$1,877.40

Total Assessable Costs = \$1,877.40

PRELIMINARY ASSESSMENT ROLL

Meadows 4 Street Lighting District

The Meadows - 4 in Sec. 26 Township 6 S. Range 3 W., W.M. in
the City of Keizer, Marion County, Oregon

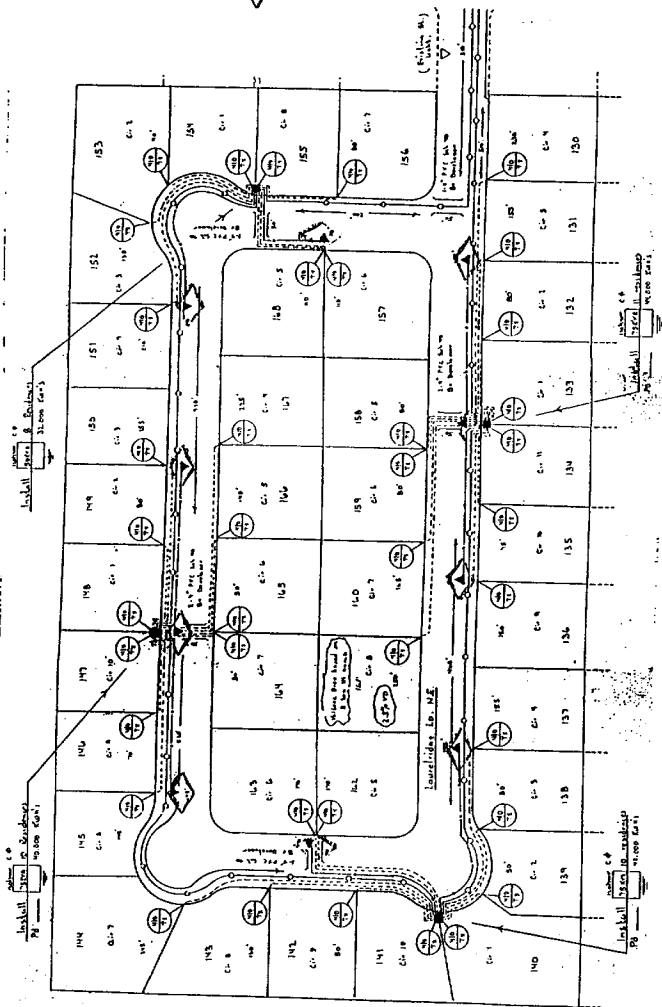
Total to be Assessed = \$1,877.48

<u>Lot(s)</u>	<u>Owners</u>	<u>Cost</u> <u>Per Lot</u>	<u>Total</u>
130-168	Meadows Group PO Box 21209 Keizer, Or 97307	\$ 48.14	\$ 1,877.48

39 Lots

\$ 1,877.48

100 WATT HPS STREETLIGHT
MOUNTED AT 25 FEET ON
30 FOOT GRAY FIBERGLASS POLE





City of Keizer

Administration

930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

COUNCIL MEETING: October 21, 1991

AGENDA ITEM NO.: 8E

TO: MAYOR AND CITY COUNCIL
FROM: DONALD H. OTTERMAN, M.S.P.A, CITY MANAGER *DHO*
SUBJECT: ORCHARD CREST STREET LIGHTING DISTRICT

ISSUE

Consideration of the Engineer's Report and consideration of a resolution to adopt the Engineer's Report and to set a public hearing date to receive remonstrances to the project.

BACKGROUND

On October 7, 1991, the City Council adopted Resolution 91-532 initiating a street lighting district and directing the City Engineer to make a survey and file a written report with the City Recorder on Orchard Crest Street Lighting District. This Council action was taken in response to a petition from the property owners in the subdivision requesting formation of a lighting district.

The Engineer's Report identifying the boundaries, improvements, estimated costs and property owners within the proposed street lighting district is attached.

FISCAL IMPACT

There is no direct fiscal impact on the City of Keizer. The City receives reimbursement from the property owners for electrical costs through assessments placed on the tax roll each year. The City may collect expenses for operational costs, i.e., tax roll preparation, audit, tax delinquencies and miscellaneous costs. An amount estimated to cover these expenses is included in the Engineer's Report. Spreading the lighting district assessments on an annual basis takes a minimal amount of staff time when the assessments are made on a per lot basis. All activity is budgeted through the Utility Fund.

RECOMMENDATION

City Council adoption of the attached Resolution approving the Engineer's Report, setting the public hearing for November 18, 1991 and directing the City Recorder to provide notice of the public hearing.

Attachments: Resolution - City Engineer's Report

"Pride, Spirit and Volunteerism"_____

also provide that information required under City of Keizer
Ordinance 87-094, an ordinance providing for procedures for
municipal lighting districts and special assessments.

Section 4. That the City Council hereby directs the City
Recorder to mail notice of the proposed assessments to each owner
in the local improvement district with notice that any objections
to the Engineer's Report and the proposed assessment will be
considered by the City Council at the aforesaid November 18, 1991
public hearing.

Section 5. That the City Council may abandon the
proceedings for the lighting district improvements if sufficient
property owner support for the local improvement district does
not materialize.

Section 6. If any section, subsection, sentence, clause or
phrase of this resolution is for any reason held to be invalid or
unconstitutional by the decision of any court of competent
jurisdiction, such decision shall not affect the validity of the
remaining portions of the resolution. The City Council hereby
declares that it would have passed this resolution and each
section, subsection, sentence, clause or phrase thereof
irrespective of the fact that any one or more sections,
subsections, sentences, clauses or phrases be declared invalid or
unconstitutional.

PASSED this ____ day of _____, 1991.

SIGNED this ____ day of _____, 1991.

Mayor

City Recorder

October 16, 1991

TO: The Hon. Mayor and City Council

FROM: William I. Peterson, PE

SUBJECT: Street Lighting District for Orchard Crest - Phase 1

Authority and Purpose: This report is submitted in accordance with the requirements of City of Keizer Ordinance No. 87-094 for the purpose of creating the subject Street Lighting District.

District Boundaries and Map: A Map of the proposed District is attached showing the areas benefited by the street lights proposed to be installed. Street lights are proposed to be installed only in Phase 1 at this time but the Street Lighting District boundary is drawn to include future phases of this subdivision. As those phases are built and lights installed, they may be added to the assessment rolls simply by amendment to the Ordinance.

Lighting Plan Alternatives: The lighting improvements within Phase 1 will consist of 10, 100 Watt and 2, 200 Watt High Pressure Sodium luminaires. The 100 Watt lights will be mounted on 8 foot long mast arms at a height of 25 feet, on gray Fiberglas poles. A Typical Pole and Light Detail is attached. The 200 Watt units will be mounted on existing PGE poles along Wheatland Road.

Installation may be accomplished by either of the following methods.

METHOD A - Portland General Electric (PGE) would supply, install and maintain the luminaires, poles and underground or overhead wiring. PGE would also supply the electrical power to the District.

METHOD B - The City of Keizer would buy the poles and luminaires and contract with PGE for the installation, maintenance and power for the District.

Estimated Costs:

METHOD A:

Annual costs -

10 Poles & 100 W luminaires @ \$11.95 x 12 mos.	\$1,434.00
2, 200 W luminaires @ \$ 9.52 x 12 mos.	228.48
Annual operating costs @ 10 %	466.25
Total Annual Cost	\$2,178.73

Total Assessable Costs = \$2,178.73

PRELIMINARY ASSESSMENT ROLL

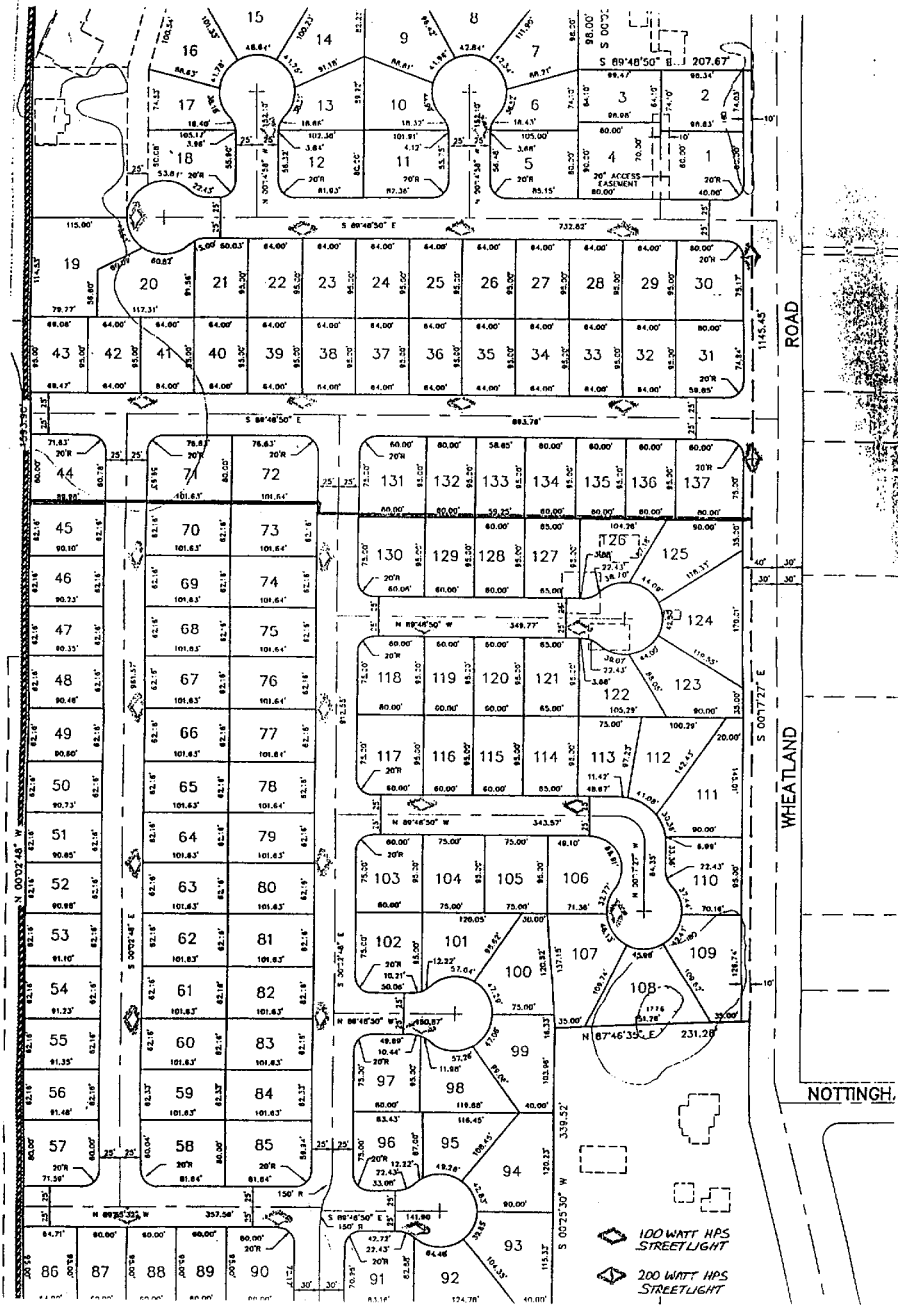
Orchard Crest Subdivision - Phase 1 Street Lighting District
in Sec. 26, Township 6 S. Range 3 W., W.M. in the City of
Keizer, Marion County, Oregon

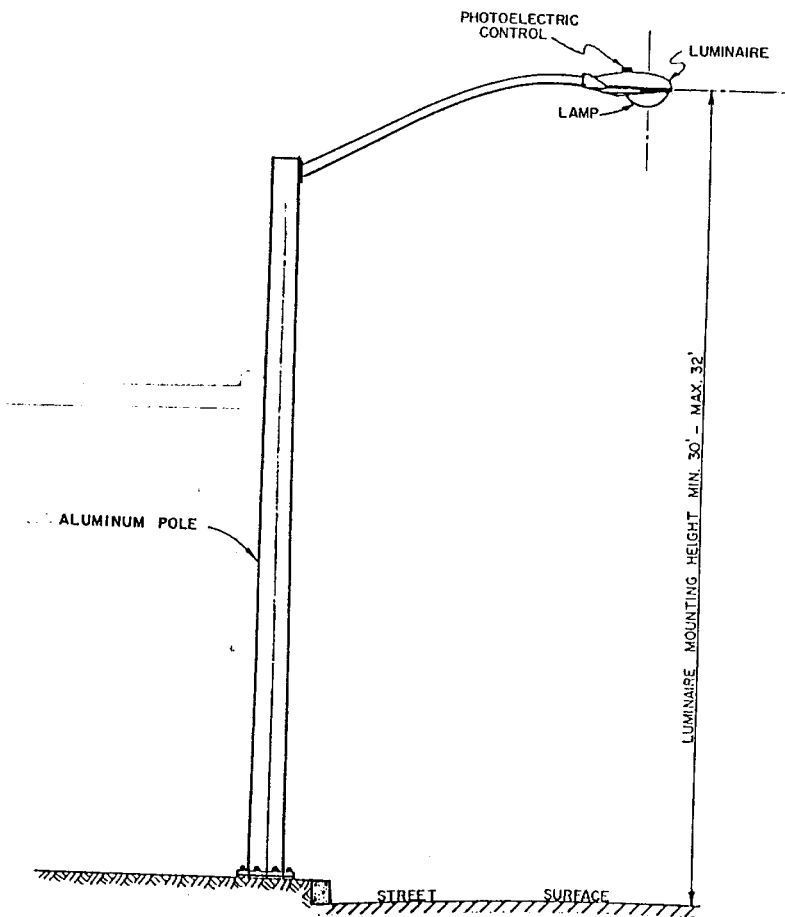
Total to be Assessed = \$2,178.73

<u>Lot(s)</u>	<u>Owners *</u>	<u>Cost Per Lot</u>	<u>Total</u>
1-44	Meadows Group PO Box 21209 Keizer, OR 97303	\$ 40.35	\$ 1,775.26
71	" "	40.35	40.35
72	" "	40.35	40.35
131-137	" "	40.35	<u>282.43</u>
54 Lots			\$2,178.73

* Owners names verified by Marion County Assessor on October 10,
1991.

ORCHARD CREST PHASE 1





TYPICAL POLE & LIGHT DETAIL

— N.T.S. —

METHOD B:

Purchase 10 Poles & luminaires @ \$ 875.00 each = \$ 8,750.00
Purchase 2 200 Watt luminaires @ \$ 330.00 each = 660.00

Annual Costs -

10 Poles & 100 W luminaires @ \$11.95 x 12 mos.	\$1,434.00
2, 200 W luminaires @ \$ 9.52 x 12 mos.	228.48
Annual operating costs @ 10 % ¹	<u>466.25</u>
Total Annual Cost	\$2,178.73

Total Assessable Costs = \$11,588.73

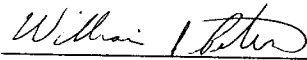
¹ Includes tax roll preparation, audit, delinquencies engineering and miscellaneous administrative costs to the City. These costs may be expected to be reduced to approximately \$166.00 per year in subsequent years.

We recommend the City adopt Method A. The annual costs for Method A are greater than for Method B but the City avoids the initial cost of the poles and the higher costs associated with District formation.

Method of Assessment: It is recommended that the costs be assessed equally to each lot or parcel in the district. The first year assessment would include the one time costs for District formation and engineering.

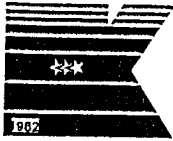
Assessment Roll: The attached preliminary assessment roll identifies the benefited properties and the first year assessments to be levied against each.

Respectfully submitted,



William I. Peterson, PE

WIP/RWF/sj
<910165.RPT>



City of Keizer

P.O. BOX 21000 KEIZER, OR. 97303

ENGINEER'S REPORT

FOR

ORCHARD CREST - PHASE 1

STREET LIGHTING DISTRICT

For City Council Action October 21, 1991



Date: October 16, 1991

Project File 91-0165

3853 RIVER RD. N. KEIZER, OR. 97303
(503) 390-7402 FAX # (503) 390-7461

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2 Resolution R91-_____

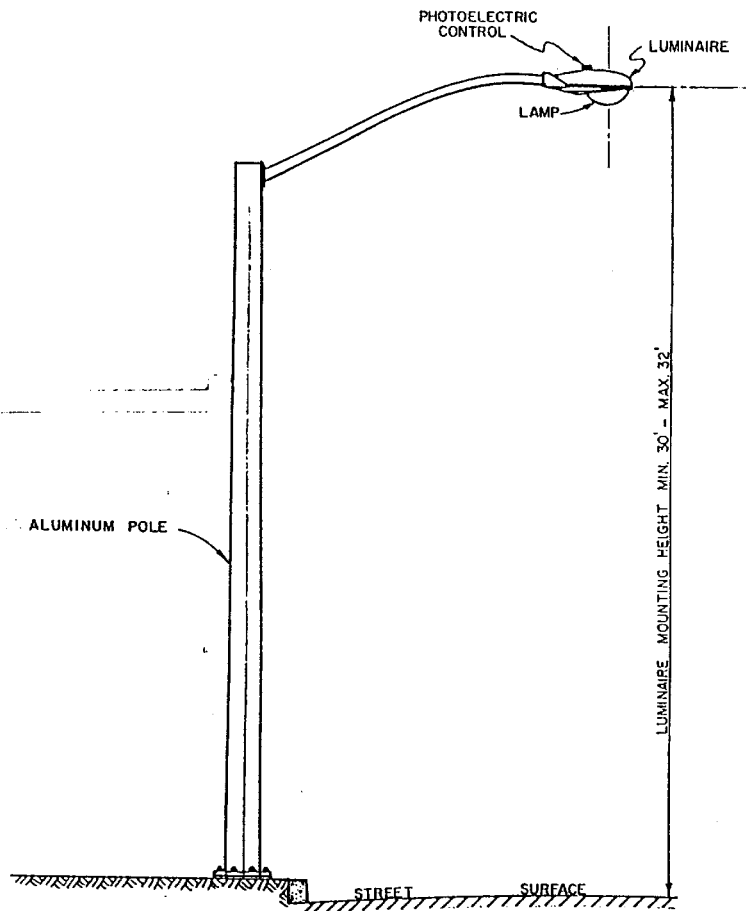
3 ORCHARD CREST STREET LIGHTING DISTRICT

4 BE IT RESOLVED by the City Council of the City of Keizer, Oregon:

5 Section 1. That the City Council hereby finds the
6 preliminary plans, an estimate of probable costs contained in the
7 City Engineer's report for Orchard Crest Street Lighting District
8 which was filed with the City Recorder on October 11, 1991 to be
9 satisfactory, and the same are hereby approved and adopted.

10 Section 2. That the City Council hereby declares its
11 intention to make the lighting district improvements to serve
12 Orchard Crest Street Lighting District and hereby declares that
13 the improvements to be made shall consist of ten (10) 100 watt
14 high pressure sodium luminaries mounted on 8 foot long mast arms
15 on 25 foot fiberglass poles and two (2) 200 watt high pressure
16 sodium luminaries mounted on existed PGE poles along Wheatland
17 Road within the district, all in accordance with the aforesaid
18 preliminary plans with the initial cost of installation to be
19 borne by Portland General Electric and the operational and
20 electrical power costs estimated at \$2,178.73 the first year and
21 \$1,828.00 in subsequent years to be assessed against the
22 properties benefitting from the improvements.

23 Section 3. That the City Council hereby directs the City
24 Recorder to give notice of intention to make the improvements by
25 publication once each week for two (2) successive weeks in a
26 newspaper of general circulation in the City of Keizer stating a
27 public hearing will be held on November 18, 1991, said notice to



TYPICAL POLE & LIGHT DETAIL

— N.T.S. —

METHOD B:

Purchase 10 Poles & luminaires @ \$875 each = \$ 8,750.00

Annual Costs -

10 Poles & luminaires @ \$11.95 per month each	
x 12 mos.	
Annual operating costs @ 10 % ¹	\$1,434.00
Total Annual Cost	<u>443.40</u>
	\$1,577.40

Total Assessable Costs = \$10,627.40

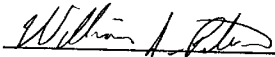
¹ Includes tax roll preparation, audit, delinquencies, engineering and miscellaneous administrative costs to the City. This cost will be reduced in subsequent years to approximately \$145.00 per year.

We recommend the City adopt Method A. The annual costs for Method A are greater than for Method B but the City avoids the initial cost of the poles and the higher costs associated with District formation.

Method of Assessment: It is recommended that the costs be assessed equally to each lot or parcel in the district. The first year assessment would include the one time costs for District formation and engineering.

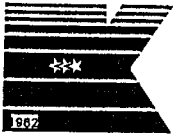
Assessment Roll: The attached preliminary assessment roll identifies the benefited properties and the first year assessments to be levied against each.

Respectfully submitted,



William I. Peterson, PE

WIP/RWF/sj
<910164.RPT>

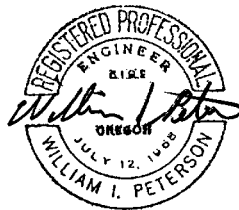


City of Keizer

P.O. BOX 21000 KEIZER, OR. 97303

ENGINEER'S REPORT
FOR
THE MEADOWS - PHASE 4
STREET LIGHTING DISTRICT

For City Council Action October 21, 1991



Date: October 16, 1991

Project File 91-0164

3853 RIVER RD. N. KEIZER, OR. 97303
(503) 390-7402 FAX # (503) 390-7461

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2 Resolution R91-_____

3 THE MEADOWS PHASE 4 STREET LIGHTING DISTRICT

4 BE IT RESOLVED by the City Council of the City of Keizer,
5 Oregon:

6 Section 1. That the City Council hereby finds the
7 preliminary plans, an estimate of probable costs contained in the
8 City Engineer's report for The Meadows Phase 4 Street Lighting
9 District which was filed with the City Recorder on October 11,
10 1991 to be satisfactory, and the same are hereby approved and
11 adopted.

12 Section 2. That the City Council hereby declares its
13 intention to make the lighting district improvements to serve The
14 Meadows Phase 4 Street Lighting District and hereby declares that
15 the improvements to be made shall consist of ten (10) 100 watt
16 high pressure sodium luminaries on eight foot long steel arms,
17 mounted on 25 foot poles within the district, all in accordance
18 with the aforesaid preliminary plans with the initial cost of
19 installation to be borne by Portland General Electric and the
20 operational and electrical power costs estimated at \$1,877.40
21 the first year and \$1,579.00 in subsequent years to be assessed
22 against the properties benefitting from the improvements.

23 Section 3. That the City Council hereby directs the City
24 Recorder to give notice of intention to make the improvements by
25 publication once each week for two (2) successive weeks in a
26 newspaper of general circulation in the City of Keizer stating a
27 public hearing will be held on November 18, 1991, said notice to

NOTICE TO PETITION CIRCULATORS

Letter _____ Page _____ File _____

IMPORTANT

If owner of property is a corporation, the petition must be signed in the name of the Corporation by its president, secretary, or manager.

If the name of the owner is signed by an agent or person holding power of attorney inquiry must be made as to the agent's authority or authority of attorney in fact to sign.

When signing petition be sure to give Lot, Block and Addition and date of signing.

Circulator of Petition LAWRENCE T. EPPING

Name

Address 2485 LANCASTER DR NE, SALEM, OR 97305

Phone No. 588-1902

To the Council,

The undersigned being the owner ~~owner~~ contract purchaser of the described property hereinafter set opposite my or its name hereby petition the City Council to HAVE STREET LIGHTS INSTALLED IN WILLOW LAKE ESTATES #2 and #3

ME

in the City of Keizer _____

in conformity with the charter, ordinances and regulations of the City of Keizer.

Date	Deed Holder or Contract Purchaser (Please type or print)	Signature(s)	Address of Property If vacant, give landowner's mailing address	Addition or Section	Lot	Block
10/8/91	TRAN CO.	<i>Lawrence T. Epping</i>	2485 Lancaster Dr NE, Salem	WILLOW LAKE		
				ESTATES PHASE 2 and 3	2 and 3	

XIII. TERM AND TERMINATION.

This Agreement shall become effective on the date of execution by the last party indicated below and shall extend until June 30, 1993, unless sooner terminated by mutual consent of the parties or by one party on no fewer than thirty (30) days' written notice. This Agreement may be extended for an additional term, not to exceed two (2) years, by letter of extension signed by both parties no fewer than fourteen (14) days prior to the termination date.

User Agency

LEDS

Agency Name

Law Enforcement Data System

Agency Name

Name Person Signing

Lloyd Smith

Name of Person Signing

Title

Manager, LEDS

Title

Signature

Signature

Date

Date

police officer begins writing an arrest or citation document of any kind, inquiry prior to the release of a person who has been incarcerated, inquiry upon those who appear at a custodial facility to visit inmates, etc.

VIII. RECORD VALIDATION.

The User Agency agrees to regularly validate and confirm that records it has entered into LEDS and NCIC are complete, accurate and still outstanding or active, following the procedures specified in the LEDS Operating Manual.

IX. COMPLETENESS AND ACCURACY.

The User Agency agrees to maintain its records in LEDS and NCIC in a complete and accurate status, and to use all appropriate information available when making system inquiries.

Complete entries include all applicable information that is available about the person or property at the time of entry. The validation process should include a review of whether additional information has become available which should be added to the original entry.

Complete inquiries include all available identifying numbers (social security, passport, driver's license number, VIN, license plate, serial numbers, owner applied numbers, etc.) as well as all known names and alias names used by a suspect.

NCIC policy regarding accuracy of records entered into NCIC requires that entries be double-checked by a second party. Examples of such verification include assuring that appropriate cross-checks (VIN/License numbers, name/drivers license numbers, etc.) were made, and that data in the record matches the data in the investigative report or other source document.

A record in LEDS or NCIC files must be modified or removed promptly upon finding that information in the record is incorrect or invalid.

X. TEN-MINUTE HIT CONFIRMATION.

The User Agency agrees to adhere to the ten-minute hit confirmation policy.

LEDS and NCIC policies require that the originating agency of a record, or a designated alternate agency, be available twenty-four (24) hours a day to confirm inquiry "hits." Upon receipt of a hit confirmation request from another agency, the originating agency or its designated alternate must, within ten (10) minutes, furnish to the requesting agency a

Sue

LAW ENFORCEMENT DATA SYSTEM

USER AGREEMENT

I. PARTIES TO THE AGREEMENT.

The parties to this Agreement are:

- (1) The Executive Department, Criminal Justice Services Division, Law Enforcement Data System of the State of Oregon (hereinafter called LEDS); and
- (2) Keizer Municipal Court
(hereinafter called the User Agency).

II. PURPOSE OF THE AGREEMENT.

The purpose of this Agreement is to ensure that the User Agency understands and agrees to adhere to the rules, policies and procedures for use of the Oregon Law Enforcement Data System (LEDS), the National Crime Information Center (NCIC) and other systems accessed via LEDS. NCIC policy requires that such an agreement be in effect between a State system and any user agency with access to NCIC. This requirement is also included in LEDS Administrative Rules.

III. COMPLIANCE AUDITS.

From time to time LEDS will audit the user agency for compliance with this Agreement.

The User Agency agrees to make available, to LEDS and to NCIC, all those facilities, files, data and other records reasonably necessary and pertinent to the conduct of any audit scheduled or requested by LEDS or NCIC. The User Agency shall also cooperate fully, and ensure the full cooperation of its officers, employees and agents, in the conduct of any audit. Such cooperation shall include the User Agency's officers, agents and employees responding to questionnaires and to interviews if requested by LEDS or by NCIC.

The User Agency shall bear its own costs and expenses sustained by it in cooperating in any audit.

IV. INCORPORATED DOCUMENTS.

The following documents are incorporated into this Agreement by reference. The User Agency agrees to adhere to the rules, policies and procedures specified in these two documents.



City of Keizer

Administration
930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

COUNCIL MEETING: OCTOBER 21, 1991

AGENDA ITEM NO.: 8F

TO: MAYOR AND CITY COUNCIL

FROM: DONALD H. OTTERMAN M.S.P.A, CITY MANAGER *DHO*

SUBJECT: LIQUOR LICENSE RENEWAL - BREY'S FAMILY RESTAURANT
- 5024 RIVER ROAD NORTH - DISPENSER CLASS "A" AND
CHANGE OF PRIVILEGE

Brey's Family Restaurant is now applying for a Change in Privilege and a Dispenser Class "A" liquor license at 5024 River Road North.

A Dispenser Class "A" liquor license allows the sale of distilled liquor by the drink to the general public for consumption on the premises. It also allows the sale of wine and malt beverages for consumption on the premises. This license is issued only for places where food is cooked and food must be served at regular meal hours. Food must be available at all times when alcoholic liquors are sold or consumed. This license allows patrons to remove from the premises a container of wine, the contents of which have been only partially consumed. Hours of sale and consumption are 7:00 a.m. to 2:30 a.m.

The application has been reviewed by the Keizer Police Department and they have no objections to issuance of the license.

The application was also reviewed by John Morgan, Community Development Director, who commented that the site is zoned CR (Commercial Retail). The use requested is appropriate in this zone.

RECOMMENDATION

The City Manager recommends that the City Council pass a motion recommending the Dispenser Class "A" and Change of Privilege liquor license for Brey's Family Restaurant be granted by OLCC.

REQUEST FOR COMMENTS
APPLICATION FOR NEW LIQUOR LICENSE OUTLET

TO: JOHN MORGAN
MARION COUNTY PLANNING

DATE: 10-2-91

APPLICANT ADDRESS: 5024 River Rd No.

FROM: CITY OF KEIZER CONTACT PERSON: _____

The City of Keizer requests your comments regarding the above new liquor license outlet application:

THE PROPERTY IS ZONED CR (COMMERCIAL RETAIL).
THE USE IS APPROPRIATE IN THIS ZONE

DATE RESPONSE PREPARED: 10/2/91

PERSON COMMENTING : John Morgan



City of Keizer

Administration

930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

COUNCIL MEETING: October 21, 1991

AGENDA ITEM NO.: 86

TO: MAYOR AND CITY COUNCIL
FROM: DONALD H. OTTERMAN, M.S.P.A, CITY MANAGER *DAO*
SUBJECT: APPOINTMENT OF RECORDS MANAGER

Recent State law requires that cities appoint a City Records Manager. The individual in this position will be responsible for establishing and maintaining the City's records program. The purpose and function of this position are more fully described in the attached information. The City Recorder's Office handles records management for the City of Keizer. Specialized training and information is available through the Oregon Association of Municipal Recorders (OAMR), of which City Recorder Susan Darby is a member.

RECOMMENDATION

Adoption of the attached resolution designating the City Recorder as the City of Keizer's Records Manager.



City Records Management Manual

Chapter X

City Records Managers

Administrative Rule (OAR 166-30-016)

To establish a records management program to insure orderly retention and destruction of all public records, and to insure the preservation of public records of value, each state or local agency should designate a records officer to organize and coordinate records scheduling, retirement, storage, and destruction...

City Records Manager/Archivist

- ☐ Keeps updated on current records laws;
- ☐ Maintains, monitors, and updates the city's special records retention schedule through coordination with the state archivist and department supervisors;
- ☐ Reviews requests for new records equipment and assists departments with storage facilities;
- ☐ Keeps updated on current records management procedures and informs and educates departments of new innovations and procedures.
- ☐ Develops systems for indexing historical records and assists departments with their systems;
- ☐ Assists departments in the orderly disposition, including the destruction of records as authorized by the records retention schedule;
- ☐ Keeps updated on the most efficient and economic means of destroying records;
- ☐ Coordinates the microfilm program to insure proper records retention;
- ☐ Assists in approving storage locations for the storage of inactive and archival records; and
- ☐ Develops a records disaster plan.



City of Keizer

Administration
930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

COUNCIL MEETING: OCTOBER 21, 1991

AGENDA ITEM NO.: TO-H 8H

TO: MAYOR AND CITY COUNCIL

FROM: JOE VAN METER, COUNCILOR AND PARKS LIAISON

SUBJECT: PARK COMPREHENSIVE DEVELOPMENT PLAN BIDS

I am unable to attend the October 21, 1991 City Council meeting due to a previous training conference commitment, but wish to make a recommendation to the City Council with regards to the Park Comprehensive Development Plan.

On October 14, 1991 I met with the three selected finalists from those that had submitted proposals to the city for a Park Comprehensive Development Plan. The three finalists were selected based upon their proposal and an analysis of those proposals by Kevin Wickman, our Parks Director.

Selected were:

Landscape Architecture Site Planning by Andy Lessinger, with consultation by Alan Costic.

Demuth Glick, Consultants Ltd. Their presentation was by Fred Glick, President.

Otak - Their Project Manager is Don Hanson.

After three and one-half hours of interviews and discussion with John Morgan, Wally Mull and Kevin Wickman, it is my recommendation to the City Council that we ACCEPT the bid of Otak, Incorporated Architects, from Lake Oswego, Oregon. My belief that they have the expertise and the demeanor to approach our community and our Park Comprehensive Development Plan in a professional and community sensitive manner. Further, I strongly recommend to the Council that a portion of the Revenue Sharing Funds, budgeted for the Park Committee, allocated for the Park Comprehensive Development Plan, be awarded to Otak.

JVM:clm

f:\admin\VanMeter.mmo

needs, however three proposals were more complete. Those three proposals were submitted by these firms; Leisinger Designs of Salem, Demuth Glick Consultants of Portland, and Otak, Inc. Architects of Lake Oswego. City staff and Councilor VanMeter interviewed each of these three firms at City Hall on Monday October 14th. Upon completion of these interviews we all concluded that the firm of Otak, Inc. was best qualified and most sensitive to our City's needs. Their approach to the Plan will provide valuable information to the Parks Department in the form of written documentation, survey analysis, aerial produced mylar photos as well as extensive mapping and graphics.

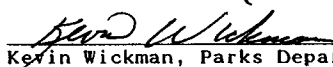
FISCAL IMPACT

The price to complete the *Comprehensive Park System Development Plan* as provided by *Otak Incorporated Architects* of Lake Oswego, Oregon is \$18,650.00. This fee would be paid from the Revenue Fund for Park Improvements.

We believe that many of the services this company will provide for this cost will substantially reduce the amount of dollars required to develop individual Park Master Plans in the future.

RECOMMENDATION

That the City Council accept the bid from *Otak Incorporated Architects of Lake Oswego, Oregon* of \$18,650.00 and award them a contract to complete the *Comprehensive Park System Development Plan* for the City of Keizer.


Kevin Wickman, Parks Department

Attachment: Comprehensive Park System Development Plan,
Request For Proposals

SPECIFICATIONS

A needs analysis will be required to begin the plan. You will need to compile an inventory of existing park facilities, develop goals, policies and the objectives of our city. The Parks Department's current needs and the projected future needs must be established. The criteria by which the above items is derived must be identified in the development plan.

THE PLAN

1. The development of the plan will require re-evaluating all existing individual Park Master Plans.
2. The Plan will require evaluating the development of all existing parks.
3. A plan for the acquisition of new park land that identifies ; a) how much land, and b) where it should be located.
4. Develop a time line tracking all recommendations.

FINANCE PLAN

1. Cost estimates for the acquisition and the development of new park facilities.
2. Identify costs for the operation and maintenance of park land at both current levels and recommended levels.
3. Develop a time line of proposed costs.

FINANCING

Financial resources for the development and maintaining of our city's park system need to be defined. System development charges, park user fees, government grants and any other financing options available to us should be explored.

PROCESS

1. A city wide mailing to poll all Keizer residents on their needs and wants in a park system. The responses will be totaled and provided to the City.
2. The Keizer Parks Advisory Board will review all stages of the Plan.

The decision will be based on the quality of the submission, the proposer's experience and the costs.

ADDITIONAL INFORMATION

For additional information contact Kevin Wickman at Keizer City Hall, Ph. 393-1608.

COMPLETION DEADLINE

The Comprehensive Park System Development Plan must be presented to the Parks Director in draft form 120 days or less, from the date in which the contract was awarded.



City of Keizer

Administration

930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

COUNCIL MEETING: October 21, 1991

AGENDA ITEM NO.: 10

TO: MAYOR AND CITY COUNCIL

FROM: DONALD H. OTTERMAN, M.S.P.A, CITY MANAGER *DA*

SUBJECT: PRESENTATION - Marion County presentation by
Commissioner Gary Heer and Doug Ebner

In September, staff received a copy of a letter that was sent by the Marion County Board of Commissioners to various jurisdictions regarding the upcoming property tax bills that will be mailed out on October 25. Marion County is asking the jurisdictions to set aside time for the county to present information on the tax bills and to answer questions. Staff scheduled the presentation for the Keizer City Council's October 21 meeting.

Attachment: August 27, 1991 letter from Marion County BOC



Marion County
OREGON
BOARD OF COMMISSIONERS

(503) 588-5212

BOARD OF
COMMISSIONERS
Randall Franke
Gary Heer
Mary Pearmine

ADMINISTRATIVE
OFFICER
Ken Roudybush

Woodburn Fire District
1776 Newberg Hwy.
Woodburn, OR 97071

Dear Chief Woodley:

On October 25, 1991, property tax bills will be mailed out on approximately 100,000 households and businesses. In many instances market values have increased and taxpayers will have higher tax bills than last year. This will especially be true in those taxing areas that have not yet reached the \$10 per \$1000 assessed value cap placed on non-school taxing districts.

We believe there will be many taxpayers questioning why their tax bill has not been reduced since the passage of Measure 5. They will be asking this question of all taxing entities.

We have put together an informational program that will help you in dealing with the many questions the public will have regarding property taxes. May we come to a meeting of your elected officials and staff to present this important information about the 1991 property tax bills and answer questions?

Please contact us at the Marion County Courthouse, 100 High St. NE, Salem, OR 97301 or by phone at 588-5212 to arrange a time and place for such a presentation.

Don: Are you interested in having a presentation by the County in October?

RECEIVED

'91 SEP 5 AM 9 29

August 27, 1991
CITY OF ELLIZER
OREGON 97303

SUE

OCT 21

COUNCIL

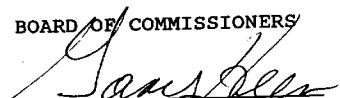
MTG. PLEASE
CALL COUNTY TO
CONFIRM.

9/11/91

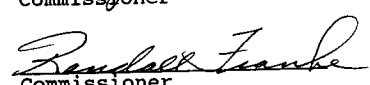
Thank you for your serious consideration of this offer.

Sincerely,

BOARD OF COMMISSIONERS


Chairman


Commissioner


Commissioner

cc: City Records

GH/jls

3. The final draft will be presented to The Keizer City Council for approval.
4. The Parks Director will be the City of Keizer's contact for all phases.
5. The completed Comprehensive Park System Development Plan will require thirty final copies, bound with front and back covers.

CITY CONTRIBUTIONS

1. The City will provide a contact person for all phases.
2. The City will provide current Park inventory information.
3. The City will provide base maps.

PROPOSAL ELEMENTS

1. Your recommendations for changes, deletions, and additions to the specifications in order to improve the end product.
2. A financial proposal including the total cost for the project with a breakdown indicating the cost for each major component of the specifications.

VISITATION WITH STAFF

A meeting will be held on September 19th at 2:00 PM at Keizer City Hall and is recommended for all those interested in submitting a proposal to ask questions of the staff.

SUBMISSION DEADLINE

All proposals must be received at Keizer City Hall; 930 Chemawa Road NE.; P.O. Box 21000; Keizer, Oregon 97307-1000 by 5:00 PM on Thursday September 26, 1991. Each submission must include four complete copies of the proposal.

DECISION MAKING PROCESS

A committee of City staff members and the Parks Advisory Board will review the proposals to determine which firm will receive the contract. The contract will be awarded by the City Council. It is anticipated the contract will be awarded by OCTOBER 22, 1991.

*CITY OF KEIZER
PARKS DEPARTMENT*

*COMPREHENSIVE PARK SYSTEM
DEVELOPMENT PLAN*

** REQUEST FOR PROPOSALS **

INTRODUCTION

The City of Keizer, Oregon invites your proposals for providing research and the development of a Comprehensive Park System Plan for our city.



City of Keizer - Public Works Department

Phone: 390-3700 • 393-1600
930 Chemawa Rd. N.E. • P.O. Box 21030 • Keizer, Oregon 97307-1030

COUNCIL MEETING: October 21, 1991

AGENDA ITEM NO. : 10 H

TO: Mayor and City Council
THRU: Donald Otterman, City Manager, MSPA *DO*
FROM: *WM* Wally Mull, Public Works Director
SUBJECT: Comprehensive Park System Development Plan

ISSUE

Shall The City of Keizer award a bid to contract with a professional firm to create a *Comprehensive Park System Development Plan* for our City?

BACKGROUND

On May 6, of this year the City Council adopted goals for the 91-92 budget year. One of those goals was to establish the direction of Keizer's park system in our future by developing a Comprehensive Parks Plan.

City staff, along with the Parks Advisory Board, developed criteria outlining all the items that this Development Plan should address. A few items that are to be addressed are:

- Evaluating all existing Parks.
- Acquisition of new Park land, where it should be and how much is needed.
- Identify costs for Park system operation at current levels and recommended levels.

Requests for Proposals were prepared and either sent to or made available to all companies interested in submitting a *Comprehensive Park System Development Plan* for our review.

ANALYSIS

Seven proposals were completed and submitted for our review. All of the proposals addressed some of our City Park System's



City Records Management Manual

Chapter X

Goal, Objectives, and Policies

Program Goal

To establish an efficient and economic records program wherein records can be created, maintained, retrieved, and disposed of easily; and wherein costs can be reduced or kept to a minimum for the program.

Objectives

To save valuable office space by systematically removing semi-active records;

To save money by providing low-cost storage and by controlling equipment purchased; and

To save time in manhours by developing an orderly system for maintaining, retrieving, storing, and disposing of records; including the psychological savings that comes from using an efficient system.

Policies

Only store active records in valuable office space.

Move semi-active records to low-cost storage.

Preserve valuable historical or archival records under adequate conditions.

All valueless records shall be destroyed after meeting the minimum retention and shall be retained longer only under special circumstances.

All public records, including those stored on electronic media, shall be accessible to the citizenry, unless exemption status is obtained.

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2 Resolution R91-_____

3 DESIGNATING THE CITY'S RECORDS MANAGER

4 WHEREAS, State law requires that each city designate a
5 Records Manager for its jurisdiction; and

6 WHEREAS, records management is a function of the City
7 Recorder's Office; and

8 WHEREAS, it would be appropriate to appoint the City
9 Recorder to the position of City Records Manager; NOW, THEREFORE,

10 BE IT RESOLVED by the City Council of the City of Keizer
11 that the City Recorder is hereby designated as the City Records
12 Manager for the City of Keizer.

13 PASSED this _____ day of _____, 1991.

14 SIGNED this _____ day of _____, 1991.

15 _____
16 Mayor

17 _____
18 City Recorder

APPLICATION

STATE OF OREGON
OREGON LIQUOR CONTROL COMMISSION

Return To:

GENERAL INFORMATION

A non-refundable processing fee is assessed when you submit this completed form to the Commission (except for Druggist and Health Care Facility licenses). The filing of this application does not commit the Commission to the granting of the license for which you are applying nor does it permit you to operate the business named below.

(THIS SPACE IS FOR OLCC OFFICE USE)

Application is being made for:

- ☒ DISPENSER, CLASS A
☐ DISPENSER, CLASS B
☐ DISPENSER, CLASS C
☐ PACKAGE STORE
☐ RESTAURANT
☐ RETAIL MALT BEVERAGE
☐ SEASONAL DISPENSER
☐ WHOLESALE MALT BEVERAGE & WINE
☐ WINERY
- ☐ Add Partner
☐ Additional Privilege
☐ Change Location
☐ Change Ownership
☐ Change of Privilege
☒ Greater Privilege
☐ Lesser Privilege
☐ New Outlet
☐ Other

OTHER: _____

(THIS SPACE IS FOR CITY OR COUNTY USE)

NOTICE TO CITIES AND COUNTIES: Do not consider this application unless it has been stamped and signed at the left by an OLCC representative.

THE CITY COUNCIL, COUNTY COMMISSION, OR COUNTY

COURT OF _____
(Name of City or County)

RECOMMENDS THAT THIS LICENSE BE: GRANTED _____

DENIED _____

DATE _____

BY _____
(Signature)

TITLE _____

CAUTION: If your operation of this business depends on your receiving a liquor license, OLCC cautions you not to purchase, remove, or start construction until your license is granted.

1. Name of Corporation, Partnership, or Individual Applicants:

1) ~~ANTHONY J. BRAY~~ 2) BRAY'S FAMILY REST. INC.

3) _____ 4) _____

5) _____ 6) _____

(EACH PERSON LISTED ABOVE MUST FILE AN INDIVIDUAL HISTORY AND A FINANCIAL STATEMENT)

2. Present Trade Name BRAY'S FAMILY RESTAURANT INC.3. New Trade Name SAME Year filed 4-2-90
with Corporation Commissioner4. Premises address 5024 RIVER RD. N. KEIZER MARION
(Number, Street, Rural Route) (City) (County) (State) (Zip)5. Business mailing address SAME
(P.O. Box, Number, Street, Rural Route) (City) (State) (Zip)6. Was premises previously licensed by OLCC? Yes X No _____ Year 19887. If yes, to whom: ANTHONY J. BRAY Type of license: BEER & WINE8. Will you have a manager: Yes X No _____ Name ANTHONY J. BRAY
(Manager must fill out Individual History)9. Will anyone else not signing this application share in the ownership or receive a percentage of profits or bonus from the business? Yes _____ No X10. What is the local governing body where your premises is located? KEIZER (MARION COUNTY)
(Name of City or County)11. OLCC representative making investigation may contact: ANTHONY BRAY
(Name)5024 RIVER RD. N. KEIZER 393-1250 (B) 585-6159 (HOME)
(Address) (Tel. No. — home, business, message)



City of Keizer

Administration
930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

DATE: 10-2-91

LIC. FEE REC'D: \$50.00

NAME OF BUSINESS:

ON 10-1-91
RECEIPT # 437201 BY SS

BREY'S FAMILY RESTAURANT, INC.

ADDRESS OF BUSINESS:

5024 River Rd No.

Keizer, Oregon

NAME(S) OF PROPRIETOR(S):

BIRTH DATE

SOCIAL SECURITY #

ANTHONY BRAY

10-3-55

568-06-9828

TYPE OF LICENSE: DISPENSER CLASS "A"

 RENEWAL NEW OUTLET (Requires a public hearing)

 NEW LOCATION CHANGE IN OWNERSHIP

X CHANGE IN PRIVILEGE

 OTHER

I have received the application for a liquor license for the above outlet and find no past criminal history which would suggest DENIAL of the license.

APPROVED BY:

Charles R. Stull, Chief of Police
Keizer Police Department

Dated: 10/3/91

_____"Pride, Spirit and Volunteerism"_____



City of Keizer

Administration
930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

CITY COUNCIL MEETING: Oct. 21, 1991

AGENDA ITEM NUMBER: 11A

TO: MAYOR AND CITY COUNCIL

THROUGH: DONALD H. OTTERMAN M.S.P.A.,
CITY MANAGER

FROM: JOHN N. MORGAN, AICP
COMMUNITY DEVELOPMENT DIRECTOR *JN*

SUBJECT: MCNARY ACTIVITY CENTER PLAN - CONTINUED PUBLIC HEARING

DISCUSSION:

McNary Activity Center Plan

This is a continuation of the public hearing on this proposed plan. At the September 3, 1991 meeting, Council directed Staff to meet with representatives of the Staats Corporation to see if agreements could be reached on the points of disagreement. Staff reported to the Council on its progress at the September 16th and October 7th meetings.

Staff met numerous times with Sandy Staats and Ken Sherman Jr., her legal council. General agreement was reached on ways to resolve all points. The Staff changed its earlier position on several points, however the basic intent and direction of the draft Activity Center Plan is not compromised.

The attached October 15, 1991 draft of the Activity Center Plan shows all the changes. Deletions are struck out while additions are double underlined. The proposed zoning and Comprehensive Plan Land Use Maps are revised to reflect the changes.

Staff will review the specific reasons for the changes orally at the Council meeting. However, in general, Staff and Staats decided that many of the specific standards of the draft Plan to which Staats Corporation objected could be eliminated. This is in recognition that virtually all development activity within the Activity Center must go through either a conditional use or a



City of Keizer

Administration

930 Chemawa Rd. N.E. • P.O. Box 21000

Keizer, Oregon 97307-1000 • (503) 390-3700

October 15, 1991

Sandy Staats
Staats Corporation
1950 Turner Road SE
Salem, OR 97302

Dear Sandy:

RE: Costs for McClure Street Improvements

When Staats Corporation submits its specific plans for development of the Staats Lake property there will be an analysis of the impacts on the street system. This analysis may go so far as to require the services of a registered professional Traffic Engineer, in which case you would be required to cover the fees for the study.

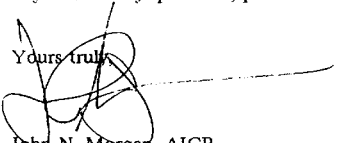
In the event the traffic analysis indicates there is a need for improvements or changes to McClure Street or Lockhaven Drive to accommodate changes in traffic patterns and volumes, these will be required as a condition of approval.

It is my position that the costs of providing these improvements will be your responsibility in direct proportion to the traffic impact your development creates. For example, if a traffic signal is required at Lockhaven and McClure at a cost of \$80,000, and it is determined that your project is generating 40 percent of the traffic creating the demand for the signal, you will be responsible for 40 percent of the cost or \$32,000. Most likely the balance of the cost will be paid out of the City's capital improvement funds. We do not have any legal authority to tap the other traffic generators, Keizer School and McNary Estates, as these requirements are placed when a project is going through the original approval process.

I intend to include a policy statement in the draft McNary Activity Center Plan reflecting these comments so that the Council can consider endorsing this direction at its meeting on October 21, 1991.

If you have any questions, please contact me at your convenience.

Yours truly,


John N. Morgan, AICP
Community Development Director

SECOND PUBLIC REVIEW DRAFT

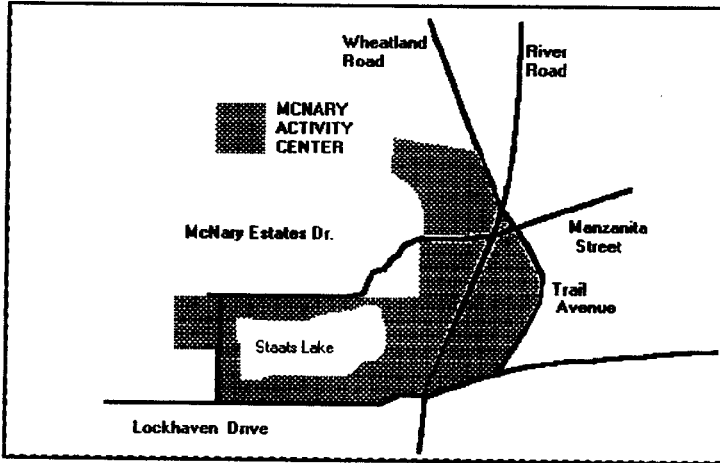
**McNary
Activity Center
Design Plan**



October 15, 1991

INTRODUCTION

The McNary Activity Center is an extremely important part of the Community. It is broadly recognized as the "key" to the creation of a new community focal point in the northern part of Keizer. While the character of the southern part of Keizer, which is generally the area south of Lockhaven, was set in place many years ago, the northern area is yet to develop.



Extensive single-family residential growth in this area, which has been going in earnest for only a few years and which will be extensive over the next decade, is creating pressure for business development and opportunities for alternative housing styles. The City recognized this in the Comprehensive Plan where policy is set prohibiting "strip-commercial" development north of Lockhaven.

More importantly, the Comprehensive Plan creates the McNary Activity Center, recognizing the unique role of this largely vacant land in becoming the "hub" of activity for the surrounding neighborhoods and in defining the character of a large portion of Keizer.

The Community has a large stake in the quality of development in the Activity Center. Rather than perpetuating the negative elements of strip commercial development, the Community wants to see this area provide needed commercial services, but in a manner that minimizes all types of impacts and is a general enhancement. It wishes to see housing created that serves a broad array of needs, and that is efficiently designed and located. It also recognizes Staats Lake, while privately owned, as a community asset which should be developed in a manner that provides the public an opportunity to enjoy its open space and scenic value.

THE COMPREHENSIVE PLAN

The Keizer Comprehensive Plan, as adopted in 1987, identifies several objectives for the McNary Activity Center:

1. *Primary uses are retail-office center, public park and open space lands including the 50-acre lake, medium and high density residential.*
2. *The McNary Golf Course, lake, public open spaces, and Claggett Creek corridor for public access and enjoyment.*
3. *Encourage mixed use developments and multi-use structures.*
4. *Within the district, pedestrian circulation and access should be emphasized.*
5. *Provide for adequate off-street parking and loading, and public transportation facilities.*

The Keizer Comprehensive Plan, as adopted in 1987, also includes policies for retail-office centers included in objective 1 above.

1. *Allowed uses are department stores, offices, other retail facilities, and medium and high density housing.*
2. *A retail-office center should:*
 - a. *Be from 20 to 50 acres in size.*
 - b. *Have direct access from one or more arterial streets.*
 - c. *Be centrally located to existing and future residential neighborhoods.*
 - d. *Provide facilities and services to Keizer as a primary market.*
 - e. *Not encourage traffic through residential neighborhoods.*
3. *A retail-office center will be located west of N. River Road and north of Olson Street at the McNary Activity Center.*

This Activity Center Plan is intended and designed to conform with and implement these policies.

THE PLAN

Planning Area

The Comprehensive Plan identifies the area within the McNary Activity Center. These lands, when the Plan was adopted in 1987, were those that raised the greatest concerns about their future development.

With the development of this McNary Activity Center Plan, the detailed planning process has identified three areas where the boundary of the Activity Center is adjusted with the adoption of this Plan. In one case, property is removed and in the others it is added. These adjustments reflect the needs for detailed planning in each of the areas. The analysis leading to each change is included in the appendix to this Plan.

The first is the triangle between Wheatland Road and River Road. As significant redevelopment of the property is unlikely, it is removed from the McNary Activity Center.

The second area is the south portion of the land lying between River Road and Trail Avenue. Continued single family development patterns of this area are not realistic in the long run since the properties are surrounding on all sides by more intense development. This Plan concludes, given the long-term likelihood this area will change to a higher-intensity use, it is best to guide its redevelopment along with the balance of the Activity Center. Therefore, it is included within the area.

The third area is Keizer School and the parcel to its immediate north. The vacant parcel is part of the Staats Lake property and should be part of the overall comprehensive planning for the area. The School influences and in turn is influenced by the future of the Activity Center. It also has a major impact on McClure Street. Therefore the school and the vacant parcel are included.

Land Use

Land Use Maps

The Comprehensive Plan Map shows the Plan designations for the Activity Center. The Zoning Map shows the zoning for the properties. In all cases the zoning is the same as the Comprehensive Plan designation except for the residential portions of the Staats Lake property where the Plan designation is Medium Density Residential and the zoning is RM (Multi-Family Residential). While the RM zone may generally allow housing at lesser or greater densities than the Medium Density standard of six to 10 dwelling units per acre, the Comprehensive Plan will prevail in this area.

McNary/Courthouse Area

Action

This Plan adopts the use of a new mixed-use zone. Since much of the concepts set in the Comprehensive Plan for the McNary Activity Center call for the creation of a mixed-use center developed in a planned manner, a special zone that accommodates and encourages this type of development will be most appropriate. It also will probably be the easiest to understand and administer over time.

Zoning Map

4. There shall be a maximum density of 8 dwelling units per acre for all housing abutting the northern property line of the Staats property east of McClure Street and west of the point where McNary Estates Drive turns to the northeast abutting the northern property line of the Staats property between the western property line and the point where McNary Estates Drive turns to the northeast shall be limited to single family or townhouse developments.

Commercial Development - Actions

The mixed-use zone will be applied to the commercial area.

Access and Circulation

Relationship between McNary Area and Staats Property

The Comprehensive Plan calls for a link between the McNary Area and the Staats Property. Due to both manmade and natural constraints, this link is not practical. The McClure extension at the west end of the property will tie these areas together.

Action

The eastern link between the properties will not be required.

Internal Circulation within Staats Property

In order to develop the property in a fully integrated manner, as a true and healthy neighborhood, internal vehicle access is necessary from one end of the property to the other.

Policy

1. Land around Staats Lake shall be served with a public or private street system or pedestrian/bicycle system that allows vehicle access to all parts of the property without having to use Lockhaven Drive or North River Road.

Access to Arterial and Collector System

The Activity Center is intended to develop to fairly high urban densities of both residential and commercial use. This pattern will generate a substantial amount of traffic impacting both Lockhaven Drive and River Road. It is critical this traffic be effectively managed by minimizing the number of access points to the arterials and providing guidelines for their proper placement. Where extraordinary street improvements are warranted, such as possibly a traffic signal at the intersection of McClure and Lockhaven, the costs of the improvements will be the responsibility of the developing properties in proportion to their impact on the street system. These costs will be determined and assessed as part of the conditional use or planned unit development approval of each project.

As this new diverse neighborhood develops, provisions must be made to encourage pedestrian circulation between the various component areas. This will help minimize unnecessary automobile use and provide a convenient and attractive alternative for the residents.

promenade shall be open to the public during regular business hours. The specific location and design of the promenade will be determined through the approval process of the particular development.

Park Location

The Comprehensive Plan indicates a future park site in the area north of Keizer School. The Plan sets a standard of 5-20 acres for a neighborhood park. It calls for neighborhood parks to be located adjacent to elementary school sites. Keizer School currently has approximately three acres in outdoor recreational space west of the school.

There is a long term need for development of this neighborhood park. Substantial residential development has occurred in the northwest corner of the City without any park land being developed. Luckily, this is an area where a great deal of open space has and will be preserved, including McNary Golf Course and Staats Lake. However, there are no areas of developed park land with park amenities such as picnic areas, grassy lawns, play equipment, and sport courts. This is a need that the Comprehensive Plan envisions being met north of Keizer School.

The City is developing a comprehensive Parks Development Master Plan during fiscal year 1991-1992. This Plan, when adopted, may conclude there are better ways to meet the park need than the park adjacent to Keizer School. If this should occur, this Activity Center Plan and its recommendations will be superseded.

The Claggett Creek corridor at the east end of the Staats Lake property is undevelopable. It is a designated wetland and floodplain. It also is a valuable asset to the community. It provides a wildlife habitat and greenway and is a continuation of the greenway to the south. It needs to be preserved.

Action

Two acres of park land adjacent to the northern boundary of Keizer School will be acquired as part of the development of the Staats Lake property. However, if the Keizer Parks Development Master Plan, when adopted, recommends differently, this action is invalidated and superseded by the Master Plan's recommendations.

As the Claggett Creek corridor is not developable and is of little value to the development, and as it is desirable to be developed and preserved as a wetland and wildlife habitat, the corridor is planned to be put in public ownership.

Policies

1. The Claggett Creek corridor, consisting of the wetlands and floodplain area, shall be retained as a natural, greenway corridor protecting its vegetation and wildlife habitat, regardless of whether it is in public or private ownership.
2. A new public park will be developed immediately north of Keizer School. This park will be approximately two acres in size and will be configured so it can contain at least two tennis courts and ancillary picnic areas and open space. The City and School District will work to develop this site, and the athletic fields, playground, and open space west of Keizer School, as a neighborhood park. However, if the Keizer Parks Development Master Plan, when adopted, recommends differently, this action is invalidated and superseded by the Master Plan's recommendations.

PUBLIC OR
PRIVATE USE.

The Comprehensive Plan Includes several specific provisions for the McNary Activity Center as are quoted at the start of this Plan. Amendments to the Plan language are adopted along with this Activity Center Plan. These amendments eliminate the specific language of the Plan and acknowledge this Activity Center Plan as a component of the Comprehensive Plan.

Development Process

As is indicated above, all development activity within the Activity Center will be processed as a conditional use. Recognizing that the Staats Lake property is unique in its size, and in the scope and impact of its development, it will also may be concurrently processed through the planned unit development process instead of as a conditional use. This will provide a framework for evaluating the proposal as well as give the developer a great deal of design flexibility.

Policy

1. *The Staats Lake property will develop in accordance with a comprehensive development plan processed as a conditional use or a planned unit development except that the developer may, at his or her option, exclude from the PUD that portion of the Staats Lake property west of McClure Street. ~~In in the event said property is excluded, development on that property will not be counted towards the calculation of average density figures.~~*

APPENDIX

BACKGROUND

The Keizer Comprehensive Plan identifies the McNary Activity Center as a special district where extraordinary development opportunities and constraints requiring more detailed planning. Table 1 summarizes the existing land uses within the Activity Center.

**TABLE 1
EXISTING LAND USES**

Land Use	Acres	%
Single Family/Farm	22.9	10.4
Multi Family	2.0	0.9
Commercial	13.8	6.3
Public	10.0	4.6
Right-of-Way	4.3	2.0
TOTAL DEVELOPED	53.0	24.2
Vacant	159.7	72.7
Lake & Floodplain	(74.1)	33.8
Reclamation Area	6.8	3.1
VACANT BUILDABLE	92.4	75.8
TOTAL AREA	219.5	100.0

Source: Spencer & Kupper, 1991

ISSUES

There are many issues surrounding the development of the McNary Activity Center. This master plan will address each and set policy on how the community expects them to be dealt with. The results are reflected in policy and mapping in this master plan.

Four major issue areas have been identified. These include:

**Land Use,
Parks and Recreation,**

Property Between McNary Restaurant and Staats Lake

Issues

This land is zoned UT (Urban Transition) and is designated for low density residential use on the Comprehensive Plan which reflects current use. Currently there is a house, barn, and other outbuildings on the property.

The property raises up from both River Road and McNary Estates Drive to the area where the buildings are located. From there it slopes steeply to the west down to Claggett Creek. The only developable portion of the property is on the top of the hill.

Use of this property is restricted by its physical relationship to the surrounding area. The buildable land is essentially limited to a "knoll."

The property has frontage on both River Road and McNary Estates Drive. At this point, River Road has a five lane section, including the left turn lane accessing McNary Estates Drive. The Drive has two lanes except at the intersection where a left turn lane is provided. Direct access to River Road would be a significant concern due to sight distance problems and turning movement conflicts. Access to McNary Estates Drive would present fewer problems. However, the fact McNary Estates Drive is private may limit its capability to be used.

Alternatives

It is probably not practical to anticipate use of the land for a retail or other type of use that is dependant on its frontage for visibility or ease of access. As well, it is probably not in the City's best interest to zone this property for single family use as its potential for more intensive uses is significant.

Multi-family housing could be well placed on the property, using the west facing slope to site the homes so they face the lake. Parking along the eastern portion of the property would work well with a driveway to McNary Estates Drive.

In a similar manner, offices could be placed on the property again sited to take advantage of the view.

Action

Use of the property for either or both multi-family and office development is recommended. It might be best to encourage a mixture of both uses on the property.

A new mixed use zone, as described above, is adopted. This will encourage both multi-family and office development of the property.

Land between Wheatland Road and River Road

Issues

Most of this land has been developed for many years. The "point" where Wheatland and River Roads meet is occupied by an old convenience market now occupied by the video store. To the north the area is occupied by apartments with Keizer Automotive located at the north end.

potential extension of strip commercial activity north from Lockhaven Drive. The area of concern encompasses these properties. Any development should be of a nature to minimize any strip commercial character.

Traffic generated by a new development on the vacant property will impact River Road. The degree of impact will depend on the nature of the use. Most CR uses could be expected to have significant impact. This traffic will need to be managed in such a way as to adequately service the site while minimizing congestion and safety problems.

Redevelopment of the CG properties will create impacts on residential lands to the east across Trail Avenue. The "heavy" commercial nature of the CG zone means a broad variety of commercial uses could be located on these sites bringing aesthetic, character, and traffic impacts on surrounding residential areas.

Alternatives

The current zoning could be maintained for the properties. At the same time the area could be removed from the activity center. This action would not address the concerns expressed above.

The properties could all be rezoned to the proposed mixed use zone. This will take advantage of the well defined boundaries of the area and allow the creation of a "node" of urban-density activity. This action will make CG Long Building Supply nonconforming.

Special development policies could be adopted for this area covering landscaping, access, setbacks, etc. These also could cover use and building design. These could be adopted as policies or incorporated into an overlay zone.

The CG area could be rezoned to CR in order to help minimize future impacts on surrounding residential areas. This will make CG Long Building Supply nonconforming.

The residential area can remain and redevelop in accordance with the Low Density Residential designation. However, continued single family development patterns of this area are not realistic in the long run since the properties are surrounding on all sides by more intense development. This Plan concludes, given the long-term likelihood this area will change to a higher-intensity use, it is best to rezone it now to the Mixed Use zone and guide its redevelopment along with the balance of the Activity Center.

The CR and CG zoned areas at the far northern and southern ends of the subject area could retain their zoning with the balance of the property being designated for Mixed Use.

Actions

The entirety of the area is to be rezoned to the Mixed Use zone with the exception of the parcel north of Manzanita which will remain in the Commercial General zone, and the properties fronting Lockhaven which will retain their Commercial Retail and Commercial General zones.

Staats Lake Property

Residential Development - Issues

The Comprehensive Plan calls for the development of the Staats property with medium and high density housing.

Medium and High Density housing is implemented through 3 zones: RL (Limited Density Residential), RM

Residential Development - Actions

A minimum density standard of 6 dwelling units per acre is adopted for the property. This conforms with the intent of the Comprehensive Plan.

A policy is adopted limiting development along the northern shore of the lake, and the extension of that area to the east property line; for all housing abutting the northern property line of the Staats property east of McClure Street and west of the point where McNary Estates Drive turns to the northeast to single family or townhouse developments. Townhouses should not exceed 6 dwelling units per acre and should be similar in style and layout to those found within McNary Estates.

As specific development plans are considered, density can be transferred on a one for one basis from the residential area to the mixed-use area, as long as the density of the residential area does not drop below five dwelling units per acre.

Commercial Development - Issues

Commercial activity has generally been anticipated at the southeast corner of the property occupying an area of 10 to 15 acres. This provides the best visibility from both River Road and Lockhaven Drive.

The type of commercial development is important to the character of the Activity Center. The intent of the Comprehensive Plan is to assure development of a strip commercial nature not extend into this area. This means careful control of access, signage, landscaping, setbacks, etc.

The Staats Corporation's stated intention for the commercial area on this land is for a shopping "plaza" or "district" of a distinct character oriented to the lake. Examples may include River Place in Portland or Sunrise Village in Sunriver. In these developments the character is oriented to pedestrian access, outdoor activities, minimal emphasis on automobiles, extensive landscaping, and a consistent design theme. The uses are typically specialty stores and restaurants.

It is very desirable to integrate residential use into the commercial area. Apartments over commercial uses or in separate buildings will help meet housing targets, provide a highly desirable type of housing, provide a steady market for the commercial activities, and provide a degree of security on a 24 hour basis.

Commercial Development - Alternatives

Use of the CR zone will provide for commercial development of the property.

Use of a new mixed-use zone that encourages a mix of commercial and residential uses, and that sets strict design guidelines, would provide for the commercial use while also directly working to meet the intent of the Comprehensive Plan.

Commercial Development - Actions

The mixed-use zone will be applied to the commercial area.

PARKS AND RECREATION**Public Relationship to Staats Lake****Issues**

The Comprehensive Plan indicates a future park site in the area north of Keizer School. However, it notes this is subject to future study.

The Comprehensive Plan sets a standard of 5-20 acres for a neighborhood park. It calls for neighborhood parks to be located adjacent to elementary school sites. Keizer School currently has approximately three acres in outdoor recreational space west of the school.

According to the City Parks Superintendent, and based on local studies, there is a significant need to develop more park land in Keizer. The primary need is for neighborhood parks providing active recreational facilities and areas.

Residents of McNary Estates have been assessed \$100 per house to be used for park development in the area. The Staats property has the same obligation to pay this fee in cash or in land. The site north of Keizer School is ideal to meet the need for park development as it will have direct access from McNary Estates and the future Staats residential areas.

Any land taken for park development reduces the developable land on the property. However, the quality of the project will be greatly enhanced by open space development.

The City is developing a comprehensive Parks Development Master Plan during fiscal year 1991-1992. This Plan, when adopted, may conclude there are better ways to meet the park need than constructing the park adjacent to Keizer School. If this should occur, this Activity Center Plan and its recommendations will be superseded.

The Claggett Creek corridor at the east end of the Staats Corporation property is undevelopable. It is a designated wetland and floodplain. It also is a valuable asset to the community. It provides a wildlife habitat and greenway and is a continuation of the greenway to the south. It needs to be preserved.

Alternatives

Developing a water oriented park on the east end of the Staats Lake is an alternative. However, such a park will use valuable development land, and would create a potential management and liability problem due to the proximity and use of the lake. Also, without a direct street connection to McNary Estates Drive, such a park would be inconvenient to residents of McNary Estates.

Development of the Claggett Creek wetland in lieu of the west-end park is another alternative. This alternative is not acceptable, however, as the wetland cannot be developed into a normal neighborhood park.

Meeting the park need somewhere adjacent to Keizer school can be accomplished by using either the property north of the school, which is part of the Staats property, or using the land to the west of the school. The land to the north is preferable for several reasons. First, it has direct access to McClure, a designated collector street. Use of the other property would require users to go through the school property to access it. Second, it is better situated to share parking with the school. Third, it is closer to the school so there is greater convenience as well as better security. Fourth, it has only grass on it while the other property is a filbert orchard. Development of the western property would require the removal of the trees as they are not desirable for park use.

Using approximately two acres north of the school, in concert with the school grounds, will provide a neighborhood park of approximately five acres. This option provides for the minimum need of the area while minimizing impacts on the developable property. It can use the existing school parking and will complement the school facilities.

Preliminary proposals for the Staats Lake area do not have a vehicle circulation system throughout the entire project. Generally, the proposed project is broken into three areas each with their own circulation network.

In order to develop the property in a fully integrated manner, as a true and healthy neighborhood, internal vehicle access is necessary from one end of the property to the other. Since this is a development that should invite non-motorized travel, accessways for bicycles and pedestrians as well as automobiles will provide the links that lead to integration of the neighborhood.

The width of buildable land between the property borders and the lake restricts the capability to develop a continuous internal public street with normal right-of-way widths and building setbacks. However, as the property will be developed as a planned development, a narrow private street, without right-of-way, can be successfully integrated.

Without an internal street circulation system, residents of the western portion of the project will be forced to use automobiles and leave the development using McClure and Lockhaven to re-enter the commercial portion of the development. This movement pattern will be damaging to the viability of the area for three reasons.

First, there is a great deal of congestion and inconvenience that can be expected from this pattern. Forcing residents to make turns onto Lockhaven and River Road, both of which are heavily traveled, will discourage the neighborhood integration of the area, will endanger the residents, and will contribute to the congestion on the arterials.

Second, this pattern will also discourage residents of the project from patronizing the businesses. Since these businesses are not excepted to be heavily auto-oriented, they will rely heavily on the neighborhood residents as their customers. The viability of this commercial center will partially depend on the ease of accessibility from within the neighborhood.

Third, the development of the Staats Lake area will be a neighborhood of mixed housing styles. The vitality and vibrancy of this new neighborhood is dependent on the inter-relationships of its members, regardless of housing style, or income level. Pedestrian, bicycle, and automobile movement throughout the area will enhance its success as a neighborhood.

Alternatives

An internal street circulation system can be required meeting a standard of being able to access any portion of the development without leaving the development.

No provision can be set requiring a continuous internal street.

Action

A design standard is set requiring the capability to travel by automobile, bicycle, or on foot, from any part of the new neighborhood to another without using Lockhaven Drive or River Road.

Access to Arterial and Collector System

Issues

Preliminary development proposals for the Staats Lake area show 1 external point of access to McClure Street, 3 to Lockhaven Drive, and 1 to River Road. Questions have risen about the desirability and necessity to have 3 accesses to Lockhaven. Also, questions have risen about the desirability and necessity to have an access to River Road.

such studies of all major development throughout the City.

Land between River Road and Trail Avenue

Issues

As this area develops, access points to River Road and development of traffic control measures will be major considerations.

Alternatives

The existing code provisions can be retained and utilized.

Policies can be set for access control.

A traffic impact analysis and mitigating measures, as discussed above, can be required for major developments in this area.

Actions

A policy is established requiring access points to River Road to be spaced at intervals of at least 400 feet with no more than one per property. Access points will be minimized by requiring combined access where possible. They must line up with existing streets or driveways on the opposite side of the street, or meet these separation standards. Safe sight-distance must be assured for each driveway.

A traffic impact analysis should be required. However, it should be as required by an ordinance requiring such studies of all major development throughout the City.

ENVIRONMENTAL

Issues

The future of the migratory geese population has been raised as a major concern of people in the surrounding area. There is a fear that with development of the property the geese will no longer find it an attractive habitat.

Alternatives

It possibly could be assumed development of the property will not discourage geese use of the lake. In fact the use may increase due to an increased supply of food from good-hearted residents. This action also recognizes that this land is within the urban growth boundary and is intended to be developed as efficiently as possible. Wildlife preservation issues, absent any legal requirement, are generally not relevant within urban areas on private property.

Specific management and development standards could be included in the plan addressing the preservation of habitat and appropriate development patterns that will minimize disruption to the geese.

The Plan can require the preparation of a management plan by a qualified scientist to be funded by the developer at the time of development. This plan would make recommendations on preservation of habitat and minimizing impacts.

- (iii) Food stores provided all display is within a building and further provided the gross floor area shall not exceed 10,000 square feet (54).
- (iv) Apparel and accessory stores and further provided the gross floor area shall not exceed 10,000 square feet (56).
- (v) Home furnishing and equipment stores, miscellaneous, provided all display is within a building and further provided the gross floor area shall not exceed 10,000 square feet (5719).
- (vi) Eating and drinking places and further provided the gross floor area shall not exceed 10,000 square feet (58).
- (vii) Retail, miscellaneous provided all display is within a building and further provided the gross floor area shall not exceed 10,000 square feet (59) BUT EXCLUDING non-store retailers (596) and fuel and ice dealers (598).
- (viii) Commercial and stock savings banks (602).
- (ix) Mutual savings banks (603).
- (x) Savings and loan associations (612).
- (xi) Personal credit institutions (614).
- (xii) Insurance agents, brokers, and services (641).
- (xiii) Real estate (65).
- (xiv) Personal services (72) BUT EXCLUDING:
 - (1) power laundries, family and commercial (7211),
 - (2) linen supply (7213),
 - (3) dry cleaning plants, except rug cleaning (7216),
 - (4) carpet and upholstery cleaning (7217); and
 - (5) industrial launderers (7218).
- (xv) Management, consulting, and public relations services (7392),
- (xvi) Offices of physicians (801).
- (xvii) Offices of osteopathic physicians (803).
- (xviii) Offices of other health practitioners (804).
- (xix) Legal services (81).
- (xx) Miscellaneous services (89).
- (xxi) Landscape counseling and planning.
- (xxii) Travel agency
- (xxiii) News dealers and newsstands
- (xxiv) Beauty and barber shops
- (xxv) Government offices
- (xxvi) Stenographic services and reproduction services, not elsewhere classified.
- (xxvii) Personnel supply services
- (xxviii) Computer and data processing services
- (xxix) Parking lots
- (xxx) Health services except hospitals and ~~nursing and personal care facilities.~~
- (xxxi) Executive offices
- (xxxii) Community or neighborhood clubs
- (xxxiii) Public parks, playgrounds, and other public and semi public uses
- (xxxiv) Public utility structures and buildings

has a minimum lot area of 3000 square feet. Duplexes shall occupy lots with a minimum of 6000 square feet. (See Chapter 17 for density limitations).

- (2) Lot area, multi-family dwellings: All multiple family uses shall occupy lots with a minimum of 6000 square feet. One dwelling unit per 1500 square feet of net lot area is allowed. (See Chapter 17 for density limitations).
- (3) Lot area, other uses: All other uses shall occupy lots with a minimum of 6000 square feet, provided a non-residential use attached on one side has a minimum lot area of 5000 square feet, and a non-residential use attached on both sides has a minimum lot area of 4500 square feet.
- (4) Lot dimensions, single family. The minimum lot width is 40 feet, the average lot depth shall be at least 70 feet.
- (5) Lot dimensions, other uses. The minimum lot width is 40 feet, and the average lot depth shall be at least 80 feet.

30.13 FRONT YARDS AND YARDS ADJACENT TO STREETS. Within a MU zone:

- (1) Along the full extent of each front lot line and lot line adjacent to a street, there shall not be a required yard, provided, however, that garages or carports having a vehicle entrance facing a street shall be setback at least 20 feet from the street right-of-way.
- (2) For single family dwelling within 20 feet from the street right-of-way no more than two adjacent lots shall have the same setback from the right-of-way for the primary buildings. Setbacks for the primary buildings dwelling building shall vary at least four feet in depth between adjacent lots. A dwelling having a side yard adjacent to a street shall not be considered as affecting or affected by setbacks of adjacent buildings under this subsection.
- (3) Notwithstanding the provisions of subsections (1) and (2) of this section, there shall be a required yard of 20 feet from the right-of-way of a designated arterial or collector street.
- (4) Setbacks for accessory structure shall be the same for main buildings except for accessory structures serving dwellings which are subject to the requirements of Chapter 20.

30.14 INTERIOR SIDE AND REAR YARDS. Within a MU zone the following yards shall be provided:

- (1) Five feet for any portion of a building not more than 15 feet in height; and
- (2) Ten feet for any portion of a building over 15 feet in height.
- (3) Notwithstanding the provisions of subsections (1) and (2) of this section, where a rear lot line is the boundary of an alley, a building or structure may be built with walls on the

ADDITIONAL AMENDMENTS

Revise Section 4.02 to read as follows:

4.02 COMPREHENSIVE PLAN DESIGNATION AND ZONE CLASSIFICATIONS. Zone classifications implement the Comprehensive Plan designations. Following are the zones allowed in each Comprehensive Plan designation.

<u>Comprehensive Plan Designation</u>	<u>Zone Classification</u>
Low Density Residential (LDR)	RS, UT
Medium Density Residential (MDR)	RL, RM, UT, MU
Medium and High Density Residential (MHDR)	RL, RM, RH, UT, <u>MU</u>
Mixed Use (MU)	<u>MU</u>
Commercial (C)	CO, CR, CG, UT, <u>MU</u>
General Industrial (GI)	IG, UT
Campus Light Industrial (CLI)	IP, UT
Special Policy Area (SPA)	EFU, UT
Civic (CI)	P
Schools (ES, MS, HS)	P, UT
Park (P)	P, UT

Add a new section 19.065 as follows:

19.065 JOINT USE OF PARKING AREAS IN A MU (MIXED USE) ZONE. The Hearings Officer as part of a conditional use or zone change process may allow joint use of parking areas between residential and commercial uses in accordance with the following standards.

- (a) The required parking will be the parking required by this chapter for the use with the largest parking requirement, provided, however, the amount of parking shall be no less than that required for the use with the smallest requirement plus 25 percent additional parking.
- (b) All jointly used spaces shall be located with relation to all uses relying on such spaces within the applicable distance set forth in Section 19.02.
- (c) The Hearings Officer must find that there is no substantial conflict in the principal operating hours of the buildings or uses for which joint use of off-street parking facilities is proposed.
- (d) A properly drawn legal instrument executed by the parties concerned for joint use of off-street parking facilities, approved as to form and manner of execution by Legal Counsel, shall be filed with the City Recorder. Joint use parking privilege shall continue in effect only so long as such an instrument, binding on all parties, remains in force. If such instrument becomes legally ineffective, then parking shall be provided as otherwise required in this ordinance within 60 days.

COMPREHENSIVE PLAN AMENDMENTS

Amend Chapter III, Section D, Subsection 2 of the Keizer Comprehensive Plan by adding a new Sub-subsection c as follows and renumbering the Section accordingly:

c. Medium Density Residential

1. Allow a mix of housing types in this category at a density averaging from 8 to 10 dwelling units per acre.

Identify criteria and location for these two sub-categories in the zoning ordinance.

2. Allow detached, attached, duplex, and multiple housing in this category.
3. Schools, neighborhood shopping facilities, parks and churches are allowed in this category subject to conditional use criteria in the zoning ordinance.

Amend Chapter III, Section D, Subsection 2 of the Keizer Comprehensive Plan by adding a new Sub-subsection e as follows and renumbering the Section accordingly:

e. Mixed Use

1. Provide areas intended for development that combines commercial and residential uses in a single building or complex. These areas will allow increased development on busier streets without fostering a strip commercial appearance. The designation encourages the formation of neighborhood "nodes" of activity where residential and commercial uses mix in a harmonious manner. This development type will support transit use, provide a buffer between busy streets and residential neighborhoods, and provide new housing opportunities in the City. The emphasis of the nonresidential uses is primarily on locally-oriented retail, service, and office uses. Commercial development will consist primarily of businesses on the ground floor with housing on upper stories. Clusters of residential and commercial uses around landscaping features or parking areas will also occur. Development is intended to be pedestrian-oriented with buildings close to and oriented to the sidewalk. Parking may be shared between residential and commercial uses.
2. Allow attached, duplex and multiple housing at an average density between 8 and 16 dwelling units per acre in this category.

property line.

- (4) Notwithstanding the provisions of subsections (1), (2), and (3), of this section, where a building is divided into more than one ownership, such as with row houses, and each ownership includes an individual lot, there shall be no side yard required except at the ends of the building.
- (5) Setbacks for accessory structures shall be the same as for primary buildings under this section, except that setbacks for accessory structures serving dwelling units shall be as provided in chapter 20.

30.20 LANDSCAPING. Within a MU zone:

- (1) All portions of required yards lying between a street or roadway and the structure or between the street or roadway and any sight-obscuring fence or hedge located within the required yard shall be landscaped.
- (2) Landscaping shall be provided in any yard adjacent to a residential zone and in any required front or side yard.
- (3) A landscaped area at least 5 feet wide shall be provided between any parking or loading spaces or driveway, and street or a lot in a residential zone.
- (4) All parking areas shall include 200 square feet of interior landscaping for every 5 10 parking spaces or portion thereof. This landscaping is to be located within the outside boundary of the parking lot. The landscaping shall be distributed in a relatively equal manner throughout the parking lot. This landscaping is in addition to that provided in required yards.
- (5) All required landscaped areas shall be landscaped as provided in Chapter 18.

30.25 STORAGE. Within a MU zone, outdoor storage of materials and equipment is prohibited except in conjunction with a residential uses where the storage shall be screen from view from the street and adjacent properties by a sight-obscuring fence, wall, or hedge.

30.35 REFERENCE TO ADDITIONAL STANDARDS. Additional use and development standards may be found in the following chapter:

General Development Standards & Regulations	Chapter 17
Landscaping	Chapter 18
Off-Street Parking and Loading	Chapter 19
Development Standards for Secondary, Accessory and Temporary Structures	Chapter 20
Floodplain Overlay Zone	Chapter 42
Greenway Overlay Zone	Chapter 43
Activity Center Overlay Zone	Chapter 46
Resource Conservation Overlay Zone	Chapter 47

- (xxxv) Child care facility
- (xxxvi) Hotels, motels and tourist courts (701).
- (xxxvii) Business services (73) except disinfecting and exterminating services (7342).
- (xxxviii) Watch, clock and jewelry repair (763).
- (xxxix) Floating structures that contain uses permitted in this zone.
- (xl) Home Occupations (12.20)
- (xli) Art Galleries and frame shops.
- (xlii) Recreational or athletic clubs.

- (2) Use restrictions. No use permitted under subsection (1) of this section shall in any way involve any of the following:
 - (a) Farm Use.
 - (b) The rendering, processing, or cleaning of animals, fish, seafoods, fowl, poultry, fruits, vegetables, or dairy products for wholesale use.
 - (c) Any outdoor display or storage of merchandise or materials.
- (3) ~~Location in the building. In a building containing both residential and commercial uses, no dwelling units are allowed on the ground floor.~~
- (4) ~~Floor Area Ratio. In a single development no more than 50 percent of the floor area shall be in non-residential use.~~

30.10 DEVELOPMENT STANDARDS. The standards and regulations in this chapter; and the additional standards and regulations referenced in Chapters 17 to 20 apply to all lots, structures and uses unless indicated otherwise. No structure or use shall be approved until all requirements in the chapter have been satisfied.

The provisions of this chapter are complementary and supplementary to other provisions of this ordinance. In the event of a conflict between a provision of this chapter and a more restrictive provision of this ordinance applicable to a particular lot, structure or use, the more restrictive provision shall apply.

30.11. HEIGHT. Within a MU zone:

- (1) Exclusively single family and duplex structures shall not exceed 35 feet in height.
- (2) All other buildings shall not exceed 50 feet in height.
- (3) Structures exempt from height requirements listed in Chapter 17 and structures with special height requirements in Chapter 20.

30.12 LOT AREA AND DIMENSIONS. Within a MU zone:

- (1) Lot Area, single family dwellings and duplexes. The minimum lot area for a single family dwelling is 4,000 square feet, provided a single family dwelling attached on one side has a minimum lot area of 3500 square feet, and a single family dwelling attached on both sides

McNary Activity Center Plan Comprehensive Plan and Zoning Ordinance Revisions

Add a new Chapter 30 to the Zoning Ordinance as follows:

CHAPTER 30

MIXED USE - MU ZONE

30.00 PURPOSE. The Mixed Use (MU) zone promotes development that combines commercial and residential uses in a single building or complex. This zone allow increased development on busier streets without fostering a strip commercial appearance. The zone encourages the formation of neighborhood "nodes" of activity where residential and commercial uses mix in a harmonious manner. This development type will support transit use, provide a buffer between busy streets and residential neighborhoods, and provide new housing opportunities in the City. The emphasis of the nonresidential uses is primarily on locally-oriented retail, service, and office uses. Commercial development will consist primarily of businesses on the ground floor with housing on upper stories. Clusters of residential and commercial uses around landscaping features or parking areas will also occur. Development is intended to be pedestrian-oriented with buildings close to and oriented to the sidewalk. Parking may be shared between residential and commercial uses.

30.01 USES.

- (1) The following uses, when developed under the applicable development standards in the Zoning Ordinance, are permitted in the MU zone:
 - (a) One or more buildings with one or more dwelling units or guest rooms on a lot.
 - (b) One or more buildings with one or more dwelling units or guest rooms and one or more other uses allowed in this section on a lot.
 - (c) The following commercial uses are allowed only on properties with at least one-acre-of-land that were at least one acre in size as of the date of the adoption of this Plan:
 - (i) Communication (48) BUT EXCLUDING communication services, not elsewhere classified (489).
 - (ii) Variety stores provided all display is within a building and further provided the gross floor area shall not exceed 10,000 square feet (533).

Action

The developer will be responsible at the time of development for seeing a plan is agreed upon that maximizes retention of wildlife.

No requirements will be established.

The 3 accesses to Lockhaven each serve a different type of land use. They are approximately 800 feet apart with the most eastern located approximately 500 feet from the intersection with River Road.

The only standard for intersection spacing in the urban area is to be found in the Salem Transportation Plan which requires intersections with an arterial to be at least 400 feet apart.

The River Road driveway is proposed approximately 800 feet north of the Lockhaven Drive intersection. This access will replace the existing River Road driveway which is approximately 300 feet from the intersection.

Reducing the number of driveways will increase the amount of traffic on those remaining. Given the significant amount of traffic generated by this project, dispersing the traffic at appropriate intervals is probably preferable to concentrating the traffic at a few points.

Alternatives

The property owner's preliminary proposal for driveways can be accepted.

The number of driveways on Lockhaven can be limited to 2.

The Activity Center Plan can prohibit direct access to River Road.

Action

Driveways will be limited so that they are no closer than 400 feet on an arterial and 200 feet on a collector. They must line up with existing streets or driveways on the opposite side of the street, or meet these separation standards.

Impacts on Surrounding Streets

Issues

Development of the Staats Lake area will result in substantial traffic generation. It can be reasonably expected that the residential areas will result in 6 to 8 vehicle trips per day per unit. This yield a traffic generation of 3,300 to 4,400 trips per day. This does not include traffic generated by the commercial areas.

This increase will impact Lockhaven Drive and River Road, possibly leading to a need for traffic control and/or street improvements.

Increases in traffic will occur incrementally as the project is phased in over several years.

Alternatives

The City can anticipate and plan for meeting these needs, putting appropriate projects in the Capital Improvements Program.

The City can require the developer to fund a traffic impact analysis identifying impacts and determining mitigation measures. The developer can be help responsible for implementing these measures.

Actions

A traffic impact analysis should be required. However, it should be as required by an ordinance requiring

Action

Two acres of park land adjacent to the northern boundary of Keizer School will be acquired as part of the development of the Staats Lake property. The City is developing a comprehensive Parks Development Master Plan during fiscal year 1991-1992. This Plan, when adopted, may conclude there are better ways to meet the park need than constructing the park adjacent to Keizer School. If this should occur, this Activity Center Plan and its recommendations will be superseded.

As the Claggett Creek corridor is not developable and is of little value to the development, and as it is desirable to be developed and preserved as a wetland and wildlife habitat, the corridor is planned to be put in public ownership.

NO PRIVATE

CIRCULATION AND ACCESSStaats Lake**Relationship between McNary Area and Staats Property - Issues**

The Comprehensive Plan states the following objective for the McNary Activity Center: "Integrate the McNary Golf Course, lake, public open spaces, civic center, and Claggett Creek corridor for public access and enjoyment."

Planning for the Staats Lake area has included a public debate over the need to provide a street tie between it and McNary Estates from the eastern end of each property. Public sentiment has generally been against this link.

There are very few options for providing a street link between the eastern ends of each property due to the topography.

A link between the properties will be created by the McClure Street extension.

The City has no legal means to require McNary Estates to allow the connection to McNary Estates Drive as it is a private street.

Relationship between McNary Area and Staats Property - Alternatives

The Activity Center Plan can reflect the Comprehensive Plan and require a street connection. In this case, the City will need to negotiate with McNary Estates for a right of access to McNary Estates Drive.

The Plan could show no access at the east end of the properties, relying on McClure to provide the desired tie between the neighborhoods.

Relationship between McNary Area and Staats Property - Action

The eastern link between the properties will not be required.

Internal Circulation within Staats Property**Issues**

The public has a great stake in this lake. For many years it has been regarded as an asset with a certain expectation the public would ultimately have access to the lake.

There is a risk to the owners if the public has access to the lake for typical "park" activities such as swimming, etc. The liability could be unacceptable.

The lake does not lend itself to swimming type activities due to its history as a gravel pit. It has steep banks without any beaches, it drops off sharply, and it is very deep. Since the lake is not stream fed but rather is ground water, fluctuations in the aquifer will impact the surface level. The present owner of the property anticipates it will tend to drop in the future.

Public access can take many forms including visual access, physical proximity, and boating.

The present owner of the property anticipates developing residences around approximately 75% of the lake frontage. The corporation is concerned about the privacy and security of these homes.

Development of a public park along some portion of the lake frontage would create an unrestricted point of public access to enjoy the lake. It would also create the liability and suitability situations discussed above. In addition, the ownership of the lake, itself, would possibly have to be passed to the City.

Acquisition of the entire Staats property would provide the City the opportunity to develop an extensive water-oriented park. Lands not needed for park use could be resold for development. This option, however, would have three major financial impacts. First would be the cost of buying the property. Second would be the cost of developing, operating, and maintaining the park. Third, and possibly most importantly, loss of the development potential of this property will remove a major source of tax increment revenues that will be funding the North River Road Urban Renewal District and its projects.

Unrestricted public access to the lake even if it remains in private ownership can lead to security and activity problems. The means of managing the public access would need to be determined and agreed upon.

Alternatives

The first alternative is acquisition of the entire property for park use. Due to the financial impacts discussed above, this cannot be recommended.

The second is to acquire a lake-front park. This is not deemed to be feasible due to the questionable suitability of the lake for typical lake-front park uses. As well, the City may not want to bear the expense of developing, operating, maintaining, and insuring this type of park development.

The third alternative is to retain the lake and shorelands in private ownership, but set standards for public access.

Actions

It is the policy of this Plan that development of a "promenade" along the frontage of the any commercial retail area is required. This promenade will overlook the lake and provide an attractive, inviting area for walking, standing, and sitting while enjoying the view and proximity to the lake. It will complement the commercial uses by providing an area for outdoor seating for restaurants.

Park Location

Issues

(Medium Density Residential), and RH (High Density residential).

RH developments average at least 16 dwelling units per acre. RM developments have 8 to 16 dwelling units per acre. RL projects have 8 to 12 dwelling units per acre.

The size of this property, coupled with its unique relationship to the lake, make it a unique opportunity to provide housing at densities higher than typical single-family development. Encouraging a mixture of housing types and densities, supporting the commercial development at the east end of the lake, will create a unique, special new neighborhood for Keizer.

The Staff is currently preparing an amendment to the draft of the Comprehensive Plan periodic review order which may call for a minimum average density for new development city-wide of at least 6 dwelling units per acre. This will allow conventional single family development, but will also call for medium density development such as row houses and condominiums, as well as apartments.

Residents within McNary Estates have expressed concern about apartments developing adjacent to their single family and townhouse areas.

Residential Development - Alternatives

One preliminary development proposal discussed during public hearings on this Plan would place apartments along the boundary with McNary Estates.

A minimum density standard could be adopted for the property. This standard could be achieved in whatever manner the property owner wishes. Based on the current Comprehensive Plan standards, this minimum density should be 6 dwelling units per acre.

Policies could be developed that would guide the locations for different types of residential development.

The present owner of the Staats Lake property has expressed a desire to build more conventional single-family development than what the 6 dwelling unit standard may allow. As well, the planned character and vibrancy of the Mixed Use area relies on housing being incorporated with the commercial activity. Therefore, an alternative housing policy can be considered which allows a density transfer from the residential area to the mixed use area. This gives flexibility in the development styles for the residential area, while encouraging the desired mixture of land uses in the Mixed Use area.

The convenience market site does not meet current design standards. This is especially reflected in the lack of landscaping.

Alternatives

The land in this area could be zoned with the mixed-use zoning described above. This could guide redevelopment of the area in a manner more consistent with the McNary area to the west.

The land could remain zoned as it is, recognizing that redevelopment of the entire area is unlikely in the foreseeable future. If the convenience market site is redeveloped, it would have to conform with current zoning provisions, which include landscaping.

Special development policies could be developed for this area covering landscaping, setbacks, access, etc.

Action

This area will retain its current zoning. As significant redevelopment of the property is unlikely, it is also removed from the McNary Activity Center as defined in the Comprehensive Plan.

Land between River Road and Trail Avenue

Issues

The Comprehensive Plan included only the northern portion of this area within the McNary Activity Center. This northern area is made up of several developed and two undeveloped parcels. At the north end is a Texaco station. A small vacant parcel lies between the station and the new Manzanita Street extension. South of Manzanita is a large vacant parcel fronting on both River Road and Trail Avenue. Also included in this area is the CG Long Building Supply business and a dance studio with an associated house.

This Plan expands the boundaries of the Activity Center to encompass all of the land between Trail Avenue and River Road. This action recognizes the existing Low Density Residential designation of these properties is not likely to stand over time due to the higher intensity designations surrounding this area on all sides. The Plan brings these properties into this planning process now so that future redevelopment of this area will be in keeping with what is planned for the surrounding area.

The southern portion of this area includes single family homes and several retail uses, including a convenience store, a used car dealer, and a produce stand at the Lockhaven Drive frontage.

All commercial properties in this area are zoned CR (Commercial Retail) except the building supply, dance studio, and used car dealer properties which are zoned CG (Commercial General). The residential properties are zoned UT (Urban Transition). The Comprehensive Plan designates the commercially zoned area for continued commercial use. The UT area is designated for low density residential.

Major issues revolve around the development of the large vacant property and the potential redevelopment of the commercially and residentially used properties.

The physical and visual relationship of the vacant property to the balance of the McNary Activity Center lands creates a concern about future development. An intense development of the property without significant setbacks, landscaping, and screening, could be damaging to the character of the overall area. This includes the residential subdivisions to the east.

There has been a great deal of community concern, as reflected in the Comprehensive Plan, about a

Circulation and Access, and Environmental

Each will be discussed below with an analysis and direction for specific policies or plans. The policies stemming from this analysis are listed within the Plan.

LAND USE

McNary/Courthouse Area

Issues

This area is generally developed to the point that little additional development is likely. The exception is the property where the McNary Estates sales office is located. This office is a modular structure and is intended to be temporary in nature.

This property is zoned CR (Commercial Retail) and designated on the Comprehensive Plan for commercial use. Such use is in keeping with the two other commercial uses in this area, the McNary Restaurant and the Courthouse Athletic Club.

Given the nature of the immediate area, future commercial use of the current McNary Estates office will probably be appropriate. However, there may be concern about the character of any future use.

The McNary Restaurant/Pro Shop and the Courthouse, because of their substantial financial investments in improvements, can probably be expected to remain at their current locations with few changes.

Alternatives

Using the current CR zoning is one alternative. This will allow flexibility in future development. However, many CR uses may not be considered compatible with the area. Both the McNary Restaurant/Proshop and the Courthouse are relatively subdued in their presence. Many CR uses, such as fast food establishments or service stations, may not reflect this "quieter" character.

A new zone could be created that sets stricter standards on site development and on potential uses. This zone might be applied not only within this area, but also within other commercial parts of the activity center.

A third option would be an overlay zone that would set standards in addition to the provisions of whatever underlying zone applies to a property. This overlay could set higher standards for setbacks, landscaping, signage, etc.

A fourth alternative would be a new mixed-use zone that allows both commercial and medium density residential development. This zone would set strict design standards. This possibly would need to be accompanied by a mixed-use Comprehensive Plan designation or at least enabling policies.

Action

This Plan adopts the use of a new mixed-use zone. Since much of the concepts set in the Comprehensive Plan for the McNary Activity Center call for the creation of a mixed-use center developed in a planned manner, a special zone that accommodates and encourages this type of development will be most appropriate. It also will probably be the easiest to understand and administer over time.

Environmental

The future of the migratory geese population is a major concern of the community. There is a fear that with development of the Activity Center, especially lands around the water features, the geese will no longer find the area an attractive habitat.

The Claggett Creek Corridor is an important wetland. It provides habitat for a variety of types of wildlife and supports a broad array of riparian vegetation. Development adjacent to this area must be particularly sensitive to its fragile nature.

Policies

- 1- ~~The City of Keizer, the Oregon Department of Fish and Wildlife, and the developer shall reach agreement on a plan to maximize retention of geese and other wildlife as part of any development proposal where there are wildlife impacts.~~
- 21- *The owners of properties within the activity center shall comply with all applicable laws and regulations pertaining to wetlands and floodplains*

Implementation

The McNary Activity Center Plan is to be implemented primarily through the zoning and subdivision process. The zoning ordinance is being amended to provide a means to assure future private development occurs in a manner conforming with and helping to implement the policies of this Plan.

Zoning

The zoning ordinance was amended in 1987 to include an AC (Activity Center) zone. This zone set very specific requirements for the development of an activity center plan. However, during the development of this plan, it was determined the AC zone requirements were far too detailed and cumbersome to meet the actual needs at this time.

As is indicated in the Land Use section, above, a new Mixed Use zone is created to provide flexibility in land use development patterns and to encourage a health mix of uses within this new neighborhood.

The (AC) Activity Center Zone

The AC zone is amended to remove the specific requirements for the activity center plan. The provisions of the zone requiring all uses to be processed as conditional uses remains. The criteria originally set for the activity center plan are now used as criteria for review of individual conditional use applications.

The (MU) Mixed Use Zone

A new Mixed Use zone is adopted that is intended to not only allow a mixture of uses, but to encourage such use. The tools offered for the mixture include a substantial reduction of setback requirements for residential uses and an automatic reduction in parking space requirements due to sharing between residential and commercial uses.

Comprehensive Plan

Policies

1. *Vehicle access points shall be minimized with a minimum spacing standard of 400 feet apart along an arterial street and 200 feet apart along a collector street. Access points across a street from each other shall either line up or meet these separation requirements.*
2. *When small lots are developed with access to arterial or collector streets, combining of access points with adjacent lots shall be required if possible.*
3. *All new access points shall be located so there is a minimum sight distance in both directions equal in feet to 10 times the speed limit.*
4. *There shall be only one access to River Road from any single property within the Activity Center.*
5. *A pedestrian/bicycle pathway network, meeting Oregon Department of Transportation design and construction standards, linking key components of the Activity Center shall be included as part of future developments. Each property owner will be responsible for planning and building the portion of this system within or adjacent to their property at the time of development of the property.*
6. *Where extraordinary street improvements are warranted the costs of the improvements will be the responsibility of the developing properties in proportion to their impact on the street system. These costs will be determined and assessed as part of the conditional use or planned unit development approval of each project.*

Parks, Recreation, and Environment

Public Relationship to Staats Lake

This Plan does not include acquisition of a lake front park on Staats Lake. Development of a public park along some portion of the lake frontage would create an unrestricted point of public access to enjoy the lake. However, it would also create liability and suitability situations due to the "gravel pit" nature of the lake with its steep banks and deep waters.

The alternative to a lake front park is to retain the lake and shorelands in private ownership, but set standards for public access as part of the private development.

Action

This Plan envisions development of a "promenade" along the frontage of the commercial area. This promenade will overlook the lake and provide an attractive, inviting area for walking, standing, and sitting while enjoying the view and proximity to the lake. It will complement the commercial uses by providing an area for outdoor seating for restaurants.

Policy

1. *A promenade shall be developed along the entire frontage of commercial as part of the development of any retail store or shops development abutting Staats Lake. This promenade will provide an attractive place for walking, sitting, eating, and viewing the lake. The*

Property Between McNary Restaurant and Staats Lake

Action

Use of the property for either or both multi-family and office development is recommended. It might be best to encourage a mixture of both uses on the property.

A new mixed use zone, as described above, is adopted. This will encourage both multi-family and office development of the property.

Land between River Road and Trail Avenue

Actions

The entirety of the area is to be rezoned to the Mixed Use zone with the exception of the parcel north of Manzanita which will remain in the Commercial General zone, and the properties fronting Lockhaven which will retain their Commercial Retail and Commercial General zones.

Staats Lake Property

Residential Development - Actions

A minimum density standard of 6 dwelling units per acre is planned for the property. This conforms with the intent of the Comprehensive Plan.

Development will be limited along the northern shore of the lake, and the extension of that area to the east property line: for all housing abutting the northern property line of the Staats property east of McClure Street and west of the point where McNary Estates Drive turns to the northeast to single family or townhouse developments. Townhouses should not exceed 6 dwelling units per acre and should be similar in style and layout to those found within McNary Estates.

As specific development plans are considered, density can be transferred on a one for one basis from the residential area to the mixed-use area; as long as the density of the residential area does not drop below five dwelling units per acre.

Residential Development Policies

1. *The MDR area shall have an average residential density between 6 and 10 dwelling units per gross acre.*
2. *The average residential density will be computed for the entire MDR area, regardless of ownership patterns.*
3. *Within the property currently owned by the Staats Corporation, the required density of the MDR area regardless of current or future ownership patterns may be partially transferred to the Mixed Use area and the lake. For every dwelling unit built in the Mixed Use area, or for every permanent houseboat created, one dwelling unit may be subtracted from the required density of the MDR area. However, the density of the MDR area shall not be reduced to less than 5 dwelling units per gross acre.*

Comprehensive Plan Map

ROLE OF THIS PLAN

The McNary Activity Center Plan will be adopted as an element of the Keizer Comprehensive Plan. All development activity within the area will be reviewed and approved in accordance with the provisions of this Plan. The Comprehensive Plan is being revised concurrent with the adoption of this Plan to acknowledge and incorporate it.

This Plan has two components: the Plan itself; and an Appendix containing an analysis of the issues within this planning area.

The Plan includes 16 policies which are found within each subsection below. These are the functional components of this Plan. The policies are adopted as the Community's expectations of how development will occur within the Activity Center. All development proposals will be evaluated based on these policies. The policies have the same effect and force as if they were part of the Comprehensive Plan document.

The material other than the policies is descriptive and analytical and is subservient to the policies. However, the "Action" section of each issue discussion may include specific actions that are being adopted.

PURPOSE OF THIS PLAN

The purpose of this McNary Activity Center Plan, and the process of its development, is three fold, as outlined below:

1. *Implement the Comprehensive Plan;*
2. *Define the Community's vision of what the McNary Activity Center will be like when developed; and*
3. *Set the Community's expectations of how it is to develop so the vision is achieved.*

City Council
October 21, 1991

planned unit development process. This will provide ample opportunity to review specific design proposals to determine if they meet the intent of the Activity Center Plan, rather than setting strict specifications now that may impede otherwise good design decisions.

McClure Street Extension

An additional issue raised at the hearing by residents of McNary Estates was the future turn-around at the end of the extension of McClure Street. Subsequent to the hearing, Staff met several times with residents of the area, representatives of Hillman Properties, and representatives of Staats Corporation. The McNary Estates owners and developer presented an alternative design for the turn-around that placed it south of McNary Estates Drive.

A further issue that has been raised by both Staats and Hillman is the question of who pays for the extension of McClure Street. This was discussed before the Council during the portion of the hearing on October 7th.

Subsequent to the October 7th meeting, Staats and Hillman met to attempt to resolve these issues. Staff clarified a point on extraordinary improvement costs through a letter to Sandy Staats, a copy of which is attached. Staff's understanding is that an agreement was reached and the parties will be at tonight's hearing to present that agreement and ask for Council's approval or endorsement as appropriate.

RECOMMENDATION:

It is recommended Council:

1. Close the public hearing after the receipt of testimony tonight;
2. Deliberate on the testimony;
3. Adopt the revisions as presented in the October 15th draft of the McNary Activity Center Plan; and
4. Direct Staff to prepare and return with an ordinance amending the Comprehensive Plan and zoning ordinance, rezoning property, and adopting the McNary Activity Center Plan.



City of Keizer

Administration
930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

CITY COUNCIL MEETING: Oct, 21 1991

AGENDA ITEM NUMBER: 11B

TO: MAYOR AND CITY COUNCIL

THROUGH: DONALD H. OTTERMAN M.S.P.A.,
CITY MANAGER

FROM: JOHN N. MORGAN, AICP
COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: PUBLIC HEARING -
VACATION OF THE PUBLIC OWNERSHIP OF FERNWOOD PARK

THIS HEARING:

This is a public hearing on the proposed vacation of the public ownership of Fernwood Park. If the Council proceeds with the vacation, title will rest with the City.

The vacation, however, is only one part of a much larger strategy for the future of Fernwood Park. While technically the hearing is only for the consideration of the one issue, this report and the testimony to be received will be broadened to cover the entire Fernwood Park situation and the potential solutions.

BACKGROUND:

The Fernwood Park Subdivision was developed in two phases approximately thirty years ago, and as was tradition at that time, a portion of that development was dedicated to the public as a park. The park is just less than one acre in size. The "Old Keizer School" occupies about one fifth of one acre on the south end of the park. The remainder of the park is and has always been virtually undeveloped.

Prior to the placing of the "Old Keizer School" building and the development of a shopping center, the park property was utilized by Keizer Elementary School as an extension of their playground.

Issues

The are four issues concerning this park property as described below:

"Pride, Spirit and Volunteerism"

City Council
October 21, 1991

PARKS ADVISORY BOARD RECOMMENDATION:

The Parks Advisory Board discussed the Fernwood Park issue at their meeting on Tuesday August 13th. A motion was made and passed unanimously to recommend the following to the City Council:

Vacate the park to The City of Keizer and obtain ownership to remain in the City's name and to negotiate a lease agreement with Springer Development Inc. allowing a day care facility to use up to four thousand square feet of the park to be fenced and developed as a playground.

The feeling of the Board was that the lease agreement would specify how Springer Development would contribute to the development of the entire park, and allow the public to use the fenced playground area when the day care was not operating. The Board sees this as an opportunity to develop the entire park without general fund tax dollars. The Board also agreed that the City should obtain ownership of this park as is the case with other City parks even if the day care was not a consideration.

STAFF PROPOSAL:

In order to address all the issues, including the interest of the neighbors living within the Fernwood Park subdivision, staff developed a strategy for developing the park and each of the components within it. The strategy was first aired at the Council meeting of September 3, 1991. At the same meeting the Council initiated the vacation of the public ownership of the park.

Staff held an informational meeting on September 24, 1991 where all the owners within Fernwood Park subdivision were invited. The intent of the meeting was to discuss the strategy and to answer the owner's questions about the vacation. There were about 10 properties represented at the meeting. Discussion represented all positions on the issues without any general consensus being reached.

The day after the informational meeting, 26 letters of objection were delivered to City Hall. These were all dated September 23,



KEIZER HERITAGE FOUNDATION, INC.

P.O. BOX 8900-263
KEIZER, OR 97303

October 1, 1991

RECEIVED

Mayor Andy Orcutt,
City Counsel
Keizer, Oregon

'91 OCT 2 AM 9 00

Dear Mayor Orcutt,

CITY OF KEIZER

OREGON 97303

Re: Keizer Heritage Foundation, Inc. agreement

Keizer Heritage is, with this letter, seeking an extension of time needed for completion of the building known as the Old Keizer Schoolhouse.

It is with regret that we ask this extension, however to complete the building properly, it is necessary. A realistic amount of time is requested and should be worked out with the help and blessings of the City Counsel.

At this time KHF has 40,000.00 dollars with which to proceed and that amount would very nearly allow us to occupy the lower half of the building before the first of the year 1992. However, with the property under the building in question and the lack of authority to improve the park, by anyone, we do not feel comfortable spending that large an amount.

You are, I am sure, fully aware of some of the delays that have prevented completion on time, not the least of which was the one year delay in moving and setting the building down on site. Should things turn further against us, Keizer Heritage could not repay funds solicited and spent, and all volunteer labor and in kind donations made to date would be lost. That would indeed, along with the loss of a fine historic building, be sad for Keizer.

We will gladly meet with anyone you select to negotiate an extension of our agreement with the City.

Thank you for your consideration in this matter.

Sincerely,

Holly Erickson
Holly Erickson, President

393-2981

cc: John Morgan
Kevin Wickman

City of Keizer
Keizer City Hall
P. O. Box 21000
Keizer, Oregon 97307-1000

Gentlemen:

As a resident and homeowner in the Fernwood
Park Addition, I oppose the vacating of Fernwood
Park.

I want it to remain a "Public Park" as it
was originally deeded by the developer in 1961.

The City of Keizer should remain as custodian.

Doris A. Clark

Ray A. Clark

SIGNATURE

306 FESTREL ST. N

ADDRESS

KEIZER OR 97303

DATE *9-16-91*

MEMORANDUM

DATE: October 15, 1991

TO: Owners within Fernwood Park Subdivision

FROM: John N. Morgan, AICP
Community Development Director
City of Keizer

SUBJECT: Strategy for Development of Fernwood Park

As you know, the City Council will be holding a hearing on the vacation of the public ownership of Fernwood Park on Monday, October 21 at 7pm. Please note that the hearing will be held in the Police Auditorium at the south end of the City Hall complex.

I have enclosed a document entitled: "Fernwood Park - A Strategy for its Future." This was put together by Kevin Wickman, Parks Superintendent, and me. It is what we believe to be a practical, realistic, and innovative plan to meet the needs of the community and the individual players involved in Fernwood Park. We will be presenting this strategy to the Council at the hearing and asking for its adoption.

As is indicated in the strategy, each of you is a player. State statute on this type of vacation states that if the owners of a majority of the land area within the original subdivision object to the vacation, it cannot occur. Many of you have signed objections, but you did so before our September 24th informational meeting or before you were aware of the Park strategy.

I hope you will find this strategy to not only be in the public's best interest, but also one that will enhance the livability of your home in the Fernwood Park neighborhood. I have taken the liberty to enclose a draft letter to the Council rescinding your objection for your convenience. If you find the strategy acceptable, please sign and return this letter to City Hall, or use it as a guide for a letter of your own.

You are encouraged to attend the Public Hearing and share with the Council your own ideas for the future of the Park. If you have any questions, please contact Kevin or me at your convenience.

FERNWOOD PARK

A Strategy for its Future

The City of Keizer has developed the following strategy for the future of Fernwood Park. This strategy is to be considered by the City Council for adoption. However, each of the participants in the strategy needs to commit to their particular portion before the goals can be achieved.

There are several goals from different parties that all revolve around the future of Fernwood Park. From the Staff's perspective, these are the goals:

- *Create a public park with the following objectives:*
 - *serve the open space and recreational needs of those in the neighborhood;*
 - *eliminate loitering, vandalism, and other problems within the park site;*
 - *develop and maintain the park with minimal tax dollars; and*
 - *get a reasonable return in community benefit for the park funds that have and will be invested in the park site.*
- *Create a day care center within Schoolhouse Square.*
- *Finish the restoration of the old Keizer School and make it into a valuable community resource and cultural center.*

A unique opportunity exists at this point in time to meet all of these goals by having each of the parties involved contribute something to the process. The strategy below outlines the basic actions that each of the four parties must take to achieve the goals:

PARK DEVELOPMENT STRATEGY

Springer Development Corporation

*Level the Park
Prepare soil for seeding
Install water and hose bibs
Seed Park with grass
Build playground for day care center
Make the playground available to public during off-hours*

City Council
City of Keizer
930 Chemawa Road NE
Keizer, OR 97303

Honorable Mayor and Councilors:

I have no objection to the vacation of the public ownership of Fernwood Park and placing the park in City ownership with the provision that it shall be used only for park and related purposes.

This letter superceeds my earlier letter of objection dated October 23, 1991.

Sincerely,



KEIZER HERITAGE FOUNDATION, INC.

P.O. BOX 8900-263

KEIZER, OR 97303

October 17, 1991

Mr. John Morgan
Community Development Director
City Of Keizer

Dear Mr. Morgan,

In reply to your letter of October 15, 1991, Keizer Heritage Foundation, Inc. wishes to go on record as accepting all points of your letter listing requirements regarding the development of Fernwood Park.

The time required to restore the structure known as Old Keizer Schoolhouse needs to be negotiated with the City of Keizer, assuring us adequate time to complete and occupy both floors. (As was previously requested in a letter to Mayor Orcutt, dated October 1, 1991.)

Keizer Heritage Foundation, Inc. accepts the responsibility of overseeing the restoration of the building known as Fernwood Park once spring cleanup is over and fences are in place as stated in your letter. Landscaping the area around the school building can begin as soon as fences are in place and the ground leveled. That will be a continuing project over the next year.

We welcome a solution to the problems that have delayed our progress in the past. Thank you.

Sincerely yours,

Holly Erickson

Holly Erickson, Pres

cc Mayor Orcutt

A G E N D A

EXECUTIVE SESSION

KEIZER CITY COUNCIL

Monday, October 7, 1991

5:30 p.m.

Robert L. Simon Council Chambers
Keizer City Hall

1. CALL TO ORDER
2. NOTE OF ATTENDANCE
3. EXECUTIVE SESSION - To discuss pending litigation pursuant to the provisions of ORS 192.660(1)(h)
4. ADJOURN

CITY OF KEIZER MISSION STATEMENT

KEEP CITY GOVERNMENT COSTS AND SERVICES TO A MINIMUM BY
PROVIDING BASIC CITY SERVICES TO THE COMMUNITY IN A
COORDINATED, EFFICIENT AND LEAST COST FASHION.

A G E N D A

KEIZER CITY COUNCIL
Monday, October 7, 1991
7:30 p.m.

Keizer City Hall
Robert L. Simon Council Chambers

1. CALL TO ORDER
2. ROLL CALL
3. PUBLIC TESTIMONY - This time is provided for citizens to address the Council on matters not on the agenda.
4. COMMITTEE REPORTS
 - a. Volunteer Coordinating Committee
 1. Volunteer Recognition Program
 - b. Planning Commission
5. PUBLIC HEARINGS
 - a. Adoption of Period Review (Continued from September 16, 1991)
 - b. McNary Activity Center Plan (Continued from 9/3/91)
6. DELIBERATION - (KA 91-1) Annexation of Reece, Blackman, Croteau and Wheatland Automotive, Inc., properties
7. DISCUSSION - Appointment of League of Oregon Cities' Voting Delegate
8. DISCUSSION - Format for City Manager Evaluation
9. CONSENT CALENDAR
 - a. September 3, 1991 City Council Minutes
 - b. September 16, 1991 City Council Minutes
 - c. Resolution - The Meadows Phase 4 Street Lighting District



City of Keizer

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COUNCIL MEETING: October 7, 1991

AGENDA ITEM NO.: 4a

TO: MAYOR AND CITY COUNCIL

FROM: VOLUNTEER COORDINATING COMMITTEE

THRU: JOANNE BEILKE, CHAIR

SUBJECT: VOLUNTEER RECOGNITION PROGRAM

The Volunteer Coordinating Committee has divided into three subcommittees. One of these, the Volunteer Recognition Subcommittee, has finalized its initial recommendations for a volunteer recognition program.

After reviewing the alternatives available to the City to recognize the work performed by its volunteer force, the subcommittee is recommending that the City use the following tools:

- (1) An annual potluck dinner (or picnic)
- (2) A changing photo display in the front lobby at City Hall of different volunteers and their accomplishments
- (3) Timely recognition in the Keizertimes newspaper

The subcommittee has estimated that the cost for this program will be approximately \$450 per year. Since we are already into the current budget year, the subcommittee has estimated a cost of approximately \$300 for 1991-92. Mr. Otterman indicates that funds are available in the City Council and Administration line items.

RECOMMENDATION

That the City Council make available \$300 in fiscal year 1991-92 to recognize the City's volunteers as recommended by the Volunteer Coordinating Committee.

_____"Pride, Spirit and Volunteerism"_____



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CITY COUNCIL MEETING: Oct. 7, 1991

AGENDA ITEM NUMBER: 5a

TO: MAYOR AND CITY COUNCIL

THROUGH: DONALD H. OTTERMAN M.S.P.A,
CITY MANAGER

FROM: JOHN N. MORGAN, AICP
COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: PERIODIC REVIEW OF THE SALEM AREA COMPREHENSIVE PLAN -
CONTINUED PUBLIC HEARING

DISCUSSION:

The public hearing on the Local Review Order for the Periodic Review of the Salem Area Comprehensive Plan was opened on September 3, 1991 and continued to this date.

Testimony was received on September 3rd from the East Salem Suburban Sewer District concerning annexation issues not concerning Keizer. This material was forwarded on to Salem for consideration.

Staff is working with the other three jurisdictions on the drafting of the final ordinance adopting this periodic review. It should be agreed upon within a few weeks, at which time staff will return with it for approval.

RECOMMENDATION:

It is recommended Council:

1. Close the public hearing;
2. Deliberate on any testimony received; and
3. Direct staff to return with the final ordinance when it is prepared.

_____"Pride, Spirit and Volunteerism"_____



City of Keizer

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CITY COUNCIL MEETING: Oct. 9, 1991

AGENDA ITEM NUMBER: 5b - addition

TO: MAYOR AND CITY COUNCIL

THROUGH: DONALD H. OTTERMAN M.S.P.A.,
CITY MANAGER

FROM: JOHN N. MORGAN, AICP
COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: McNARY ACTIVITY CENTER PLAN - ADDITIONAL INFORMATION

DISCUSSION:

The public hearing on the McNary Activity Center Plan is continued to tonight's meeting. A staff report on this issue was prepared and distributed to the Council. However, as of Friday, October 4th, two points have changed.

First, Staats Corporation has requested the hearing be held open until October 21, 1991 in order to give them time to review a complete redraft of the Plan based on discussions with Staff. This work had not been completed in time to allow Staats Corporation to have their entire consulting team review the agreements. Therefore, a copy of the draft is not being distributed with this agenda so that it can be further refined, if necessary, following the Staats review.

Second, Staff developed several alternatives for the turn-around associated with a future gating of McNary Estates Drive and provided these drawings to Hillman Properties. Staff has learned that the developer and residents have generally accepted one of the options. It is being provided to Staats Corporation for their information. Staff will report to Council at the meeting on any progress in reaching an agreement on this situation.

RECOMMENDATION:

The Council should hold the public hearing open until October 21, 1991.



City of Keizer

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CITY COUNCIL MEETING: Oct. 7, 1991

AGENDA ITEM NUMBER: 5b

TO: MAYOR AND CITY COUNCIL

THROUGH: DONALD H. OTTERMAN M.S.P.A.,
CITY MANAGER

FROM: JOHN N. MORGAN, AICP
COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: MCNARY ACTIVITY CENTER PLAN - CONTINUED PUBLIC HEARING

DISCUSSION:

This is a continuation of the public hearing on this proposed plan. At the last meeting, Council directed Staff to meet with representatives of the Staats Corporation to see if agreements could be reached on the points of disagreement.

Staff met several times with Sandy Staats and Ken Sherman Jr., her legal council. General agreement was reached on ways to resolve all points. The Staff changed its earlier position on several points, however the basic intent and direction of the draft Activity Center Plan is not compromised.

The attached draft of the Activity Center Plan shows all the changes to date. Deletions are struck out while additions are double underlined. The proposed zoning and Comprehensive Plan Land Use Maps are revised to reflect the changes.

An additional issue raised at the hearing by residents of McNary Estates was the future turn-around at the end of the extension of McClure Street. Subsequent to the hearing, Staff met several times with residents of the area, representatives of Hillman Properties, and representatives of Staats Corporation. The McNary Estates owners and developer presented an alternative design for the turn-around that placed it south of McNary Estates Drive. As of the preparation of this report, Staats and McNary had not reached agreement on the means to achieve this proposal.

City Council
October 7, 1991

Staff recommends the McClure turn-around issue not be dealt with as part of the Activity Center Plan. The issue was originally resolved during the adoption of the Outline Plan for McNary Estates in 1989. If Hillman Properties wishes to change the turn-around location now, it should be dealt with as a private matter between the property owners, with the City considering an alternative as part of an amendment to the Outline Plan approval.

RECOMMENDATION:

It is recommended Council:

1. Close the public hearing after the receipt of testimony tonight;
2. Deliberate on the testimony;
3. Adopt the revisions as presented in the October 1 draft of the McNary Activity Center Plan; and
4. Direct Staff to prepare and return with an ordinance amending the Comprehensive Plan and zoning ordinance, rezoning property, and adopting the McNary Activity Center Plan.
5. Defer discussion on any change in the turn-around at the end of McClure Street to future consideration of an amendment to the Outline Plan for McNary Estates.

- d. Resolution - Orchard Crest Street Lighting District
10. OTHER BUSINESS - This time is provided to allow Council members the opportunity to bring matters before the Council which are not on tonight's agenda.
11. WRITTEN COMMUNICATIONS - To inform the Council of significant written communications and petitions.
12. AGENDA INPUT - October 21, 1991
- * Public Hearing - Fernwood Park Vacation
 - * Presentation - Marion County Board of Commissioners regarding property tax statements
 - * OLCC/LaBrisa - **POSTPONE**
 - * Resolution - Municipal Court/LEDS Agreement
 - * Liquor License Application - Brey's Restaurant
 - * Travel Reimbursement vs. Allowance (requested by Councilor McGee) **POSTPONE**
13. ADJOURN

f:\admin\10-7.adg

Keizer Heritage Foundation

*Finish and occupy School
Install landscaping around school
Permanently maintain total park area*

City of Keizer

*Vacate public ownership of park placing it in City ownership
Condition the vacation so only park and related uses are allowed
Enter into a lease agreement with Springer for the playground
Enter into a new use agreement with Keizer Heritage
Move and install fencing as needed within the park
Provide the water meter for the park irrigation system*

Fernwood Park Property Owners

Support the strategy by not objecting to it in writing.

If all parties will agree to this strategy by the time of the Council Public Hearing on the vacation of the public ownership of the Park, then it can be put in motion immediately. It will be discussed at the hearing, which will be on Monday, October 21, 1991 at 7:30 pm in the Police Auditorium, Keizer City Hall.

For more information, contact Kevin Wickman, Parks Superintendent, or John Morgan, Community Development Director at 390-3700.

City Council
October 21, 1991

1991, the day before the informational meeting. The letters were all the same. A copy of one is attached for the Council's information. There are 34 properties within the subdivision.

Staff has not verified if the signatures are valid and if they represent more than 50 percent of the land area within the subdivision. As is indicated below, Staff has asked each of these owners to reconsider and rescind their letter. If this does not happen for a large number of the letters, then Staff will confirm their validity and whether they represent enough ownership to stop the vacation.

Following the informational meeting, Staff prepared a document entitled: "FERNWOOD PARK - A Strategy for its Future." This document is intended to be a "prospectus" about the park and what its future can hold. The document was sent to all owners within Fernwood Park Subdivision, Keizer Heritage Foundation, and Springer Development Corporation. A copy of the letter to the residents and a copy of the document is attached to this report.

"FERNWOOD PARK - A Strategy for its Future" is self-explanatory. It is recommended to the Council for adoption as the strategic plan for the future of the Park.

RECOMMENDATION:

It is recommended Council:

1. Close the public hearing if there are not enough letters of objection to stop the vacation;
2. Direct staff to prepare an ordinance for first reading on November 4, 1991, vacating the public ownership of Fernwood Park, conditioning the vacation by requiring the land remain in park or related uses; and
3. Direct staff to develop the appropriate formal agreements, for approval by the Council, with Keizer Heritage Foundation and Springer Development Corporation.

City Council
October 21, 1991

The first issue - park development:

There are no city funds allocated or with the likelihood of being allocated in the near future to develop Fernwood Park. It is destined to remain in its current undeveloped state unless a means other than traditional park funding is tapped.

The second issue - day care development:

Springer Development Inc. has a potential tenant for School House Square that would like to use a portion of the park for their business. The tenant would be a day care facility which by law is required to provide a fenced outdoor play area. Springer Development Inc. wishes to obtain a lease agreement with the City to allow the day care facility to operate a playground on the park. However, the City is not able to lease this property to anyone because it belongs to the public, not the City.

The third issue - Keizer Heritage:

The Keizer Heritage Foundation's use agreement for the park requires that the school house be essentially finished and occupied by November 15, 1991. There is the likelihood this deadline will not be met. Keizer Heritage has asked the City to extend the use agreement via a letter to Mayor Orcutt dated October 1, 1991. A copy of the letter is attached to this report.

The fourth issue - park ownership:

Fernwood Park was dedicated to the public, not deeded to the City. The City acts as custodian of the property, but does not "own" the property as is customary today. In order to obtain ownership of the park property, the property must be vacated to the City. The vacation can be conditioned so that the land will be required to remain in park use.

This report will analyze how these issues can be resolved.



City of Keizer

Administration
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CITY COUNCIL MEETING: Oct. 7, 1991

AGENDA ITEM NUMBER: 6

TO: MAYOR AND CITY COUNCIL

THROUGH: DONALD H. OTTERMAN M.S.P.A.,
CITY MANAGER

FROM: JOHN N. MORGAN, AICP
COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: ANNEXATION 91-1 (continued)

DISCUSSION:

This is a petition to annex approximately 38 acres into the City of Keizer. The property included in the petition is located west of Wheatland Road in a long, narrow strip encompassing Claggett Creek, land on top of the bank above the creek, and the bank itself.

This issue was before the Council for information on September 3, 1991. It was delayed until today's meeting in order to allow Staff, the developer of the property, and the Marion County staff to meet and decide on a western boundary for the land to be annexed. The issue revolves around the very non-specific legal description of the Urban Growth Boundary in this area.

The boundary is described as following "the top of the bank." This can be interpreted in several ways. Russ Nebon of Marion County suggested the 178 foot contour as the line. This contour is at the edge of the basically flat area on top of the terrace. Staff has supported Jim Reimann, the developer of the property, in using the 170 foot contour. This line is within the "roll" from the terrace to the steep slope. It would allow a homeowner to build near the edge and then extend a deck or balcony out over where the property begins to drop off.

Attached to this report is a letter from Staff to Mr. Nebon explaining the reasons for using the 170 foot contour. As of the writing of this report, there has been no response. The Marion County Staff is intending to discuss the issue with the Board of



City of Keizer

Administration
930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

September 23, 1991

Russ Nebon, Chief Planner
Marion County Planning Division
220 High Street NE
Salem, OR 97301

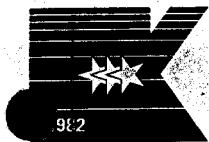
Dear Russ:

RE: Annexation of land west of Wheatland Road

Following our conversation concerning the exact location of the future city limits line, I worked closely with Jim Reimann to determine a line that seemed to meet all needs. I intend to support a new city limits line that follows the 170 foot contour. This point was chosen for the following reasons:

1. The top of the bluff is quite well defined with it "rounding out" in an area only about 20 feet wide. The 170 foot contour is toward the west end of this area, however the lateral difference between 170 feet and 178 feet is generally only ten to fifteen feet.
2. Any residential development on the subject properties will most likely be sited as close to the bluff as possible in order to take advantage of the views. These homes will probably include decking or balconies that will extend over the crest of the bluff. Without this crest being within the city limits, these outdoor structures would probably not be allowed by county zoning. The City supports Mr. Reimann in building housing on this property, and acknowledges the desirability of being able to extend out over the crest with a deck. We see no reason why this type of building design would compromise adjacent farming practice.
3. There is a great deal of housing along the top of this bluff north of the subject property, both in and out of the Urban Growth Boundary. Many of these homes have decks and other outdoor structures extending over the crest. In fact some have decking extending down the bluff. These appear to exist without conflict with farming practices. Allowing new housing within the City to have these decks is in keeping with current practice and is fair.

The City will also support Mr. Reimann in a petition to amend the partitioning conditions on the subject property so that certain



City of Keizer

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COUNCIL MEETING: October 7, 1991

AGENDA ITEM NO.: 7

TO: MAYOR AND CITY COUNCIL

FROM: DONALD H. OTTERMAN, M.S.P.A, CITY MANAGER *DA*

SUBJECT: LEAGUE OF OREGON CITIES' CONFERENCE - VOTING DELEGATE

The 65th Annual Conference of the League of Oregon Cities will be held on November 9-11, 1991 at the Eugene Hilton. Information regarding the conference is attached. More specific material will be distributed at a later time.

The annual business meeting is set for November 11 at 7:30 a.m. Each city is entitled to cast their vote at the business meeting on various issues affecting cities.

The City Council has historically designated the voting delegate from those Council members who plan on attending the conference. In addition, the City has, on occasion, reserved a hotel room for Sunday evening because of the early hour of the business meeting the following day. Housing reservations must be made by October 8. Therefore, staff needs to know:

1. Who will be attending the annual conference in Eugene.
2. Who will be Keizer's voting delegate at the business meeting.
3. Whether the delegate wishes to stay overnight on Sunday.

The City Recorder will be coordinating the schedules of the Council members again this year. If you plan to attend, please give Sue Darby a call and let her know your schedule.

RECOMMENDATION

City Council discussion and selection of a voting delegate for the annual business meeting.

Attachments: Conference Information

"Pride, Spirit and Volunteerism"

LEAGUE OF OREGON CITIES
1991 ANNUAL CONFERENCE AND BUSINESS MEETING

**Designation of Voting Delegate
At Annual Business Meeting**

The annual business meeting will be held Monday, November 11, at 7:30 a.m. Each city is entitled to cast one vote at the business meeting; all city officials are encouraged to attend.

Use this form to indicate those persons who will represent your city as a voting delegate and alternate delegate. The voting delegate or alternate should pick up a voting card at the Conference Registration Desk on Monday morning prior to the business meeting. **NOTE: Delegates may not vote without a voting card, and voting cards will be issued only to a person indicated on this form. Voting by proxy will not be permitted.**

VOTING DELEGATE

Name _____

Title _____

ALTERNATE

Name _____

Title _____

Submitted by: _____
(Signature)

Name _____
(Print)

Title _____

City _____

Telephone _____

Return by October 31 to:

League of Oregon Cities
P.O. Box 928
Salem, OR 97308

ATHENA • AUMSVILLE • AURORA • BAKER CITY • BASTON • BANKS • BARLOW • BAY CITY
 BEAVERTON • BEND • BOARDMAN • BOWMAN • BROOKINGS • BROWNSVILLE • BURNS • BUTTE FALL
 CANBY • CANNON BEACH • CANYON CITY • CANYONVILLE • CARLTON • CASCADE LOCKS • CA
 JUNCTION • CENTRAL POINT • CHILOQUIN • CLATSKANIE • COBURG • COLUMBIA CITY • CODON • CO
 DAY • COQUILLE • CORNELIUS • CORVALLIS • COTTAGE GROVE • COVE • CRESWELL • CULVER • DALL
 DAYTON • DAYVILLE • DEPOE BAY • DETROIT • DONALD • DRAIN • DUFUR • DUNDEE • DUNES CIT
 DURHAM • EAGLE POINT • ECHO • ELGIN • ELKTON • ENTERPRISE • ESTACADA • EUGENE • FAIRVIEW
 FALLS CITY • FLORENCE • FOREST GROVE • FOSSIL • GARIBALDI • GASTON • GATES • GEARHAR
 HERVAIS • GLADSTONE • GLENDALE • GOLD BEACH • GOLD HILL • GRANTS PASS • GRASS VALLE
 FRESHAM • HAINES • HALFWAY • HALSEY • HAMMOND • HAPPY VALLEY • HARRISBURG • HELI
 JEPPIER • HERMISTON • HILLSBORO • HINES • HOOD RIVER • HUBBARD • HUNTINGTON • IDANH
 MBLER • INDEPENDENCE • IONE • IRRIGON • ISLAND CITY • JACKSONVILLE • JEFFERSON • JOHN DA
 JOHNSON CITY • JORDAN VALLEY • JOSEPH • JUNCTION CITY • KEIZER • KING CITY • KLAMATH FALL
 LA GRANDE • LAFAYETTE • LAKE OSWEGO • LAKESIDE • LAKEVIEW • LEBANON • LEXINGTON • LINCO
 CITY • LONG CREEK • LOSTINE • LOWELL • LYONS • MADRAS • MALIN • MANZANITA • MAUPI
 WAYWOOD PARK • MC MINNVILLE • MEDFORD • MERRILL • METOLIU • MILL CITY • MILLERSBUR
 WILTON-FREEWATER • MILWAUKIE • MITCHELL • MOLALLA • MONMOUTH • MONROE • MONUMEN
 WORO • MOSIER • MOUNT ANGEL • MOUNT VERNON • MYRTLE CREEK • MYRTLE POINT • NEHALE
 NEWBERG • NEWPORT • NORTH BEND • NORTH PLAINS • NORTH POWDER • NYSSA • OAKLANE
 JAKRIDGE • ONTARIO • OREGON CITY • PAISLEY • PENDLETON • PHILOMATH • PHOENIX • PILOT ROC
 PORT ORFORD • PORTLAND • POWERS • PRAIRIE CITY • PRESCOTT • PRINEVILLE • RAINIER
 REDMOND • REEDSPORT • RICHLAND • RIDDLE • RIVERGROVE • ROCKAWAY BEACH • ROGUE RIVER
 ROSEBURG • RUFU • HELENS • SAINT PAUL • SALEM • SANDY • SCIO • SCOT
 WILLS • SEASIDE • HADY COVE • SHANIKA • SHERIDAN • SILVERT
 SISTERS • SODAV • SPRING • SUMMERVIL
 SUMPTER • SUTH • TILLAMOO
 TOLEDO • TROUT • ALE • VENET
 VERNONIA • WAL • AN • WESTFI
 NESTON • WHEE • WOOD VILLAG
 WOODBURN • YA • HILL • YONCAL

commitment to a new oregon

66th Annual Conference

November 9-11, 1991
 Eugene Hilton
 Eugene, Oregon

League of Oregon Cities' 66th Annual Conference and Business Meeting

November 9-11, 1991

Eugene Hilton

Elected and appointed officials have a special responsibility to serve the needs of their citizens. The League of Oregon Cities' 66th Annual Conference is important because it provides an opportunity to learn from its many workshops, general sessions, and speeches designed to help city officials respond more effectively to the needs of their citizens. The 1991 Annual Conference is dedicated to assisting you in meeting the challenges and choices of the coming year.

Conference Registration Information

Every delegate, guest, speaker, representative of the media, and any other conference participant MUST REGISTER with this form. Please complete the form in full and return it along with your check or voucher covering payment of all appropriate conference registration fees payable to: League of Oregon Cities' Conference, P.O. Box 928, Salem, Oregon, 97308.

NOTE: No registration will be processed without payment in full or an accompanying purchase order or city voucher. No registration will be taken over the telephone.

Preregistration Saves Money! Register by October 18th and save \$25. Also, by preregistering, you will be assured that you have meal reservations and a full packet of conference materials including a name badge, conference program, and tickets to meals and special events ready for you upon your arrival at the Eugene Hilton.

Conference Registration Fees. "Member" rates include city officials and staff from cities as well as state, regional, county, and federal officials. "Non-member" rates include individuals from private organizations and other interested parties.

There is a minimal fee of \$20 for spouse/guest registration. This fee helps to defray the cost of handling guest registrations and the programming of special events for spouses and guests of conference participants. It also entitles your spouse/guest to a badge, to attend all concurrent sessions, and admission to hosted receptions and special events.

Cancellations/changes. Registration and meal cancellations and changes will be accepted by the League office until November 6th at no charge. Cancellations made after 5 p.m. November 6th, 1991, will not be refunded. Because space is limited, it is advisable to preregister for conference meal functions. Vegetarian meals can be arranged; please indicate on registration form by marking a "V" by the meal and indicate how many. Please indicate to your server that you ordered a vegetarian meal.

Parking. Free parking is available under the Eugene Hilton. Additional space is available at the Hult Center garage located one-half block from the Eugene Hilton at 6th and Olive (entrance is on Olive). There will be no charge for conference delegates.

Guest Tours

MUSEUM JAUNT

Sunday, November 10, 1991, 10:30 a.m. - 4:30 p.m.

Your coach will arrive at the Eugene Hilton to take you to the Lane County Historical Museum to view a permanent exhibit of history of Lane County dating from 1840 to 1930. You will have an opportunity to view covered wagons, a stage coach, as well as clothing of the period. After our visit here we will travel to Willamette Science & Tech (WISTECH) for a hands-on exhibit that will focus on the sciences. Our last stop will be at the U of O Museum of Natural History where we will view Oregon's Natural and Cultural History. Cost of your tour includes museum fees, a box lunch and beverage. Cost per person \$27. (*Minimum of 30 people required.*)

ANTIQUE & HISTORICAL TOUR

Monday, November 11, 1991, 11:00 a.m. - 4:00 p.m.

Your coach will take you to the Springfield Museum where you will be treated to a showing of Historic Portraits of Early Springfield. After your visit at the Museum you are free to visit the local antique shops along Main Street. After a three-hour browse through the museum and antique shops, we will board the coach again and travel to Coburg where we will be joined by the Mayor of Coburg for a guided historical tour of the homes. We will arrive back at the Eugene Hilton at approximately 4:00 p.m. Cost of your tour includes voucher for lunch at local deli. Cost per person \$22. (*Minimum of 30 people required.*)

Program Outline

(tentative)

Saturday, November 9

- 9:00 a.m. - 5:00 p.m. Registration
- 10:00 a.m. - 2:15 p.m. LOC Board of Directors
- 10:00 a.m. - 2:15 p.m. Mayors Workshop
- 10:00 a.m. - 4:00 p.m. O-ICMA Workshop
- 1:00 p.m. - 4:00 p.m. Decision Making for Elected & Appointed Officials
- 2:30 p.m. - 5:00 p.m. OMA Business Meeting
- 5:00 p.m. - 6:30 p.m. Reception

Sunday, November 10

- 6:30 a.m. - 5:00 p.m. Registration
- 7:30 a.m. - 8:45 a.m. Affiliate Breakfasts/Business Meetings (O-ICMA, personnel directors, attorneys, planners, redevelopment agencies, municipal recorders, electric utilities, finance officers, police/fire chiefs, librarians, parks and recreation directors)
- 9:00 a.m. - 11:30 a.m. Resolutions Committee
- 9:30 a.m. - 11:00 a.m. Concurrent Sessions:
 - public contracting/franchises, tax planning & cooperation, Americans With Disabilities Act, public relations
- 11:45 a.m. - 1:30 p.m. Lunch
- 1:45 p.m. - 3:15 p.m. Concurrent Sessions:
 - parks, perspective on mandates, infrastructure financing, legislative activities
- 1:45 p.m. - 5:00 p.m. Concurrent Sessions:
 - environmental & energy opportunities, personnel/labor relations, legal issues, budget training
- 3:30 p.m. - 5:00 p.m. Concurrent Sessions:
 - economic development, motivating citizens, getting the most for your service dollar, local government curriculum, focus on the future, Oregon transportation plan, risk management
- 5:30 p.m. - 6:30 p.m. Nominating Committee
- Dinner on your own

11:00 a.m. - 5:00 p.m. Exhibits

Monday, November 11

- 6:30 a.m. - 5:30 p.m. Registration
- 7:30 a.m. - 9:15 a.m. LOC Breakfast/Business Meeting
- 9:30 a.m. - 11:00 a.m. Keynote Address
- 11:00 a.m. - 12:45 p.m. Lunch
- 1:00 p.m. - 2:30 p.m. Concurrent Sessions:
 - recycling (SB66), tax restructuring, health care access/reform, housing issues
- 1:00 p.m. - 4:15 p.m. Concurrent Sessions:
 - charter updating and ordinance drafting & updating, SDC's, budget training
- 1:00 p.m. - 4:15 p.m. Leadership Training
- 2:45 p.m. - 4:15 p.m. Concurrent Sessions:
 - environmental status report, BM5 - a look ahead, health benefit planning
- 5:30 p.m. - 6:30 p.m. Reception (exhibit area)
- 6:30 p.m. - 12:00 MM Banquet & Dance

10:00 a.m. - 6:30 p.m. Exhibits

Housing Reservation Information

Deadline: *Reservations must be made by October 8*

The Eugene Hilton is the headquarters hotel. All conference sessions will be held in this facility. The overflow facilities listed below are holding room blocks for our conference. Rates and locations of the hotels are indicated.

Procedures. All room reservations will be made directly with the hotels. Toll-free numbers are listed below. When making reservations please identify yourself as a delegate of the League of Oregon Cities in order to receive special room rates. Please do not call the League office for room reservations. Room confirmations will be sent directly from the hotel.

Should you have any questions about the preregistration or housing reservation process, please call the League of Oregon Cities, (503) 588-6550. We look forward to seeing you at our 66th Annual Conference and Business Meeting.

Conference Hotels

	Single (1 person)	Double (2 people)	Double/Double	Suite
1. Eugene Hilton (66 E. 6th Avenue) 1-800-937-6660 Direct - 342-2000	\$65	\$75	\$75	Vary
2. Red Lion Eugene (205 Coburg) 1-800-547-8010 Direct - 342-5201	\$51	\$61	\$61	Vary
3. Valley River Inn (1000 Valley River Way, Eugene) 1-800-543-8266 Direct - 687-0123	\$10-103	\$80-113	\$80-113	Vary

Rates do not include city room tax.

The Eugene Springfield Convention and Visitors Bureau Room Referral is available to assist you in finding alternative housing, should you choose, or to answer your questions regarding motel rooms. You may contact them at 1-800-452-3670 or direct, 484-5307.

1991 Conference Registration Form

(please fill out one form per registrant)

☐ This is my first League Conference

Name _____
 Title _____ Representing _____
 Billing Address _____ City _____ Zip _____
 Spouse/Guest Full Name (if attending) _____ Phone _____

COMPLETE AND RETURN THIS FORM BY OCTOBER 18, 1991, TO: League of Oregon Cities, P.O. Box 928, Salem, OR 97308
 Registration must be accompanied by voucher or payment in full

Registration fee includes admission to all concurrent sessions, workshops, and receptions. Meals, pre-conference sessions (Sat.), and spouse/guest activities are additional.

Registration	Price	No.	Amount		Price	No.	Amount
Member Fee	3 days \$ 70.00	_____	_____	Finance Officers _____	\$ 9.00	_____	_____
	+ 1 day 60.00	_____	_____	Librarians _____	9.00	_____	_____
Non-member Fee	3 days 140.00	_____	_____	Municipal Recorders _____	9.00	_____	_____
	+ 1 day 120.00	_____	_____	Electric Utilities _____	9.00	_____	_____
Spouse/Guest Registration	20.00	_____	_____	City Managers _____	9.00	_____	_____
Late Fee (after Oct. 18)	25.00	_____	_____	Parish & Rec. _____	9.00	_____	_____
*Indicate which day attending _____				Personnel Directors _____	9.00	_____	_____
Saturday, November 9				Planners _____	9.00	_____	_____
Decision Making for Officials		_____	N/C	Police/Fire _____	9.00	_____	_____
O-ICMA Workshop (including lunch)	65.00	_____	_____	Luncheon/General Session	12.00	_____	_____
OMA Workshop (including lunch)	10.00	_____	_____	Guest Tour	27.00	_____	_____
Sunday, November 10							
Breakfast Meetings (✓ below)				Monday, November 11			
Redevelop. Agencies _____	\$ 9.00	_____	_____	LOC Breakfast/Business Meeting	\$ 9.00	_____	_____
Attorneys _____	\$ 9.00	_____	_____	Luncheon	12.00	_____	_____
				Leadership Training	45.00	_____	_____
				Guest Tour	22.00	_____	_____
				Annual Banquet	22.00	_____	_____
				TOTAL		_____	_____

Any cancellation made after 5 p.m. November 6th, 1991 **will not be refunded**. Cancellations will be accepted by the League office until November 6th at no charge.

Pd. \$ _____ PO# _____ FOR OFFICE USE ONLY CODE# _____



City of Keizer

Administration

930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

COUNCIL MEETING: October 7, 1991

AGENDA ITEM NO.: 8

TO: MAYOR AND CITY COUNCIL

FROM: DONALD H. OTTERMAN, M.S.P.A., CITY MANAGER *DM*

SUBJECT: PROCESS FOR CITY MANAGER EVALUATION

The City council on September 16, 1991, determined that the City Mangers' performance should be reviewed in accordance with the employment contract. The contract states that the City Manager should be evaluated after six months of employment and then again in July, and annually every July after. A performance evaluation was completed by the City Council in January, 1990, but an evaluation was not done July 1990. In July 1990, I discussed with the Mayor whether the Council wanted to complete a performance evaluation and discussed with him the fact that all other administration employees have performance evaluations after six months of employment, and then annually thereafter, and the Mayor felt that the evaluation in July 1990 was not necessary since there was no merit increase tied in with that evaluation.

The city Council did conduct a performance evaluation in December 1990.

The City Council on September 16, 1991, determined that the evaluation should be completed as required by contract and the motion was to develop a process for the evaluation within 30 days and conduct the evaluation as soon as possible. To devote the time necessary, the Council felt that the evaluation should be done at a special Council meeting.

There has not been a formal process put in place for evaluation of the City Manager. I have included with this agenda statement, an evaluation process taken from the "Elected Officials Handbook" that was developed by ICMA (International City/County Management Association.) This is the handbook that is kept in the City Records' office and is available for review by the City Council at any time. The process developed in this handbook seems to be a complete process, and I would suggest that the Council use this process, at least as a starting point to develop the process, if not as the process in its entirety.

K:\cmperfor

"Pride, Spirit and Volunteerism"

available, and the challenges. A good employer owes an employee regular feedback—whether it's a reprimand or a pat on the back.

In your policy-making role, an evaluation can help you meet your goals by enabling you and the administrator to discuss the goals you're trying to achieve, what's gone right, what's gone wrong, and what just hasn't gone on. Evaluation provides the opportunity to appraise the administrator's relationships with the public and the staff and to discuss how well the organization is being managed. Evaluation is a difficult and sometimes time-consuming process. But, by forcing you to revisit your expectations and needs in terms of the administrator's performance, it can help you determine how you're doing as an elected official—what you're contributing to the organization and how you might improve your own performance.

For this reason, you benefit more from the evaluation if it's a two-way process where the governing body evaluates the administrator and the administrator evaluates the governing body. That way you can get the kind of feedback you need to strengthen yourself. Are you articulating your needs, concerns, and interests clearly and effectively? Are you giving the administrator the kind of policy leadership needed to carry out the day-to-day business of running the local government? Are you getting too involved in day-to-day administrative business? Your administrator is in a good position to help you evaluate how well you're doing as a policy-making body. Then, after the evaluation, you and the administrator will be able to improve the way you carry out your respective jobs.

Another beneficial element of the evaluation process is the chance it gives the governing body to evaluate itself. It can be useful to develop a list of questions that are appropriate for your governing body and discuss how you work together effectively, and what you want to do differently. Figure 5-3 provides a sample list of questions that you may find helpful.

Some basic evaluation principles

There's no magic to carrying out an evaluation; there are many systems, formats, approaches, criteria, and designs. What works for you is what's acceptable. Below are some basic principles to help you think through the evaluation process.

Define the purpose. At different points in time, evaluations have different purposes. Different members of a governing board may have varying ideas about the purpose of the evaluation. It's important to clarify purpose upfront so that the end results meet your intent. Are you evaluating strictly to see whether a raise is appropriate? Or are you trying to improve the working relationship between the administrator and the governing body? Do you want the manager to think about the strengths or weaknesses he or she will bring (or has brought) to specific projects, upcoming or just past?

Evaluation should begin with mutual agreement and acceptance, so you'll want to work together on what will be evaluated and how you plan to do it.

Figure 5-3: Governing Body Evaluation Questions

There are no right or wrong answers to these questions. These, or similar questions designed to fit your governing body's needs, can serve as a helpful point of departure for a discussion of how effectively you have worked together. Comparisons of how responses change over time can help you assess progress toward goals the group has set for itself.

Goal setting

Are established council goals realistic within the time frame stated?

- ☐ Almost always
☐ Sometimes
☐ Never

Do council members participate sufficiently in implementing goals once they are established?

- ☐ Almost always
☐ Sometimes
☐ Never

Is the public adequately informed about council goals?

- ☐ Almost always
☐ Sometimes
☐ Never

Policy making

Are council positions and policies effectively communicated?

- ☐ Almost always
☐ Sometimes
☐ Never

Does the council make hard choices and politically unpopular decisions when necessary?

- ☐ Almost always
☐ Sometimes
☐ Never

Budgeting

Does the council clearly understand the local government's financial resources and make sound decisions on prioritizing public spending?

- ☐ Almost always
☐ Sometimes
☐ Never

Is there adequate encouragement of broad public participation in the budgeting process?

- ☐ Almost always
☐ Sometimes
☐ Never

Does the council avoid unbudgeted appropriations?

- ☐ Almost always
☐ Sometimes
☐ Never

Does the council consider the budget "its budget" as opposed to thinking of it as the "staff's budget?"

- ☐ Almost always
☐ Sometimes
☐ Never

Council meetings

Does the council encourage adequate public input at council meetings?

- ☐ Almost always
☐ Sometimes
☐ Never

Does each council member effectively participate in council meetings?

- ☐ Almost always
☐ Sometimes
☐ Never

Does the staff have adequate opportunity for input before the council makes its decision on an issue?

- ☐ Almost always
☐ Sometimes
☐ Never

Is the direction given to staff clear and concise?

- ☐ Almost always
☐ Sometimes
☐ Never

Advisory committees

Are committee members selected based upon ability to serve the community rather than personal friendships?

- ☐ Almost always
☐ Sometimes
☐ Never

Does the council place enough emphasis on balancing committee membership to assure the total community is represented?

- ☐ Almost always
☐ Sometimes
☐ Never

Does the council give appropriate weight to committee recommendations?

- ☐ Almost always
☐ Sometimes
☐ Never

to make things happen. Think about your expectations for those tasks, and expand those expectations into criteria.

Be open and constructive. When you're evaluating you should be talking openly. Look for the strong points, and state them. When you raise weaknesses, focus on what can be done to eliminate them. Try not to waste time on areas the administrator can't do much about—like basic aspects of his or her personality. At all costs, both you and the administrator should avoid going on the defensive or turning the evaluation into a gripe session. Talk, share, be open, be positive. Evaluation can give the administrator more confidence. After a good evaluation he or she will have a clearer idea of what you, the governing body, want. If the evaluation points up problems or weaknesses, the administrator knows where you stand and why.

Specify goals and action steps. Follow-through is critical to the success of evaluation. Plan what is to happen after the evaluation. This may be the accomplishment of specific tasks, but there should also be objectives that will help the administrator grow professionally and personally. Then, when you come to the next evaluation, you'll be able to look at progress. Evaluations should lead to change. Even if there's nothing wrong, think about specific ways to make strong points better and to develop new skills.

Some ideas for the evaluation process

With the basic principles of an effective evaluation firmly in mind, and agreement on the roles participants will play, you already have many of the tools you'll need to get the process started. If you haven't had much experience with evaluating the chief administrator, or you're starting to work with a new administrator, or there are several new council or commission members, you may find a retreat a good way to brainstorm about goals and objectives and relate them to the performance expectations for the local government as a whole and the manager in particular. A retreat setting, away from ringing telephones, interruptions, and daily routine, creates an environment that will help you to focus.

One of the first steps you'll want to take as you begin the evaluation is to develop an "evaluation instrument"—written guidelines or criteria. This might be a list of general questions that you'll use to guide the discussion. Or it could be a detailed list of criteria that defines management duties as the administrator and the council or commission see them.

Developing criteria isn't easy. Ideally, criteria for the administrator's job should reflect the goals and objectives of the governing body and staff. If you already have some clearly defined goals and objectives for the government as a whole, you also have what you need to evaluate your administrator and yourselves. How effectively has the administrator worked to achieve those goals? Which goals haven't been accomplished? Why not? What activities took the most time, and how do they relate to the goals?

MINUTES

KEIZER CITY COUNCIL

Monday, September 3, 1991

Robert L. Simon Council Chambers
Keizer City Hall

CALL TO ORDER

Mayor Orcutt called the regular session to order at 7:38 p.m. Roll call was taken as follows:

Present

Andrew J. Orcutt, Mayor
Dennis Koho, Councilor
Jerry McGee, Councilor
Al Miller, Councilor
Joe Van Meter, Councilor

Absent

Mike Hart, Councilor
Bob Newton, Councilor

Staff

Donald H. Otterman, City Manager
John Morgan, Community Development Director
Wally Mull, Public Works Director
Kevin Wickman, Parks Director
Shannon Johnson, City Attorney
Susan Darby, City Recorder

PUBLIC TESTIMONY

Mark Grenz, 1374 Rivercrest Drive N., Keizer, Multi/Tech Engineering, encouraged the Council to bring the City's planning services in-house as will be proposed by Mr. Morgan later tonight. Mr. Grenz cited difficulties in the present system of utilizing Marion County Planning Department staff in that it results in delays and frustration for citizens as well as local developers. He indicated that because of Planner Skip Wendolowski's busy schedule, he is not always available when a citizen or developer needs assistance. This sometimes results in substantial delay of projects. Responding to a question from Councilor Koho, Mr. Grenz clarified that the delays are in no way the fault of Mr. Wendolowski but instead of the system.

Councilor Miller read into the record a letter from Larry Epping which also urges that the Council approve the in-house planning services. Mr. Grenz

should have been notified. The options include appearing at the hearing and offering some specific testimony, asking for a postponement on the hearing for a week or two, or letting the matter rest and hoping the county will handle it well. He stressed that there are some significant issues in the matter.

Councilor Van Meter asked about the area of influence around the Willow Lake Treatment Plant. Mr. Morgan responded that this property is outside that area of influence.

Councilor Van Meter also asked about the amount of truck traffic that would be generated by the plant. Mr. Schafer responded that he lives on Windsor Island Road and that there are sometimes five to six trucks an hour passing by. Mr. Schafer added that the conditional use permit could allow the operation to begin as early as 4:30 a.m. and run until 9:30 p.m.

Councilor Koho stressed the need for the City of Keizer to be involved in the decision making in this planning action. He suggested that the county be asked to delay the issue until Keizer has had the opportunity for input.

Councilor Van Meter agreed, adding that if Keizer must go along with this action, Keizer may wish to develop some sort of a fee for heavy truck traffic using its streets.

There being no objection from the Council, Mayor Orcutt directed Mr. Morgan to appear at the public hearing on Wednesday, September 4 and to ask for a postponement of the hearing, or to hold the record open until Keizer has had the opportunity for input.

Councilor Miller suggested that if the county is not amenable to this request, the City go on record as opposing the action. Mr. Morgan indicated that he could let the county know that if the record is not held open, that the City of Keizer will oppose the action.

Councilor McGee indicated that he just received this information tonight and that he would prefer to have more time to study the issue rather than to state that the City will oppose it. He suggested abstaining until further information is available. Mr. Morgan indicated that by appearing and possibly opposing the action, the City reserves its right to file an appeal.

PUBLIC HEARING - MCNARY ACTIVITY CENTER PLAN

Mayor Orcutt reopened the public hearing on the McNary Activity Center Plan. Mr. Morgan noted that there are two issues to this matter. He met with City Attorney Shannon Johnson, Sandy Staats and members of her group to attempt to resolve the items of concern. He indicated that there still remains a couple of points which have not been resolved, and he hopes to return to Council in September or October to address the issues. The second issue involves the

**ANNEXATION - REECE,
BLACKMAN, CROTEAU, WHEATLAND
AUTOMOTIVE, INC.**

Mr. Morgan reviewed the staff report regarding Annexation No. 91-1. He noted that this is a unique process for Keizer in that it is the first time an annexation has come before the City. This case involves a 38 acre parcel located west of Wheatland Road in a long, narrow strip encompassing Claggett Creek, land on top of the bank above the creek, and the bank itself. The property is designated for low density residential use which would eventually be rezoned to single family residential property. He noted that the petition includes 100% of the property owners in favor of the annexation. Therefore, the City could simply waive the public hearing and approve the annexation. Mr. Morgan stated that he learned last Friday that the Marion County Planning Director may oppose the annexation on the basis that there needs to be a bigger buffer and, for that reason, the property should remain in county governance to ensure that it stays that way. One issue is the lack of a legal description for this portion of the urban growth boundary and the exact location of the potential annexation. He suggested that staff be directed to prepare the ordinance and come back to the Council on September 16 for first reading and to determine the exact location of the annexation boundary.

Mr. Morgan discussed with the Council the possibility of leaving an enclave depending on the final boundary of the annexation. He noted that State law allows a city to annex an enclave without agreement of the property owners. Councilor Koho suggested that the Council hear from the affected property owners and whether they have a compelling reason to annex to the top of the bank.

Jim Reimann, 5309 River Road North, Keizer, stated that if the urban growth boundary is at the top of the bank, seven to eight acres would be above the bank line. Only two people in the area did not support the annexation, and he did not believe they had any compelling reason one way or the other. He encouraged the Council to move ahead based on staff's recommendations.

Councilor Koho moved for staff to work with Marion County to determine the actual line to be annexed and to work with the two property owners who withheld support. Councilor Miller seconded the motion. The motion passed unanimously by the following vote:

AYES: Orcutt, Koho, McGee, Miller, Van Meter (5)

NAYS: None (0)

ABSENT: Hart, Newton (2)

JOB DESCRIPTIONS

Mr. Otterman explained that there are still some issues to resolve with respect to the job descriptions. Therefore, he asked that this item be pulled off tonight's agenda for further consideration by staff. He expected to return to the Council on September 16 for action.

Councilor Miller moved to table this issue to the next meeting. Councilor McGee seconded the motion. The motion was put to a vote and failed by the following vote:

AYES: McGee, Miller (2)

NAYS: Orcutt, Koho, Van Meter (5)

ABSENT: Hart, Newton (2)

Councilor Koho moved to delegate and authorize the City Manager to develop the job descriptions, with the exception of the City Manager's job description, and to report back to the City Council. Councilor Van Meter seconded the motion.

Responding to a question from Councilor McGee, Councilor Koho indicated that he would agree that this should be accomplished within 30 days. Councilor Van Meter concurred in this clarification of the motion.

The motion was put to a vote and carried unanimously by the following vote:

AYES: Orcutt, Koho, McGee, Miller, Van Meter (5)

NAYS: None (0)

ABSENT: Hart, Newton (2)

**SOLID WASTE, RECYCLING,
NUISANCE ABATEMENT
ORDINANCE**

Mr. Otterman reviewed the staff report regarding adoption of a resolution and approval of an agreement for regulation of solid waste, recycling and nuisance abatement.

Councilor Koho moved for adoption of a resolution regarding regulation of solid waste, recycling and nuisance abatement. Councilor Van Meter seconded the motion.

Councilor McGee asked about the references to the Marion County Ordinances which were contained in the proposed resolution. Mr. Otterman explained that these ordinances have been enforced by the County on the City's behalf since incorporation. They involve the enforcement action available to the County to gain compliance with the nuisance abatement ordinance. Specifically, they deal with such issues as auto parts in residential areas, and other public nuisances. The solid waste ordinance has been updated by the City Attorney and it continues to implement those regulations that had been enforced by Marion County. It should be the first meeting in October when that ordinance is brought before the Council for adoption.

The motion was put to a vote and carried unanimously by the following vote:

The motion was put to a vote and passed unanimously by the following vote:

AYES: Orcutt, Koho, McGee, Miller, Van Meter (5)

NAYS: None (0)

ABSENT: Hart, Newton (2)

Mayor Orcutt directed the City Manager to bring the revised Associate Planner job description back with the other job descriptions.

NORTHBRIDGE PARK UPDATE

Mr. Wickman reviewed the staff report regarding Northridge Park. He reported that the Parks Advisory Board wishes to pursue an easement to connect the two park parcels. He will be working with Mr. Johnson on this matter. Councilor Koho agreed with the approach staff is taking.

In response to a question from Councilor Van Meter, Mr. Wickman indicated that the City also has the option of condemning the property to allow an access, however, it will be necessary to pay the fair market value.

FERNWOOD PARK

Mr. Morgan reviewed the staff report regarding the status of Fernwood Park. He cited four issues involved in this matter: park development, day care development, Keizer Heritage and park ownership. He outlined each of these issues.

With respect to park development, Mr. Morgan indicated that no funds have been earmarked for improvements to Fernwood. Therefore, unless non-traditional funding is identified, no development is planned.

With respect to the day care development, a fenced outdoor play area is required and the tenant would like to lease the necessary playground area. However, the City is not able to lease the property because the property actually belongs to the public.

With respect to the Keizer Heritage Foundation, there is a deadline of November 15 for the school house to be essentially completed and occupied. There is the likelihood that this will not be accomplished. Keizer Heritage has asked the City to vacate the park so they can use it as collateral for financing to finish the project. If the day care is able to use the property, and it eventually vacates, the land and equipment would revert to the City's ownership. Mr. Ray Clark was to talk with the surrounding neighbors about this issue. If land owners representing 50% of the area remonstrate against the vacation, the vacation would fail.

Councilor Miller asked about water and hose bibs for the sprinkler system. Mr. Morgan responded that there would be an underground line with a "stab-in" irrigation system. He stressed that this is not a permanent underground sprinkler system. Mr. Wickman added that this is the same type of system in

- August 5, 1991 Regular Session Minutes
- Resurfacing of Lockhaven Drive N.E., River Road North to McLeod

Councilor McGee asked that the August 5 minutes reflect his attendance on the first page. Councilor Miller asked for a change on page 8, fourth line, from the word "order" to "ordering".

Councilor Koho moved for approval of the Consent Calendar. Councilor Van Meter seconded the motion. The motion was put to a vote and carried unanimously by the following vote:

AYES: Orcutt, Koho, McGee, Miller, Van Meter (5)

NAYS: None (0)

ABSENT: Hart, Newton (2)

OTHER BUSINESS

LaBrisa Restaurant

Staff discussed the issue involving LaBrisa Restaurant and Lounge and a report to OLCC. OLCC decided to approve LaBrisa's liquor license with the condition that the owner control her own premises. Responding to a question from Councilor Van Meter, Mr. Otterman stated that OLCC is not requiring LaBrisa to implement the Keizer's suggestions for improvements to the establishment. Mr. Otterman indicated that he will follow up to determine if LaBrisa will follow these recommendations voluntarily. Councilor Van Meter offered to participate in a meeting with the LaBrisa owner to obtain her compliance with these conditions.

Councilor Miller asked for clarification on whether these conditions can be enforced. Councilor Van Meter indicated that he was not talking about enforcing the conditions, but rather if LaBrisa would voluntarily comply with them. If they do voluntarily comply, he may be in a position to support their next liquor license renewal request.

Councilor Miller expressed his concern that of the 14 DUII arrests made between June 2 and August 4, 8 were attributed to LaBrisa. Five out of 5 were attributed to LaBrisa in July.

Councilor Koho indicated that LaBrisa does not appear to have an acceptable safety record. Mr. Otterman distributed copies of the updated report to the Council and asked them to call him with any questions they may have.

Marion County BOC

Mr. Otterman indicated that the Marion County Board of Commissioners has requested that jurisdictions appoint a key communicator to discuss the Governor's upcoming visit and to discuss collective concerns. Mr. Otterman asked the Council members to keep their calendars open for September 21 for the Governor's visit to Salem at 1 p.m. He indicated he would confirm the details with the Council later.

MINUTES

KEIZER CITY COUNCIL

Monday, September 16, 1991
Robert L. Simon Council Chambers
Keizer City Hall

CALL TO ORDER

Mayor called the regular session to order at 7:31 p.m. Roll call was taken as follows:

Present

Andrew J. Orcutt, Mayor
Mike Hart, Councilor
Dennis Koho, Councilor
Jerry McGee, Councilor
Al Miller, Councilor
Bob Newton, Councilor

Absent

Joe Van Meter, Councilor

Staff

John Morgan, Community Development Coordinator
Joe Hobson, City Attorney
Shannon Johnson, City Attorney
Susan Darby, City Recorder

PUBLIC TESTIMONY

There was no public testimony to come before the Council.

COMMITTEE REPORTS

There were no committee reports offered to the Council.

PUBLIC HEARING -

PERIODIC REVIEW ORDER

Mayor Orcutt reopened the continued public hearing regarding periodic review of the Salem Area Comprehensive Plan.

Mr. Morgan reviewed the staff report regarding this item, noting that periodic review of comprehensive plans occur five years after adoption. He submitted into the record a letter from Michael J. Kurtz, Manager, Suburban East Salem Water District, dated September 13, 1991 responding to some of the proposed language changes. He asked the Council to continue the public hearing on this matter to its October 7 meeting and to consider deliberation at that time.

Mayor Orcutt noted that Mr. Kurtz' letter refers to specific language on page 30, item 18, which concerns annexation of contiguous property to the City of Salem. He asked Mr. Morgan to pass this information on to the other jurisdictions.

ABSENT: Van Meter (1)

NUISANCE ABATEMENT

Mr. Hobson reviewed his report regarding adoption of an ordinance relating to the abatement of nuisances created by the accumulation of waste, solid waste or inoperable vehicles. He explained that he has been working on this issue since early 1983, soon after the City incorporated. At that time, the City decided to defer regulation of solid waste matters to Marion County under its ordinance. Working with staff members of the City, County, franchised haulers and other interested parties, the proposed ordinance has been patterned after the current county ordinance which has been handling solid waste issues in Keizer until just recently. The primary focus has been on updating the ordinance to reflect the City as the administrator.

Councilor Koho asked for a correction on page 5, Section 7, to reflect the reference to Section 3 rather than Section 4.

Councilor Koho also asked about sanctions as provided in Section 10. Mr. Hobson explained that alternatives available to the City would be to bring an injunction in court or to pursue remedies available under the City's civil infraction ordinance. This particular ordinance does not provide the City with the approach of cleaning up the property and then billing the responsible party. Doing so could incur substantial costs for the City.

Mr. Morgan indicated that the issue of inspecting private properties raises an issue that is not addressed in this ordinance. In the case of the recent apartment building issue, if the City takes abatement action, it would have had to pay the past due bill of \$3,600. The City does not have the manpower or equipment available to do this kind of job.

Responding to a question from Councilor Miller, Mr. Hobson explained that Ordinance 86-063 is the City's civil infraction ordinance which sets out a civil infraction process which the City uses to pursue those in violation of certain ordinances. Essentially, a person who is found in violation of the ordinance is given a citation which is processed through the Municipal Court. The penalty is monetary. If the City prevails, and the defendant fails to pay, the charge becomes a lien against the property. Councilor Miller questioned whether the proposed ordinance violates federal constitutional law by failing to indicate that violation of the ordinance could result in a fine. He believed that this should be incorporated into the ordinance to give the public notice of the penalty. Mr. Hobson explained that in the opinion of the City Attorney's Office, the reference to the civil infraction ordinance is legally acceptable. Mayor Orcutt added that the ordinances are worded in this manner so it is possible to change only the civil infraction ordinance should the fines change. Councilor Miller asked if Ordinance 86-063 could be provided to a citizen on the spot. Mr. Hobson indicated that this is his understanding.

Sergeant in the Management section. Mayor Orcutt stated that there are five pay ranges which are adjusted annually. Ms. Darby added that the annual adjustments are based on merit and are not automatic. Councilor Miller asked that this clarification be included in the resolution. Ms. Darby responded that this is contained within the personnel policies.

Councilor Miller also asked for clarification on the hourly amounts versus monthly amounts. Mayor Orcutt clarified that there are certain positions which are paid based on an hourly wage and these are reflected in the resolution as such.

Councilor Hart moved for approval of a resolution setting forth a change in compensation for non-bargaining unit employees including certain employees of the Water Department and Police Department, certain permanent part-time employees and certain Management employees. Councilor Koho seconded the motion. The motion was put to a vote and passed unanimously as follows:

AYES: Orcutt, Hart, Koho, McGee, Miller, Newton (5)

NAYS: None (0)

ABSENT: Van Meter (1)

OTHER BUSINESS

Stayton Community Center

Mr. Morgan indicated that representatives of the City have been invited to attend a tour of the Stayton Community Center.

Planning Commission Appointments

Mr. Morgan stated that the terms of office for two Planning Commission members will expire at the end of September. Both of those members, Mark Siegel and Sam Goesch, have expressed interest in being reappointed to the Commission and have forwarded letters indicating this interest. Mr. Morgan indicated that the Volunteer Coordinating Committee is in the process of forming at this time. Therefore, he suggested the following alternative:

- Allow these terms of office to expire
- Reappoint both members to the Planning Commission
- Fill the two vacancies with these existing members on a temporary basis

Councilor Koho suggested using the system which has been put in place through the Volunteer Coordinating Committee to ensure that the members are attending the meetings and participating. He would recommend temporary appointments pending this process.

Councilor McGee did not believe it was the Volunteer Coordinating Committee's responsibility to monitor the committees and commissions. He understood that the appointments would still be made and monitored by the City Council or staff. He does not believe it appropriate for the Volunteer

analyze the points. She will be holding the hearing on the conditional use permit, however, there she found there were fatal errors in the notice requirements for the comprehensive plan amendment and will reopen the public hearing probably in November. Because staff will not have another opportunity to come back to the Council before the public hearing is closed, Mr. Morgan drafted a letter to the Hearings Officer expressing Keizer's position in the matter. Mr. Morgan read this letter to the Council.

Councilor Miller moved to authorize the Mayor to sign the letter and to send it to the Hearings Officer. Councilor Koho seconded the motion. The motion was put to a vote and carried unanimously by the following vote:

AYES: Orcutt, Hart, Koho, McGee, Miller, Newton (6)

NAYS: None (0)

ABSENT: Van Meter (1)

City Manager Performance/ Job Description

Councilor McGee indicated that at the last meeting he was insistent about obtaining a copy of the City Manager's job description. Upon receiving the contract, he discovered that it did not include the job description. If one does not exist, then it is the City Council's job to develop one very soon. He noted that the contract refers to the job description in three different places. In addition, the City Manager is overdue for his performance evaluation and, therefore, the Council is not in concurrence with its own contract.

Councilor McGee moved to hold a special meeting at the earliest convenient time to evaluate the City Manager's performance according to the contract requirements. Councilor Miller seconded the motion.

Councilor Newton indicated that he recalls the last evaluation was done in late 1989 or early 1990. Councilor Hart stated that the criteria upon which to base the Manager's performance is to evaluate how the Council's goals were accomplished. Councilor McGee agreed that this would be one tool to conduct the evaluation.

Councilor Koho indicated that he would prefer to place on the agenda a discussion item to determine the approach for evaluating the City Manager. Councilor Miller indicated that if a job description exists, it should be given to the Council members as soon as possible by the end of this week. He suggested that the evaluation be conducted on a day separate from a Council meeting in case it is long. He suggested a 7 p.m. starting time so there would be adequate time to do the job.

Councilor McGee indicated that he feels a sense of urgency, however, a format should be developed which would apply in this case and in future cases. He

City Hall Painting

Councilor McGee indicated that the painting of City Hall has begun. He indicated that the building is in need of some repairs before any painting is done. He asked the Council members to participate and to bring their neighbors between the hours of 5:30 and 7:30 p.m. It takes two to three coats to cover the existing paint. Mayor Orcutt thanked Councilor McGee for coordinating the volunteer effort.

AGENDA INPUT

There were no additional items added to the agenda input for October 7.

ADJOURNMENT

The meeting adjourned at 8:53 p.m.

Susan Biasi Darby, City Recorder

APPROVED:

MAYOR

(COUNCILOR VAN METER ABSENT)

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R91- _____

DECLARING THE CITY'S INTENT TO INITIATE A STREET LIGHTING DISTRICT (THE MEADOWS PHASE 4) AND DIRECTING THE CITY ENGINEER TO MAKE A SURVEY AND FILE A WRITTEN REPORT WITH THE CITY RECORDER

WHEREAS, the City Council of the City of Keizer has received a petition to initiate a street lighting district in The Meadows Phase 4 subdivision, in the City of Keizer, Oregon; and

WHEREAS, pursuant to City of Keizer Ordinance 87-094, the necessary signatures of land owners comprising two-thirds of the property to be included within The Meadows Phase 4 Lighting District have requested the formation of the district; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Keizer that:

1. The City Council declares its intent to initiate The Meadows Phase 4 Street Lighting District;

2. The City Engineer is hereby directed to make a survey of the District;

3. The City Engineer shall file a written report with the City Recorder to be considered by the City Council on October 21, 1991.

PASSED this _____ day of _____, 1991.

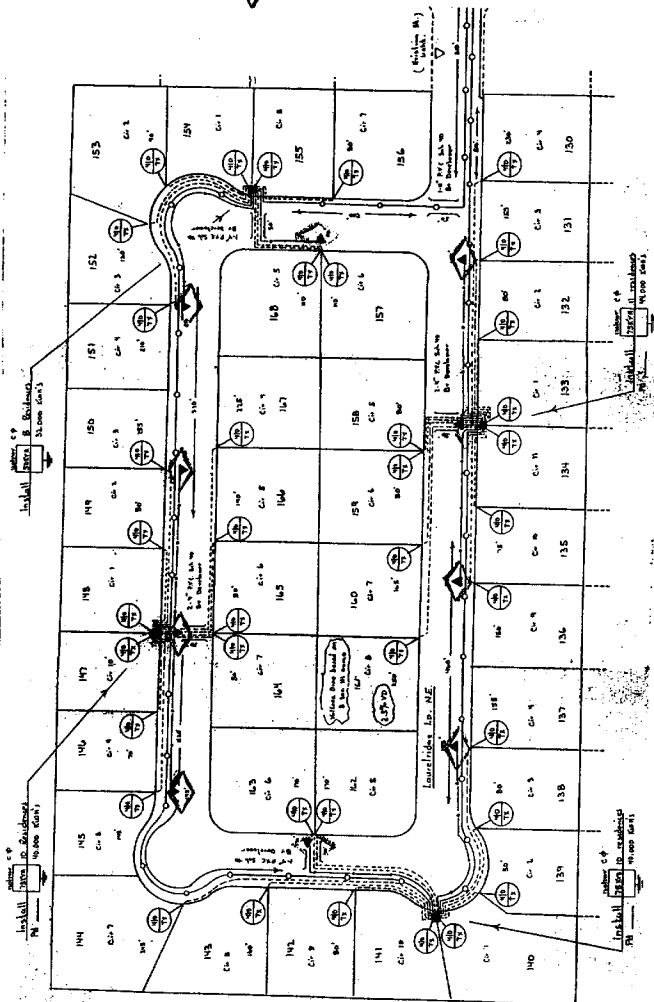
SIGNED this _____ day of _____, 1991.

Mayor

City Recorder

PROPOSED
STREET LIGHT
LOCATIONS

100 WATT HPS STREETLIGHT
MOUNTED AT 25 FEET ON
30 FOOT GRAY FIBERGLASS POLE.



NOTICE TO PETITION CIRCULATORS

If owner of property is a corporation, the petition must be signed in the name of the Corporation by its president, secretary, or manager.
If the name of the owner is signed by an agent or person holding power of attorney inquiry must be made as to the agent's authority or authority of attorney in Fact to sign.

Letter _____ Page _____ File _____

IMPORTANT

When signing petition be sure to give Lot, Block and Addition and date of signing.

Circulator of Petition The Meadows Group

Name

Address 5309 River Road North Keizer, Or. 97303

Phone No. 390-2900

To the Council,

The undersigned being the owner or contract purchaser of the described property hereinafter set opposite my or its name hereby petition the City Council to _____

in the City of Keizer _____

in conformity with the charter, ordinances and regulations of the City of Keizer.

Date	Deed Holder or Contract Purchaser (Please type or print)	Signature(s)	Address of Property If vacant, give landowners mailing address	Addition or Section	Lot &	Block
9/10/91	HANNEGAN, Sons Trust	<i>[Signature]</i>	1754 Cumulus Ct. NW.	Phase 4 Meadows	130-141	(19 Lots)
9/10/91	The Meadows Group	<i>[Signature]</i>	5309 River Rd. N. Keizer 97303	Phase 4 Meadows	142-155	(20 Lots)
			Total for Phase 4			39 Lots

suggested a meeting date in October.

Mayor Orcutt indicated that the Council first needs to decide on the format so that it will be prepared. He does not see the urgency as Councilor McGee does, and he suggested that the format could be discussed at the next Council meeting. Councilor Miller suggested the evaluation be conducted within 30 days.

Councilor Koho offered a substitute motion to set a specific time.

Councilor McGee moved to amend the main motion to conduct the performance evaluation within 30 days. Councilor Miller seconded the amendment. The motion was put to a vote and carried unanimously as follows:

AYES: Orcutt, Hart, Koho, McGee, Miller, Newton (6)

NAYS: None (0)

ABSENT: Van Meter (1)

The main motion, as amended, was put to a vote and carried unanimously as follows:

AYES: Orcutt, Hart, Koho, McGee, Miller, Newton (6)

NAYS: None (0)

ABSENT: Van Meter (1)

Bike Path Routes

Councilor Koho indicated that the City will be receiving a copy of a letter addressed to the Marion County Commissioners regarding connection of bike paths from Willamette Mission Park to Wheatland Road.

Councilor Newton asked about the September 3 minutes. Ms. Darby explained that with the short week and a conference, the September 3 minutes have not yet been completed. She indicated that they would be available before the next meeting.

Sandy Drive

Councilor Newton indicated that there has been some problem with parking on the south side of Sandy Drive which has caused impaired traffic flow.

Fir Cone Subdivision

Councilor Hart mentioned that a barrier will be placed along the street in the Fir Cone Subdivision and any driver going north or south will see the barrier.

Councilor Hart reported on a meeting he attended in Independence last week. There will be six meetings regarding the Oregon sales tax proposal. Another meeting will be held on Saturday at the Salem Armory with respect to different counties and cities working within the jurisdictions to disseminate the information. He encouraged other Council members and the staff to attend Saturday's meeting at 1 p.m.

Coordinating Committee to be checking into the attendance and participation of the members of other committees.

Councilor Hart, as liaison to the Planning Commission, stated that both of these gentlemen have been in good attendance and have participated in the meetings. He has had some differences in the past with Mr. Siegel, but those have been resolved. In addition, neither of these two individuals have had the opportunity to serve a complete term of office. He supported the reappointment of Mr. Siegel and Mr. Goesch to the Planning Commission.

Councilor Newton moved for reappointment of Dave Siegel and Sam Goesch to full three year terms of office on the Planning Commission. Councilor McGee seconded the motion.

Mayor Orcutt indicated that he discussed with Ms. Darby today the establishment of criteria for judging reappointments to various committees. Some of the criteria that may be used includes attendance and participation in the meetings. The Volunteer Coordinating Committee is currently working on the Police Advisory Committee, the Charter Review Committee and the Citizens Advisory Committee. In any case, the Planning Commission appointments would be put on the back burner until these other committees were resolved. Mayor Orcutt added that he expects the Volunteer Coordinating Committee to make recommendations on all committees, including appointments, reappointments, etc. He apologized if there was any misunderstanding by any of the Council members with respect to his intent.

In response to a question from Councilor Hart, Ms. Darby stated that the Volunteer Coordinating Committee will be conducting interviews of applicants for the Police Advisory Committee on September 23 and September 24. Councilor Hart indicated that he is looking forward to seeing some new blood on the volunteer committees.

The motion was put to a vote and carried unanimously by the following vote:

AYES: Orcutt, Hart, Koho, McGee, Miller, Newton (6)

NAYS: None (0)

ABSENT: Van Meter (1)

Councilor Koho indicated that he hopes the City Council will not delegate its authority for appointment on committees, and that the Volunteer Coordinating Committee will come back with multiple recommendations for positions.

Aggregate Extraction Planning Case

Mr. Morgan reported that, as directed by the City Council, he appeared on the conditional use permit for the aggregate extraction land use case. The Hearings Officer granted the extension requested by Keizer and left the record open to

Mr. Morgan stated that the vast majority of solid waste issues are handled over the telephone. Staff takes the complaint over the telephone and fills out a form which goes to Marion County. Marion County prepares its findings and returns the form to Keizer and Keizer then decides whether to take action. The process has been informal but it seems to work well. Two or more steps will be taken out of the process by moving it in-house.

Councilor McGee asked about the number of violations that one sees on a daily basis. Mr. Morgan explained that staff does not patrol the streets looking for violations. The process is complaint driven.

Councilor Koho indicated he would like an opportunity at a later time to discuss and vote on the issue of inspecting private property and language on abatement. Mr. Morgan indicated that perhaps the best strategy is one of the vision statements coming out of the Keizer Tomorrow Committee to encourage rehabilitation of existing housing.

Mr. Hobson indicated that a couple of technical changes need to be made to the proposed ordinance. The first, on page 4, line 16, is to add after the word "animals" the following language: ", infectious waste as defined in ORS 459.387, ". On page 5, line 14, change the reference from Section 4 to Section 3.

Councilor Koho moved for passage of an ordinance relating to the abatement of nuisances created by the accumulation of waste, solid waste or inoperable vehicles; and declaring an emergency. Councilor McGee seconded the motion. The motion was put to a vote and carried unanimously on first reading, as follows:

AYES: Orcutt, Koho, Hart, McGee, Miller, Newton (6)

NAYS: None (0)

ABSENT: Van Meter (1)

CONSENT CALENDAR

The Consent Calendar consisted of the following items:

- August 19, 1991 City Council Minutes
- Resolution - Certification of Lighting District Accounts
- Resolution - Adjusting Employee Pay Ranges

Councilor Miller asked that the resolution regarding employee pay adjustments be removed from the Consent Calendar.

Councilor Hart moved for approval of the remainder of the Consent Calendar. Councilor Koho seconded the motion.

Councilor Miller asked for clarification on the difference between flat pay ranges and step pay ranges specifically with respect to the City Recorder and Police

There being no further testimony, Mayor Orcutt recessed the public hearing to the City Council's October 7 meeting.

ANNEXATION - REECE, BLACKMAN, CROTEAU AND WHEATLAND AUTOMOTIVE

Mr. Morgan provided a status report on the issue of annexing the Reece, Blackman, Croteau and Wheatland Automotive, Inc. properties. He indicated that the question at the September 3 meeting was the exact location of the annexation line. A general understanding has been worked out that the line will be toward the top of the bluff and Mr. James Reimann is preparing the appropriate legal description for consideration by staff. Staff will place this on the October 7 City Council agenda for discussion.

Councilor Koho asked whether the affected property owners who did not offer support have been contacted. Mr. Morgan responded that he has attempted to reach these property owners but has been unsuccessful. He will continue to make those contacts.

CODIFICATION

Ms. Darby reviewed the staff report regarding codification of the City's general ordinances, explaining the difference between a mechanical compilation and a full codification. Staff agreed that it would be preferable to do the full codification, and the low bid received was from Sterling Codifiers at an estimated price of \$6,850. In addition to the codification is the future expense of maintaining the code with updates. This, she explained, will cost about \$300 to \$400 annually, depending on the number of pages that will be revised. In addition, the City may wish to purchase a software program which would allow the code to be placed on the City's network. This is an additional expense which can be considered at a later time.

Councilor Koho moved for approval of a resolution for codification. Councilor Hart seconded the motion.

Responding to questions from the Council members, Ms. Darby explained that she has available a sample of the work performed by Sterling Codifiers and that she has checked references from other jurisdictions. Councilor McGee noted that codification will make it easier for the public to review the City's ordinances. Councilor Hart asked for a recap of the supplements. Ms. Darby stated that supplements can be done on a monthly, quarterly or semi-annual or annual basis, depending on the City's needs. Mr. Morgan added that the City of Salem supplements their code on a quarterly basis and that appears to be satisfactory for them.

The motion was put to a vote and carried unanimously by the following vote:

AYES: Orcutt, Koho, Hart, McGee, Miller, Newton (6)
NAYS: None (0)

City Hall Painting

Councilor McGee indicated that he will be organizing a painting party for the week of September 16 during the hours of 5:30 and 7:30 p.m. He invited the Council members to participate in painting the City Hall exterior. Mr. Otterman added that there will be a small charge for workers compensation coverage for the volunteers, as well as costs for items such as paint brushes, etc.

WRITTEN COMMUNICATIONS

There were no written communications to come before the Council.

AGENDA INPUT

Mr. Morgan asked whether the City Council wishes to call up the case for Roth's sign variance. The application was denied at the staff level. The Council consensus was to allow it to proceed through the normal route. Mayor Orcutt indicated there was a similar situation involving George Goesch's sign variance which the Council did not call up.

The agenda included one other item for the September 16 meeting which was a public hearing on the Salem Area Comprehensive Plan Periodic Review Order.

EXECUTIVE SESSION

Mr. Otterman indicated he wanted to call a brief Executive Session to discuss personnel matters. The Council concluded that it would not hold the Executive Session.

ADJOURNMENT

There being no further business, the meeting adjourned.

APPROVED:

Susan Biasi Darby, City Recorder

MAYOR

(COUNCILOR HART ABSENT)

(COUNCILOR NEWTON ABSENT)

use at Wilark Park. Mr. Morgan stated that the grounds maintenance would be the responsibility of Keizer Heritage. Councilor Miller asked what would happen if Keizer Heritage does not properly maintain the grounds. Mr. Morgan explained that Keizer Heritage could lose the school.

Mr. Morgan stated that Keizer Heritage is confident that it will have the first floor of the school occupied within six months. Keizer Heritage should be reporting periodically to the City Council but it has not been doing so in the past. Councilor Miller suggested that the City get feedback from Keizer Heritage on its sources of funding and to spell out in the agreement what happens if Keizer Heritage fails to fulfill their obligations. Mr. Wickman indicated that a similar agreement exists with the Keizer Little League in that if that organization does not fulfill its obligations in grounds maintenance for the park, the City can bill the organization for the costs. However, he noted that the arrangement has worked out well with Keizer Little League. Responding to a question from Councilor McGee, Mr. Morgan indicated that the plans are for Keizer Heritage to maintain the entire park property. Councilor Koho stated that the park property is used by some of the neighborhood kids. To remove the fence may be a mistake because it provides a necessary separation. Mr. Morgan indicated that the developer is anxious to get the day care business in as a tenant. However, the day care would not be able to locate there unless the work is accomplished. Staff is exploring the alternative of moving the fence in order to channelize the traffic to a north-south route.

Responding to a question from Ray Clark, Mr. Morgan clarified that the question of the vacation could be opposed if property owners representing 50% of the land area remonstrate against the action.

Councilor Van Meter moved to direct staff to initiate the vacation of the public park and to draft an agreement with all involved parties. Councilor Koho seconded the motion.

Councilor Van Meter encouraged the neighbors to meet with Mr. Morgan to discuss the issue. Mr. Clark indicated that the meetings have been held during the day when many of the neighbors are unavailable. Mr. Morgan offered to schedule an evening meeting.

The motion was put to a vote and passed unanimously by the following vote:

AYES: Orcutt, Koho, McGee, Miller, Van Meter (5)

NAYS: None (0)

ABSENT: Hart, Newton (2)

CONSENT CALENDAR

The Consent Calendar consisted of the following items:

AYES: Orcutt, Koho, McGee, Miller, Van Meter (5)
NAYS: None (0)
ABSENT: Hart, Newton (2)

**PLANNING SERVICES
STAFFING ANALYSIS**

Mr. Morgan reviewed the staff report regarding the staffing analysis with respect to planning services. He noted that Mr. Grenz pointed out some of the perceptions of the development community earlier this evening. In addition, Mr. Morgan noted to philosophical image of "going downtown" to get Keizer planning information. Typically, a citizen walks into City Hall and is directed to go to Salem. He reviewed the proposed budget for the Associate Planner versus a Code Enforcement Officer. Mr. Morgan stated that in the past 9-1/2 years, the City has outgrown its planning contract with Marion County and that the community could be better served by an in-house planner.

Responding to a question from Councilor Koho, Mr. Otterman stated that according to the County staff, the clerical staff spends about six hours each month on City of Keizer work. Much of that work is preparatory, i.e., notices, decisions, etc. Much of the planning clerical work is now done in-house. Mr. Otterman indicated that the existing clerical staff will need to be expanded. Part of this may be through a student worker to do filing, filling in for vacations, etc. Councilor Koho indicated that the need may already be there.

In response to a question from Councilor McGee, Mr. Morgan stated that resources will be available from planning fees, franchise fees and from other areas of the General Fund. This is a step towards program budgeting. He hopes to lower the General Fund contribution by increasing planning fees in the future.

Councilor McGee indicated that he does not believe this change would violate the intent of the budget approval by the citizens.

Mayor Orcutt read into the record a portion of a letter from Lillian Walston, 513 Linda Avenue N.E., regarding her objection to the planner's position. Councilor McGee noted that the change has to be very carefully explained to the people.

Councilor McGee moved to approve the staff recommendation for an Associate Planner but not to include the job description as proposed. Councilor Koho seconded the motion.

Councilor McGee indicated that the job description does not address the code enforcement responsibilities of the planner. In addition, he would not agree to some of the wording in the description with respect to human resource planning, etc.

Councilor Koho indicated that it should be made clear that the City Council not be the personnel manager for the City. If the City Council approves the position descriptions, it will be micro-managing. The City Manager has the authority as well as the responsibility to write, revise and approve the job descriptions.

Councilor McGee indicated that he generally agrees with Councilor Koho's statement. However, he questioned why it has taken 19 months for this assignment to be completed. He objected to contracting out the writing of the job descriptions if staff is willing and able to prepare them. If staff is not able to do so, then the job done by contracting out was not satisfactory to staff if changes need to be made. He questioned why Mr. Otterman's report indicates that all descriptions are included with the exception of those employees in the Police Association. Councilor McGee indicated that, for example, the City Manager's job description is missing, as well as the Public Works Manager and two others in the Public Works Department. He also asked why there is no job description for the Police Chief's Secretary. Mr. Otterman explained that the Police Chief's Secretary and the Administrative Secretary share the same classification.

Councilor McGee indicated that some job descriptions do not show that employees report to anyone, and there is no organizational chart. Mr. Otterman said he could provide a copy of the organizational chart in the morning.

Councilor McGee expressed concern with not receiving information that is requested. He cited an example of the Budget Committee request for salary information. Mr. Otterman explained that this information went to the compensation committee first and will then go to the City Council. Councilor McGee stated that the Budget Committee also asked for a copy of the organizational chart which was never provided. He also asked for it during goal setting.

With respect to the job descriptions, Councilor McGee indicated that John Morgan, the Community Development Director, does not report to anyone. He offered to assist Mr. Otterman in writing job descriptions, and asked whether Mr. Otterman has a description for his position. Mr. Otterman indicated there is one in his contract.

Councilor McGee believed it would be necessary to review the job descriptions line by line and to make some improvements before he could approve them. Councilor Koho stated that he would prefer to delegate the drafting of job descriptions to the City Manager, and that he does not believe it is the City Council's job to review staff job descriptions line by line.

turnaround at the extension of McClure Street. The Council originally approved the location to be on the north side of McNary Estates Drive in the event the access is ever gated off. There is before the Council tonight a proposal from McNary Estates to place the turnaround on the Staats' property. Hillman Properties is discussing the matter with Staats' representatives. Mr. Morgan believed the matter to be a private issue between those two parties. Responding to a question from Councilor Koho, Mr. Morgan stated that if the access will eventually be gated off, the turnaround should be located on McNary Estates property. If the land that was set aside for the turnaround is no longer needed for that purpose, then Hillman would like to use that property for another lot. If this occurs, then the city would have some procedural involvement.

Mark Grenz of Multi/Tech Engineering, representing Hillman Properties, stated that they have met with representatives of the homeowners at McNary Estates last week and presented them with an alternative location for the turnaround. He believes they were in agreement that the alternative was preferable to the original location on the north. Hillman Properties is proposing that they reimburse the City or Staats for the right-of-way if they would be allowed to use the property originally reserved for the turnaround as a lot. He indicated Hillman's disagreement that the decision to do so would be private as stated by Mr. Morgan. Mr. Grenz noted that the McNary Activity Center Plan can easily incorporate the change for the turnaround on the south side. In private negotiations, all of the burden will be on Hillman Properties. He reiterated that Hillman Properties is willing to reimburse the City or Staats for the right-of-way. Hillman Properties would prefer to have the City force the parties to agree on a plan.

In response to a question from Councilor Koho, Mr. Grenz agreed that this issue would not be before the Council if McNary Estates Drive was a public street, and that establishment of the gates have created some havoc within the area. Mr. Grenz noted that until the gates are in place, there will be no need for a turnaround.

Councilor McGee asked if this discussion is regarding condemnation should the negotiations break down. Mr. Grenz indicated that he does not wish to imply condemnation, but that if the turnaround is on the south side, there would be a significant incentive for Staats to negotiate with Hillman to come to a fair agreement.

Mr. Morgan indicated that he will continue with negotiations and will return to the Council as soon as possible.

There being no further testimony to come before the Council, Mayor Orcutt continued the public hearing to a later date.

indicated that he essentially agreed with Mr. Epping's comments, especially with respect to the overall improvement on efficiency. Mr. Grenz indicated that he understands Mr. Epping to state that the costs would be the same as now charged by Marion County for planning services.

John Schafer, 6505 Windsor Island Road, Keizer, brought to the Council's attention a problem which is developing north of the city limits. He stated that Marion County will be holding a public hearing on September 4 at 4:30 p.m. regarding the approval of a gravel operation on Naples Road. Mr. Schafer indicated that some of the neighbors will be meeting with an attorney to oppose the approval of the operation because of the noise, odor and dust that may be created. He urged that the City of Keizer also become involved in the situation for several reasons. These include the fact that the designated route out of the operation is down Windsor Island Road to Lockhaven and then out to the freeway. This would require the trucks to pass three schools and pass through a great deal of the City of Keizer. In addition, he is aware that a great deal of odor is associated with an asphalt batching plant. The proposed location of the plant is within one-half of a mile from McNary Estates and about a mile from downtown Keizer.

Mr. Schafer stated that a 1989 Oregon law prohibits the operation of an asphalt batching plant within two miles of a vineyard. He could not explain why this is prohibited near a vineyard, however, the law is silent on the effects an asphalt batching plant would have near schools, hospitals, city centers or other areas of importance.

Mr. Schafer indicated that the Marion County staff report indicates that a number of affected agencies were contacted, however, the City of Keizer was not listed as one who was contacted for their comments. This surprised Mr. Schafer because he believed it would be Keizer who may provide fire and police protection to the site because of its proximity to Keizer. Mr. Schafer indicated that Keizer has a vested interest in this property and should be aware of this action.

Mr. Morgan indicated that he just found out about the situation last Friday when an individual from the area contacted him and wanted to discuss the matter. He contacted Marion County and asked them to forward the materials to him. Mr. Morgan stated that the planning action involves a comprehensive plan amendment as well as a conditional use permit. He noted that Marion County is in the process of inventorying aggregate resources as they are required to do. The county must inventory and protect such resources unless there is a compelling reason not to do so. He indicated that Keizer may be able to object on the basis that an asphalt batching plant may affect the ground water since Keizer gets its water from that aquifer. In addition, the planned route of Windsor Island Road to Lockhaven to the freeway has not been thoroughly analyzed. He stated that Keizer may also raise the question of whether Keizer

program to strengthen the manager's weak points and make the best of strengths. Or you might decide that a team-building program is what's needed. Be sure your evaluation includes action steps—changes to be made, special tasks to be done, or decisions to follow as a result of the evaluation.

Regular evaluation won't eliminate all conflicts, but it will help you keep those conflicts in perspective. Most important, it gives you an outlet for dealing with conflict effectively. Evaluation gives you a chance to talk about what's been done, what should have been done, and what you'd like to see done. Without it, you don't have many chances to talk about things in general—you're always facing so many major decisions and specific issues.

There haven't been many post-evaluation casualties. In fact, most administrators and governing bodies who've gone through the process say they felt better when it was over. And their relationships worked better. The key is to think positively and design an evaluation system directed toward positive results.

Further Reading

Guidelines for Selecting a Local Government Administrator. ICMA, 1987. Discusses how to approach systematically the process of recruiting and hiring a local government administrator.

Employment Agreements for Managers: Guidelines for Elected Officials. ICMA, 1985. Discusses common elements of employment agreements.

If you don't have in hand a list of governing body goals and objectives, or an employment agreement that specifies the manager's goals and objectives, develop some guidelines before tackling evaluation.

The most effective criteria are framed in terms of measurable results—what should have been achieved. Since the jobs of chief administrators in local governments involve a wide range of duties that can differ radically from community to community, there aren't any standard criteria. But there are general areas of expertise that you can use as a starting point in thinking about appropriate measures for your chief administrator's performance:

- Ability to plan, anticipate needs, recognize potential problems, and work with the council or commission to plan strategy in advance of decisions.
- Organizational skills necessary to run the day-to-day business, hire and motivate staff, ensure that effective work procedures are developed and implemented, and manage the physical facilities of the government.
- Financial management skills necessary to develop and manage the budget, present long-term needs effectively, and recommend alternatives for budget modifications objectively.
- Program development skills necessary to design and carry out programs that meet new policy directives.
- Knowledge and skills necessary to work cooperatively with other area governments and ensure that the local government develops appropriate relationships with state and federal officials.
- Communication and interpersonal skills necessary to develop effective relationships with the governing body, the public, and the staff.
- Attention to professional and personal development, so that capabilities are expanded, new skills are developed, and existing skills are improved.
- Awareness of personal style and its effect on relationships and job proficiency. Ability to be flexible, to manage conflict, to handle crises, and to adjust to varying pressures.

It can be valuable for each council or commission member to separately develop criteria and for the administrator to do the same. Then you can look for common criteria and discuss differences until you reach an agreement.

As you're looking at performance, you may find it appropriate to explain to the public what you're doing and why. You'll want their support for the process. Most of your dealings with the public on performance evaluation will probably be through the press. The press sets the tone for how the evaluation will be viewed by the public, so it's important to keep reporters informed. The more they know about the concept of evaluation and the more information they have on the measures or criteria to be used, the more likely they are to agree that the evaluation discussion is best conducted in private.

Council relationships

Allowing for differences of philosophy or opinions on given issues, do council members respect one another's opinions?

- ☐ Almost always
- ☐ Sometimes
- ☐ Never

Does the council function as a team?

- ☐ Almost always
- ☐ Sometimes
- ☐ Never

Do council members deal with issues openly?

- ☐ Almost always
- ☐ Sometimes
- ☐ Never

Do individual council members overpoliticize the public process?

- ☐ Almost always
- ☐ Sometimes
- ☐ Never

Do council members' attitudes and actions reflect a sense of public service rather than personal interest?

- ☐ Almost always
- ☐ Sometimes
- ☐ Never

Relationship with the city administrator

Is the relationship between council members and the city administrator open and honest?

- ☐ Almost always
- ☐ Sometimes
- ☐ Never

Does the council function as a unit in giving direction to the city administrator?

- ☐ Almost always
- ☐ Sometimes
- ☐ Never

Is there mutual respect between the council and the city administrator?

- ☐ Almost always
- ☐ Sometimes
- ☐ Never

Is there adequate opportunity for the city administrator to offer input into the decision-making process?

- ☐ Almost always
- ☐ Sometimes
- ☐ Never

Relationship with staff

Does the council provide a reasonable time frame for staff to accomplish assignments?

- ☐ Almost always
- ☐ Sometimes
- ☐ Never

Does the council take the impact on staff time into consideration when changing its priorities?

- ☐ Almost always
- ☐ Sometimes
- ☐ Never

Does the council give adequate consideration to staff recommendations?

- ☐ Almost always
- ☐ Sometimes
- ☐ Never

Do council members use the established chain of command when dealing with administrative issues?

- ☐ Almost always
- ☐ Sometimes
- ☐ Never

Agree to a schedule. Once you decide to initiate an evaluation process, make it regular. A one-shot evaluation is threatening and ineffective. Regular doesn't mean stiff and formal; it means you evaluate periodically, at agreed-upon intervals. It can help you avoid crisis confrontations with your administrator. If there are serious conflicts, you'll know about them and together you can find a way to handle them. Recognize, of course, that just before an election or just after, when some of the elected officials haven't had a chance to work with the administrator and form an opinion, is a bad time.

The frequency that's appropriate will vary depending on how long you've worked with your administrator, what kinds of issues are being faced by your community, and changes in the makeup of the council or commission. Annual reviews are common; a year gives you and the administrator enough time to make changes and then evaluate the results, and it helps you avoid focusing on particular crises. Some communities feel semiannual reviews are more useful, because they keep the communication process going more regularly. It's important to schedule reviews more often—perhaps even quarterly—if you're having trouble communicating. Otherwise, you might find yourself letting the evaluation process slide.

The schedule should make sense in your annual workload. An evaluation shouldn't be an isolated interruption. It's an integral part of everything that's going on. When you're developing an evaluation process, think about the way you do things. It might easily and appropriately become part of an annual retreat where you hammer out council or commission goals and objectives. Many governing bodies find annual review of the chief administrator easiest to address in the context of the budget cycle, since that's when they work most closely with the manager. But when you talk money and performance during the budget cycle, you also will be thinking about tax increases, budget constraints, and other financial concerns. You run the risk of making evaluation a negotiating process rather than a communication process. For that reason, it can be more effective, particularly when starting out, to separate the evaluation from salary issues.

Finally, once you've decided when in the year to schedule evaluations and scheduled your first review, pick a place that's appropriate and set aside enough time to talk things through. An office, a conference room, or the governing body chambers are good evaluation sites; a noisy restaurant isn't private or comfortable.

You'll want to be sure there will be no interruptions from the outside and that no one feels rushed or threatened. In addition, be sure everyone understands that what's said is confidential or at least will be handled with discretion. Deciding in advance what the public will be told about the discussion will help everyone feel comfortable about talking openly.

Use objective criteria. If your criteria are well thought out and positive, you'll end up with a positive and effective evaluation. Identify skills, achievements, and results and evaluate every dimension of your chief administrator's work. Three major areas to consider are the knowledge the manager brings to the job, the way he or she interacts with others, and his or her ability

Some jurisdictions use a simple "memorandum of understanding." This format lists the basic terms of employment. Also, the terms of the agreement, including performance standards, can be incorporated in a resolution of understanding enacted by the governing body.

Transition activities

To effect a smooth transition, the local government should offer whatever general assistance the new administrator might need in moving. Such assistance might include introductions to realtors and bankers and assisting the spouse in finding suitable employment.

Once the new manager arrives, the elected officials should arrange a special meeting or reception to formally introduce the new administrator to department heads and local government staff. Similar meetings, briefing sessions, and receptions can be arranged to introduce the new administrator and his or her family to community groups, civic leaders, and citizens in general.

A work session to review objectives should take place early on. This will clarify initial expectations on both sides and offer an opportunity to discuss the manager's goals and objectives. Good communication from the outset can help ensure a smooth working relationship. Regular review and updating of these goals and objectives, in the form of an annual or semiannual performance review, helps to ensure that this communication is maintained. This is the topic of the remainder of the chapter.

Evaluating the Chief Administrator

Evaluation is a communications process—a time for discussion apart from formal decision-making. Despite the close working relationship between the administrator and the governing body, opportunities for frank and personal discussion are very rare. Evaluation is such an opportunity.

Evaluation is also a learning process. By doing regular evaluations, you can learn more about what everyone is doing, what everyone expects from one another, and where there are strengths (or weaknesses) in the relationship. Evaluation provides an outlet—a regular forum for airing issues, problems, needs, concerns, frustrations, and anxieties. If you're dissatisfied with the way your administrator handled a certain issue, an evaluation gives you a chance to air that dissatisfaction and determine whether it was the issue or the administrator that really bothered you.

An evaluator probably has to be a little more magnanimous and a little less self-serving than the person being evaluated. A good evaluation pointing up the administrator's strengths and weaknesses can be beneficial on both sides. It will help you to step back and look objectively at what you like and don't like about the administrator's performance, and to tell him or her directly. It can also help you in your role as the administrator's employer. A good employer needs to know whether an employee is satisfied with the job, the working conditions, the resources

The Challenge of Municipal Excellence O-ICMA WORKSHOP

In these times of government criticism and BM5 backlash the challenge of maintaining a positive focus on providing local government services is becoming more difficult. The O-ICMA speaker, Brian Lee, will be addressing "The Challenge of Municipal Excellence." Mr. Lee will be sharing a variety of strategies and techniques dealing with the "power of service" and "leadership excellence." He comes to Oregon highly recommended by the Washington City Management Association and the Florida League of Cities. The content of the session would also be appropriate for other management or elected officials. Pat Miller, Village Manager of Palm Springs, Florida, says "There is nobody better than Brian and spending a Saturday with him is better than any golf game or shopping expedition."

This workshop will be held Saturday, November 9, 10:00 AM - 4:00 PM.. Lunch included. *Preregistration required.*

OREGON MAYORS' ASSOCIATION WORKSHOP

Oregon Mayors' Association membership is at the highest level ever!

Come join us at this annual workshop. We especially want to meet those of you who haven't "joined up" yet. Program details will be provided in a special mailing. Reception to follow.

Give us a try!

This workshop is scheduled for Saturday, November 9, 10:00 AM to 2:15 PM. Lunch included. *Pre-registration required.*



BYLL DAVIS & FRIENDS

Join us for an entertaining evening with Byll Davis & Friends. This talented band will play music from the 40's through the 90's, and your requests.

KEYNOTE AND LEADERSHIP

Jim Cathcart



Over one thousand audiences worldwide have learned winning strategies from Jim Cathcart. His leadership in human development has been felt for decades through his inspiring presentations and his many published works.

As past president of the National Speakers Association, recipient of their prestigious Council of Peers Award, and a favorite presenter for the American Society for Training and Development, Jim has been on the cutting edge of adult learning for many years.

Jim's academic training came from the University of Arkansas where he majored in Marketing and Finance. His practical training has been obtained through fifteen years of consulting with clients in almost every field imaginable. He has worked with oil platform workers in the North Sea, service station owners from New Zealand, insurance companies in Australia and the U.S., seminar institutes in Hong Kong and Singapore, and ski resort owners in Canada. His client list includes the Fairmont Hotels, American Bankers Association, General Electric, Century 21, United Airlines, Meeting Planners International, Massachusetts Mutual

Life Insurance Company, and the American Society for Training and Development.

Jim has recently become a part of The Carefree Institute, a psychological think tank based in Arizona. They have developed a breakthrough in human understanding now known as the "InnerViewing" method.

"Bringing Out Your Best" is the keynote topic – how focusing on your unique qualities can bring more success and peace of mind. This applies to organizations, as well as individuals. Mr. Cathcart will describe the four essentials for achieving optimum performance in your organization.

"Yes or No – Better Results Through Better Decisions" is the focus of the Leadership Training. This session will provide open dialogue and a hands-on approach to "The Art of Choosing Well." Jim will describe the six steps to better decisions and how to get others using them for better results with less effort. (Based on the upcoming book by Dr. Spencer Johnson.)

Jim will deliver the Keynote presentation on Monday, November 11, at 9:30 a.m., and the Leadership Training on Monday, November 11, at 1:00 p.m. *Registration is required for Leadership Training.*

HOW TO ACHIEVE HIGH IMPACT CONSTITUENT SERVICE IN A DOWN-SIZING ECONOMY

Linda Goldzimer

Linda Goldzimer is a dynamic and successful professional speaker. As a speaker of international caliber, her audiences have represented virtually every facet of society – corporate, sales, special interest, academic, political and professional.

Before developing her own business, Linda spent 22 years in the public sector. She was a department head for the City of San Diego when proposition 13 passed. Also as Deputy Chief Administrator of San Diego County, she assumed the highest executive level, and was the first woman to hold that position. The County employed 12,000 people and budgeted over \$800 million annually. She had line management responsibility for up to 14 subordinate departments. Additionally, she managed the County's labor relations with its 19 bargaining groups which annually was responsible for over \$250 million in salaries and benefits.

As a ranking public official with diverse responsibility, she continually was called upon to communicate effectively with elected officials, constituent groups, union leaders, the media and the public. As an on-air TV personality for NBC TV, Goldzimer co-hosted a weekly magazine format program. She became the second female "on-air" personality in the 13th largest national market. Additionally, Goldzimer took a high profile position as a founder of a full-service commercial bank and served as the Vice-Chair of its Board of Directors. She received her B.A. from Cornell University and M.A. from Case-Western Reserve University.

Her recent engagements include programs for the following organizations: the League of California Cities, International City Management Association; the City Managers of New York and Connecticut; and the cities of Bakersfield, Corte Madera, Fresno, Larkspur, La Verne, Los Angeles, Oakland, Oceanside, Rancho Cucamonga, San Diego, Seal Beach, and Vasilala.

Ms. Goldzimer's presentation will highlight how to target services and programs to produce the greatest constituent support, how to maximize constituent satisfaction for each service you provide, how to use performance standards to leverage your resources; how to make rising taxpayer expectations part of the solution and not the problem . . . and much, much more!

Linda will speak at the Opening Lunch on Sunday, November 10. *Registration is required.*





Dear Colleagues:

On behalf of the League of Oregon Cities, welcome to the 66th Annual Conference and Business Meeting.

Our conference theme this year – Commitment To A New Oregon – could not be more fitting for what lies ahead for cities. From Ballot Measure 5 came the voter's desire to have tax reform, and therefore the task before us is immense. The way local government does business will be changing and we must all be players in carrying out that new direction. This year's conference is dedicated to that end, and I trust that the general sessions, workshops, and training seminars will give us the ideas and tools we need to help shape our new Oregon.

I urge you to attend the many sessions, join in the debate on policy issues at the meeting of the Resolutions Committee, participate Monday in the League's Business Meeting, and cast your vote for the election of city officials who will best serve you as officers and directors of the Board.

In addition to the substantive program, the various social functions provide an opportunity for each of you to renew old friendships and to acquire new ones.

The success of Oregon cities depends on the continuing commitment of individuals like yourselves, who provide enthusiastic, active leadership. I look forward to meeting you and to an informative, productive conference.

Sincerely,

Candace Bartow
President
Mayor, Grants Pass



WELCOME!

On behalf of the City of Eugene, I would like to extend a warm invitation to the members of the League of Oregon Cities to attend the 66th Annual Conference being held November 9-11, 1991. We are proud to be hosting this year's conference.

The issues that we will be discussing are timely and critical for all of us concerned with the quality of life in Oregon cities. The program being planned will assist us in developing a meaningful city agenda for years to come.

During your stay in Eugene, I hope you will take the time to enjoy the various attractions that our city has to offer. I am certain you will find Eugene to be a vibrant, progressive and friendly community.

Kindest regards,

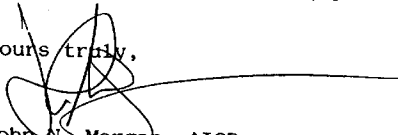
JEFF MILLER
Mayor, Eugene

trees extending above the 170 foot contour may be removed, as well as noxious vegetation.

I intend to take this issue back to Council on October 7th, so I will appreciate your comments early next week. Thank you for your consideration.

If you have any questions, please contact me at your convenience.

Yours truly,



John N. Morgan, AICP
Community Development Director

cc: Jim Reimann

City Council
October 7, 1991

Commissioners on Thursday, October 3, therefore, Staff will be able to inform Council of the results at the meeting.

The ordinance adopting the annexation will be presented to Council at the meeting with the agreed upon legal description.

RECOMMENDATION:

It is recommended that Council approve the annexation and pass the ordinance bill through first reading.

ATTACHMENTS

Letter from John Morgan to Russ Nebon

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON
Resolution R91- _____

DECLARING THE CITY'S INTENT TO INITIATE A STREET LIGHTING
DISTRICT (ORCHARD CREST) AND DIRECTING THE CITY
ENGINEER TO MAKE A SURVEY AND FILE A WRITTEN REPORT WITH THE
CITY RECORDER

WHEREAS, the City Council of the City of Keizer has received
a petition to initiate a street lighting district in Orchard
Crest subdivision, in the City of Keizer, Oregon; and

WHEREAS, pursuant to City of Keizer Ordinance 87-094, the
necessary signatures of land owners comprising two-thirds of the
property to be included within Orchard Crest Lighting District
have requested the formation of the district; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Keizer
that:

1. The City Council declares its intent to initiate
Orchard Crest Street Lighting District;
2. The City Engineer is hereby directed to make a survey
of the District;
3. The City Engineer shall file a written report with the
City Recorder to be considered by the City Council on October 21,
1991.

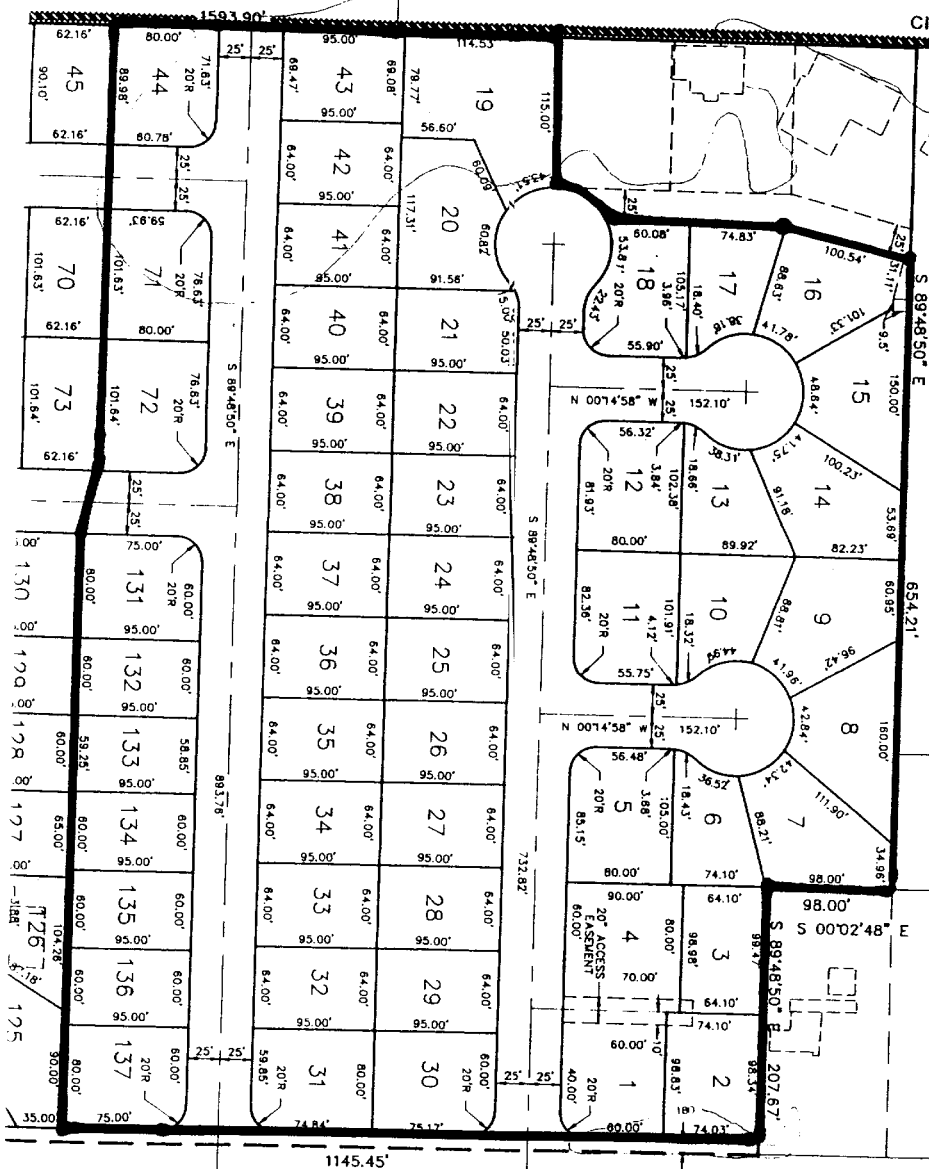
PASSED this _____ day of _____, 1991.

SIGNED this _____ day of _____, 1991.

Mayor

City Recorder

ROAD





City of Keizer

Administration

930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

COUNCIL MEETING: October 7, 1991

AGENDA ITEM NO.: 10

TO: MAYOR AND CITY COUNCIL

FROM: DONALD H. OTTERMAN, M.S.PA, CITY MANAGER *DA*

SUBJECT: RESOLUTION - DESIGNATING CHECKING ACCOUNT SIGNERS

In January of this year, the City Council by minute motion authorized four individuals to sign checks on the City's checking account. Two of these were elected officials and the other two were employees. One of these employees has resigned her employment with the City.

Prior to last January, there was only one staff person authorized as a check signer, along with two elected officials. Because of the busy schedules of the elected officials, it was sometimes difficult for them to free up the time when the checks were ready to be signed. Therefore, the Council authorized a second staff check signer. This has worked out very well and has lessened the problem of the Accountant having to call the elected officials in to sign checks.

The fourth check signer being recommended by staff has been an employee of the Keizer Water District and the City of Keizer since 1983.

RECOMMENDATION

City Council approval of the attached resolution appointing four check signers.

Attachments: Resolution - Designating Checking Account Signers
Excerpt from January 21, 1991 City Council Minutes

in consideration for the exclusive use of the park during little league season.

The motion passed by the following vote:

AYES: Orcutt, Hart, Koho, McGee, Miller, Newton,
Van Meter (7)

NAYS: None (0)

CHECKING
ACCOUNT
SIGNERS

Councilor Newton moved to designate Councilor Hart as an additional check signer, along with Mayor Orcutt, City Recorder Sue Darby, and Police Support Supervisor Audress Ryan. Councilor Koho seconded the motion. The motion passed by the following vote:

AYES: Orcutt, Hart, Koho, McGee, Miller, Newton,
Van Meter (7) NAYS: None (0)

GOAL
SETTING
FACILITATOR

Councilor Van Meter moved to contract with Marv Himmel to act as the City Council's goal setting facilitator for 1991. Councilor Koho seconded the motion. The motion was passed by the following vote:

AYES: Orcutt, Hart, Koho, McGee, Miller, Newton,
Van Meter (7)

NAYS: None (0)

CONSENT
CALENDAR

The Consent Calendar consisted of:

- December 17, 1991 Regular Session Minutes
- December 20, 1991 Special Session Minutes
- Resolution - Fourwinds Addition Phase 3 LID/
Engineer's Report
- Resolution - Appointing Municipal Judge Pro Tem
- Liquor License Renewal - Change of Ownership/
Neighborhood Market
- Statement of Costs - Louis Kurth, 849 Plymouth
Drive

The Council removed the minutes from the consent calendar.

Mr. Otterman asked that the Statement of Costs be removed because the individual settled the account with the City today.

Councilor Newton moved for approval of the