



MINUTES
KEIZER CITY COUNCIL
Monday, October 20, 2014
Keizer Civic Center, Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Christopher called the meeting to order at 7:00 pm. Roll Call was taken as follows:

Present:

Lore Christopher, Mayor
Joe Egli, Council President
Kim Freeman, Councilor
Marlene Quinn, Councilor
Cathy Clark, Councilor
Jim Taylor, Councilor
Ryan Edsall, Youth Councilor

Staff:

Chris Eppley, City Manager
Shannon Johnson, City Attorney
Nate Brown, Community Development
Bill Lawyer, Public Works Director
John Teague, Police Chief
Tracy Davis, City Recorder

Absent:

Dennis Koho, Councilor

FLAG SALUTE

Mayor Christopher led the pledge of allegiance.

**PUBLIC
TESTIMONY**

Christine Perry, Salem-Keizer School Superintendent, commended Keizer on its growth during tricky economic times. She explained that she hoped to come to Council periodically to provide an update and introduced the new McNary High School principal, Erick Jespersen. She reviewed partnership with Keizer and improved policies in McNary and provided a "Guide to Graduation" and Career Technical Center handouts.

Erik Jespersen introduced himself noting that that he taught and coached at McNary for six years prior to going to McKay and that he looked forward to serving the students, parents and community and sharing school news with the city. He commended Officer Zavala for his work at the McNary and expressed enthusiasm for initiating programs to get youth involved in the community.

Mayor Christopher requested that information be relayed to students about opportunities for students to display their art at the Community Center and the League of Oregon Cities "If I Were Mayor" contest.

Janine Belleque, President of the States Organization of Boating Access (SOBA) and Grants and Contracts Coordinator for Oregon State Marine Board, explained that the Keizer Boat Ramp was nominated by the

Marine Board Engineering Department for the medium access category national award for a day-use boat launching facility. She reviewed the judging criteria, explained what stood out, named some of the people who worked on the project, and presented the award. Mayor Christopher accepted the award and praised the beauty of the boat ramp.

Michael DeBlasi, Keizer, provided a Planning Commission update noting that they had received a presentation on the long-range plans of the Salem-Keizer Transit District and sworn in Garry Whalen as Commissioner.

Paul Pfinster, Keizer, provided a CERT update focusing on accomplishments and various events in which the organization had assisted including the Iris Festival, the dedication at St. Edwards, Oktoberfest, National Night Out, and Volcanos Hometown Hero. He added that the organization is now a 502c3 and it is starting a Firefighter Rehab Class. He announced the first CERT training class in March, 2015 and the CERT Garage Sale in June, 2015.

PUBLIC HEARINGS None

ADMINISTRATIVE ACTION

a. ORDINANCE -

Establishing a Tax on the Sale of Marijuana, Medical Marijuana, and Marijuana Infused Products in the City of Keizer (second reading)

City Attorney Shannon Johnson reminded Council that because this ordinance did not pass unanimously at the last meeting it was before Council for a second reading.

Councilor Egli moved to adopt a Bill for an Ordinance Establishing a Tax on the Sale of Marijuana, Medical Marijuana, and Marijuana Infused Products in the City of Keizer (second reading). Councilor Freeman seconded.

Councilor Clark offered a friendly amendment (acceptance of which would make this the first reading) to remove references to medical marijuana as being a taxable item since other medications are not subject to city taxes.

Councilor Egli did not accept the friendly amendment.

Councilor Clark moved to remove all references to medical marijuana in the ordinance. Councilor Quinn seconded. Motion failed as follows:

AYES: Quinn, Freeman and Clark (3)

NAYS: Christopher, Egli and Taylor (3)

ABSTENTIONS: None (0)

ABSENT: Koho (1)

Vote on main motion (not amended). Motion passed as follows:

AYES: Christopher, Egli, Quinn, Freeman and Taylor (5)

NAYS: Clark (1)

ABSTENTIONS: None (0)

ABSENT: Koho (1)

Mr. Johnson provided information on how cities can ban or restrict anything under Measure 91.

- b. **RESOLUTION** – Mayor Christopher and Mr. Johnson outlined the proposed changes:
Amending City
of Keizer
Council Rules
of Procedures;
Amending
R2013-2369
1. Placing Committee Reports towards the beginning of the meeting;
 2. Allowing an applicant 30 minutes testimony (total time including rebuttal) in a quasi-judicial action; and
 3. Allowing a Youth Liaison to the Parks and Recreation Advisory Board.
- Suggested amendments to the proposed Rules and Procedures included:
- o Section 6.1(e) 'Committee Reports' to read "Scheduled presentations, oaths of office, awards and proclamations." 'Council Liaison Reports' would be placed after the Consent Calendar.
 - o Section 8.2 words in italics were added: 'All testimony, except for the applicant, will be limited to five minutes *per person*. The applicant's testimony will be limited to *a total of* thirty minutes.
 - o Section 17.9 replace 'of the Keizer Parks and Recreation Advisory Board' with '*to any City Board, Committee, or Commission.*'
- Councilor Egli moved that the Keizer City Council adopt a Resolution Amending City of Keizer Council Rules of Procedures; Amending R2013-2369 as amended. Councilor Clark seconded. Motion passed as follows:
- AYES: Christopher, Egli, Quinn, Freeman, Taylor and Clark (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Koho (1)
- c. **RESOLUTION** – City Attorney Shannon Johnson explained that this resolution will amend
Amending the
Parks and
Recreation
Advisory
Board;
Amending
R2013-2318
- Councilor Egli moved that the Keizer City Council adopt a Resolution Amending the Parks and Recreation Advisory Board; Amending R2013-2318. Councilor Clark seconded. Motion passed as follows:
- AYES: Christopher, Egli, Quinn, Freeman, Taylor and Clark (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Koho (1)
- d. **ORDINANCE** – Mr. Johnson explained that many of the proposed changes are due to
Establishing a
Stormwater
Utility,
Providing for
Utility Fee;
Repeal of
Ordinance No.
2007-563
- changes in state and federal law and incorporating best practices. He explained that the Stormwater Advisory Committee (SWAC) has determined that credits should not be available at this time and that section should be deleted. Therefore, SWAC recommends that the current ordinance be repealed and the attached ordinance adopted.
- Additionally, Mr. Johnson explained that the proposed resolution is a housekeeping measure to ensure that the reference to the stormwater utility ordinance is correct and to repeal the three resolutions currently in place relating to the Stormwater utility fee.

**RESOLUTION –
Imposing a
Stormwater
Utility Fee;
Repealing
R2007-1808,
R2013-2358,
and R2014-2452**

Mr. Johnson and Public Works Director, Bill Lawyer, then fielded questions and provided clarification regarding the City property exemption, credits and financial viability. Discussion took place regarding stormwater treatment, current and future standards, sampling requirements, monitoring, and the fee structure.

Councilor Egli moved that the Keizer City Council adopt an Ordinance Establishing a Stormwater Utility, Providing for Utility Fee; Repeal of Ordinance No. 2007-563. Councilor Clark seconded. Motion passed as follows:

AYES: Christopher, Egli, Quinn, Freeman, Taylor and Clark (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Koho (1)

Councilor Egli moved that the Keizer City Council adopt a Resolution Imposing a Stormwater Utility Fee; Repealing R2007-1808, R2013-2358, and R2014-2452. Councilor Clark seconded. Motion passed as follows:

AYES: Christopher, Egli, Quinn, Freeman, Taylor and Clark (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Koho (1)

**e. ORDINANCE –
Amending
Ordinance
Regulating
Parking and
Establishing
Enforcement
Procedures**

Mr. Johnson explained that the Parking and Truck Route ordinances had housekeeping amendments and briefly summarized the changes.

Councilor Egli moved that the Keizer City Council adopt an Ordinance Amending Ordinance Regulating Parking and Establishing Enforcement Procedures; Amending Ordinance No. 2005-535. Councilor Clark seconded. Motion passed as follows:

AYES: Christopher, Egli, Quinn, Freeman, Taylor and Clark (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Koho (1)

**ORDINANCE –
Amending
Ordinance
Designating
Truck Routes;
Amending
Ordinance No.
87-098**

Councilor Egli moved that the Keizer City Council adopt an Ordinance Amending Ordinance Designating Truck Routes; Amending Ordinance No. 87-098. Councilor Clark seconded. Motion passed as follows:

AYES: Christopher, Egli, Quinn, Freeman, Taylor and Clark (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Koho (1)

**ORDER –
Repealing
Order Passed
March 17, 1986**

Councilor Egli moved that the Keizer City Council adopt an Order repealing an Order Passed March 17, 1986 (Designating East Marion Justice Court for Adjudication of Parking Ordinance Violations). Councilor Clark seconded. Motion passed as follows:

AYES: Christopher, Egli, Quinn, Freeman, Taylor and Clark (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Koho (1)

**f. Dedication of
Income from
the Cellular
Tower
Lease/Option
with New
Cingular
Wireless PCS,
LLC (Bair Park)**

Mr. Johnson explained that Bair Park was purchased by the City with Parks Improvement funds and Water funds, split evenly. Recently the City entered into a lease with Cingular Wireless for a cell tower on a portion of the Bair Park property, so revenues from that lease should be evenly divided between the two funds. However another option would be for the parks fund to buy out the water fund investment in the park property. He explained how this could be accomplished and asked for direction from Council.

Mayor Christopher voiced support for the buyout with a payback over 10 years, paying \$12,000 to the water fund and \$12,000 to the Park Matching Grant Program each year. Discussion then took place regarding technological changes and obligating the parks fund for the property, Water Fund needs for needed projects, the impact of this buy out on the Water Master Plan, ownership of the property, the lease terms with Cingular Wireless, and guaranteeing the allocation of funding to the Parks Fund. Mr. Lawyer proposed that funding for parks not be tied to the Parks Matching Grant Program but be designated for the Parks Operation Fund to be allocated through the budget process.

Councilor Egli moved that the Keizer City Council direct staff to move forward with the process of a direct payment from the Park fund to the Water fund for the water fund interest in the property with payback to occur over a period of 10 years. Councilor Taylor seconded. Motion passed as follows:

AYES: Christopher, Egli, Quinn, Freeman, and Taylor (5)

NAYS: Clark (1)

ABSTENTIONS: None (0)

ABSENT: Koho (1)

**CONSENT
CALENDAR**

None

**COMMITTEE
REPORTS**

Taken out of Order.

**a. PROCLAMATION
– Domestic
Violence
Awareness**

Walt Beglau introduced Kim Larson, Director of the Marion County Victim Assistance Program and Jane Downey, Director of the New Center for Hope and Safety, and provided information regarding Domestic Violence Awareness Month.

Kim Larson, provided information about the Marion County Domestic Violence Council and urged organizations and individuals to form partnerships to increase awareness of this problem.

Jane Downey shared information about services offered at the New Center for Hope and Safety.

Council scheduled a tour of the new center for the November 10 work session. Mayor Christopher read the proclamation and commended Mr. Beglau, Ms. Larson and Ms. Downey for their efforts.

**b. Appointment
to Keizer
Youth
Councilor and
Youth Liaison
to the Keizer
Parks and
Recreation
Board Advisory
Board**

City Manager Chris Eppley explained that following publication of a media release and Volunteer Coordinating Committee review of applications and testimony from Jeremy Darst and Ryan Edsall the Committee recommends Ryan Edsall to serve as the Youth Councilor and Jeremy Darst to serve as Youth Liaison to the Parks and Recreation Advisory Board.

Councilor Egli moved that the Keizer City Council accept the recommendation from the Volunteer Coordinating Committee and appoint Ryan Edsall to serve as Youth Councilor and Jeremy Darst to serve as Youth Liaison to the Parks and Recreation Advisory Board. Councilor Clark seconded. Motion passed as follows:

AYES: Christopher, Egli, Quinn, Freeman, Taylor and Clark (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Koho (1)

**OTHER
COMMITTEE
REPORTS**

Councilor Taylor announced the upcoming Keizer Points of Interest and Traffic Safety/Bikeways/Pedestrian Committee meetings.

Councilor Quinn reported on the Parks Board public hearing on the Master Plan Amendment and announced a television program called "How are the Children?" on Channel 21 which focuses on the Big Toy at Keizer Rapids Park.

Councilor Egli commended Nate Brown for getting the Urban Growth Extension with the park completed in a timely manner.

Mayor Christopher commended the Parks Advisory Board for their work on the Keizer Rapids Park Master Plan update.

Councilor Freeman echoed Mayor Christopher and commended Bill Lawyer for his part, reported on the West Keizer Neighborhood Association meeting and commended the Stormwater Advisory Committee for their great work.

Councilor Clark reported on the West Keizer Neighborhood Association street cleanup, Heritage Center Third Thursday, Greater Gubser Neighborhood Association, and the Oregon Municipal Planning Organizations Consortium. She announced upcoming events including the Economic Development and Government Affairs meeting and the Giving People Another Chance event.

Youth Councilor Edsall introduced himself and announced that Honor Society youth would like to do community service.

**OTHER
BUSINESS**

Chief Teague reported that Jeff Kuhns has given four tours of the Police Department with a fifth scheduled, tax revenues came in high enough so that the Department can hire the motor position.

Public Works Director Bill Lawyer provided an update on the Chemawa Road project and reported that the Shoreline project is complete.

Community Development Director Nate Brown reported that an application has been received for the revision to the Area C Master Plan. Staff will get that to Council as soon as possible.

**WRITTEN
COMMUNICATION**

None

AGENDA INPUT

November 3, 2014

7:00 p.m. – City Council Session

November 10, 2014

5:45 p.m. – City Council Work Session

- Tour of Center for Hope

November 17, 2014

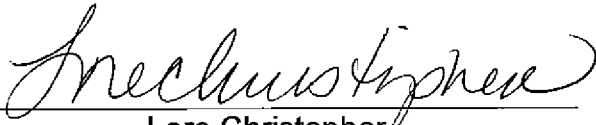
7:00 p.m. – City Council Regular Session

ADJOURNMENT

Mayor Christopher adjourned the meeting at 9:45 p.m.

MAYOR:

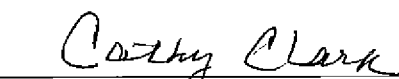
APPROVED:


Lore Christopher


Debbie Lockhart, Deputy City Recorder

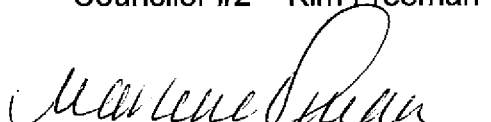
COUNCIL MEMBERS

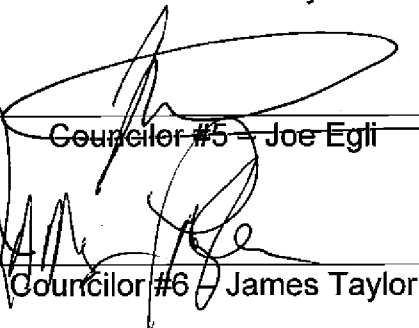
~ Absent ~
Councilor #1 – Dennis Koho


Councilor #4 – Cathy Clark


Councilor #2 – Kim Freeman


Councilor #5 – Joe Egli


Councilor #3 – Marlene Quinn


Councilor #6 James Taylor

Minutes approved: November 17, 2014