*CITY OF KEIZER MISSION STATEMENT*

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

# AGENDA

## KEIZER CITY COUNCIL

**Monday, October 18, 1999**
**7:00 p.m.**
**Robert L. Simon Council Chambers**
**Keizer City Hall, Keizer, Oregon 97303**

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC TESTIMONY

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

4. COMMITTEE REPORTS

   a. Parks Advisory Board Report – Council President Christopher

5. OTHER BUSINESS

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

   a. New Business

   b. Old Business

6. PUBLIC HEARINGS

   a. Berkshire Estates LLC – Partition/Variance Case No. 99-35 – Initial Appeal

   b. Wittenberg Inn Liquor License Application – New Outlet

   c. RESOLUTION – Forming The Vineyards Street Lighting District
      ORDINANCE – Spreading Assessments to The Vineyards Street Lighting District

7. ADMINISTRATIVE ACTION

## 8. CONSENT CALENDAR

a. RESOLUTION – Approval of Engineering Report for Highlands North Street Lighting District

b. RESOLUTION – Designating Check Signers for the City of Keizer

c. Approval of October 4 1999 Regular Session Minutes

## 9. WRITTEN COMMUNICATIONS

To inform the Council of significant written communications and petitions.

## 10. AGENDA INPUT

November 1, 1999
7:00 p.m. City Council Meeting

November 8, 1999
5:30 p.m. City Council Special Session
- Appointment to Council Position Number One

November 151, 1999
7:00 p.m. City Council Meeting
- Swearing In – Council Position Number One

## 11. ADJOURN

**Upon request, auxiliary aids and/or special services will be provided. To request services, please contact us at 390-3700 or through Oregon Relay 1-800-735-2900 at least two working days (48 hours) in advance.**

City of Keizer, Oregon

October 18, 1999

# AGENDA ITEM 6a

## BERKSHIRE ESTATES LLC- PARTITION/VARIANCE
## CASE NO. 99-35 - INITIAL APPEAL

**COUNCIL MEETING: October 18, 1999**

**AGENDA ITEM NUMBER:**

**TO:** **MAYOR NEWTON AND CITY COUNCILOR MEMBERS**

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

**FROM:** **MARIA MEIER**
**ASSOCIATE PLANNER**

**SUBJECT:** **APPLICATION WITHDRAWN FOR PARTITION/VARIANCE CASE NO. 99-35**
**7821 DeLaplane Street NE; Berkshire Estates, LLC, Applicant**

**NOTICE:**

The applicant for Partition/Variance Case No. 99-35 has withdrawn the submitted application. The written request for withdrawal was received on October 14, 1999. Therefore, no public hearing will be conducted before the City Council for Partition/Variance Case No. 99-35.

City of Keizer, Oregon

October 18, 1999

# AGENDA ITEM 6b

## WITTENBERG INN LIQUOR LICENSE APPLICATION

**CITY COUNCIL MEETING: October 18, 1999**

**AGENDA ITEM NUMBER:**

**TO:** **MAYOR NEWTON AND CITY COUNCIL MEMBERS**

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

**FROM:** **TRACY L. DAVIS, CMC**
**CITY RECORDER**

**SUBJECT:** **WITTENBERG INN LIQUOR LICENSE APPLICATION**
**PACKAGE STORE APPLICATION**

## BACKGROUND:

On September 22, 1999, Paul and Judy Wittenberg submitted an application for a package store liquor license for Wittenberg Inn located at 5188 Wittenberg Lane North, Keizer, Oregon. Attached is ORS 471.260 which outlines the guidelines and criteria for a package store liquor license.

As required by Keizer Ordinance 95-318, a public hearing was scheduled, notice was published in the Keizertimes and mailed to all property owners within 200 feet of the proposed establishment. In addition, notice was sent to the Claggett Creek Neighborhood Association. As of the writing of this report, we have not received any responses to these notices.

On September 28th, 1999 a request was sent to the Keizer Police Department to conduct a background check on the applicant. The response is attached to this report. In addition, the Keizer Planning Department finds the location of the establishment to be properly zoned.

## RECOMMENDATION:

It is recommended the public hearing be opened to allow testimony from the applicant or other interested individuals and upon completion, the hearing be closed. It is further recommended the Council approve the application for a package store liquor license for Wittenberg Inn under the guidelines as established by ORS 471.265 and the Ordinances of the City of Keizer and forward this recommendation to the Oregon Liquor Control Commission.

APPLICATION

STATE OF OREGON
OREGON LIQUOR CONTROL COMMISSION

Return To:

OLCC SALEM OFFICE
213 Madrona Ave. SE
Salem, OR 97302

# 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: [illegible]

12.50 PROCESS } TOTAL
05.00 90 DAY } 37.50
RECEIPT # 9813

RECEIVED
OREGON LIQUOR CONTROL COMMISION
SEP 16 1999
SALEM REGIONAL OFFICE

(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, remodel, or start construction until your license is granted.

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

1) WITTENBERG INN INC. 2) _____

3) _____ 4) _____

5) _____ 6) _____

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

2. Present Trade Name WITTENBERG INN

3. New Trade Name _____ Year filed _____ with Corporation Commissioner

4. Premises address 5188 WITTENBERG LN. KEIZER MARION OR. 97303
(Number, Street, Rural Route) (City) (County) (State) (Zip)

5. Business mailing address 5188 WITTENBERG LN. N. KEIZER OR. 97303
(P.O. Box, Number, Street, Rural Route) (City) (State) (Zip)

6. Was premises previously licensed by OLCC? Yes ____ No ✓ Year _____

7. If yes, to whom: — Type of license: —

8. Will you have a manager: Yes ✓ No ____ Name ALTON D. PARKER
(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 ✓

10. What is the local governing body where your premises is located? KEIZER, OR. MARION
(Name of City or County)

11. OLCC representative making investigation may contact: AL PARKER
(Name)

5188 WITTENBERG. LN. KEIZER, OR. 692-1649 390-4733
(Address) (Tel. No. — home, business, message)

CAUTION: The Administrator of the Oregon Liquor Control Commission must be notified if you are contacted by anybody offering to influence the Commission on your behalf.

DATE 9-3-99

Applicant(s) Signature (In case of corporation, duly authorized officer thereof)

1) X Paul L. Wittenberg

2) X Judy A. Wittenberg

3) _____

4) _____

5) _____

6) _____

Original – Local Government

Form 84545-480 (3-90)

City Council Meeting of_____

Agenda Item No._____

To: Mayor and City Council

Thru: Wally Mull, City Manager

From: Marc Adams, Chief of Police
Rita Powers, Police Support Supervisor

Subject: Liquor License Application of Wittenberg Inn

Issue

Shall the City Council approve the liquor license application of Wittenberg Inn?

Background

The Keizer Police Department responded to 17 calls for service at the address of 5188 Wittenberg Ln N., from October 1, 1998 through September 30, 1999. Seven (7) were in conflict with the ordinance, one involved the sale/consumption of alcohol.

The applicant(s) Wittenberg has/have no criminal history on record.

Thus, the background review did not reveal any significant history or events that would be in conflict with the City of Keizer City Ordinance 95-318.

Recommendation

The Keizer Police Department recommends approval of the liquor license for Wittenberg Inn.

DISPLAY INCIDENTS CAR545 001110/07/99

| AGCY INC# | TP | INCIDENT TYPE | LOCATION | | DATE | STAT |
|---|---|---|---|---|---|---|
| KZP 99-004759 | I | THEFT OT | 05188 | WITTENBERG LN NE | 052599 | D |
| KZP 99-005137 | I | PROWLER | 05188 | WITTENBERG LN NE | 060699 | EN |
| KZP 99-005815 | I | SUSP PERSON | 05188 | WITTENBERG LN NE | 062499 | EN |
| KZP 99-007551 | I | SUSP PERSON | 05188 | WITTENBERG LN NE | 081099 | EN |
| KZP 99-007889 | I | TRAFFIC PARKING | 05188 | WITTENBERG LN NE | 081999 | EN |
| KZP 99-008153 | I | HARASSMENT PHYSICAL | 05188 | WITTENBERG LN NE | 082699 | EN |
| KZP 99-008251 | I | DIS COND | 05188 | WITTENBERG LN NE | 082899 | A |
| OTHER INC TYPES: RESIST ARR | | | | intoxicant | | |
| KZP 99-008525 | I | THEFT SER | 05188 | WITTENBERG LN NE | 090699 | A |
| OTHER INC TYPES: TRESPASS | | | | VANDALISM RES | | |

ACTUAL NUMBER OF RAIN HITS:17

END OF HISTORY DATA BASE HITS.

DISPLAY INCIDENTS CAR545 001110/07/99
RE AGEN:KZP DATE:100198 TO:093099 LOCATION:5188 WITTENBERG
ESTIMATED NUMBER OF RAIN HITS:17 (PRESS "PF8" FOR ACTUAL COUNT.)

| AGCY INC# | TP | INCIDENT TYPE | LOCATION | | DATE | STAT |
|---|---|---|---|---|---|---|
| KZP 98-010883 | I | DISTURB ARGUE | 05188 | WITTENBERG | LN NE 110798 | EN |
| KZP 99-001478 | I | ASSIST FIRE | 05188 | WITTENBERG | LN NE 021899 | EN |
| KZP 99-002325 | I | THEFT MV | 05188 | WITTENBERG | LN NE 030199 | D |
| KZP 99-002127 | I | TRAFFIC PARKING | 05188 | WITTENBERG | LN NE 031099 | EN |
| KZP 99-002147 | I | TRAFFIC PARKING | 05188 | WITTENBERG | LN NE 031199 | EN |
| KZP 99-002276 | I | ASSIST MEDIC | 05188 | WITTENBERG | LN NE 031599 | EN |
| OTHER INC TYPES: SUSP ACTIVITY | | | | | | |
| KZP 99-002317 | I | TRESPASS | 05188 | WITTENBERG | LN NE 031699 | EN |
| KZP 99-004088 | I | TRAFFIC MOVING | 05188 | WITTENBERG | LN NE 050699 | EN |
| KZP 99-004195 | I | HR | 05188 | WITTENBERG | LN NE 050999 | D |

SCREEN NUMBER 1

City of Keizer, Oregon

# PLANNING DEPARTMENT COMMENT ON NEW LIQUOR LICENSE APPLICATION

LIQUOR ESTABLISHMENT: Wittenberg Inn

ADDRESS: 5188 Wittenberg Lane, Keizer

COMMENTS:

Hotels including meals for the general public is an allowed use in the CM (Commercial Mixed Use) on which the above listed property is located

CITY PLANNER SIGNATURE: C Wafaker

DATE: 9-28-99

shall not permit the sale or service to, or consumption by, the general public or staff or employees of the facility. Nothing in this section shall prohibit the administration of distilled liquor upon prescription by a physician to patients, inmates or residents of the facility. [1975 c.494 §2; 1987 c.608 §7; 1995 c.301 §17b]

**471.259 Bed and breakfast license.** A bed and breakfast license may be issued to the owner or operator of a private residence that is not a boarding house but that accommodates transients for a limited duration and shall allow the sale or service by the licensee or any employee of malt beverages and wine containing not more than 21 percent alcohol by volume to guests for consumption on the licensed premises only. The license does not permit sale or service to or consumption by the general public or employees on the premises. [1985 c.649 §1; 1987 c.608 §8; 1989 c.171 §65; 1995 c.301 §17c]

**471.260 Package store license.** (1) A package store license shall allow the retail sale of certain specified types of alcoholic liquor in sealed packages. Except as otherwise provided in this section, package store licensees shall not permit the consumption of alcoholic liquor upon their licensed premises unless such licensee holds another license that permits such consumption.

(2) A package store license shall allow the sale of wine. A package store license shall allow the sale of malt beverages in brewery-sealed packages containing not more than two and one-quarter gallons. A package store license shall allow on-premises consumption only for the purpose of sample tastings of malt beverages and wine.

(3) Except as provided in ORS 471.402, no manufacturer or wholesaler may provide or pay for sample tastings of alcoholic beverages for the public on the package store licensee's premises. [Amended by 1973 c.395 §3; 1974 s.s. c.4 §3; 1985 c.546 §1; 1987 c.608 §9; 1989 c.178 §1; 1993 c.663 §4; 1995 c.58 §1; 1995 c.103 §4; 1995 c.301 §18; 1995 c.791 §1; 1996 c.18 §1]

**471.262 Temporary license or authority for package store license applicant; revocation.** (1) Upon receiving an application for a package store license as defined in ORS 471.260, the Oregon Liquor Control Commission may grant a temporary letter of authority for a period not exceeding 90 days, if it finds:

(a) The applicant is located in an area presently zoned for commercial use and presents documentation of such zoning to the commission.

(b) The applicant pays the fee prescribed by the commission for a temporary letter of authority.

(2) A temporary letter of authority issued under this section does not constitute a license for the purposes of ORS 183.310 to 183.550. The commission summarily and without prior administrative proceedings may revoke a temporary letter of authority at any time during the 90 days if:

(a) The commission finds that any of the grounds for refusing a permanent license under ORS 471.295 exist; or

(b) The city or county in which the applicant is located provides evidence of reasonable grounds to the commission:

(A) That the temporary letter of authority should be revoked; or

(B) That a package store license should not be issued. [1979 c.172 §2; 1995 c.301 §56]

**471.264 When temporary event licensee exempt from temporary restaurant license requirement.** An Oregon Liquor Control Commission licensee holding a malt beverage or wine license for a temporary event shall not be required to obtain a temporary restaurant license or mobile unit license pursuant to this chapter and ORS chapter 624 if no food or beverage is served other than wine or malt beverage in single-service containers or nonperishable food items, or both, that are exempted from licensure by the Health Division. [1981 c.200 §1; 1995 c.301 §38]

**471.265 Retail malt beverage license.** (1) A retail malt beverage license shall allow anyone operating a place of business where refreshments are served to sell malt beverages, hard cider containing not more than 10 percent alcohol by volume and wine containing not more than 14 percent by volume.

(2) A retail malt beverage license shall permit the licensee to sell malt beverages for consumption on the licensed premises, malt beverages in brewery-sealed packages for consumption off the licensed premises, not more than two gallons of malt beverages in a securely covered container or containers supplied by the purchaser for consumption off the licensed premises, hard cider for consumption on the licensed premises, hard cider in sealed containers for consumption off the licensed premises, wine for consumption on the licensed premises and wine in winery-sealed packages for consumption off the licensed premises. Sales of alcoholic beverages under a retail malt beverage license must consist principally of sales by the drink for consumption on the licensed premises.

(3) Such licensees shall not sell any malt beverages containing more than 14 percent alcohol by volume, nor wine containing more than 14 percent by volume. In the absence of municipal ordinance or local regulation to the contrary, such licensees shall be permit-

City of Keizer, Oregon

October 18, 1999

# AGENDA ITEM 6c

## THE VINEYARDS STREET LIGHTING DISTRICT

COUNCIL MEETING: October 18, 1999

AGENDA ITEM NO: _____

TO: MAYOR NEWTON AND CITY COUNCIL

FROM: WALLY G. MULL
CITY MANAGER

THROUGH: TRACY L. DAVIS, CMC
CITY RECORDER

SUBJECT: **PUBLIC HEARING - To consider remonstrances or objections to formation of the The Vineyards Street Lighting Local Improvement District and objections to an Ordinance spreading assessments to The Vineyards Street Lighting Local Improvement District**

## ISSUE

1. Shall the City Council form The Vineyards Street Lighting Local Improvement District after conducting a public hearing to receive objections or remonstrances to its formation?

2. Shall the City Council adopt an ordinance spreading assessments in The Vineyards Street Lighting Local Improvement District after conducting a public hearing to receive written objections to the ordinance spreading those assessments to the district.

## BACKGROUND

In March 1994, the Keizer City Council adopted Ordinance 94-278 relating to formation of street lighting local improvement districts within the City of Keizer.

On July 14, 1999, the developer of The Vineyards filed a petition to form a street lighting local improvement district. In response to this petition, the City Council adopted Resolution R99-1125 on August 2, 1999 to initiate formation of a street lighting local improvement district and directing the City Engineer to make a survey and file a written report with the City Recorder. On October 4, 1999 the City Council approved the City Engineer's report and set a public hearing to consider remonstrances to the project and objections to proposed assessments. On October 7, 1999 notice of the public hearing and intention to form the district and assess for the lighting improvements, as required under Ordinance 94-278, were provided by mail to the property owners.

## ANALYSIS

Included within the agenda packet is the proposed resolution forming The Vineyards Street Lighting Local Improvement District and setting forth the time and manner of installing the street lights within that district. If the Council decides to form the street lighting district, the next step is to proceed with an ordinance spreading assessments.

Included within the agenda packet is the proposed ordinance to spread assessments to the properties benefited by the lighting district. The ordinance provides for first annual assessments and the procedure for determining second and future annual assessments. Following the City Council's adoption of the Ordinance spreading assessments, the City authorizes the appropriate utility company to install the poles and lights. Depending on the type of poles requested by the City, it takes the utility company from two to six months to have the lights on site and operational.

## FISCAL IMPACT

The City initially pays the street lighting expense to the utility company as it is billed throughout the year. The operating cost of the lights is then billed to the property owners on an annual basis, thereby recovering the City's costs for bills paid throughout the year. In addition, the bills include the cost of the City Engineer's Report in the first year, and an administrative charge in the first and subsequent years to recover the City's cost for administering the lighting districts. All funds are budgeted through the Utility Fund.

## RECOMMENDATION

1. Open the public hearing to first consider oral objections and written remonstrances to formation of The Vineyards Street Lighting Local Improvement District.

2. If valid remonstrances of the owners of two-thirds of the land to be specially assessed for the lighting district are presented to the Council at the public hearing, close the hearing and suspend formation of the district for six months.

3. Consider other objections to the formation of the district. The Council may suspend formation of the district without remonstrance of owners of two-thirds (2/3) of the land if the Council deems that action appropriate.

4. If valid remonstrances of the owners of two-thirds of the land to be specially assessed for the lighting district are not presented to the Council at the public hearing, or other valid objections to formation are not presented, then consider objections to the scope, design or equipment proposed for the district.

5. After consideration of objections of the plans for the district, and if it appears that the Council will form the district, Council should next consider written objections to the proposed assessments which were filed with the City.

6. Close the public hearing.

7. Consider adoption of the resolution officially forming the lighting district.

8. If council forms the district, consider adoption of the proposed assessment ordinance. Council may adopt, correct, modify or revise the assessment against each lot in the district according to special and peculiar benefits accruing to the lot.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R99-_____

FORMING THE VINEYARDS STREET LIGHTING

LOCAL IMPROVEMENT DISTRICT

WHEREAS, the City of Keizer has adopted a Resolution initiating the formation of The Vineyards Street Lighting Local Improvement District; and

WHEREAS, the City Council has adopted a Resolution approving the City Engineer's Report for The Vineyards Street Lighting Local Improvement District; and

WHEREAS, notice of public hearing to consider formation of street lighting district was mailed as required by Ordinance 94-278; and

WHEREAS, the City Council conducted a public hearing to receive objections and remonstrances to the formation of the street lighting district; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Keizer that The Vineyards Street Lighting Local Improvement District is hereby formed, and that the street lights shall be installed within a reasonable time and in the manner set forth in the City Engineer's Report for The Vineyards Street Lighting Local Improvement District.

PASSED this _____ day of _____, 1999.

SIGNED this _____ day of _____, 1999.

_____
Mayor

_____
City Recorder

BILL NO._____ ORDINANCE NO. 99-_____

# A BILL FOR

## AN ORDINANCE SPREADING ASSESSMENTS TO THE VINEYARDS STREET LIGHTING LOCAL IMPROVEMENT DISTRICT

Section 1. FINDINGS. The City Council of the City of Keizer makes the following findings:

a. The City Council did heretofore declare its intention to install street lights to serve an area known as The Vineyards Street Lighting Local Improvement District which is described as follows:

> The Vineyards - identified on the assessors map 6 3W 23CD– tax lots 700 and 800 and 6 3W 23DC – tax lots 1400 in the City of Keizer, County of Marion, State of Oregon;

which includes the installation of twenty-five (25) - 100-watt high pressure sodium Durastar 2000 flat lens luminaries mounted on four-foot long mast arms attached to 25-foot aluminum poles, located within the subject local improvement district, all in accordance with the City Engineer's Report for The Vineyards Street Lighting Local Improvement District.

b. The total initial cost of The Vineyards Street Lighting Local Improvement District is $6834.00.

c. The per space/lot assessment formula was used for this district.

d. The improvements in the district have been or will be constructed as provided in the Engineer's Report.

e. Notice was duly mailed to the benefited property owners on October 7, 1999.

f. A meeting of the City Council was held at the time and place fixed by public notice for the purpose of considering any such written objections to the proposed assessments.

g. No written objections to the proposed assessments were filed.

h. The Council has considered the matter and determined that construction of said improvements was and is of material benefit to the City, and all the property to be assessed therefore will be specially benefited by the improvements in the amounts shown on the assessment roll.

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

Section 2. ASSESSMENTS.

a. First Annual Assessment. It is hereby determined that the share of the cost of the improvements for The Vineyards Street Lighting Local Improvement District for each parcel and property benefited thereby for the first annual assessment is the amount set opposite the description of each piece or parcel of land as described in The Vineyards Street Lighting District Assessment Roll as set forth in Exhibit "A" attached, and that each piece or parcel of land benefited by the improvements, to the full extent of the amount so set opposite such piece or parcel and that the respective amounts represent the proportionate benefits of said improvements to said respective parcels of property, and the Council does hereby declare that each of the parcels of property described in The Vineyards Street Lighting District Roll as set forth in Exhibit "A" attached is hereby assessed the first annual assessment amount set opposite each respective description.

i. Summary of first annual assessment costs for formation of the lighting district to serve the area known as "The Vineyards Street Lighting Local Improvement District":

| | |
|---|---|
| 25- Poles and 100 Watt Luminaries | $5034.00 |
| Engineering Costs | $1260.00 |
| Administrative Fee | $540.00 |
| Total Assessments | $6834.00 |

ii. The Recorder of the City of Keizer is hereby directed to send a notice of first annual assessment to each owner of assessed property by mail within ten (10) days after this Ordinance levying the first annual installments is passed. The notice shall include information that an application to make installment payments may be filed with the City if the assessment is collected directly from the property owner and not pursuant to ORS 223.866.

b. Second and Subsequent Annual Assessments. After a municipal lighting district has been formed in accordance with City of Keizer Ordinance 94-278, the second and subsequent annual assessments shall be spread by Resolution which may include changes in the mode of collecting the assessment. The method of assessment and notification for subsequent annual assessments shall be determined in accordance with City of Keizer Ordinance 94-278.

c. Mode of Collecting Assessments. Assessments for The Vineyards Street Lighting Local Improvement District shall be collected pursuant to ORS 223.866.

////////////

////////////

d. Lien on Property. The assessment shall be entered as a lien against the benefited property in the City Lien Docket.

PASSED this _____ day of _____, 1999.

SIGNED this _____ day of _____, 1999.

_____
Mayor

_____
City Recorder

City of Keizer, Oregon

# AGENDA ITEM 8a

October 18, 1999

## RESOLUTION – APPROVING THE ENGINEER REPORT FOR HIGHLANDS NORTH STREET LIGHTING DISTRICT

**COUNCIL MEETING:** October 18, 1999

**AGENDA ITEM NUMBER:** _____

**TO:** MAYOR NEWTON AND CITY COUNCIL

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

**FROM:** TRACY L. DAVIS, CMC
CITY RECORDER

**SUBJECT:** HIGHLANDS NORTH STREET LIGHTING LOCAL IMPROVEMENT DISTRICT

## ISSUE:

Upon review of the City Engineer's report filed for the Highlands North Street Lighting Local Improvement District, should City Council adopt a Resolution approving this report - or amend and approve the report as amended - and set a public hearing date to receive remonstrances to the project; or, in the alternative, abandon formation of the district.

## BACKGROUND:

On August 16, 1999, the City Council adopted Resolution R99-1128 declaring the City's intent to initiate Highlands North Street Lighting Local Improvement District and directing the City Engineer to make a survey and file a written report with the City Recorder. This Council action was taken in response to a petition from the developer requesting the formation of a lighting district in this area.

## FISCAL IMPACT:

The costs for establishing the district in the first year include a fee for the engineers report and an administrative fee to cover the costs for advertising and staff time in establishing the district. The City receives reimbursement from the property owners for these costs and the actual electricity used through assessments placed on the tax rolls. All activity is budgeted through the Street Lighting District Fund.

## RECOMMENDATION:

It is recommended City Council adopt a Resolution approving the City Engineer's Report and set the public hearing date for November 15, 1999 to consider remonstrances and other comments on the district's formation and objections to proposed assessments, and directing the City Recorder to provide notice of public hearing.

**CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON**

**Resolution R99-____**

**APPROVING THE CITY ENGINEER'S REPORT; DECLARING THE CITY'S INTENT TO FORM HIGHLANDS NORTH STREET LIGHTING LOCAL IMPROVEMENT DISTRICT; PROVIDING NOTICE AND SETTING HEARING**

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

Section 1. That the City Council hereby finds the City Engineer's Report, marked as exhibit "A" and by this reference incorporated herein, containing preliminary plans and an estimate of probable costs for Highlands North Street Lighting Local Improvement District which was filed with the City Recorder on October 6, 1999 to be satisfactory, and the same are hereby approved and adopted.

Section 2. That the City Council hereby declares its intention to form Highlands North Street Lighting Local Improvement District and to make the lighting district improvements to serve Highlands North Street Lighting Improvement District.

Section 3. That the City Council hereby directs the City Recorder to give notice of its intention to form Highlands North Street Lighting Local Improvement District and to make the improvements by sending notice to the property owners within the district stating a public hearing will be held on November 15, 1999, said notice to also provide that information required under City of Keizer Ordinance 94-278, an ordinance providing for procedures for municipal lighting districts and special assessments.

PASSED this ____ day of _____, 1999.

SIGNED this ____ day of _____, 1999.

_____
Mayor

_____
City Recorder

City of Keizer

1982

Phone: 390-3700 • Fax: 393-9437
930 Chemawa Rd. N.E. • P.O. Box 21000 • Keizer, Oregon 97307-1000

*Administration • Public Works • Community Development • Municipal Court • Police (business only) Phone 503.390.3713 Fax 503.390.8295*

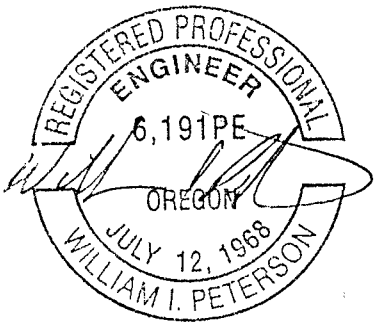
# ENGINEER'S REPORT

# FOR

# HIGHLANDS NORTH

# STREET LIGHTING DISTRICT

For City Council Action October 18, 1999




Renew date: December 31, 2000

PREPARED BY:
William I. Peterson
Engineering Consultants, Inc.
4300 Cherry Ave. N
Keizer, OR 97303
(503) 390-7402

Date: October 4, 1999

Project File 99-0597

Rcd
10-6-99

October 4, 1999

TO: The Hon. Mayor and City Council

FROM: City Engineer's Office

SUBJECT: Street Lighting District for Highlands North

Authority and Purpose: This report is submitted in accordance with the requirements of City of Keizer Ordinance No. 94-278 and Council Resolution 99-1128 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 benefitted by the street lights proposed to be installed.

Lighting Plan The lighting improvements will consist of 2, 100 Watt, high pressure sodium Durastar 2000 luminaires mounted on 4 foot long mast arms and attached to 25 foot aluminum poles, This design is selected to be consistent with adjacent lighted areas. It is recommended that installation be accomplished by the following method:

> 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.

Estimated Costs:

Initial Cost and Annual costs -

| | |
|---|---|
| 2 Poles & 100 Watt luminaires @ $16.78 per month each x 12 mos. = | $402.72 |
| Administrative Fee @ $6.00/Lot: | 96.00 |
| Engineering @ $14.00/Lot: | 224.00 |
| Total Assessment | $722.72 |
| (1)Per Lot Assessment (First Year , 16 Lots) | $45.17 |

(1) Includes tax roll preparation, audit, delinquencies and miscellaneous administrative costs to the City as authorized by Res. 94-716.

Method of Assessment: It is recommended that the costs be assessed on a per lot basis to each parcel in the district.

The first year assessment would include the one time costs for District formation and engineering. Subsequent years assessments would reduce to $25.17 per lot.

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

Respectfully submitted,

William I. Peterson, PE

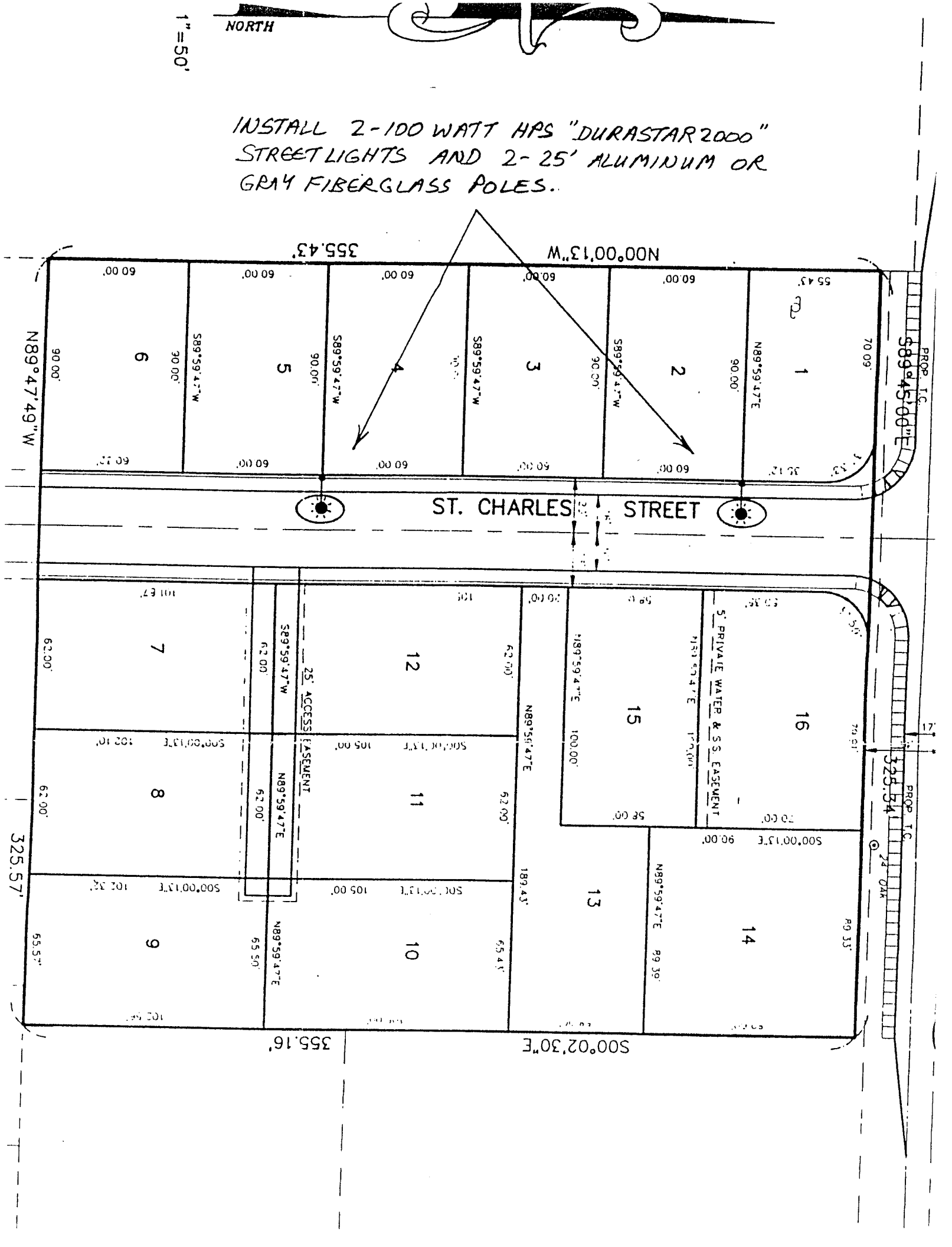
PRELIMINARY ASSESSMENT ROLL

HIGHLANDS NORTH
STREET LIGHTING DISTRICT

*Assessors Map 6 3W 23DA

| Tax Lot # | Owners Name and Address | Cost per Lot | Lots | Assessment |
|---|---|---|---|---|
| 3100 | CHIMENTO GROUP INC ET AL<br>3236 SW KELLY ST #105<br>PORTLAND, OR 97201 | $45.17 | 16 | $722.72 |

TOTAL ASSESSMENT $722.72


NORTH
1"=50'
INSTALL 2-100 WATT HPS "DURASTAR 2000" STREETLIGHTS AND 2-25' ALUMINUM OR GRAY FIBERGLASS POLES.
N89°47'49"W
355.43'
N00°00'13"W
S89°45'00"E
PROP. T.C.
ST. CHARLES STREET
25' ACCESS EASEMENT
5' PRIVATE WATER & S.S. EASEMENT
325.57'
325.34'
355.16'
S00°02'30"E
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City of Keizer, Oregon

October 18, 1999

# AGENDA ITEM 8b

## RESOLUTION – DESIGNATING CHECKING ACCOUNT SIGNERS FOR THE CITY OF KEIZER

**CITY COUNCIL MEETING:** October 18, 1999

**AGENDA ITEM NUMBER:** _____

**TO:** MAYOR NEWTON AND CITY COUNCIL MEMBERS

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

**FROM:** SUSAN GAHLSDORF
FINANCE DIRECTOR

**SUBJECT:** DESIGNATING CHECKING ACCOUNT SIGNERS

## BACKGROUND:

In February, 1999 a Resolution was adopted designating checking account signers for the City of Keizer. Due to the resignation of Councilor Garry Whalen, the list of names needs to be revised.

## RECOMMENDATION:

It is recommended the City Council adopt the attached Resolution designating checking account signers for the City of Keizer.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

RESOLUTION NO. R99-_____

DESIGNATING CHECKING ACCOUNT SIGNERS
(*Repeals R99-1095*)

BE IT RESOLVED by the City Council of the City of Keizer that Resolution R99-1095 is hereby repealed in its entirety and that:

1. The following individuals are authorized to sign checks on the City's Checking account:

    a. Tracy L. Davis, City Recorder

    b. Elsa Palacios – Utility Billing Clerk

    c. Dianne Hunt, Human Resources Officer

    d. Wally G. Mull, City Manager

    e. Jacque Moir, City Councilor

2. One signature is required for amounts under $500.00; two signatures are required for amounts $500.00 and over.

DATED this _____ day of _____, 1999.

DATED this _____ day of _____, 1999.

_____
Mayor

_____
City Recorder

City of Keizer, Oregon

October 18, 1999

# AGENDA ITEM 8c

## APPROVAL OF OCTOBER 4, 1999 REGULAR SESSION MINUTES

# MINUTES
## KEIZER CITY COUNCIL
## Monday, October 4, 1999
## Keizer City Hall
## Robert L. Simon Council Chambers
## Keizer, Oregon

## CALL TO ORDER

Mayor Newton called the regular meeting to order at 7:08 p.m. Roll Call was taken as follows:

**Present:**
Bob Newton, Mayor
Craig Campbell, Councilor
Lore Christopher, Councilor
Jim Keller, Councilor
Jerry McGee, Councilor
Jacque Moir, Councilor

**Staff:**
Wally Mull, City Manager
Shannon Johnson, City Attorney
Tracy Davis, City Recorder
Marc Adams, Chief of Police
Susan Gahlsdorf, Finance Officer
Rob Kissler, Public Works Director
Dianne Hunt, Human Resources Officer

## PUBLIC TESTIMONY

**Tom Gabriel, 6413 Whisper Creek Loop, Keizer-** Expressed his concerns that a number of items pertaining to flood mitigation had been left unresolved. He cited examples of some of the issues that he felt needed further explanation that were raised during the meeting. Mr. Gabriel felt the homeowners did not have an opportunity to give input regarding the flood mitigation process and the raising of homes in this area. He felt this would cause a stigma and possibly lower the values of their homes.

Responding to Mr. Gabriel's concerns City Manager Mull explained a meeting did take place with the homeowners in the area approximately four to six weeks ago. At this meeting the homeowners were asked if they would be interested in elevating their homes. However, FEMA made the determination that the homes should be raised a minimum of two-feet above the 100-year flood rather than just a few inches. Letters were then submitted to the homeowners asking if they were still interested in this

process. Mr. Mull indicated responses have been received from the eight homeowners involved. Another meeting is set to be scheduled to address additional concerns. Notification will be sent to the property owners of this meeting.

Mr. Mull noted that the previous meetings were taped and information was handed out to the homeowners. He pointed out contractors who do home elevating would be part of the next meeting and would be able to answer some of the homeowners questions.

## COMMITTEE REPORTS

Councilor Christopher distributed a brief report and handouts on the Youth Compact. She explained the five jurisdictions that work with this compact and youth issues. These activities were designed with a consultant to coordinate the activities rather than having one jurisdiction responsible for the coordination.

Councilor Christopher indicated that last year Keizer paid the Youth Compact $625 for consulting services. The Compact is requesting a contribution of $550 for this year. Councilor Christopher noted she had the complete reports if anyone was interested in reviewing them.

Responding to questions Councilor Christopher indicated the Compact would like a decision on the requested funding by their next meeting on October 27, 1999. She explained that $3000 was in the budget for gang intervention and the amount being requested tonight is a separate consulting service fee for Today's Choices/Tomorrow Community.

Councilor McGee indicated that when Keizer became affiliated with the organization it was with the understanding there would be no additional funds requested without going through the regular budgetary cycle.

Mayor Newton requested that a staff report be submitted and considered at the next Council Meeting.

Councilor Christopher apologized that she was new to the committee and was unaware that this would be continuing request for funds in the form of a consulting fee, and would have brought this forward during the budget process if she would have been aware of this.

Mayor Newton suggested that Councilor Christopher work with the finance director in the compiling of the report.

Councilor McGee expressed he felt this was a worthy project but felt these requests needed to stay within the budget process.

## OTHER BUSINESS

### a. New Business

Mayor Newton shared information regarding the League of Oregon Cities Conference that is coming up. He asked that the Council respond to the City Recorder by Monday regarding their attendance.

City Manager Mull indicated there has been previous discussions regarding the purchase of a generator to supply power to both the police department and city hall during emergencies. A generator that would supply power to the City Hall building has been located and he recommended Council direct staff to proceed with this purchase totaling approximately $19,000. The funds could be taken from the City Hall Facility Fund.

Responding to questions Mr. Mull noted that funds would also be available in the revenue sharing fund but in conversations with the finance director he felt it would be better to keep the funding in Revenue Sharing and use the City Hall Facility Fund.

Councilor Keller felt the funding from the City Hall Facilities Fund should be used for the remodeling of City Hall and urged the Council to consider funding for the generator to come from Revenue Sharing.

Councilor Moir moved a motion to authorize the City Manager to purchase the generator for less than $20,000 with the purchase to be out of Revenue Sharing. Councilor Campbell seconded the motion.

Responding to questions City Manager Mull indicated that he was not aware of any line item presently in the budget regarding the purchase of a generator.

The motion passed unanimously as follows:

AYES: Christopher, Campbell, Keller, McGee, Moir and Newton (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

Susan Gahlsdorf, Finance Director reported that Elsa Palacios was recently promoted from utility billing clerk to utility billing technician. Ms. Palacios has been with the City for two years.

Chief Adams reminded the Council of the All City Community Policing meeting Thursday, October 7, 1999 in the Police Auditorium.

Responding to questions Chief Adams indicated that the meeting is open to the public. He also noted the main reason for the new format in the community policing meetings was to generate more interest from citizens.

Ms. Hunt shared that on October 2, 1999 the Emergency Operation Center had a volunteer training exercise at Marion County Offices. The training was to assist the volunteers to act in an emergency. She explained some of the items that the group was interested in purchasing for the EOC and the plans for a fundraiser for this. Ms. Hunt noted that Keizer is only one of two communities in the state of Oregon that has a volunteer group organized for disaster purposes.

Councilor Moir thanked Rod Conway from the Keizer Fire Department and all the volunteers who showed up to contribute to the mock drill.

## OLD BUSINESS

Mayor Newton distributed a handout with his suggestions for the City WebPages.

City Manager Mull indicated the WebPages are continuing to be reviewed and noted if the Council had any changes or suggestions to submit them to himself or Dianne Hunt.

Councilor Keller announced the renovations of the Old School by the Keizer Heritage Foundation were coming along well. A grand opening date has been set at this time, but Councilor Keller noted he would keep everyone informed.

## PUBLIC HEARINGS

### a. Lucky's Deli II Liquor License Application- New Outlet

**Mayor Newton opened the public hearing.**

City Manager Mull reported that on September 13, 1999 Sylvia Dixon submitted an application for a retail malt

beverage liquor license for Lucky's Deli II, located at 5408 River Road North, Keizer, Oregon.

Mr. Mull noted as required by Keizer Ordinance 95-318, a public hearing was scheduled, notice was published in the Keizertimes and mailed to all property owners within 200-feet of the proposed establishment. In addition, notice was sent to the Claggett Creek neighborhood Association. As of this writing no responses were received pertaining to the notice.

Mr. Mull indicated on September 17,1999 a request was sent to the Keizer Police Department to conduct a background check on the applicant. The response was supplied in the Council packet. It was noted that the Keizer Planning Department found the location of the establishment to be properly zoned.

It was recommended that the public hearing be opened to allow testimony from the applicant or other interested individuals and upon completion the hearing be closed. Staff further recommended that Council approve the application for a retail malt beverage liquor license for the above-mentioned applicant.

Responding to questions Mr. Mull explained the location of the deli and that the current location did not hold a liquor license.

City Attorney, Shannon Johnson apologized but requested the hearing be continued due to a planning issue. He explained the issues of parking may not have been reviewed and he wanted to be sure all avenues had been reviewed before proceeding with the hearing.

Councilor Keller expressed his concern that the hearing be delayed due to the parking issue.

**Denise Hanifin, 21601 Northwest Fairdell Road, Yamhill, Oregon**-Explains that the applicant was her aunt and expressed her support for the liquor license. She noted that this type of business was located in other shopping centers and towns and felt that this is an acceptable place for this business.

Responding to questions, Ms. Hannifin she expressed time is of the essence for this business and was not in favor of the requested delay.

Councilor Moir asked for clarification from the City Recorder pertaining to objections from the neighborhood associations. Mrs. Davis noted there has not been any written objections received.

**Sylvia Dixon, 8179 Liberty Road, Salem-** Indicated that she was the applicant and that any delay of the application would cause her a hardship as part of the format contains that the deli be able to serve beer and wine. She urged the Council not to delay her application.

Responding to questions Ms. Dixon noted that the hours of operation would close at 10:00 p.m. with the exception of Friday and Saturday when they close at midnight.

In regards to the request of the City Attorney to continue the hearing, the Council determined that the hearing should be closed.

**Mayor Newton closed the public hearing.**

Councilor Keller moved that the City recommend to OLCC the approval of the liquor license for Lucky's Deli II. Mayor Newton seconded the motion.

Councilor McGee expressed his concern with going against the advice of the City Attorney, however he felt the parking issue did not justify the continuation of the hearing and delay of the opening of the establishment.

Mr. Johnson indicated his concern was whether the use had been investigated thoroughly for this site and it's use. He explained some of the options the city may have if found to not meet the requirements.

The motion passed unanimously as follows:

AYES: Christopher, Campbell, Keller, McGee, Moir and Newton (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

Mayor Newton suggested that the City Manager supply the zoning criteria to the applicant so she is aware of the limitations at this location.

Mr. Johnson noted he would follow up on his research and contact the applicant with his findings.

**b. RESOLUTION-Forming Prairie Clover Street Lighting District**

**ORDINANCE-Spreading Assessments to Prairie Clover Street Lighting District**

**Mayor Newton opened the public hearing.**

City Manager Mull reported this was a hearing to consider any remonstrance's or objections to the formation of the Prairie Clover Street Lighting Local Improvement District and an Ordinance spreading assessment to Prairie Clover Street Lighting Local Improvement District.

**No public testimony was brought before the Council.**

**Mayor Newton closed the public hearing.**

Councilor Keller moved a Resolution forming the Prairie Clover Street Lighting Improvement District. Councilor Campbell seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Campbell, Keller, McGee, Moir and Newton (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

Councilor Keller moved a Bill for Ordinance Spreading Assessment to Prairie Clover Street Lighting Local Improvement District. Councilor McGee seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Campbell, Keller, McGee, Moir, Newton, Whalen (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

**c. RESOLUTION-Forming Jordan Run Street Lighting District**

**ORDINANCE-Spreading Assessments to Jordan Run Street Lighting District**

**Mayor Newton opened the public hearing.**

City Manager Mull reported this was a hearing to consider any remonstrance's or objections to the formation of the Jordan Run Street Lighting Local Improvement District and an Ordinance spreading assessment to Jordan Run Street Lighting Local Improvement District.

City Manager Mull noted as the number of street lighting districts had increased, the city was reviewing the possibility of forming a lighting district for the entire city. He explained that this would have to go before the public in the form of a vote. He indicated that this would save money for the taxpayers if done in an overall district, and more information would be brought before the Council as staff attained this data.

**No public testimony was brought before the Council.**

**Mayor Newton closed the public hearing.**

Councilor Keller moved a Resolution Forming the Jordan Run Street Lighting Local Improvement District. Councilor Moir seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Campbell, Keller, McGee, Moir and Newton (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

Councilor Keller moved a Bill for an Ordinance Spreading Assessments to Jordan Run Street Lighting Local Improvement District. Councilor Campbell seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Campbell, Keller, McGee, Moir and Newton (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

## ADMINISTRATIVE ACTION

### a. RESOLUTION- Declaration of Vacancy- Council Position Number One

City Manager Mull reported in November, 1996 Garry Whalen was elected to Keizer City Council Position Number One. On September 29, 1999 Councilor Whalen tendered his resignation from this position. The City Charter specifies the Council shall declare an office vacant upon the resignation of a Council member. A vacant elective office shall be filled by appointment of a majority vote of the Council.

City Manager Mull indicated that staff recommended the Council adopt the resolution declaring a vacancy for Council Position Number One. It was also recommended that the Council announce the process that would be used to appoint a person to fill this vacancy.

Councilor Keller moved a Resolution Declaring a Vacancy for City Council Position Number One. Councilor McGee seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Campbell, Keller, McGee, Moir and Newton (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

City Manager Mull shared a copy of "The Process Outline/Timeline" for filling the Council Number One Vacancy. He requested that the Council reviews and makes any changes or recommendations.

Councilor McGee explained the qualifications to fill the vacant Council position and welcomed all applicants to apply prior to the October 29th deadline.

Councilor Campbell requested direction from staff regarding what type of information would like to be seen in the letters of interest.

City Manager Mull indicated that from the volunteer form some of this information could be used to set that type of format.

Councilor Keller expressed his concerns of only having a six- member Council and asked what type of issues would be brought before the Council prior to the position being filled.

City Manager Mull shared that he was not aware of any public hearings that would be held prior to the position being filled, however he would keep this in mind.

The Council agreed by consensus to adopt the outline and issue a press release the following business day.

**b. Appointment of City Council President**

City Manager Mull noted that at the time of Councilor Whalen resignation he was serving as the Council President. The Council procedures specify that the Councilor with the longest continuous tenure who had not served as Council President would be nominated. Others may be nominated from the Council. Presently, Councilor Christopher had served the longest tenure on the City Council and has not previously served as President.

It was the recommendation of staff that the Council nominate and appoint a member of the Council to serve as Council President until January 2, 2001.

Councilor Keller made the motion to nominate Councilor Christopher as the next Council President. Councilor Campbell seconded the motion.

The motion passed as follows:

AYES: Campbell, Keller, McGee, Moir and Newton (5)
NAYS: None (0)
ABSTENTIONS: Christopher (1)
ABSENT: None (0)

Mayor Newton congratulated Council President Christopher on her new position.

**c. RESOLUTION- Ratifying and Authorizing City Manager to Sign Keizer Police Association Agreement**

Chief Adams reported the current bargaining agreement expired on June 30, 1999. During April, 1999 the City and the Keizer Police Association began good faith bargaining. Chief Adams indicated as a result of these bargaining sessions they had temporarily agreed upon a new collective bargaining agreement subject to approval by both the City Council and the rank and file members of the Keizer Police Association.

Chief Adams recommended that the City Council accept the agreement and authorize the City Manager and himself to sign the agreement.

Councilor Campbell commended the Keizer Police Association and Police Management in the work that was completed with very dilemma.

Councilor Moir moved a Resolution Ratifying a Collective Bargaining Agreement and Authorizing the City Manager to Enter into Collective Bargaining Agreement with Keizer Police Association. Councilor Campbell seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Campbell, Keller, McGee, Moir and Newton (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

City Manager Mull thanked Chief Adams, Ms. Hunt and the union representatives for making it a smooth process.

**d. RESOLUTION- Adoption of 1999/2000 City Council Goals**

City Manager Mull reported in November 1998 the incumbent City Council worked together with the out-going council members to draft new goals for the City. Several work session were used to develop a large list of goals and a public forum was held at the Keizer Fire Hall to received input from the citizens. In June of 1999 a final list of six goals were approved by the City Council. There are as follows:

1. Develop the Chemawa Activity Center Economic Feasibility Study to gather information to provide to the voters.
2. Reduce the possibility of flooding and implement mitigation measures.
3. Conduct and review revisions of Master Plans.
4. Establish a Peer/Municipal Juvenile Court.
5. Develop a five-year Financial Plan.
6. Review and amend the New Development Code.

City Manager Mull recommended that the Council adopt a resolution adopting the Council Goals for 1999-2000. He noted that staff would begin to put together a work-plan for these goals.

Councilor Moir moved a Resolution for the Adoption of the 1999-2000 City Council Goals. Councilor Campbell seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Campbell, Keller, McGee, Moir and Newton (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

## CONSENT CALENDAR

The Consent Calendar consisted of the following items:

a. McNary Restaurant Liquor License-Change of Trade Name/Ownership

b. RESOLUTION-Calling up Appeal of Berkshire Estates Partition for Hearing

c. RESOLUTION-Approval of Engineering Report for the Vineyards Street Lighting District

d. Approval of September 20, 1999 Regular Session Minutes

e. Approval of September 27, 1999 Special Session Minutes

Councilor Keller moved for approval of the Consent Calendar with the suggested amendments. Councilor Campbell seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Campbell, Keller, McGee, Moir and Newton (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

## WRITTEN COMMUNICATIONS

Mayor Newton shared information from the League of Oregon Cities regarding a poster and essay contest. He requested that the City Manager submit copies of this to Whiteaker Middle School and McNary High School.

## AGENDA INPUT

October 18, 1999
7:00 p.m. City Council Meeting
- Burglary Alarm Ordinance
- Appeal of Berkshire Estates Partition Public Hearing
- Wittenberg Inn Liquor License Application Public Hearing
- Update on applicants to fill the vacant Council Position.

November 1, 1999
7:00 p.m. City Council Meeting

November 8, 1999
5:30 p.m. City Council Special Session
- Appointment to Council Position Number One

**ADJOURNMENT** Mayor Newton adjourned the meeting at 8:12 p.m.

Tracy L. Davis, CMC
City Recorder

APPROVED:
MAYOR:

Bob Newton

COUNCIL MEMBERS:

Councilor #1 - Garry Whalen

Councilor #2 - Lore Christopher

Councilor #3 - Jim Keller

Councilor #4 - Jacque Moir

Councilor #5 - Craig Campbell

Councilor #6 - Jerry McGee

**Minutes approved**:

# PUBLIC TESTIMONY

IF YOU ARE INTERESTED IN ADDRESSING THE COUNCIL ON AN ISSUE NOT LISTED ON THE AGENDA OR AN ITEM ON THE AGENDA NOT SCHEDULED FOR A PUBLIC HEARING, PLEASE FILL OUT THE INFORMATION BELOW AND GIVE TO THE CITY RECORDER OR STAFF GREETER PRIOR TO THE START OF THE MEETING. THE MAYOR WILL RECOGNIZE YOU AND ASK FOR YOUR TESTIMONY AT EITHER THE PUBLIC TESTIMONY SECTION OF THE MEETING OR THE APPROPRIATE AGENDA ITEM.

EACH PERSON'S COMMENTS WILL BE LIMITED TO FIVE MINUTES.

---

Name: DALE E JOHNSON - REPRESENTING HAYS FAMILY PARTNERSHIP

Address: 5862 RHINESTONE CT. SE SALEM

HAYS PROPERTY AT 5917 RADIANT DR NE

Subject or Agenda Item Number: CHEMAWA ACTIVITY CENTER

STASK FORCE.

Your Comments:

Proponent _____ Opponent _____ General ✓

Date 10-18-99

# BERKSHIRE ESTATES LLC PARTITION/VARIANCE CASE NO. 99-35

THERE WILL NOT BE A PUBLIC HEARING TONIGHT ON THE BERKSHIRE ESTATES LLC – PARTITION/VARIANCE CASE NO. 99-35.
THE APPLICATION HAS BEEN WITHDRAWN.

City of Keizer, Oregon

# PUBLIC HEARING SIGN UP SHEET

## PUBLIC HEARING RE: WITTENBERG INN LIQUOR LICENSE APPLICATION

DATE: OCTOBER 18, 1999 TIME: 7:00 p.m. AGENDA ITEM # 6b

BEFORE THE: KEIZER CITY COUNCIL PLACE: ROBERT L. SIMON COUNCIL CHAMBERS

*(PLEASE PRINT)*

| NAME | ADDRESS | GENERAL | PROPONENT | OPPONENT |
|---|---|---|---|---|
| ~~Dale Johnson (Hays Family Partnership) 5562 Rhinestone Ct. SE Salem~~ | | ✓ | | |
| Paul Wittenberg | 5210 River Rd N. Keizer, Or | | ✓ | |
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City of Keizer, Oregon

# PUBLIC HEARING SIGN UP SHEET

## PUBLIC HEARING RE: THE VINEYARDS STREET LIGHTING DISTRICT

DATE: OCTOBER 18, 1999 TIME: 7:00 p.m. AGENDA ITEM # 6c

BEFORE THE: KEIZER CITY COUNCIL PLACE: ROBERT L. SIMON COUNCIL CHAMBERS

*(PLEASE PRINT)*

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

# AGENDA

## URBAN RENEWAL AGENCY OF THE CITY OF KEIZER

**Monday, October 18, 1999**
***Immediately Following City Council Meeting***
**Robert L. Simon Council Chambers**
**Keizer, Oregon 97303**

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **PUBLIC HEARING**

4. **ADMINISTRATIVE ACTION**

   a. **RESOLUTION – Authorizing City Manager to Enter Agreement for Cherry Avenue Landscaping**

5. **CONSENT CALENDAR**

   a. **Approval of the September 20, 1999 Agency Minutes**

6. **OTHER BUSINESS**

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

6. **ADJOURN**

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

City of Keizer, Oregon

# AGENDA ITEM 4a

*URBAN RENEWAL AGENCY BOARD*
*October 18, 1999*

## RESOLUTION - AUTHORIZING CITY MANAGER TO ENTER AGREEMENT FOR CHERRY AVENUE LANDSCAPING

City of Keizer
1982

Phone: 390-3700 • Fax: 393-9437
930 Chemawa Rd. N.E. • P.O. Box 21000 • Keizer, Oregon 97307-1000

*Administration • Public Works • Community Development • Municipal Court • Police (business only) Phone 503.390.3713 Fax 503.390.8295*

October 14, 1999

TO: Wally Mull
City Manager

FROM: Preston Van Meter, P.E. PLVM
Assistant City Engineer

THROUGH: Bill Peterson, City Engineer

RE: Cherry Avenue Landscaping (JO 0634)
Recommendation of Award

Bids were received and opened at 10 a.m. local time on Wednesday, October 13, 1999 in the City Hall Council Chambers for the above referenced project.

**PROJECT DESCRIPTION**
*Landscaping on Cherry Avenue in planter strips, north island, and south island. Installation of irrigation in north and south landscape islands.*

All bids were received on time, and appear to be balanced. The low bid was received from Cascade Landscape Management for $ 96,254.00.

The Engineer's Estimate for this project, based upon the final construction drawings, was $ 100,000.

Reference information provided by the low bidder as a part of the Bid Proposal appears satisfactory.

Based upon the above information, we recommend that the project be awarded to Cascade Landscape Management for the contractual amount of $ 96,254.00, based upon unit prices and lump sum amounts.

URBAN RENEWAL AGENCY, CITY OF KEIZER, STATE OF OREGON

Resolution R99-_____

AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENT FOR CHERRY AVENUE LANDSCAPING IMPROVEMENTS

WHEREAS, the City of Keizer advertised for submission of bids for the landscaping on Cherry Avenue to include landscaping in planter strips, north island, and south island including installation of irrigation in the north and south islands;

WHEREAS, one bid was received and opened. The low bidder on the project was Cascade Landscape Management with a bid of $96,254.00;

WHEREAS, funds were budgeted in the 1999-2000 Urban Renewal budget for this project. NOW, THEREFORE

BE IT RESOLVED by the Urban Renewal Agency of the City of Keizer that the City Manager is hereby authorized to award the bid and enter into an agreement with Cascade Landscape Management to landscape Cherry Avenue at a total cost of $96,254.00.

PASSED this ____ day of _____, 1999.

SIGNED this ____ day of _____, 1999.

_____
Chair

_____
City Recorder

City of Keizer, Oregon

*URBAN RENEWAL AGENCY BOARD*
*October 18, 1999*

# AGENDA ITEM 5a

## APPROVAL OF SEPTEMBER 20, 1999 URBAN RENEWAL AGENCY MINUTES

# MINUTES
**KEIZER URBAN RENEWAL AGENCY**
**Monday, September 20, 1999**
**Keizer City Hall**
**Robert L. Simon Council Chambers**
**Keizer, Oregon**

## CALL TO ORDER

Chair Newton called the regular meeting to order at 8:05 p.m. Roll Call was taken as follows:

**Present:**
Bob Newton, Chair
Craig Campbell,
Lore Christopher
Jim Keller
Jerry McGee
Jacque Moir
Garry Whalen

**Staff:**
Wally Mull, City Manager
Rob Kissler, Public Works Director
Dianne Hunt, Human Resources Officer
Shannon Johnson, City Attorney
Tracy Davis, City Recorder

## PUBLIC HEARING

There was no public hearing for the Agency to review.

## ADMINISTRATIVE ACTION

**a. RESOLUTION- Authorizing City Manager to Enter Agreement for Reconstruction and Overlay of City Hall Parking Lot**

City Manager Mull shared a bid from Salem Road and Driveway totaling $58,083.69. This was to reconstruct an overlay of the south and west parking lots at City Hall, the Police Department Parking lot and to complete the section of the road from the Keizer Heritage building to the south portion of the City Hall parking lot.

Responding to questions City Manager Mull indicated that the project was budgeted for $85,000 and was being done at savings.

Mr. Campbell moved a Resolution Authorizing the City Manager to Enter into Agreement for Reconstruction and Overlay of City Hall Parking Lot. Mr. Whalen seconded the motion.

Responding to questions City Manager Mull noted some of the changes in the parking lots would be a entrance and exit into the police parking lot with the remainder of the lot remaining basically the same with six additional parking spots being paved on the east side of the street.

He indicated the possibility of sharing some of the parking at the Keizer Heritage building as needed for various events.

The motion passed unanimously as follows:

AYES: Christopher, Campbell, Keller, McGee, Moir, Newton, Whalen (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

## CONSENT CALENDAR

**a. Approval of the September 7, 1999 Agency Minutes**

Mr. Keller moved for approval of the Consent Calendar. Ms. Moir seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Campbell, Keller, McGee, Moir, Newton, Whalen (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

## OTHER BUSINESS

None

## ADJOURNMENT

The meeting was adjourned at 8:10 p.m.

Bob Newton-Chair

Tracy L. Davis, CMC-City Recorder

AGENCY MEMBERS:

Garry Whalen

Jacque Moir

Lore Christopher

Craig Campbell

Jim Keller

Jerry McGee

**Minutes approved:**