MINUTES
KEIZER CITY COUNCIL
Monday, October 4, 2010
Keizer Civic Center, Council Chambers
Keizer, Oregon

CALL TO ORDER

Council President Jim Taylor called the meeting to order at 7:02 pm. Roll Call was taken as follows:

Present:
Jim Taylor, Council President
Richard Walsh, Councilor
Cathy Clark, Councilor
Mark Caillier, Councilor
David McKane, Councilor
Brandon Smith, Councilor

Absent:
Lore Christopher, Mayor

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

FLAG SALUTE

Council President Jim Taylor led the pledge of allegiance.

PUBLIC TESTIMONY

Vickie Hilgemann, Keizer, addressed Council as a representative of the Keizer Parks Foundation providing a year-end report for the Wild Wild Rec Program. She noted that total attendance for the summer was 275 children; personnel costs were covered by donations from the Parks & Recreation Fund and a grant from the Keizer Parks Foundation totaling $4864; trailer costs were covered by the Keizer Rotary and cost of toys by a grant from the Epping Foundation.

Leanna Dickerson, Boys & Girls Club, explained that this year was a year of learning; that attendance at some parks was lower than hoped for and that different activities were offered depending on participants. She noted that locations may be altered next year in order to bring in more participants and reviewed the attendance at the different parks adding that lunch was provided for each child. She suggested that better promotion be done next year and that community partners be encouraged to participate in teaching the children a wider variety of activities.

Ms. Hilgemann concluded that the Parks Foundation and the Boys & Girls Club are happy with how the program went and look forward to a continued partnership with the Foundation, the City, Boys & Girls Club and the Rotary for next year. She added that the Parks Foundation will continue to explore grant opportunities to assist in funding this program and would also approach the Budget Committee this spring.

Greg Rands, Keizer, provided a report on the special Planning Commission meeting which addressed amendments to the sign code as it related to temporary signs. He reported that the Commission had passed a motion to recommend to Council an amendment to the sign code which would allow A-Frame signs at 50-foot intervals in front of businesses during business hours for a period of 120 days per calendar year. He added that this meeting was the last one for Commissioner Holly Graf who served on the Commission for two full terms and a partial term and was a source of inspiration to all.

Josh Ambrose, Keizer, owner/operator of "Aces Up" Poker Club in Dallas voiced interest in opening a location in Keizer and asked the City to adapt their Social Gaming Ordinance to be Poker Club friendly. City Attorney Shannon Johnson explained that the Keizer ordinance allows social gaming for non-profit entities so this request would require an amendment. Following discussion Councilors agreed by consensus to direct staff to explore this possibility and bring it back at a future meeting.

PUBLIC HEARINGS

a. Keizer Station Area B Master Plan

City Attorney, Shannon Johnson, suggested that reading of the criteria set forth in the staff report be waived due to size and asked if anyone objected. There were no objections. He added that testimony arguments and evidence must be directed to the criteria or other criteria in the Comprehensive Plan or land use regulations believed to apply to this decision. Failure to raise an issue accompanied by statements or evidence sufficient to afford the Council and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue. In addition any failure by the applicant to raise constitutional or other issues related to the proposed conditions of approval with sufficient specificity to allow the local government to respond to that issue precludes an action for damages in Circuit Court. He noted that if anyone had any objection as to conflict of interest, bias, jurisdiction, notice and opportunity to be heard, it should be brought up at the time of testimony and any Council members wanting to disclose conflict of interest, bias or prejudice on this case should do so at this time.

Councilor Smith noted that he had attended the Planning Commission meeting on this issue. Mr. Johnson responded that it would be noted for the record that Councilors Smith and Caillier attended the Planning Commission meeting on this issue. Councilor Walsh reported that he had participated in various conversations regarding the transit plan.

Community Development Director Nate Brown noted that consideration was for the master plan of Area B, the lot line adjustment, and the conditional use allowing development of a transit station and a small park. He pointed out highlights of the site plan, discussed required traffic mitigations and submitted for the record that at the time of publication of the staff report ODOT comments had not been received but they were received last week. He explained that ODOT had retained the services of CH2M Hill who agreed with the conclusions of the traffic impact analysis and that the methods of mitigation are appropriate.

Regarding improvements to streets, City Manager Chris Eppley noted that a portion of the improvements is necessary due to traffic that is already occurring so areas B and C will only be responsible for a proportionate piece of those improvements. Mr. Brown confirmed this noting that regional growth had contributed to the increased traffic in several intersections.

He then reviewed the portion of the proposal which includes a small park and explained that this is open space intended to be a combination stormwater treatment and passive recreation area. He noted that the Planning Commission had voiced concern regarding the impacts to the park system maintenance and options will be explored as the project develops. Public Works Director Rob Kissler added that the size of the detention facility is important so it is not only a stormwater quality issue but a quantity issue, and the space offers residential buffering and connection for pedestrians to the transit center. He concluded that staff has not determined how it will fit in terms of park/stormwater.

Mr. Brown concluded his report noting that the design of the transit facility is intended to allow for commuter rail if it happens in the future but no specific construction is required to facilitate that improvement.

Mr. Brown and Mr. Kissler then fielded questions regarding parking, building structures, mitigation assessments, traffic patterns, pedestrian crossings, tree and park maintenance and stormwater.

Council President Taylor opened the Public Hearing. With no testimony Council President Taylor closed the Public Hearing.

<u>Councilor Walsh moved to direct staff to prepare an ordinance to adopt the proposed Area B Master Plan. Councilor Smith seconded. Motion passed as follows:</u>

AYES: Walsh, Smith, McKane, Caillier, Taylor and Clark (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Christopher (1)

ADMINISTRATIVE ACTION

a. RESOLUTION ~ Amending Transportation Capital Improvement Plan

Community Development Director Nate Brown explained that the proposal is to adopt an inclusion of the improvements the City is obligated to make under the intergovernmental agreement with Oregon Department of Transportation to provide for dual receiving lanes on the southbound ramp at the interchange. He reviewed results from a study by the firm that did the City's Transportation Improvement Plan adding that no adjustment of the SDC methodology would be necessary, and that it would be appropriate to include this in the City's Capital Projects List in the Transportation System Development Program. Public Works Director Rob Kissler and Mr. Brown then fielded questions regarding missed data caused by a software glitch, details of the work, and traffic patterns.

<u>Councilor Walsh moved to adopt a Resolution Amending Transportation</u>

Capital Improvement Plan; Amending Resolution No. R2005-1571 and Resolution No. R2005-1572. Councilor Clark seconded. Motion passed as follows:

AYES: Walsh, Smith, McKane, Caillier, Taylor and Clark (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Christopher (1)

b. RESOLUTION ~ Establishing Events and Festivals Task Force

City Manager Chris Eppley read the staff report submitted by Assistant to the City Manager Kevin Watson which explained that the task force would develop policy, identify facility opportunities and coordinate between business, community groups and other agencies. The report detailed the proposed membership of the Task Force and recommended adoption of the resolution.

Councilor Clark provided additional information regarding the scope adding that the intent is to form a permanent advisory committee in early 2011. Following lengthy discussion regarding "creation" of a festival park it was agreed to substitute "feasibility" for "creation" in Item 1 of Appendix A of the Resolution.

Councilor Walsh moved to adopt a Resolution Establishing Events and Festivals Task Force as amended (substituting the word "feasibility" for "creation"). Councilor Caillier seconded. Motion passed as follows:

AYES: Walsh, Smith, McKane, Caillier, Taylor and Clark (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Christopher (1)

CONSENT CALENDAR

A. Community Development Block Grant/HOME Performance Report for Fiscal Year 2009-2010
B. Approval of September 7, 2010 Regular Session Minutes
C. Approval of September 13, 2010 Work Session Minutes
D. Approval of September 20, 2010 Regular Session Minutes

Councilor Walsh pulled Item A from the Consent Calendar.

Councilor Walsh moved for approval of Items B, C and D of the Consent Calendar. Councilor Clark seconded. Motion passed as follows:

AYES: Walsh, Smith, McKane, Caillier, Taylor and Clark (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Christopher (1)

Councilor Walsh noted that Item A is simply a report and requires no Council action. Councilor Clark questioned one of the projects. City Recorder Tracy Davis suggested that Councilor Clark send the question via email to her and she would forward it to the appropriate person at the City of Salem.

COMMITTEE REPORTS

All Committee Reports taken out of order.

a. ECOtality of North America Presentation – Electric Car Stations

David Mayfield, ECOtality North America, Portland, reported that an announcement was made last week revealing the plan to electrify I-5 from Mexico to Canada. He noted that the ECOtality piece is primarily in the Willamette Valley and is coming to Keizer. He reviewed the benefits of electric vehicles, funding sources, the purpose of the project, details and locations of the charging stations, operation costs, access, and partnerships. He then fielded questions regarding the cost for charging, the need to participate in a program to help pay for road maintenance, connectors and pedestal identification and use.

b. PROCLAMATION – Marion County Domestic Violence Awareness Month

Walt Beglau and Jayne Downing, Marion County District Attorney and Executive Director of the Mid-Valley Crisis Center, explained that domestic violence continues to be a deadly threat to the lives of survivors and children and that it is an epidemic of homicidal violence for Oregon. Mr. Beglau reviewed the ways that Keizer has partnered in the effort to address the issue of domestic violence in the community and thanked the City for those efforts.

Ms. Downing reviewed services provided by the Mid-Valley Crisis Center noting that it has been providing these services to domestic violence victims for 37 years. She then listed new programs that are being provided including participation in a Human Trafficking Task Force, emergency child care and Purple Light nights. She concluded her report thanking Keizer and Mr. Beglau for their ongoing support of the program.

Council President Taylor then read the Proclamation and presented it to Mr. Beglau and Ms. Downing.

c. Appointments to Keizer Planning Commission

City Manager, Chris Eppley, reported that there were three vacancies on the Planning Commission. Notice of the vacancies was published and the Volunteer Coordinating Committee unanimously recommended Jim Jacks to fill Position Number 1, Greg Rands to fill Position Number 2, and Jared Choc to fill Position Number 3, each to serve a three year term on the Planning Commission.

Jared Choc explained that he had recently moved to the area from Montana and was looking forward to the opportunity to serve the community.

<u>Councilor Walsh moved that the City Council accept the recommendation of the Volunteer Coordinating Committee to appoint Jim Jacks to fill Position Number 1, Greg Rands to fill Position Number 2, and Jared Choc to fill Position Number 3 each to serve a three year term on the Planning Commission. Councilor Clark seconded. Motion passed as follows:</u>

AYES: Walsh, Smith, McKane, Caillier, Taylor and Clark (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Christopher (1)

Councilor Clark reported that she had attended workshops offered at the League of Oregon Cities Conference in Eugene as well as Keizer-23 Television, Salem-Keizer Area Transportation Study, Amphitheater Task Force, Volunteer Coordinating Committee, and Transit Task Force meetings. She reviewed meetings she would be attending in the future including Mid-Willamette Area Commission on Transportation and the West Keizer Neighborhood Association meetings.

Councilor Caillier announced that he would be attending the upcoming Stormwater Advisory Committee, Planning Commission and Salem Water/Wastewater/Stormwater Task Force meetings.

Councilor Walsh reported on meetings he had attended including the Water Trail meeting, the League of Oregon Cities Conference, and the Amphitheater Task Force. He added that he made the Water Trail presentation at the Oregon Park & Recreation conference in Salem, would be attending the upcoming Chamber Tourism meeting and provided a reminder regarding the Chamber Golf Classic and luncheon.

Councilor Smith reported on the recent Keizer Urban Renewal Board meeting and the upcoming Keizer Heritage Foundation Future Planning Task Force meeting and announced that enrollment for the 2001 Leadership Keizer is underway.

Council President Taylor reminded everyone of the upcoming Commissioners Breakfast.

OTHER BUSINESS

Chief Adams announced that the Keizer Police Department made it to the second round of the Department of Justice Community Oriented Policing Grant but was unsuccessful.

Community Development Director Nate Brown reported that work continues on the Economic Opportunities Analysis; two study areas are being explored with staff developing a concept of what kind of infrastructure would be required to facilitate economic opportunities in each area. The beginning aspect of the housing needs inventory is also underway.

Public Works Director Rob Kissler announced that he would be attending a presentation by the US Corp of Engineers regarding operations of 13 Willamette Valley Dams and the aging infrastructure and flood management and would try to provide a report.

WRITTEN COMMUNICATIONS

None

AGENDA INPUT

October 11, 2010
5:45 p.m. – City Council Work Session
- Water Fluoridation

October 18, 2010
7:00 p.m. – City Council Regular Session

November 1, 2010
7:00 p.m. – City Council Regular Session

ADJOURNMENT

Council President Jim Taylor adjourned the meeting at 9:30 p.m.

MAYOR:

~ Absent ~
Lore Christopher

APPROVED:

Debbie Lockhart
Debbie Lockhart, Deputy City Recorder

COUNCIL MEMBERS

David McKane
Councilor #1 – David McKane

Cathy Clark
Councilor #4 – Cathy Clark

Brandon Smith
Councilor #2 – Brandon Smith

Councilor #5 – Richard Walsh

Mark Caillier
Councilor #3 – Mark Caillier

Jim Taylor
Councilor #6 – James Taylor

Minutes approved:

November 1, 2010