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 3, 1994
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. PROCLAMATION - Recycling Awareness Week (October 1-8)

   b. Keizer Budget Committee Appointments

5. PUBLIC HEARINGS

6. ADMINISTRATIVE ACTION

   a. ORDINANCE - Manufactured Home Standards (second reading)

   b. RESOLUTION - Establishing Backyard Burning Etiquette

7. CONSENT CALENDAR

   a. Initiate Briarwood Manufactured Home Park Phase II Street Lighting District

   b. Initiate Clearlake Estates Street Lighting Local Improvement District

   c. Initiate The Ridge Street Lighting Local Improvement District

   d. Northside Estates Street Lighting Local Improvement District (Engineer Rpt.)

   e. Approval of September 19, 1994 Regular Session Minutes

8. OTHER BUSINESS

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

9. WRITTEN COMMUNICATIONS

To inform the Council of significant written communications and petitions.

10. AGENDA INPUT

OCTOBER 17, 1994
5:30 p.m. Council Worksession
1995/96 Budget
7:00 p.m. City Council Meeting
Planning Fees
Vehicle for Hire Public Hearing
Willow Lake Noise & Odor Study Implementation Strategy
Clear Lake Neighborhood Association Annual Report
NOVEMBER 7, 1994
7:00 p.m. City Council Meeting

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
AND
MID-VALLEY GARBAGE & RECYCLING ASSOCIATION

WHEREAS: Cities and counties are working together to provide effective, efficient waste reduction and recycling programs to Oregonians; and

WHEREAS: Public agencies and private businesses are incorporating cost-effective waste reduction practices into their everyday activities; and

WHEREAS: Oregon youth are taking an active role in preserving our natural environment for generations to come.

THEREFORE: I, Dennis Koho, Mayor of this City of Keizer, Oregon do hereby proclaim the week beginning October 1, 1994 as RECYCLING AWARENESS WEEK, and urge each Oregonian to practice the essential environmental habits of reuse, reduction and recycling in their homes, workplaces and schools.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Keizer Oregon to be affixed this Nineteenth Day of September, Nineteen Hundred and Ninety Four.

Dennis Koho

MAYOR
CITY OF KEIZER

CITY COUNCIL MEETING: October 3, 1994

AGENDA ITEM NUMBER: 4b

TO: MAYOR KOHO AND CITY COUNCIL MEMBERS

THROUGH: DOTTY TRYK
CITY MANAGER

FROM: TRACY L. DAVIS
CITY RECORDER

SUBJECT: KEIZER BUDGET COMMITTEE APPOINTMENTS

ISSUE:

The Volunteer Coordinating Committee is recommending the reappointment of Bob Simon and Dick Inman for three-year terms on the Keizer Budget Committee. These terms will expire on August 31, 1997.

RECOMMENDATION:

It is recommended the City Council accept the recommendation of the Volunteer Coordinating Committee and reappoint Bob Simon and Dick Inman for three-year terms on the Keizer Budget Committee.

COUNCIL MEETING: October 3, 1994

AGENDA ITEM NUMBER: 6a

TO: MAYOR KOHO AND CITY COUNCIL

THROUGH: DOTTY TRYK
CITY MANAGER

FROM: E. SHANNON JOHNSON
CITY ATTORNEY

SUBJECT: AMENDMENTS TO DEVELOPMENT STANDARDS FOR MANUFACTURED HOMES

This ordinance is before the Council for a second reading. The enclosed ordinance has incorporated Finding 6 regarding compliance with ORS 197.307(5).

Please let me know if you have any questions.

Enclosure
2476COK2.006

BILL NO. ____ A BILL ORDINANCE NO. 94-_____

FOR

AN ORDINANCE

IN THE MATTER OF THE AMENDMENT OF THE KEIZER ZONING ORDINANCE REGARDING MANUFACTURED HOME DEVELOPMENT STANDARDS; AMENDING ORDINANCE NOS. 87-078 AND 91-206

The City of Keizer ordains as follows:

Section 1. FINDINGS. The City of Keizer makes the findings attached as Exhibit "A", and by this reference incorporated herein.

Section 2. AMENDMENT. Chapter 12 (Special Uses) of Ordinance No. 87-078 (Keizer Zoning Ordinance) is amended at Section 12.03. Section 12.03 shall read as follows:

12.03 MANUFACTURED HOMES. Where permitted as a special use, manufactured homes located on lots outside of a designated mobile home subdivision or mobile home park shall meet the following requirements:

(a) The manufactured home shall have been manufactured after June 15, 1976, and exhibit the Oregon Department of Commerce "Insignia of Compliance" that indicates conformance with Housing and Urban Development (HUD) standards.

(b) The manufactured home shall be multi-sectional and enclose a space of not less than 1,000 square feet.

(c) The manufactured home shall be placed on an excavated and back-filled foundation enclosed at the perimeter. The manufactured home shall not be more than 1 foot above grade.

(d) The manufactured home shall have a pitched roof with a nominal slope of 2 to 3 feet for each 12 feet in width.

LIEN, HOBSON & JOHNSON
Attorneys at Law
4855 River Rd. N.
Keizer, Oregon 97303
(503) 390-1635

(e) The manufactured home shall utilize one of the following roofing materials:

(i) tile;

(ii) wood shake;

(iii) wood shingle

(iv) composition-roofing material; or

(v) the predominant roofing material used on the residences within the review area. If there is no predominant material used on the residences in the review area, then the applicant can use any one of the materials used on the residences in the review area.

(f) The manufactured home shall utilize one or more of the following exterior siding materials:

(i) lap siding composed of wood, or other materials giving the appearance of wood;

(ii) grooved siding composed of wood or wood composites;

(iii) board and batten siding composed of wood or wood composites;

(iv) brick, brick veneer, stucco or other masonry materials; or

(v) the predominant siding material used on the front of the residences within the review area. If there is no predominant material used on the residences in the review area, then the applicant can use any one of the materials used on the residences in the review area.

(g) As used herein, "review area" shall include the five nearest residences to the subject lot that are on the same street and are within 250 feet as measured from lot line to lot line. If there are not five residences within 250 feet, only those homes within 250 feet shall be used.

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(h) As used herein, "predominant material" shall be the material used on the majority of the residences within the review area. If there is no majority of residences using the same material, then the material used on the largest plurality of the homes used in the review area shall be the predominant material.

(i) The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce heat loss equivalent to he performance standards required of single-family dwellings constructed under the state building code.

(j) If the majority of the dwellings in the review area have garages or carports, then the manufactured home shall have a garage or carport, as the case may be, and such garage or carport shall utilize the same roofing and siding materials as the manufactured home.

(k) The manufactured home, and the placement thereof on the site, shall meet all applicable standards in the Keizer Zoning Ordinance including, but not limited to, the standards set forth in Chapters 17 through 20.

Section 3. AMENDMENT OF ORDINANCE NO. 91-206. The Manufactured Housing Ordinance (Ordinance No. 91-206) is amended as set forth above.

Section 4. EFFECTIVE DATE. This Ordinance shall take effect thirty (30) days after its passage.

PASSED this _____ day of _____, 1994.

SIGNED this _____ day of _____, 1994.

_____
Mayor

_____
City Recorder

2476COK2.002

LIEN, HOBSON & JOHNSON
Attorneys at Law
4855 River Rd. N.
Keizer, Oregon 97303
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EXHIBIT "A"

Findings Regarding the Adoption of the Amendments to Keizer Zoning Ordinance (KZO 12.03 - Manufactured Home Development Standards)
(See criteria set forth at Keizer Zoning Ordinance § 4.15)

The City of Keizer finds that:

1. The amendments to the manufactured home development standards (hereinafter "Amendments") comply with statewide land use goals (hereinafter "Goals") and related administrative rules as follows:

GOAL 1: CITIZEN INVOLVEMENT

Public hearings were conducted on this matter with the review and adoption proceedings consistent with local land use regulations.

GOAL 2: LAND USE PLANNING

The ordinance amends the Keizer Zoning Ordinance. The adoption proceeding was conducted in a manner consistent with the requirements of the Keizer Comprehensive Plan, Keizer Zoning Ordinance, and applicable state law.

GOAL 3: AGRICULTURE LAND

The Amendments do not affect agricultural operations.

GOAL 4: FOREST LANDS

The Amendments do not affect forest lands.

GOAL 5: OPEN SPACES, SCENIC AND HISTORIC AREAS, AND NATURAL RESOURCES

The Amendments do not affect open spaces, scenic and historic areas, or natural resources. Manufactured homes are still only allowed in urban areas zoned for residential use.

GOAL 6: AIR, WATER AND LAND RESOURCES QUALITY

The Amendments will not affect air, water and land resources quality.

GOAL 7: AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS

The Amendments will not affect any areas subject to natural disasters or hazards.

GOAL 8: RECREATIONAL NEEDS

The Amendments will not impact recreational needs.

GOAL 9: ECONOMIC DEVELOPMENT

The Amendments provide for clearer regulations, and in so doing, may promote the use of manufactured houses as alternatives to traditional site-built homes. This in turn may provide for increased economic development in Keizer.

GOAL 10: HOUSING

By providing more objective and less discretionary standards, the Amendments will provide citizens with flexible housing opportunities.

GOALS 11, 12, 13 AND 14: PUBLIC FACILITIES AND SERVICES, TRANSPORTATION ENERGY CONSERVATION, AND URBANIZATION

The above Goals are not affected by these Amendments. The siting of manufactured homes will only be done in residentially zoned areas and the above Goals are already applied in planning and zoning for such areas.

GOAL 15: WILLAMETTE GREENWAY

The Amendments will not affect the Willamette Greenway.

GOALS 16, 17, 18 AND 19: ESTUARINE RESOURCES, COASTAL SHORELANDS, BEACHES AND DUNES, AND OCEAN RESOURCES

These Goals do not apply as Keizer is not located in an ocean shoreland area.

2. The Amendments comply with the Comprehensive Plan goals, policies and intent (hereinafter "Plan") as follows:

a. Energy Conservation (KCP page 23).

"In-filling of passed over vacant land should be encouraged." Though not limited to manufactured housing, manufactured housing can be ideal for utilization of undeveloped "in-fill" lots.

b. Residential Development (KCP pages 34-35):

"Provide housing opportunities for all types of housing needs." Manufactured housing is a particular type of housing need that may be encouraged by these amendments.

"Encourage development of housing units for low and moderate income households." The amendments may encourage additional manufactured housing units which provide housing for less cost than conventional site-built homes.

"Encourage in-filling of existing undeveloped lots." The amendments may enhance and encourage development of undeveloped lots as manufactured housing works well with such lots.

c. Special Land Use Policies; Low Density Residential (KCP Page 45):

"Ensure that ... a variety of housing types are allowed in this category such as detached, attached, duplex and manufactured housing." The adoption of the amendments clearly will provide greater objectivity in the siting of manufactured homes, which enhance the above goal.

3. Public need is best satisfied by these Amendments because the clarification and objectivity provided by these Amendments allows applicants and City staff to evaluate applications in a more straightforward manner than is currently provided.

4. The Amendments will not adversely affect the health, safety and welfare of the community.

5. (The criteria in Keizer Zoning Ordinance 4.15(e) regarding adequate public facilities, services and transportation is not applicable to this Ordinance.)

6. ORS 197.307(5) states that a jurisdiction may adopt certain placement standards for manufactured homes, or may adopt less restrictive standards. One of the standards is ORS 197.307(5)(d), which indicates that the siding and roofing shall be similar to the siding and roofing materials commonly used in residential dwellings within the community.

The amendments regarding the allowed list of roofing and siding materials comply with ORS 197.307(5)(d) in that City Council finds that such list comprises the siding and roofing materials that are commonly used on residential dwellings within the Keizer community, after consideration of the testimony presented at the hearings.

Findings with regard to this Ordinance are based on all written and oral testimony received at the Planning Commission and City Council hearings on this matter. Such testimony includes, but is not limited to, staff reports, letters, and other written documents submitted in connection with this Ordinance. This evidence is incorporated by this reference as if fully set forth herein.

2476COK2.005

CITY COUNCIL MEETING: October 3, 1994

AGENDA ITEM NUMBER: 6b

TO: MAYOR KOHO AND COUNCIL MEMBERS

FROM: DOTTY TRYK
CITY MANAGER

SUBJECT: RESOLUTION ESTABLISHING BACKYARD BURNING ETIQUETTE

BACKGROUND:

Councilor McGee headed a committee to make recommendations to the Council on the issue of backyard burning in the City. Their report was presented to the Council at their June 20 meeting. At that time the Council adopted six motions to deal with the issue over time. One of these motions was to consider a resolution on community standards and etiquette for backyard burning in Keizer.

Councilor McGee drafted language and it has been reduced to the resolution attached. If adopted, this resolution will be circulated and published as appropriate to remind our residents of proper burn etiquette.

A second motion, to research and recommend an ordinance which replicates existing ORS and OAR is in the process of being done. There appears to be additional work needed to resolve outstanding issues. This research will take some additional time. We expect to resolve the outstanding issues and bring a recommendation to the Council before the spring burning season.

A third motion in support of fall/spring citywide cleanup days is being acted upon. The City is sponsoring two clean up days each year in conjunction with the City of Salem and our local haulers. The fall clean up day will be December 2. The details will be publicized as they are firmed up.

FISCAL IMPACT:

There is no fiscal impact of the attached resolution. The clean up day is expected to cost approximately $2500 which will pay the wages of sanitation personnel to staff the stations. This money will be expended from the street fund.

RECOMMENDATION:

It is recommended that the Resolution be adopted.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R94-____

ESTABLISHING CERTAIN CONDUCT TO BE ACCEPTABLE STANDARDS OF ETIQUETTE FOR BACKYARD BURNING

WHEREAS, backyard or open burning occurs in the City of Keizer, and

WHEREAS, most citizens who backyard burn want to do so in a considerate and responsible manner, and;

WHEREAS, there is until now no understood and accepted standard of backyard burning etiquette, NOW THEREFORE;

BE IT RESOLVED by the City Council of the City of Keizer that the following is considered acceptable standard of etiquette for open burning in the City of Keizer:

1. It is considered good manners to inform one's neighbors of plans to burn to allow for adjustments or accommodations in respect to backyard family events, health related matters of other situations where smoke or ash from an open fire might cause distress to a neighbor.
2. It is considered good manners to refrain from open burning near a school or church while activities are in progress.
3. It is considered good manners for retired citizens to burn during the week rather than on weekends.
4. It is considered good manners to burn at times when it is known that neighbors are away.
5. It is considered good manners to refrain from open burning if a nursing home resident or home bound resident would be impacted.

PASSED this____ day of _____,1994.

SIGNED this____ day of _____,1994.

_____
Mayor

_____
City Recorder

COUNCIL MEETING: October 3, 1994

AGENDA ITEM NUMBER: 7a

TO: MAYOR KOHO AND CITY COUNCIL

THROUGH: DOTTY TRYK
CITY MANAGER

FROM: TRACY L. DAVIS
CITY RECORDER

SUBJECT: INITIATING BRIARWOOD MANUFACTURED HOME PARK PHASE II STREET LIGHTING LOCAL IMPROVEMENT DISTRICT

ISSUE:

Shall the City Council initiate the Briarwood Manufactured Home Park Phase II Street Lighting Local Improvement District?

DISCUSSION:

A petition was filed on September 15, 1994 by Leo Brutke to form a local improvement district for street lights in the Briarwood Manufactured Home Park Phase II subdivision in Keizer. The petition contained the required signatures of the property owners as outlined by City of Keizer Ordinance 94-278.

RECOMMENDATION:

It is recommended that the City Council approve the resolution initiating Briarwood Manufactured Home Park Phase II Street Lighting Local Improvement District.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R94-_____

DECLARING THE CITY'S INTENT TO INITIATE A STREET LIGHTING LOCAL IMPROVEMENT DISTRICT FOR BRIARWOOD MANUFACTURED PARK PHASE II DECLARING PROPOSED BOUNDARIES, AND DIRECTING THE CITY ENGINEER TO MAKE A SURVEY AND FILE A WRITTEN REPORT WITH THE CITY RECORDER

WHEREAS, the City Council of the City of Keizer has received a petition from the developer to initiate a street lighting local improvement district in the Briarwood Manufactured Home Park Phase II in the City of Keizer, Oregon; and

WHEREAS, pursuant to City of Keizer Ordinance 94-278, the necessary signatures of property owners comprising two-thirds of the land to be included within Briarwood Manufactured Home Park Phase II Street Lighting Local Improvement District have requested the formation of the district; NOW, THEREFORE,

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

1. The City Council declares its intent to initiate the Briarwood Manufactured Home Park Phase II Street Lighting Local Improvement District;
2. The map attached hereto, marked Exhibit "A", and by this reference incorporated herein, sets forth the proposed boundaries of the district.
3. The City Engineer is hereby directed to make a survey of the district;
4. The City Engineer shall file a written report with the City Recorder to be considered by the City Council on November 7, 1994.

PASSED this _____ day of _____, 1994.

SIGNED this _____ day of _____, 1994.

_____
Mayor

_____
City Recorder

COUNCIL MEETING: October 3, 1994

AGENDA ITEM NUMBER: 7b

TO: MAYOR KOHO AND CITY COUNCIL

THROUGH: DOTTY TRYK
CITY MANAGER

FROM: TRACY L. DAVIS
CITY RECORDER

SUBJECT: INITIATING CLEARLAKE ESTATES STREET LIGHTING LOCAL IMPROVEMENT DISTRICT

ISSUE:

Shall the City Council initiate the Clearlake Estates Street Lighting Local Improvement District?

DISCUSSION:

A petition was filed on September 23, 1994 by The Meadows Group to form a local improvement district for street lights in the Clearlake Estates subdivision in Keizer. The petition contained the required signatures of the property owners as outlined by City of Keizer Ordinance 94-278.

RECOMMENDATION:

It is recommended that the City Council approve the resolution initiating Clearlake Estates Street Lighting Local Improvement District.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R94-_____

DECLARING THE CITY'S INTENT TO INITIATE A STREET LIGHTING LOCAL IMPROVEMENT DISTRICT FOR CLEARLAKE ESTATES DECLARING PROPOSED BOUNDARIES, AND DIRECTING THE CITY ENGINEER TO MAKE A SURVEY AND FILE A WRITTEN REPORT WITH THE CITY RECORDER

WHEREAS, the City Council of the City of Keizer has received a petition from the developer to initiate a street lighting local improvement district in the Clearlake Estates Subdivision in the City of Keizer, Oregon; and

WHEREAS, pursuant to City of Keizer Ordinance 94-278, the necessary signatures of property owners comprising two-thirds of the land to be included within Clearlake Estates Street Lighting Local Improvement District have requested the formation of the district;

NOW, THEREFORE,

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

1. The City Council declares its intent to initiate the Clearlake Estates Street Lighting Local Improvement District;

2. The map attached hereto, marked Exhibit "A", and by this reference incorporated herein, sets forth the proposed boundaries of the district.

3. The City Engineer is hereby directed to make a survey of the district;

4. The City Engineer shall file a written report with the City Recorder to be considered by the City Council on November 7, 1994.

PASSED this _____ day of _____, 1994.

SIGNED this _____ day of _____, 1994.

_____
Mayor

_____
City Recorder

COUNCIL MEETING: October 3, 1994

AGENDA ITEM NUMBER: 7c

TO: MAYOR KOHO AND CITY COUNCIL

THROUGH: DOTTY TRYK
CITY MANAGER

FROM: TRACY L. DAVIS
CITY RECORDER

SUBJECT: INITIATING THE RIDGE STREET LIGHTING LOCAL IMPROVEMENT DISTRICT

ISSUE:

Shall the City Council initiate the The Ridge Street Lighting Local Improvement District?

DISCUSSION:

A petition was filed on September 26, 1994 by Hidden Creek Properties to form a local improvement district for street lights in the The Ridge subdivision in Keizer. The petition contained the required signatures of the property owners as outlined by City of Keizer Ordinance 94-278.

RECOMMENDATION:

It is recommended that the City Council approve the resolution initiating The Ridge Street Lighting Local Improvement District.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R94-_____

DECLARING THE CITY'S INTENT TO INITIATE A STREET LIGHTING LOCAL IMPROVEMENT DISTRICT FOR THE RIDGE DECLARING PROPOSED BOUNDARIES, AND DIRECTING THE CITY ENGINEER TO MAKE A SURVEY AND FILE A WRITTEN REPORT WITH THE CITY RECORDER

WHEREAS, the City Council of the City of Keizer has received a petition from the developer to initiate a street lighting local improvement district in the The Ridge subdivision in the City of Keizer, Oregon; and

WHEREAS, pursuant to City of Keizer Ordinance 94-278, the necessary signatures of property owners comprising two-thirds of the land to be included within The Ridge Street Lighting Local Improvement District have requested the formation of the district; NOW, THEREFORE,

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

1. The City Council declares its intent to initiate the The Ridge Street Lighting Local Improvement District;
2. The map attached hereto, marked Exhibit "A", and by this reference incorporated herein, sets forth the proposed boundaries of the district.
3. The City Engineer is hereby directed to make a survey of the district;
4. The City Engineer shall file a written report with the City Recorder to be considered by the City Council on November 7, 1994.

PASSED this _____ day of _____, 1994.

SIGNED this _____ day of _____, 1994.

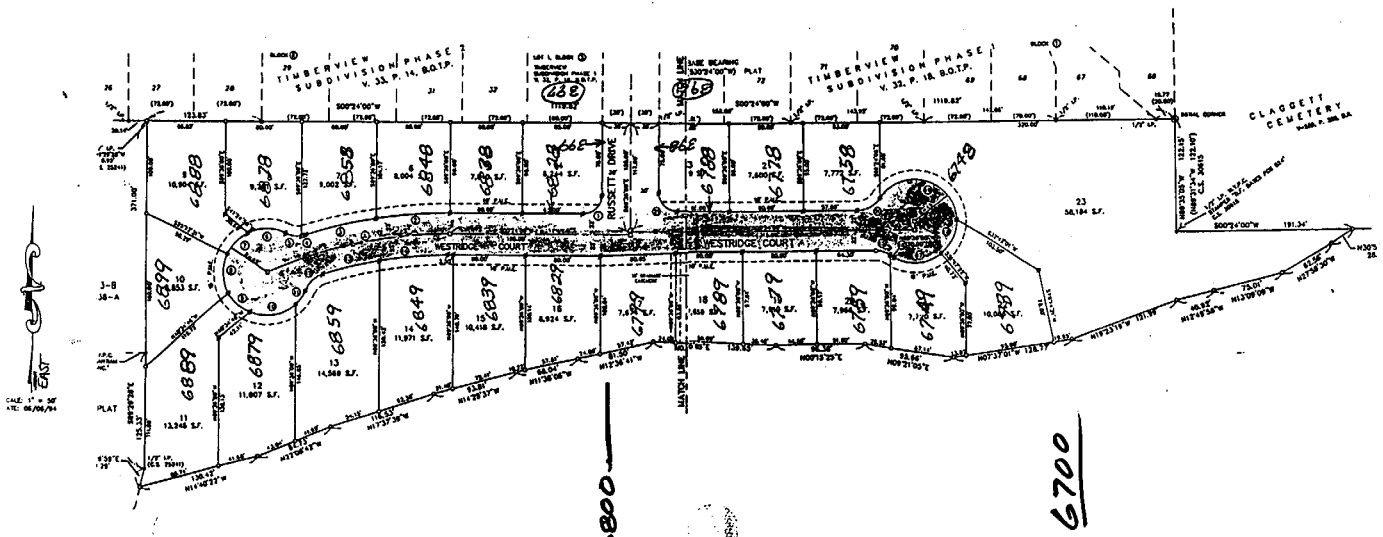
_____
Mayor

_____
City Recorder

RECEIVED
JUL 26 1994
MID WILLAMETTE VALLEY
COUNCIL of GOVERNMENTS

THE RIDGE

IN S.W. 1/4 SEC. 26, T. 6 S., R. 3 W., W.M.
CITY OF KEIZER, MARION COUNTY, OREGON



COUNCIL MEETING: October 3, 1994

AGENDA ITEM NUMBER: 7d

TO: MAYOR KOHO AND CITY COUNCIL

THROUGH: DOTTY TRYK
CITY MANAGER

FROM: TRACY L. DAVIS
CITY RECORDER

SUBJECT: CONSIDERATION OF CITY ENGINEER'S REPORT FOR NORTHSIDE ESTATES STREET LIGHTING LOCAL IMPROVEMENT DISTRICT

ISSUE:

Upon review of the City Engineer's report filed for Northside Estates 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 15, 1994 the City Council adopted Resolution R94-766 declaring the City's intent to initiate the Northside Estates Street Lighting Local Improvement District and directing the City Engineer to make a survey and file a written report with the City Recorder. This City 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 City Engineer's Report and an 8.5% 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 Utility Fund.

RECOMMENDATION:

It is recommended City Council adopt a resolution approving the City Engineer's Report and setting the public hearing for October 17, 1994 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 the public hearing.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R94-_____

APPROVING THE CITY ENGINEER'S REPORT; DECLARING THE CITY'S INTENT TO FORM NORTHSIDE ESTATES 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 containing the preliminary plans and an estimate of probable costs for Northside Estates Street Lighting Local Improvement District which was filed with the City Recorder on September 28, 1994 to be satisfactory, and the same is hereby approved and adopted.

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

Section 3. That the City Council hereby directs the City Recorder to give notice of its intention to form the Northside Estates 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 October 17, 1994, 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 _____, 1994.

SIGNED this _____ day of _____, 1994.

_____
Mayor

_____
City Recorder

City of Keizer

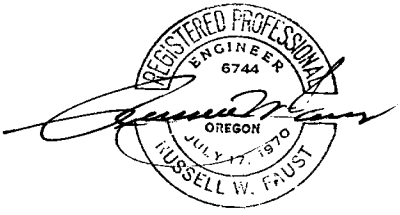
ENGINEER'S REPORT

FOR

NORTHSIDE ESTATES SUBDIVISION

STREET LIGHTING DISTRICT

For City Council Action October 3, 1994



PREPARED BY:

William I. Peterson
Engineering Consultants, Inc.
3851 River Rd. N
Keizer, OR 97303
(503) 390-7402

September 28, 1994

JO. 94-0347

September 28, 1994

TO: The Hon. Mayor and City Council

FROM: William I. Peterson, PE
City Engineer

SUBJECT: Street Lighting District for the Northside Estates Subdivision

Authority and Purpose: This report is submitted in accordance with the requirements of City of Keizer **Ordinance No. 94-278** and Council **Resolution 94-729** for the purpose of creating the subject Street Lighting District.

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

Lighting Plan The lighting improvements will consist of 13, 100 Watt, high pressure Sodium luminaires mounted on 8 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 -

13 Poles & luminaires @ $17.82 per month each x 12 mos.	$ 2779.92
Administrative Fee @ 8.5% [1]	236.29
Engineering @ $14.00 /Lot x 44 Lots	616.00
Total Assessment	$ 3632.21

(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 equally to each lot or 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 $ 63.18 per lot.

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

Respectfully submitted,

Russell W. Faust, PE

PRELIMINARY ASSESSMENT ROLL JO. 94-0347

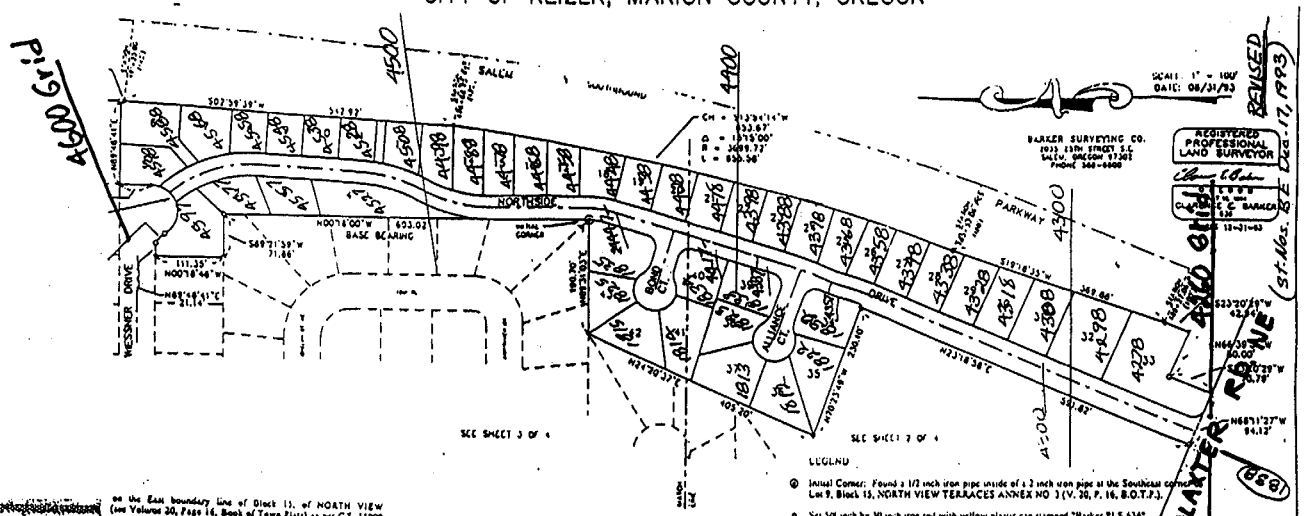
NORTHSIDE ESTATES SUBDIVISION
STREET LIGHTING DISTRICT
(Assessors Maps 073W 01BC,CB)

Lots	Owner's Name and Address	Cost per Lot	Number of Lots	Total Assessment
1,2	Hilligoss Homes Inc. P.O. Box 20125 Keizer, Or. 97307	$82.55	2	$165.10
3	Wils, Michael J. & Mary Hoskins 4557 Northside Dr. NE Keizer, Or. 97303	$82.55	1	$82.55
4	Morris, Michael R. & Jahnae Taylor 4527 Northside Dr. NE Keizer, Or. 97303	$82.55	1	$82.55
5-18	Hilligoss Homes Inc. P.O. Box 20125 Keizer, Or. 97307	$82.55	14	$1,155.70
19	McLane, William E. & Donna A. 4438 Northside Dr. NE Keizer, Or. 97303	$82.55	1	$82.55
20-36	Hilligoss Homes Inc. P.O. Box 20125 Keizer, Or. 97307	$82.55	17	$1,403.35
37	Kleiver, Terry R. & Melinda G. 1813 Alliance Ct. NE Keizer, Or. 97303	$82.55	1	$82.55
38-40	Hilligoss Homes Inc. P.O. Box 20125 Keizer, Or. 97307	$82.55	3	$247.65
41	Peterson, David E. & Nancy Ann 1814 Bond Ct. NE Keizer, Or. 97303	$82.55	1	$82.55
42	Hilligoss, Glyn G. & Barbara 1815 Bond Ct. NE Keizer, Or. 97303	$82.55	1	$82.55
43	Dewitt, Ron & Abbe 1825 Bond Ct. NE Keizer, Or. 97303	$82.55	1	$82.55
44	Schott, Helen J. 1835 Bond Ct. NE Keizer, Or. 97303	$82.55	1	$82.55
	TOTAL ASSESSABLE COSTS			$3,632.20

EXHIBIT "A"

NORTHSIDE ESTATES

IN THE N.W. 1/4 AND S.W. 1/4 OF SEC. 1, T. 7 S., R. 3 W., W.M.
CITY OF KEIZER, MARION COUNTY, OREGON



on the East boundary line of Block 15, of NORTH VIEW (see Volume 30, Page 16, Book of Town Plats) as per C.S. 13900

ong the South and East and North boundary lines of Block 15 ANNEX NO. 3 were held for control.
ng the easterly boundary line of Block 1 of KEPHART ESTATES ok of Town Plats) were held for control.
Northwest, Northeast and Southeast corners of CASCADIAN (see Volume 33, Page 34, Book of Town Plats) were held for Northwest corner of CASCADIAN VILLAGE TOWNHOUSES foot bent and imbedded in the fence post concrete. The base of the as tied and found to be in the correct position. This position falls t, so the monument cannot be straightened and reset. At the SCADIAN VILLAGE TOWNHOUSES a 1 inch by 21 inch iron and leaning to the South. The base of the iron pipe was tied and ition. This position falls directly under a 4 inch by 4 inch fence be straightened and reset.
monuments were found along the North line of Claxter Road and

SUBJECT TO:
Vol. 306, Pg. 9 Easement
Vol. 509, Pg. 364 Easement
Easements of Keizer Water District
Easements of Keizer Sewer & Drainage Districts
Reel 676, Pg 183 Easements

LEGEND

- ◎ Initial Corner: Found a 1/2 inch iron pipe inside of a 2 inch iron pipe at the Southeast corner of Lot 9, Block 15, NORTH VIEW TERRACES ANNEX NO 3 (V. 30, P. 16, B.O.T.P.).
- ○ Set 5/8 inch by 30 inch iron rod with yellow plastic cap stamped "Barker PLS 636".
- ⊙ Set brass screw in washer stamped "PLS 636", in concrete.
- ● 5/8 inch by 30 inch iron rod with yellow plastic cap stamped "Barker PLS 636" to be post monumented. Monuments set _____
- ⊙ 5/8 inch by 30 inch iron rod with a 2 inch aluminum cap stamped "Barker PLS 636", to be set after paving of streets
- ◆ Monuments found as noted.
- ( ) Bearing and Distance of Record.

I.P. - Iron pipe

MINUTES

KEIZER CITY COUNCIL
Monday, September 19, 1994
Robert L. Simon Council Chambers
Keizer City Hall
Keizer, Oregon

CALL TO ORDER

Mayor Dennis Koho called the regular meeting to Order at 7:07 p.m. Roll call was taken as follows:

Present:
Dennis Koho, Mayor
Jim Keller, Councilor
Jerry McGee, Councilor
Al Miller, Councilor
Chet Patterson, Councilor
Jerry Watson, Councilor
Marlene Wellin, Councilor

Staff:
John Morgan, Community Development Director
Charles R. Stull, Chief of Police
Kim Krause, Finance Officer
Shannon Johnson, City Attorney
Tracy L. Davis, City Recorder

PUBLIC TESTIMONY

There was no public testimony to come before the Council.

PUBLIC HEARINGS

Mayor Koho reopened the public hearing which was continued from September 6, 1994.

ORDINANCE - Manufactured Home Standards (continued from 9-6-94)

Shannon Johnson, City Attorney asked the Council to accept the written testimony included in the staff report which includes an the findings in this matter. Mr. Johnson also distributed an additional finding (number 6) which notes roofing and siding materials comply with ORS 197.307(5)(d).

Providing testimony was:

Michelle Massy, 7235 Woodgrove Court, Keizer stated she did not wish to present any testimony at this time.

Wayne Massy, 7235 Woodgrove Court, Keizer asked the Council to consider each case individually in order to examine the overall appearance rather than just the siding and roofing of the manufactured home.

Councilor Watson shared a letter written by the City Manager to the League of Oregon Cities asking for a review of the statutes in regards to manufactured homes. The letter specifically suggests allowing cities to adopt by Ordinance a list of acceptable materials, allowing the councils to determine the community or neighborhood standards and examining each home on a case-by-case basis.

There was no other testimony to come before the Council.

Mayor Koho closed the public hearing.

Councilor Keller noted he opposed the Ordinance as written, as it will not set new standards which will determine the manufactured home fits into the neighborhood.

Councilor McGee moved for a bill for an Ordinance in the Matter of the Amendment of the Keizer Zoning Ordinance Regarding Manufactured Homes Development Standards Amending Ordinance Nos. 87-078 and 91-206 including the additional finding 6. Councilor Watson seconded the Motion.

Councilor McGee noted by adopting this amendment it will clarify the law for Keizer. However , he does agree the state statute needs to be changed and by adopting these amendments, it will not hinder the legislative process to do so.

Councilor Wellin noted she has reviewed the testimony and evidence presented at the September 6, 1994 hearing and intends to vote on this matter.

The Motion passed with the following votes:

AYES: Koho, McGee, Miller, Patterson, Watson and Wellin (6)
NAYS: Keller (1)
ABSTENTIONS: None (0)
ABSENT: None (0)

The Ordinance will be scheduled for a second reading on October 3, 1994.

SPRINGRIDGE ESTATES STREET LIGHTING LOCAL IMPROVEMENT DISTRICT

Mayor Koho opened the public hearing.

John Morgan reported a petition was received from the developer of the Springridge Estates subdivision to form a street lighting district for installation of lights in this area.

There was no testimony to come before the Council.

Mayor Koho closed the public hearing.

Councilor Keller moved for a Resolution forming the Springridge Estates Street Lighting Local Improvement District. Councilor Wellin seconded the Motion.

The Motion passed with the following votes:

AYES: Keller, Koho, McGee, Miller, Patterson, Watson and Wellin (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

Councilor Patterson moved a bill for an Ordinance spreading Assessments to Springridge Estates Street Lighting Local Improvement District. Mayor Koho seconded the Motion.

The Motion passed with the following votes:

AYES: Keller, Koho, McGee, Miller, Patterson, Watson and Wellin (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

PARKMEADOW DRIVE STREET LIGHTING LOCAL IMPROVEMENT DISTRICT

Mayor Koho opened the public hearing.

John Morgan reported a petition was received from the developer of the Parkmeadow Drive area to form a street lighting district for installation of lights.

There was no testimony to come before the Council.

Mayor Koho closed the public hearing.

Councilor Wellin moved for a Resolution forming the Parkmeadow Drive Street Lighting Local Improvement District. Mayor Koho seconded the Motion.

The Motion passed with the following votes:

AYES: Keller, Koho, McGee, Miller, Patterson, Watson and Wellin (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

Councilor Keller moved a bill for an Ordinance spreading Assessments to Parkmeadow Drive Street Lighting Local Improvement District. Councilor Patterson seconded the Motion.

The Motion passed with the following votes:

AYES: Keller, Koho, McGee, Miller, Patterson, Watson and Wellin (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

HIDDEN CREEK PHASE II STREET LIGHTING LOCAL IMPROVEMENT DISTRICT

Mayor Koho opened the public hearing.

John Morgan reported a petition was received from the developer of the Hidden Creek Phase II subdivision to form a street lighting district for installation of lights in this area.

There was no testimony to come before the Council.

Mayor Koho closed the public hearing.

Councilor Miller moved for a Resolution forming the Hidden Creek Phase II Street Lighting Local Improvement District. Councilor Watson seconded the Motion.

The Motion passed with the following votes:

AYES: Keller, Koho, McGee, Miller, Patterson, Watson and Wellin (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

Councilor Miller moved a bill for an Ordinance spreading Assessments to Hidden Creek Phase II Street Lighting Local Improvement District. Councilor McGee seconded the Motion.

The Motion passed with the following votes:

AYES: Keller, Koho, McGee, Miller, Patterson, Watson and Wellin (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

LARSEN PARK STREET LIGHTING LOCAL IMPROVEMENT DISTRICT

Mayor Koho opened the public hearing.

John Morgan reported a petition was received from the developer of the Larsen Park subdivision to form a street lighting district for installation of lights in this area.

There was no testimony to come before the Council.

Mayor Koho closed the public hearing.

Councilor Watson moved for a Resolution forming the Larsen Park Street Lighting Local Improvement District. Councilor Patterson seconded the Motion.

The Motion passed with the following votes:

AYES: Keller, Koho, McGee, Miller, Patterson, Watson and Wellin (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

Councilor Watson moved a bill for an Ordinance spreading Assessments to Larsen Park Street Lighting Local Improvement District. Councilor Wellin seconded the Motion.

The Motion passed with the following votes:

AYES: Keller, Koho, McGee, Miller, Patterson, Watson and Wellin (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

ADMINISTRATIVE ACTION

ORDER - CONDITIONAL USE CASE 93-9 (BREWSTER)

Mayor Koho advised the Council he has become aware of facts that may or may not affect the outcome of this matter. The exparte contacts he received entail changing conditions for Mr. Brewster that may affect his application. He asked the Council to consider reopening the record in order for Mr. Brewster and other parties to make additional comments.

Shannon Johnson, City Attorney noted the record should be reopened and testimony received if the Council feels the information would influence their vote. However, he noted the information was received outside of the record and has nothing to do with the listed criteria in this case.

Mayor Koho noted this matter should be treated cautiously for appeal purposes.

Councilor McGee confirmed this information was received after the hearing record was closed. Councilor Miller noted the information he has heard will not bias his vote on this issue.

Councilor Watson commended Mayor Koho for disclosing the information he received but voiced his concern that reopening the record would cause a considerable time lapse before a decision was made on this matter.

Councilor Keller noted he had received an anonymous phone call and read the article in the newspaper. However, he does not feel this information has biased his decision.

Mayor Koho stated the information has not changed his decision but he is concerned about the process.

Councilor McGee moved for an Order in the Matter of the Application of Elmer and Ronald Brewster for a Conditional Use Permit for Property Located at 389 Hazelbrook Drive North, Keizer, Oregon, Case No. P/CU 93-9 (Brewster II). Councilor Miller seconded the Motion.

Mayor Koho moved to postpone this matter until October 3, 1994.

The Motion died for a lack of a second.

In response to a question from Councilor Keller, Community Development Director John Morgan noted the roof pitch will be checked by Marion County under the setup permit. Councilor Keller noted he is concerned the roof pitch would be determined by photograph rather than an actual site inspection.

Councilor Wellin stated she has reviewed the testimony and evidence presented at the September 6, 1994 hearing.

In response to a concern from City Attorney Johnson, the Council agreed the newspaper article in the Statesman-Journal issue dated September 19, 1994 will not influence their vote on this matter.

Councilor Miller moved to amend the Motion to include language in Exhibit E - A(1) to read: If the applicant or his successors plan to place a manufactured home on the site, it shall be a 1989 or 1991 Silvercrest "Presidential" model home. If the home is site-built, it shall meet all applicable requirements. Mayor Koho seconded the Motion.

The amendment to the Motion passed as follows:

AYES: Keller, Koho, McGee, Miller, Patterson, Watson and Wellin (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

The main Motion as amended passed as follows:

AYES: Keller, McGee, Miller, Patterson, Watson and Wellin (6)
NAYS: Koho (1)
ABSTENTIONS: None (0)
ABSENT: None (0)

CONSENT CALENDAR

The Consent Calendar consisted of the following:

a. Approval of September 6, 1994 Regular Session Minutes

Councilor Keller moved for approval of the consent calendar. Councilor Patterson seconded the Motion.

The Motion passed as follows:

AYES: Keller, Koho, McGee, Miller, Patterson, Watson and Wellin (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

OTHER BUSINESS

There was no other business to come before the Council.

WRITTEN COMMUNICATION

Mayor Koho stated he received a letter from the Mayor of the City of Salem asking for a Keizer representative on a ad-hoc committee to develop a draft plan relating to Community Block Grant Program through the Department of Housing and Urban Development. Nominations should be forwarded to Mayor Koho.

Mayor Koho also noted an invitation to the City Council for the dedication of lights at the Keizer Little League field on Wednesday, September 21, 1994 at 7:00 p.m.

There was no other written communication to come before the Council.

AGENDA INPUT

Mayor Koho noted the agenda input items listed.

Mayor Koho announced the addition of a Proclamation for Recycling Week will be added tot he October 3, 1994 meeting.

The Council discussed the upcoming agenda for the worksession scheduled for October 3, 1994. Mayor Koho noted the agenda will include discussion on the upcoming budget session. Councilor Miller announced he will be unavailable to attend the worksession.

The Council agreed to move the worksession to October 17, 1994 at 5:30 p.m. The Council also agreed to discuss future topics and dates for worksessions at this time. Mayor Koho suggested scheduling worksessions whenever a 5th Monday occurs in the month. Councilor Patterson suggested meeting at least quarterly.

Councilor McGee asked for an update on the 911 study being conducted by the Police Department. Charles Stull, Chief of Police indicated the Fire Department is working on alternatives with their board and when a consensus is reached at that level, the Police Department will meet to discuss this issue.

Councilor McGee also voiced his concern with complaints he has received regarding the voice mail system at City Hall.

ADJOURNMENT The Meeting was adjourned at 8:12 p.m.

Tracy L. Davis
City Recorder

APPROVED:

MAYOR:

Dennis Koho

COUNCIL MEMBERS:

Councilor #1 - Jerry Watson

Councilor #2 - Chet Patterson

Councilor # 3 - Jim Keller

Councilor #4 - Marlene Wellin

Councilor #5 - Al Miller

Councilor # 6 - Jerry McGee

Minutes approved:

LEARNING FOR A LIFETIME
SALEM•KEIZER
PUBLIC SCHOOLS

TOM McMULLEN, Coordinator
Facilities Planning, Construction, and Property Management
3630 State Street • Salem, Oregon 97301
(503) 399-3290 • FAX (503) 375-7806

JON YUNKER, Director
Business Services

Homer Kearns, Superintendent

RECEIVED
'94 SEP 28 AM 9 03
CITY OF KEIZER
KEIZER OR 97303

September 26, 1994

Dorothy Tryk
City of Keizer
Post Office Box 21000
Keizer, OR 97307

Re: MC NARY ACCESS DRIVE

Dear Dotty,

We originally informed you that we would be opening the Sandy Drive gate on October 3, 1994.

At your request, we will be extending the closure of the drive for four weeks until October 31, 1994. Between now and October 31, it will be necessary to have a work session with the Keizer City Council to clear up a variety of misunderstandings that came up in our meeting. We believe such a meeting will require 60 to 90 minutes. Please provide some suggested times and dates so that we can coordinate attendance for School District personnel.

Please call me at 399-3290 if you need additional information.

Sincerely,

Thomas C. McMullen
Director

c: Dave Bauer, Chairman of Facilities SubCommittee of the School Board
Jon Yunker, Director of Business Services
Al Bacheller, Director, McNary Area
David Anala, Principal, McNary High School
Dawn Meier, Project Coordinator

KEIZER FIRE DISTRICT
MEMORANDUM

TO: DOTTY TRYK, CITY MANAGER

FROM: FIRE CHIEF GREG FRANK

SUBJECT: BACKYARD BURNING SEASON

DATE: OCTOBER 3, 1994

Dotty, this is an update on the start of backyard burning. The burning information line that our Fire District established received 55 phone calls Friday, 147 Saturday, and 84 on Sunday. We have received questions on our regular phone line and people stopping by here as well. We do not have any information regarding the number of phone calls the City of Salem received from our area.

Our Fire District received 4 burning complaints over the weekend. Two were found to be legal backyard burns. Two will be referred to the Department of Environmental Quality for further action as they were burning after the hours allowed by DEQ.

The Statesman Journal erred in their article of Saturday, October 1st. Permits are not required in Keizer and burning is allowed until December 15th. The correction the Statesman printed was on page 2 of Sunday's paper. It was less conspicuous than their previous story. We have conveyed our disappointment with the Statesman regarding the lack of correct information. The KeizerTimes has provided accurate reporting on this issue.

Enclosed you will find copies of our Fire District newsletter that discusses this "burning" issue and should arrive in Keizer homes this week. We will keep you updated on future happenings and maintain statistical information.

cc: Jerry McGee, Councilor