



MINUTES
KEIZER CITY COUNCIL
Monday, October 2, 2006
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

**CALL TO
ORDER**

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

Present:

Lore Christopher, Mayor
Richard Walsh, Council President
Chuck Lee, Councilor
David McKane, Councilor
Jacque Moir, Councilor
Troy Nichols, Councilor
Jim Taylor, Councilor

Staff:

Shannon Johnson, City Attorney
Chris Eppley, City Manager
Marc Adams, Chief of Police
Rob Kissler, Public Works
Tracy Davis, City Recorder

FLAG SALUTE

The pledge of allegiance was led by Marion County Commissioner, Janet Carlson.

**PUBLIC
TESTIMONY**

Eric Meuer, Keizer, explained the advantages of the design build process and suggested that it be used for the new civic center in order to get the most for taxpayer dollars.

City Manager, Chris Eppley, reviewed the three different processes: (1) Design-build, (2) traditional design-bid-build, and (3) CMGC (Construction Manager-General Contractor). He explained that the design build process might not be appropriate in this case because it would involve doing the public input piece first and then turning the project over to a contractor who would exclude further input. He added that the budgeted funds are included in the RFP so the first two processes are somewhat meshed.

Mike Gotterba, Salem Public Works, reported that Phase 1 of the work at Willow Lake Wastewater Treatment plant is complete. Phase 2 will take place weekdays 7 am to 3 pm during October. If any work occurs on Saturday, he will notify Rob Kissler of Public Works.

**PUBLIC
HEARINGS**

None

ADMINISTRATIVE ACTION

A. Public Input – Keizer Rapids Park Master Plan

RESOLUTION~ Approval of Master Plan and Direction to Make Application to Marion County For Land Use Approval

Nate Brown explained that the Master Plan is the result of work done by the Regional Intergovernmental Visions Enhancing River Resources (RIVERR) Task Force working jointly with the Parks Board to establish a park utilizing the State-owned property and to acquire additional available property to connect the city to the park. He explained that the plan incorporates buffering, providing for emergency services and the locating of facilities to minimize impacts to neighbors, but the plan should be considered conceptual only. He added that the proposed master plan is not a legally binding document because the city does not have jurisdiction over the property. Council approval of the plan is sought along with direction for staff to apply to Marion County for the necessary Conditional Use Permit establishing the legal land use decision and to establish a Boat Launch Design Task Force consisting of representatives from the neighborhood and the boating community in general to deal with the issues related to the proposed boat ramp.

Nate explained that additional details will be filled in during the development process with use of experts in various fields and with consideration to available funding. Various reports will be presented to council in coordination with the Parks Board. He noted that the Task Force and Parks Board tried to include in the conceptual plan everything of reasonable potential for the maximum use of the park. Mayor Christopher encouraged continued citizen participation through Parks Board and Council Liaison for the Parks Board, Jacques Moir (2006) and David McKane (2007).

Councilor Lee declared a potential conflict of interest because he resides on the river.

Janet Carlson, Marion County Commissioner, speaking as a Marion County Commissioner and not for the Marion County Planning Department, voiced support for the park master plan, commended the RIVERR Task Force, Chair Walsh and the Parks Advisory Board for their work and Keizer citizens for their participation in the planning process. She detailed Marion County's contributions to the park, provided a copy of the Natural Heritage Parks plan and concluded that this park is a gift for the community to be enjoyed by generations to come.

Mike Smith, Keizer, voiced support for the park in general but expressed concern about the boat ramp adding that neighbors along the river have expressed similar concern. He noted that he understood that funding received from the Marine Board was contingent upon the city agreeing to build a boat ramp facility at the park but that in task force ranking of priorities the boat ramp does not appear because it was assumed that it would be part of the park and that assumption was of concern to the neighbors. He concluded articulating his concern:

- A large-scale motorized boating facility was not part of the original vision for Keizer Rapids Park and could significantly alter the area

with negative impacts on the environment, the enjoyment of park users and the surrounding neighborhoods.

- The water trail emphasis of various state entities stresses importance on water trails to address the growing interest in canoeing, rafting and kayaking.
- Boat ramp users will potentially create chaos, calamity, congestion and clamor disturbing the park setting, the natural environment, wildlife and the surrounding neighborhoods.
- The boat ramp can potentially bring a large number of users into an area not capable of handling the traffic.
- The area of navigable water during low water times is limited both upstream and downstream by gravel and sand bars.
- Conflicts between motorized and non-motorized water craft are likely to create dangerous conditions.
- Intense use in a confined area may create public safety concerns.
- There is concern over adequate plans for marine law enforcement.
- Public documents do not support a need for a boat ramp 3 miles from Wallace Marine Park.
- The City has not taken public testimony on this issue and has no intention of doing so, thus denying citizens the right to appeal.

David Hilgemann, Keizer, thanked and commended members of the task force, planning, parks and staff for the effort put into this project. He voiced concern over the Marine Board grant and the resultant obligations and added that he and his neighbors supported the compromise which he and Chris Eppley had authored regarding this issue.

Don Beckman, Keizer, voiced excitement over the park and pointed out that the access issue had been resolved because it would be provided through a new housing development and not in the currently established neighborhood. He noted, however, that he was concerned about the planned boat ramp and the associated parking but added that he thought his neighbors' concerns were unrealistic because the water is too shallow to accommodate motorized boats. He encouraged the development of a boat ramp and parking for canoe users.

Ron Anderson, Keizer, co-chair of the Bikeways Advisory Committee explained the committee's participation in the task force and recommended that Council adopt the Master Plan.

Craig Nichols, Keizer, voiced concern over mixing motorized boats with canoes and kayaks and concluded that 40 boats is too many.

Rhonda Rich, Keizer, President of West Keizer Neighborhood Association, voiced appreciation of the task force in inviting representation of the neighborhood association. She added that the association supports:

- Amenities such as the educational facility, playground and dog park

- The good neighbor buffer
- Incorporation of the caretaker facility to oversee park activities
- Adequate informational signage for park boundaries and rules.

She requested notification of grants when submitted to allow for response from the neighborhood and pointed out that acceptance of grants with obligations attached without community input has been a source of contention. She expressed appreciation for the commitment of the task force but encouraged them to keep in mind the impact that certain activities will have on adjacent neighborhoods and homeowners.

Steve Stocker, Keizer, expressed concern about the boat facility and the danger of too many motorized boats in the water. Mayor Christopher explained that the \$300,000 was not what was appealing, but the construction and lifetime maintenance of a permanent restroom. This would be a tremendous expense to taxpayers so, if a compromise could be found that would benefit the community and allow the neighbors to be comfortable, then it would be a savings for Keizer residents.

Dan & Robin Bishop, Keizer, voiced the alarm previously stated including safety and environmental concerns. Mr. Bishop explained that he and his family spend a great deal of time enjoying the river and added that even 10 motorized boats would make the area crowded. He expressed concern for the environmental impact of a boat ramp comparing it to changing the river into a freeway. In conclusion he stated that he was against a boat ramp in the area because Wallace and Wheatland ramps were adequate.

Shirley Deshon, Keizer, expressed concern regarding the boat ramp focusing on congestion on the river and the danger caused by shallow water and obstacles in the water. She explained that those living on the river consider themselves stewards of the river and suggested that a smaller non-motorized boat ramp be considered to minimize impact to wildlife and reduce pollution and congestion.

Tim Kelsh, Keizer, voiced support of the testimony of Mike Smith and Dave Hilgemann and focused on the safety of the river. He recounted a story about a boating accident that resulted in death occurring 11 years ago and echoed previous testimony that the river would be unsafe if additional access was provided. He pointed out that the goal and commission of the Willamette River Water Trail is to provide canoe and kayak access to the river and that canoe and kayak users are encouraged to use a different ramp at Wallace Marine Park to prevent conflict. He added that the wind on the river, combined with additional motorized boats would pose an unacceptably high risk to public safety.

Verena Wessel, Keizer, questioned how the additional usage of the river would impact Polk County who patrols this stretch of the river and suggested that a study be done. Discussion followed regarding this. Mayor Christopher pointed out that everything that might be included in

the park should be included in the master plan but if further study indicated certain features, such as the boat ramp, were unsafe, they could be left out. The Marine Board would be concerned about safety issues as well.

Larry Dick, Keizer, urged the inclusion of an off-leash dog park in the master plan for this park.

Terry Moor, Keizer, encouraged the inclusion of a boat dock on the river but urged that it be for non-motorized watercraft only because mixed use boat docks are dangerous.

MariLee Moore, Keizer, explained that she felt there was no shortage of available boat ramps for motorized craft with Wallace, Independence, Canby, Willamette Mission and Newberg. She encouraged the inclusion of a non-motorized craft ramp at Keizer Rapids Park and keeping the park natural to allow users to connect with nature and relax.

Christine Dieker, Keizer, representing the Chamber of Commerce, voiced support for the Keizer Rapids Park and its connection of the city to the Willamette River. She pointed out that the park will be a draw for visitors to the area making Keizer a destination.

Steve Vineyard, Keizer, pointed out that the area of the river serviced by a boat ramp at the park will be considerably smaller than areas serviced by other boat ramps causing significant congestion. He concluded that the proposed boat ramp is a very large project for a very small body of water.

Jill Nuttbrock, Keizer, pointed out that she lives adjacent to the park and complained that the "good neighbor buffer" is only planned for the east side of the park and not for the rest of the neighbors. She pointed out that the north picnic area leaves no buffer for some neighbors and sends people down a private drive. Nate Brown explained that the driveway is part of an easement granted for access along the north property line. He added that the details for providing necessary security particularly at the gravel pit will be worked out through discussion with the owners of the gravel pit. Fencing and security is planned but no vegetative buffer. Mr. Brown added that any vegetative buffer planted in this area of the park would not survive because it is heavily wooded and too shady. However, the multi-use path is at least 70 feet away from the neighboring property utilizing the existing buffer and it will be paved for use by the Police in patrolling the park.

Jerry Nuttbrock, Keizer, voiced concern for the development of a safe park and questioned why the public was being encouraged to make use of the north portion of the park considering the inherent danger of the rock pits nearby. Mayor Christopher reminded Mr. Nuttbrock that this is a conceptual plan and subject to change as development of the park takes place. Mr. Nuttbrock added that he was pleased that the city was reconnecting to the river but questioned why a public hearing was not

being held to give citizens a right to appeal.

Nate Brown responded that this meeting is not legally required and is not a land use public hearing. Notices were sent out to encourage the public expression of concerns to the City Council. The Public Hearing will fall under Marion County jurisdiction.

Gib Gilmore, Keizer, voiced opposition to the 4-lane boat ramp and 35-space parking lot. He pointed out that this facility would be detrimental to the park and adjacent Keizer neighborhoods in general. He encouraged Council to protect the river environment, minimize the impact of the park to neighborhoods adjoining the river and visualize the possible dangers. He requested that the Council receive input from those people who would be most impacted by this park and added that he hoped law enforcement would be provided on the river. Finally, he added that public documents do not support the need for a boat ramp three miles from Wallace Marine Park and concluded that prior to this meeting he supported a lesser facility but now he felt the only thing necessary was a trail for canoes and kayaks.

Mayor Christopher responded that a Boat Ramp Task Force has been established with Mike Smith, Dave Hilgemann, Councilors Moir and McKane and a Marine Board representative working together toward a solution. She reiterated that that everything that might be included in the park should be included in the master plan but if further study indicated certain features were unsafe, they could be left out.

Cathy Clark, Keizer, voiced excitement over this regional park that will be a legacy to our children and grandchildren. She pointed out that this is a great way to bring many jurisdictions together to enjoy now and in the future. She commended the RIVERR Task Force for their common effort to put together a great park and concluded that as details become clear, good management and design will combine to meet the needs of neighbors, the community and the future.

Steve Schnurbusch, Keizer, voiced support for the park and asked the Boat Ramp Task Force to take an objective approach to deciding size and feasibility of having a boat ramp. He encouraged research, the use of experts and consideration of ecological issues, shoreline habitat and overcrowding.

Dennis Spencer, Keizer, voiced support for a boat ramp that would serve motorized watercraft adding that perhaps the facility could be smaller than what is included in the proposed plan. He pointed out that those living adjacent to the river seem to be the most opposed to the ramp so that they can keep the river for themselves but he would like to use the river. He concluded that the park is for everyone and everyone should be allowed to use it and the river.

Myron Music, Keizer, pointed out that if 40, 30 or even 20 boats were on that 1½ mile stretch of river it would be unsafe. He noted that it would be safer to put a boat ramp at Staats Lake and let 20 boats run around in circles on the lake and suggested that no boat ramp be placed in Keizer Rapids Park.

Mayor Christopher then read letters from

- Gordon and F. Miller asking to approve the request for a special committee to work out an acceptable boating plan for the park to be presented to the State Marine Board for approval and to Council for inclusion in the Keizer Rapids Park plan.
- Mike Valdez, Deborah and Troy Sanders and Eliina Valdez opposing the Keizer Rapids Park because of potential traffic, noise, crime and gang problems and law enforcement, maintenance and funding issues.
- Oregon Parks and Recreation Department supporting the general concepts for future recreational use and park resource management represented by the draft master plan objectives, policies and park development illustration. The OPRD also offered comments and recommendations regarding recreational objectives, design standards, the boat-in camp, paddler parking and at-risk species.

Suggested changes to the proposed master plan were as follows:

1. **Recreational Objectives:** Under Objectives 1 and 2 adding language indicating the City's intent to provide recreational opportunities and facilities that optimize the recreational experiences of the visitors, prevent overcrowding, prevent conflicts between recreational uses and with adjacent neighborhoods, and are appropriately located, signed and designed in relation to the site characteristics.

It was the consensus of Council to add the language suggested.

2. **Design Standards:** Consistent with Policy 4, the addition of basic design standards that would help assure that the park use and management objectives are being met with flexibility allowing for needed adjustments in the implementation phases.

Council decided rather than adopt design standards verbiage suggested by ORPD to go through the Parks Advisory Board and citizen task forces to design different elements in the park as approved by Council.

3. **Boat-in Camp:** Better definition of the Boat-in Camp with some basic design standards, as alluded to in Policy 4 indicating the intended number of campsites and the allowable number of people that may occupy a campsite. A portable toilet should be installed seasonally, located to minimize odors and discourage vandalism. Adequate separation should be provided between the camp and other park use areas. The multi-use path should

be located close enough to the camp to enable oversight and enforcement, but far enough away to allow reasonable privacy for the campers.

Council decided rather than adopt these details to go through the Parks Advisory Board and citizen task forces to design these elements in the park with approval by Council.

4. Paddler Parking: Inclusion of a provision for overnight paddler parking.

Council decided rather than adopt this provision to go through the Parks Advisory Board and citizen task forces to develop appropriate facilities in the park as approved by Council.

5. At-Risk Species: On Page 9 changing the verbiage to read "no rare or endangered wildlife were found at the site in the natural resource assessment process."

It was the consensus of Council to add the language suggested.

Councilor Walsh moved to approve the Keizer Rapids Park Master Plan and Direction to Make Application to Marion County for Land Use Approval as amended, adding the Oregon Parks Department additions to Recreational Objectives and At-Risk Species and to reference the Keizer Rapids Park Boat Launch Design Task Force and attach as an Exhibit Objective 8: The development of Keizer Rapids Park will be done in a manner that is sensitive to the existing neighborhood and will make use of good neighbor buffering, fencing, signage and other design considerations to avoid potential conflicts to the greatest extent feasible. Councilor Taylor seconded.

Councilor McKane recommended the addition of goals to the Boat Launch Design Task Force. He proposed that language be added that the capacity of the river in the area be taken into account, that inventory be made of the usage of other facilities in the area and that input be requested from safety professionals regarding capacity. Nate Brown explained that the Marine Board consists of safety professionals and they have extensive documentation regarding usage of the river. Staff endorses the Task Force as a good opportunity to work with the Board and receive education from them on the statistics and safety of the river.

Councilor McKane proposed an amendment to add a sentence at the end of the first paragraph of the Task Force goals: "Take into consideration (1) the carrying capacity of the river in the area of the boat launch, (2) inventory and usage of other facilities in the area and (3) the safety of the users and physical layout of the river."

City Attorney Shannon Johnson suggested the following verbiage to be added to the end of the first paragraph of the Task Force goals: "As part

of the process, an inventory and usage of other facilities, the carrying capacity of the river, and the safety for the users in this area of the river will be also considered."

Councilor McKane offered a friendly amendment using the language suggested by City Attorney Johnson.

Councilors Walsh and Taylor accepted the amendment.

Councilor Moir offered a friendly amendment to add to the end of Objective 8: "While providing the greatest good for the majority of the community as a whole."

Councilors Walsh and Taylor accepted the amendment.

Councilor Taylor noted that this park will benefit generations to come. Mayor Christopher thanked everyone for participating in the park process and invited them to stay involved. Councilor Walsh expressed gratitude to all those who participated in the project especially the jurisdictions outside Keizer. Councilor Nichols thanked the Keizer citizens for their cordiality and input in the process. Councilor Lee commended all who participated on the project.

Motion passed unanimously as follows:

AYES: Christopher, Walsh, Nichols, Lee, Moir, McKane and Taylor (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Taken out of order.

A. RESOLUTION ~ Establishing Keizer Police Community Response Unit Petty Cash Fund

Councilor Walsh moved for approval of the Consent Calendar.
Councilor Lee seconded.

Chief Adams explained that the fund allows for "scuff" money for investigators who work narcotic investigations so that they have ready cash to pay for expenses or information.

Motion passed as follows:

AYES: Christopher, Walsh, Nichols, Moir, Lee, Taylor and McKane (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**CONSENT
CALENDAR**

COMMITTEE REPORTS

Taken out of order.

City Manager, Chris Eppley, reported that there were two vacancies on the Planning Commission. Notice of the vacancies was published and Martin Matiskainen and Craig Prins were unanimously recommended to fill the vacancies by the Volunteer Coordinating Committee. They were invited to attend the City Council meeting to receive a proclamation for their appointments.

Councilor Moir moved to accept the recommendation of the Volunteer Coordinating Committee and appoint Martin Matiskainen and Craig Prins to the Planning Commission each for a three-year term. Councilor Taylor seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Nichols, Lee, Moir, McKane and Taylor (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Mayor Christopher read the proclamation and Mr. Matiskainen explained why he wished to serve.

City Manager, Chris Eppley, reported that there were two vacancies on the Budget Committee. Notice of the vacancies was published and Donna Bradley and David Lapof were unanimously recommended to fill the vacancies by the Volunteer Coordinating Committee. They were invited to attend the City Council meeting to receive a proclamation for their appointments.

Councilor Walsh moved to accept the recommendation of the Volunteer Coordinating Committee and appoint Donna Bradley and David Lapof to the Budget Committee each for a three-year term. Councilor Moir seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Nichols, Lee, Moir, McKane and Taylor (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Ms. Bradley and Mr. Lapof explained why they wished to serve.

OTHER BUSINESS

a. New Business

b. Old Business

Deferred to next meeting.

WRITTEN COMMUNICATIONS

Mayor Christopher reported that the League of Oregon Cities is sponsoring a "City Hall Day" in Newberg on October 19 from 3 to 5 pm at the Public Safety Building. Everyone is invited.

AGENDA INPUT

October 9, 2006

5:45 p.m. City Council Work Session

- Neighborhood Association Task Force Recommendations

October 16, 2006

7:00 p.m. City Council Regular Session

- Volunteer of the Quarter Awards
- Civic Center RFP Recommendation
- Parks Master Plan RFP Recommendation

November 6, 2006

7:00 p.m. City Council Regular Session

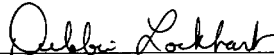
ADJOURNMENT

Mayor Christopher adjourned the meeting at 10:33 p.m.

MAYOR:

APPROVED:


Lore Christopher



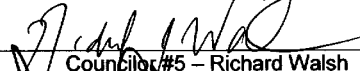
Debbie Lockhart, Deputy City Recorder

COUNCIL MEMBERS

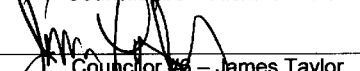

Councilor #1 – David McKane

Councilor #4 – Jacque Moir


Councilor #2 – Troy Nichols


Councilor #5 – Richard Walsh

Councilor #3 – Charles E. Lee


Councilor #6 – James Taylor

Minutes approved:

November 6, 2006