# M I N U T E S

## KEIZER CITY COUNCIL
Tuesday, October 2, 1990
Robert L. Simon Council Chambers
Keizer City Hall

CALL TO ORDER

Mayor Orcutt called the special session to order at 10:08 a.m. Roll call was noted as follows:

Present
Andrew J. Orcutt, Mayor
Phil Bay, Councilor
Yvonne Fischer, Councilor
Mike Hart, Councilor
Bob Pritchard, Councilor

Absent
Bob Newton, Councilor
Joe Van Meter, Councilor

Staff
Donald H. Otterman, City Manager
Shannon Johnson, City Attorney
Sue Darby, City Recorder

REGIONAL ISSUES

Mr. Otterman distributed to the Council an agenda prepared by the City of Salem for the 12:00 noon meeting today. This item outlined the unresolved regional issues related to periodic review.

With respect to the issue involving review of comprehensive plan amendments of more than 15 acres, Mr. Otterman stated that this is Marion County's proposal. He noted that the City of Salem would like to see this concurrence requirement removed. He has attempted to get Marion County to agree to wording which would give each jurisdiction the opportunity to comment on such amendments, but not to have veto power. If a jurisdiction disagrees with an amendment, it can appeal the amendment to the Land Use Board of Appeals (LUBA). If the County agrees to this rewording, then Keizer can move forward with its Chemawa Activity Center plan. The Council concurred in this proposal.

Also made an issue by Marion County is one of minimum residential densities. Mr. Otterman stated that the City of Salem also objects to this proposal. Wording will be proposed that will show the minimum densities as a goal rather

than as a requirement to be reviewed annually. Mr. Johnson interjected that the City of Salem left this off their final review order. He stated that an argument could be made whether the other jurisdictions should be forced to deal with this proposal. Mr. Johnson suggested that no formal agreement be made until staff has had the opportunity to discuss this with John Spencer.

Responding to a question from Councilor Bay, Mr. Otterman indicated that he would prefer not to average out the density. It may be that Marion County will settle for some vague wording this time if the jurisdictions will take another look at it during next periodic review.

With respect to the Willow Lake Treatment Plant, Mr. Otterman stated that the issue is whether there should be limits placed on uses within the area of influence because of the odor. Councilor Pritchard commented that the City of Salem has had plenty of time to determine whether there is any impact on the surrounding area. He believed that the proposal of one unit per acre is far too restrictive. Mr. Otterman commented that Salem may be anxious to complete the periodic review process, however, they have not proposed any changes to the Willow Lake Treatment Policy. Councilor Bay believed that Salem had a deadline on a grant that was being withheld because periodic review has not been finalized.

Mr. Johnson noted that the issue of the urban growth boundary expansion still remains unresolved. It was Mr. Johnson's impression, from a meeting with Salem staff, that although there was some political pressure being placed, Salem staff believed the parties might be able to move forward without this statement. Mr. Otterman explained that the "first out, first in" policy is not in Keizer's comprehensive plan. He believes that to require this would be a violation of State goals which Keizer may wish to address with LUBA. It was noted that this is a big issue with Polk County. Councilor Hart commented that it may be two to four periodic reviews down the road before this issue comes into factual play. Mr. Otterman suggested that an alternative might be to indicate that the urban growth boundary expansion will be addressed during the next periodic review. Mayor Orcutt preferred to deal with the issue

now. Litigation may cost in the area of $15,000 to $20,000, according to earlier cost figures from the City Attorneys.

Councilor Pritchard noted that the areas which would be reinstated to the urban growth boundary in the west and south areas of Salem are very hilly and rocky. He indicated it would be too expensive to extend improvements to these areas, adding that the flat farmland north of Keizer would be preferable for residential growth from that standpoint. Mr. Johnson stated that from the State's point of view, Keizer and Salem are in one urban area. Whether Keizer fills up first would not have an effect on which area should expand its urban growth boundary. Mr. Johnson indicated that he would argue that expansion on the north end would make as much sense as expansion on the south or west sides.

Mr. Otterman stated that he believes Salem will want to come up with wording that says a lot but means very little as far as the jurisdictions not giving up anything. Councilor Hart noted that while it was easy for that "first out, first in" statement to be made years ago, Keizer was not yet an involved party.

The Council agreed to see what proposals Salem suggests on these issues.

ADJOURNMENT The meeting adjourned at 11:40 a.m.

Respectfully submitted,

Susan Darby, City Recorder

APPROVED:

MAYOR

(COUNCILOR NEWTON ABSENT)

(COUNCILOR VAN METER ABSENT)