

AGENDA

KEIZER CITY COUNCIL **REGULAR SESSION**

Monday, October 1, 2012

7:00 p.m.

Robert L. Simon Council Chambers
Keizer, Oregon

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **PLEDGE OF ALLEGIANCE**

4. **PUBLIC TESTIMONY**

This time is provided for citizens to address the Council on any matters other than those on the agenda scheduled for public hearing.

5. **PUBLIC HEARINGS**

a. **Mariscos La Sirenita Liquor License Application – Change of Privilege**

6. **ADMINISTRATIVE ACTION**

a. **Naming of Boat Ramp at Keizer Rapids Park**

b. **ORDINANCE – Relating to the Amendment of the Electric Utility License Fee Ordinance; Declaring an Emergency (Amending Ordinance 94-286)**

ORDINANCE – Retlating to the Amendment of the Gas Utility License Fee Ordinance; Declaring an Emergency (Amending Ordinance 94-285)

c. **Fee Waiver for Claggett Creek Soccer Field Use by Keizer Soccer Club**

7. **CONSENT CALENDAR**

a. **RESOLUTION – Extending Workers' Compensation Insurance Coverage to Keizer Volunteers (Repealing R2005-1598)**

b. **RESOLUTION – Continuing Keizer Little League Park Task Force**

c. Approval of September 4, 2012 Regular Session Minutes

8. COMMITTEE REPORTS

a. Planning Commission Appointment

9. OTHER BUSINESS

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

a. New Business or Old Business Issues

10. WRITTEN COMMUNICATIONS

To inform the Council of significant written communications.

11. AGENDA INPUT

October 8, 2012

5:45 p.m. – City Council Work Session

October 15, 2012

7:00 p.m. – City Council Meeting

November 5, 2012

7:00 p.m. – City Council Meeting

12. ADJOURNMENT

Upon request, auxiliary aids and/or special services will be provided. To request services, please contact us at (503)390-3700 or through Oregon Relay at 1-800-735-2900 at least two working days (48 hours) in advance.

CITY COUNCIL MEETING: October 1, 2012

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS C. EPPLEY
CITY MANAGER**

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

**SUBJECT: MARISCOS LA SIRENITA- LIQUOR LICENSE APPLICATION
GREATER PRIVELEGE**

ISSUE:

On August 27, 2012 the City received an application for a change of license - greater privilege for the liquor license for Mariscos La Sirenita, located at 5458 River Road N, Keizer, Oregon. There are no changes in the ownership or location of the establishment, therefore a report from the Keizer Police Department or Keizer Community Development Department is not included.

Notice of the hearing has been published in the Keizertimes and letters sent to property owners within 200 feet of the establishment as outlined in the Ordinance. No comments have been received as of the writing of this report.

RECOMMENDATION:

It is recommended the City Council open the public hearing, receive testimony, and close the public hearing. It is further recommended the City Council review the application and recommend approval of the greater privilege liquor license for Mariscos La Sirenita under the guidelines as established by ORS 471.178 and the Ordinances of the City of Keizer. This recommendation shall then be forwarded to the Oregon Liquor Control Commission for final approval.



OREGON LIQUOR CONTROL COMMISSION LIQUOR LICENSE APPLICATION

Application is being made for:

LICENSE TYPES

- ☐ Full On-Premises Sales (\$402.60/yr)
☒ Commercial Establishment
☐ Caterer
☐ Passenger Carrier
☐ Other Public Location
☐ Private Club
☐ Limited On-Premises Sales (\$202.60/yr)
☐ Off-Premises Sales (\$100/yr)
☐ with Fuel Pumps
☐ Brewery Public House (\$252.60)
☐ Winery (\$250/yr)
☐ Other:

ACTIONS

- ☐ Change Ownership
☐ New Outlet
☒ Greater Privilege
☐ Additional Privilege
☐ Other

90-DAY AUTHORITY

☐ Check here if you are applying for a change of ownership at a business that has a current liquor license, or if you are applying for an Off-Premises Sales license and are requesting a 90-Day Temporary Authority

APPLYING AS:

- ☐ Limited Partnership ☐ Corporation ☐ Limited Liability Company ☐ Individuals

CITY AND COUNTY USE ONLY

Date application received: _____

The City Council or County Commission:

(name of city or county)

recommends that this license be:

☐ Granted ☐ Denied

By: _____
(signature) (date)

Name: _____

Title: _____

OLCC USE ONLY

Application Rec'd by: LVB

Date: 7/11/12

90-day authority: ☐ Yes ☐ No

1. Entity or Individuals applying for the license: [See SECTION 1 of the Guide]

arisco La Sirenita LLC

2. Trade Name (dba) Mariscos La Sirenita

3. Business Location:

(number, street, rural route) (city) (county) (state) (ZIP code)

4. Business Mailing Address: 5458 River Rd N. Keizer OR 97303
(PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: 503-390-1474
(phone) (fax)

6. Is the business at this location currently licensed by OLCC? ☒ Yes ☐ No

7. If yes to whom: Mariscos La Sirenita LLC Type of License: Limited On-Premises Sales

8. Former Business Name: N/A

9. Will you have a manager? ☐ Yes ☒ No Name: _____
(manager must fill out an Individual History form)

10. What is the local governing body where your business is located? Keizer
(name of city or county)

11. Contact person for this application: Lorena Sanchez 503-569-6878
(name) (phone number(s))
4354 Falcon View Way NE Salem OR 97305 Apt. #104
(address) (fax number) (e-mail address)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:

Lorena Sanchez Date 7-13-12 Date _____

② _____ Date _____ ④ _____ Date _____

Print # 38393 8/27/12



OREGON LIQUOR CONTROL COMMISSION BUSINESS INFORMATION

Please Print or Type

Applicant Name: Lorena Sanchez Phone: 503-569-6878

Trade Name (dba): Mariscos La Sirenita

Business Location Address: 5458 River Rd N.

City: Keizer ZIP Code: 97303

DAYS AND HOURS OF OPERATION

Business Hours:

Sunday	<u>10:30 AM</u>	to	<u>12 am</u>
Monday	<u>10:30</u>	to	<u>12 am</u>
Tuesday	<u>10:30</u>	to	<u>12 am</u>
Wednesday	<u>10:30</u>	to	<u>12 am</u>
Thursday	<u>10:30</u>	to	<u>12 am</u>
Friday	<u>10:30</u>	to	<u>12 am</u>
Saturday	<u>10:30</u>	to	<u>12 am</u>

Outdoor Area Hours:

Sunday	_____	to	_____
Monday	_____	to	_____
Tuesday	_____	to	_____
Wednesday	_____	to	_____
Thursday	_____	to	_____
Friday	_____	to	_____
Saturday	_____	to	_____

The outdoor area is used for:

☐ Food service Hours: _____ to _____

☐ Alcohol service Hours: _____ to _____

☐ Enclosed, how _____

The exterior area is adequately viewed and/or supervised by Service Permittees.

(Investigator's Initials)

Seasonal Variations: ☐ Yes ☒ No If yes, explain: _____

ENTERTAINMENT

Check all that apply:

- | | |
|--|---|
| ☐ Live Music | ☐ Karaoke |
| ☐ Recorded Music | ☐ Coin-operated Games |
| ☐ DJ Music | ☐ Video Lottery Machines |
| ☐ Dancing | ☐ Social Gaming |
| ☐ Nude Entertainers | ☐ Pool Tables |
| | ☐ Other: _____ |

DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday	_____	to	_____
Monday	_____	to	_____
Tuesday	_____	to	_____
Wednesday	_____	to	_____
Thursday	_____	to	_____
Friday	_____	to	_____
Saturday	_____	to	_____

SEATING COUNT

Restaurant: 72 Outdoor: _____

Lounge: _____ Other (explain): _____

Banquet: _____ Total Seating: 72

OLCC USE ONLY	
Investigator Verified Seating:	☒ (Y) ☐ (N)
Investigator Initials:	<u>LS</u>
Date:	<u>7/18/18</u>
<u>LPD</u>	

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: Lorena Sanchez Date: _____

1-800-452-OLCC (6522)

www.oregon.gov/olcc

(rev. 12/07)

CITY COUNCIL MEETING: October 1, 2012

AGENDA ITEM NUMBER:_____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS

THROUGH: CHRISTOPHER C. EPPLEY, CITY MANAGER

FROM: E. SHANNON JOHNSON, CITY ATTORNEY

SUBJECT: *NAMING OF BOAT RAMP AT KEIZER RAPIDS PARK*

This matter is before the City Council regarding the naming of the boat ramp at Keizer Rapids Park. Councilors Taylor, Clark and Smith requested this item be placed on the agenda. There are no specific resolutions or ordinances regarding the naming of a public place such as this. There is a resolution regarding the naming process for city parks. I have attached a copy of that resolution and an amendment to such resolution. There is also a resolution regarding policies for Keizer Parks and Recreation donation opportunities. I have also attached a copy of that resolution.

Since there are no specific regulations in effect, the Council is free to take whatever action it deems appropriate.

RECOMMENDATION:

Take action as deemed appropriate by Council.

Please let me know if you have further questions in this regard. Thank you.

ESJ/tmh
attachments

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

RESOLUTION NO. R96- 894

ESTABLISHING A PROCESS FOR NAMING OF CITY PARKS

WHEREAS, The City of Keizer desires a formal policy for naming park properties , and

WHEREAS, , and a policy was reviewed and recommended by the Parks and Recreation Advisory Board. **NOW THEREFORE** ,

BE IT RESOLVED that the Council adopt the following process for naming park properties:

1. *Criteria*: Park properties should be named for their location, or in memory of a deceased individual who has positively impacted the City of Keizer in his/her lifetime.
2. *Public input*: In the case of a Neighborhood park, include a question on a park survey that is distributed to the neighbors of the park, asking their ideas for a name. If the park is larger and would be considered a Community park, ideas for a park name could be asked in the local paper, City Newsletter or water bill.
3. *Parks and Recreation Advisory Board review*: All ideas will be reviewed by the Board and a recommendation forwarded to the City Council.
4. *City Council Decision*: The City Council will receive from the Parks Board a review of the possible park names along with the Board's recommendation.

PASSED this 15 day of April, 1996.

SIGNED this 15 day of April, 1996

FMAGIC

Dennis Kelle
Mayor
Gracy L. Davis
City Recorder

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2
3 Resolution R2006- 1740

4
5 AMENDING RESOLUTION NO. R96-894 (ESTABLISHING
6 A PROCESS FOR NAMING OF CITY PARKS)
7

8 WHEREAS, Resolution No. R96-894 was adopted by the Keizer City Council on
9 April 15, 1996;

10 WHEREAS, the City Council wishes to amend such Resolution to provide for the
11 renaming of City Parks;

12 WHEREAS, the Keizer City Council has considered the matter and wishes to
13 amend the Resolution as set forth below;

14 NOW, THEREFORE,

15 BE IT RESOLVED by the City Council of the City of Keizer that Resolution No.
16 R96-894 (Establishing a Process for Naming of City Parks) is amended as set forth
17 below:

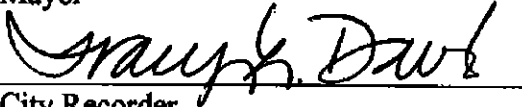
18 Section 1. Addition of Section 5. A new Section 5 is added to Resolution No.
19 R96-894 as follows:

20 5. *Renaming of Parks:* For the renaming of
21 existing, named parks, the City Council may adopt a new
22 name for a park after such review, recommendation by

1 the Parks and Recreation Advisory Board, and public
2 input as City Council may see fit without necessarily
3 following the above process.

4 PASSED this 20th day of November, 2006.

5
6 SIGNED this 20th day of November, 2006.

7
8 
9 Mayor
10 
11 City Recorder
12

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2
3 Resolution R2009- 1917

4
5 ADOPTING POLICIES FOR KEIZER PARKS AND
6 RECREATION DONATION OPPORTUNITIES;
7 REPEALING RESOLUTION R2006-1737 (ADOPTING
8 POLICIES FOR KEIZER PARKS AND PUBLIC
9 PLACES DONATION OPPORTUNITIES)

10
11 WHEREAS, Resolution R2006-1737 (Adopting Policies for Keizer Parks and
12 Public Places Donation Opportunities) was adopted by the Keizer City Council on
13 November 20, 2006;

14 WHEREAS, the City Council wishes to repeal such Resolution and replace it
15 with new policies for future donations;

16 NOW, THEREFORE,

17 BE IT RESOLVED by the City Council of the City of Keizer that the attached
18 "Keizer Parks and Recreation Donation Opportunities" is hereby adopted.

19 BE IT FURTHER RESOLVED that Resolution R2006-1737 (Adopting Policies
20 for Keizer Parks and Public Places Donation Opportunities) is hereby repealed in its
21 entirety.

22 PASSED this 2nd day of February, 2009.

23 SIGNED this 2nd day of February, 2009.

24
25
26 Mayor

27
28 City Recorder

**Keizer Parks and Recreation
Donation Opportunities**

The Keizer City Council and Keizer Parks and Recreation Board encourage individuals, groups and organizations to make donations to improve public parks, places and facilities.

I. Types of Donations: Gifts donated to parks can be designated for a specific park or program or undesignated leaving use of the donation to the discretion of city staff. Donation opportunities are limitless but include:

- Park Equipment (benches, picnic tables, kiosks, walkways)
- Playground Equipment
- Trees and shrub plantings
- Recreation Programs and Scholarships
- Sports Equipment
- Artwork
- Structures & facilities
- Property

Gifts to improve Keizer parks can be donated to the City of Keizer or the Keizer Parks Foundation. This foundation was established in 2007 to provide a volunteer citizen organization and fundraising effort focusing solely on improving Keizer's parks and associated recreation programs. The foundation will work with the Keizer Parks Department to implement its projects in a manner that is coordinated with and beneficial to the city.

Gifts may be tax deductible. Donors are advised to consult their own tax professional to determine deductibility. Each individual, group, or organization will receive a letter of appreciation and appropriate tax verification information.

II. Criteria for Accepting Donations: The following general principles have been established by the Keizer Parks and Recreation Board to help determine the appropriateness of donations:

- A. *Preserve the integrity and artistry of the parks, trails, and open spaces.* Donations should be placed in a park to enhance the master plan and be part of the overall landscape design of the site.
- B. *Provide a "Quiet Reverence" instead of a public display.* Donations should allow the existing natural scenery and architecture to dominate. Donations should not detract from the quality of the visitor's experience or overpower the setting.
- C. *Less is better than more.* A conservative approach is warranted and great consideration must be given to site design if a donation is located in scenic or historic environs of parks, trails, and open spaces.

- D. *Incorporate Broad Community Values.* All donations should have significance that is readily apparent to the general public and not that of a small special interest group.

III. Recognition for donations:

- A. **Acknowledgement of general donations:** The city and parks and recreation advisory board will work to visibly acknowledge significant donations in a manner that is appropriate for the given donation, that does not detract from the quality of a park or program, and that serves to encourage further donations to improve public facilities and programs.
- B. **Acknowledgement of sponsorships:** Sponsorships are temporary agreements with the city of Kelzer for donations that fund events, recreational activities, or specific items (i.e. benches, trees, tables, fountains). The acknowledgement will be in the form of a plaque and/or recognition in event materials or other agreed upon recognition methods. For specific items, the recognition may extend to the life of the item at the City's option.
- C. **Acknowledgement through Naming Rights:** One of the most visible and sensitive forms of acknowledgement is the naming of a park or a facility within a park after an individual, company, or organization. In an effort to treat all "naming" suggestions in a fair and open manner, and recognizing the potential for controversy surrounding such decisions, the Parks and Recreation Advisory group has developed the following guidelines.
1. **General Procedure for Naming Rights:**
- a. Naming suggestions from the public, advisory board members, organizations, and others should be made to the Parks Division in Kelzer's Public Works Department in writing. The information provided should include justification for the name in order to aid in considering the suggestion.
 - b. After review by the appropriate city staff the proposal will be placed on the agenda of the Kelzer Parks and Recreation Advisory board and will be brought forward with a recommendation from city staff. Public input will be solicited via normal publication methods and time will be provided for public input at a designated Parks Advisory meeting. Procedures for naming and renaming of parks will at a minimum include the provisions outlined in City Council Resolutions R96-894 and R2006-1740 pertaining to the naming of city parks.
 - c. The Kelzer Parks and Recreation Board recommendation will be forwarded to the Kelzer City Council for final action and official designation.
2. **Criteria for Names:** The following are criteria the advisory board will use in considering suggestions for names:

- a. Names will be considered if appropriate for the park, facility, or amenity within a facility. The name must not duplicate, or be closely relate to, or pronounced similarly, to any other name within the Keizer system to minimize confusion to the general public; or be a name associated with a company whose business is deemed illegal; or be discriminatory or derogatory of race, gender, creed, religious or political affiliations, or other similar factors.
- b. To be recommended, names should be relevant to the item being named, be reviewed by other individuals, corporations, and organizations who have made significant contributions to the completion of the park or facility being named, and meet one or more of the following criteria:
 - (1) Recognize a person or organization that has made an exceptional contribution to and a positive impact in the community, either through many acts over time or one exceptional contribution. Relevant contributions can include: significant funding or donations of material, time, and/or talent to build, maintain or develop a park or facility; donations enabling the acquisition, development or conveyance of land or facility; or other tangible or intangible contributions or positive impacts.
 - (2) Highlight a relevant, important historical event, natural phenomenon or geographic location.
 - (3) Names reflecting private business identities will be considered when it results from donations that made a park or facility available to the public that otherwise would not exist and reflects either the initial agreement concerning the donation and/or ongoing contributions helping to maintain or improve the park or facility. Commitments for names conferred through this provision are only for the period of time specified in the associated agreements. Names reflecting business donations will only be considered when the donation covers in excess of 50% of the costs associated with the facility.
3. In all cases, the Parks Advisory Board and City of Keizer are strongly committed to appropriately acknowledge all critical contributors through signage at the site of major donations. Signage shall be approved and placed by the City or its agents only.

CITY COUNCIL MEETING: October 1, 2012

AGENDA ITEM NUMBER:_____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS

THROUGH: CHRISTOPHER C. EPPLEY, CITY MANAGER

FROM: E. SHANNON JOHNSON, CITY ATTORNEY

**SUBJECT: AMENDMENT OF ELECTRIC UTILITY LICENSE FEE
ORDINANCE AND GAS UTILITY LICENSE FEE ORDINANCE**

We have been negotiating the franchise agreements with Portland General Electric, Salem Electric and Northwest Natural Gas. We have reached agreement on some of those, but have not been able to finalize all issues.

It has been determined that a 60-day notice is required prior to adoption of any changes to the old Ordinances. I have also determined that it is appropriate for a public hearing to be held prior to adoption of the new Ordinances. We anticipate the public hearing to be held on December 3, 2012. Therefore, we will need to extend the existing license fees to January 22, 2013 to allow time for notice, holding a public hearing, acceptance of the new franchise agreements and the standard thirty day effective date.

I have prepared Ordinances extending the license fees to January 22, 2013.

RECOMMENDATION:

Adopt the attached extension Ordinances.

Please contact me if you have any questions in this regard. Thank you.

ESJ/tmh

1 BILL NO. ____

A BILL

ORDINANCE NO.

2012-_____

3 FOR

4
5 AN ORDINANCE

6
7 RELATING TO THE AMENDMENT OF THE ELECTRIC UTILITY
8 LICENSE FEE ORDINANCE; DECLARING AN EMERGENCY
9 **(AMENDING ORDINANCE NO. 94-286)**

10
11 WHEREAS, the City Council of the City of Keizer has adopted Ordinance No.

12 94-286 which establishes utility license fees for electric utilities;

13 WHEREAS, Ordinance No. 94-286 has been extended to October 31, 2012;

14 WHEREAS, the City Council of the City of Keizer has determined that it is
15 appropriate to renew the ordinance to January 22, 2013;

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

17 Section 1. AMENDMENT OF ORDINANCE NO. 94-286. Ordinance No. 94-
18 286 (An Ordinance Relating to Electric Utilities in the City of Keizer; Establishing
19 Utility License Fees and Declaring an Emergency) is hereby amended at Section 9 as
20 follows:

21 Section 9. TERMINATION. This Ordinance shall automatically terminate
22 on January 22, 2013 unless the City Council shall renew it, provided,
23 however, that any such termination shall not restrict or terminate the City's
24 right and authority to collect from any subject utility any amounts which
25 become due under this Ordinance prior to that termination.
26
27

1 Section 2. EFFECTIVE DATE. This Ordinance being necessary for the
2 immediate preservation of the public health, safety and welfare, an emergency is
3 declared to exist and this Ordinance shall take effect immediately upon its passage.

4 PASSED this _____ day of _____, 2012.

5

6 SIGNED this _____ day of _____, 2012.

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9

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Mayor

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12

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City Recorder

1 BILL NO. _____ A BILL ORDINANCE NO.
2 2012-_____
3 FOR
4
5 AN ORDINANCE
6

7 RELATING TO THE AMENDMENT OF THE GAS UTILITY
8 LICENSE FEE ORDINANCE; DECLARING AN EMERGENCY
9 **(AMENDING ORDINANCE NO. 94-285)**
10

11 WHEREAS, the City Council of the City of Keizer has adopted Ordinance No.
12 94-285 which establishes utility license fees for gas utilities;

13 WHEREAS, Ordinance No. 94-285 has been extended to October 31, 2012;

14 WHEREAS, the City Council of the City of Keizer has determined that it is
15 appropriate to renew the ordinance to January 22, 2013;

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

17 Section 1. AMENDMENT OF ORDINANCE NO. 94-285. Ordinance No. 94-
18 285 (An Ordinance Relating to Gas Utilities in the City of Keizer; Establishing Utility
19 License Fees and Declaring an Emergency) is hereby amended at Section 9 as follows:

20 Section 9. TERMINATION. This Ordinance shall automatically terminate
21 on January 22, 2013 unless the City Council shall renew it, provided,
22 however, that any such termination shall not restrict or terminate the City's
23 right and authority to collect from any subject utility any amounts which
24 become due under this Ordinance prior to that termination.
25
26
27
28

1 Section 2. EFFECTIVE DATE. This Ordinance being necessary for the
2 immediate preservation of the public health, safety and welfare, an emergency is
3 declared to exist and this Ordinance shall take effect immediately upon its passage.

4 PASSED this _____ day of _____, 2012.

5

6 SIGNED this _____ day of _____, 2012.

7

8

9

10

Mayor

11

12

13

City Recorder

CITY COUNCIL MEETING: October 1, 2012

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

**FROM: BILL LAWYER
PUBLIC WORKS DIRECTOR**

**SUBJECT: FEE WAIVER FOR CLAGGETT SOCCER FIELD USE BY KEIZER
SOCCER CLUB**

DATE: September 21, 2012

BACKGROUND:

Jim Parent representing the Keizer Soccer Club (KSC) appeared at the September 17th City Council meeting to request a waiver of the fees for reserving the soccer field at Claggett Creek Park. This request was for an 8 week period on Saturday mornings from 9:00 am to 12:00 pm. The actual dates and times are listed below. The City Council directed staff to prepare a staff report with a recommendation to be considered at the October 1st regularly scheduled City Council meeting. The use of the soccer field by KSC will not result in an increased level of service to be provided by City staff as KSC has committed to providing the nets for the goals and lining the field. Staff will mow the field on our regular schedule with no other additional maintenance required.

Sept. 22nd 9:00am to 3:00pm Sept. 29th 9:00am to 1:00pm Oct. 6th 9:00am to 1:00pm

Oct. 13th 9:00am to 3:00pm Oct. 20th 9:00am to 1:00pm Oct 27th 9:00am to 3:00pm

Mr. Parent and KSC are interested in working towards a goal of rehabilitating the soccer field in partnership with the City to create a higher quality field, one that is level across the width of the field, and they believe that having their teams use the field for the fall season will expose the group to the need for the rehabilitation and improvement to the soccer field.

FISCAL IMPACT:

The waiver of these fees would theoretically result in the loss of approximately \$1,100.00 in potential field rental revenues if the fields were reserved for the identified days and hours. Currently, however no other groups or private parties have approached the City regarding reserving the facility.

RECOMMENDATION:

Staff recommends the City Council by minute motion approve the fee waiver for the days and times specified above.

Please contact me with any questions or concerns.

COUNCIL MEETING: October 1, 2012

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS C. EPPLEY
CITY MANAGER**

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

**SUBJECT: EXTENDING WORKERS COMP COVERAGE FOR CITY OF KEIZER
VOLUNTEERS**

ISSUE:

Since 1993, the City of Keizer has included volunteers, such as those serving on the City Council, Boards and Commissions, Keizer Reserve Officers, Park volunteers, etc. to be included in the City's Workers Compensation coverage. During the annual audit, City County Insurance Services (CIS) requested we update our current Resolution to include the aggregate assumed annual wage language. Upon further review of the Resolution, it was noted the inclusion of coverage for community services workers was not listed. Since moving into the new facility, we have utilized community service workers assigned from the Keizer Municipal Court, Keizer Peer Court, and on occasion, from other Marion County courts to assist with facility grounds maintenance.

RECOMMENDATION:

It is recommended the City Council adopt the attached Resolution Extending Workers Compensation Coverage to City of Keizer volunteers.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2005- 1598

**EXTENDING WORKERS' COMPENSATION INSURANCE COVERAGE TO
CITY OF KEIZER VOLUNTEERS**

WHEREAS, the City of Keizer elects the following:

**Pursuant to ORS 656.031, workers' compensation coverage will be provided to
the classes of volunteer workers listed on the attached Volunteer Election Form.**

- 1. An assumed monthly wage of \$800 per month will be used for public
safety volunteers; and**
- 2. Non-public safety volunteers will keep track of their hours and have their
assumed payroll reported in the correct class code for the type of work
being performed using Oregon minimum wage; and**
- 3. A roster of active volunteers (public safety and non-public safety) will be
kept monthly for reporting purposes. It is acknowledged that City/County
Insurance Services may request copies of these rosters during year-end
audit; and**
- 4. Unanticipated volunteer projects or exposure not addressed herein will be
added onto the City of Keizer's coverage agreement by endorsement with
advanced notice to CIS and allowing at least 2 weeks for processing. It is
hereby acknowledged that coverage of this type cannot be backdated.**



**CIS Paid Loss Retrospective Plan
for City of Keizer
Payroll Display and Contribution Estimate**

Class Code	Description	Payroll	Rate	Contribution
5506	Street/Road Maintenance	\$39,900	7.61	\$3,036.39
7520	Water	\$428,500	4.31	\$18,468.35
7720	Law Enforcement	\$2,268,000	4.42	\$100,245.60
8411	Public Safety Volunteers	\$288,000	0.68	\$1,958.40
8742V	Volunteer Boards/Commissions/Public Officials	\$20,000	0.34	\$68.00
8810	Clerical	\$1,317,300	0.21	\$2,766.33
8810V	Volunteer Clerical/Library/911 Operators	\$5,700	0.21	\$11.97
8820	Attorneys/Judges/Bailiffs/Court Clerks	\$34,100	0.25	\$85.25
9015	Building Maintenance & Lifeguards	\$34,100	3.73	\$1,271.93
9102	Parks Maintenance	\$39,900	3.97	\$1,584.03
9410	Municipal/County Employees NOC	\$181,100	1.37	\$2,481.07

Estimated Manual Contribution		\$131,977.32
Increased Limits Factor	x	1.03
Experience Rating Modification Factor	x	0.93
Estimated Standard Contribution	=	\$126,421.08
Prime Account Discount	-	\$6,321.05
Transition Adjustment	x	1.00
Estimated Adjusted Contribution	=	\$120,100.03
Initial Contribution Factor	x	0.35
State Assessment (7%)	+	\$8,407.00
Multi-Line Credit	-	\$2,402.00
Estimated Annual Contribution	=	\$48,040.01

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2
3 Resolution R2012-____

4
5 EXTENDING WORKERS' COMPENSATION INSURANCE
6 COVERAGE TO CITY OF KEIZER VOLUNTEERS; **REPEAL OF**
7 **RESOLUTION NO. R2005-1598**
8

9 WHEREAS, the City Council adopted Resolution No. R2005-1598 extending
10 workers' compensation insurance coverage to certain City volunteers;

11 WHEREAS, the City Council wishes to repeal such Resolution and elect to
12 extend workers' compensation insurance coverage to the volunteers specified herein;

13 WHEREAS, the City of Keizer elects the following:

14 Pursuant to ORS 656.031, workers' compensation coverage will be provided to
15 the classes of volunteer workers listed in this Resolution and on the attached Exhibit
16 "A".

- 17 1. An assumed monthly wage of \$800 per month will be used for public
18 safety volunteers;
- 19 2. An aggregate assumed annual wage of \$2,500 will be used per volunteer
20 board, commission and/or council for the performance of administrative
21 duties;
- 22 3. Non-public safety volunteers will keep track of their hours and have their
23 assumed payroll reported in the correct class code for the type of work
24 being performed using Oregon minimum wage;

1 4. Court-mandated community service workers/inmates on work release who
2 are sentenced by any court in the state of Oregon will keep track of their
3 hours and have their assumed payroll report in Class Code 7720V using
4 Oregon minimum wage;

5 5. A roster of active volunteers (public safety and non-public safety) will be
6 kept monthly for reporting purposes. It is acknowledged that CIS may
7 request copies of these rosters during year-end audit;

8 6. Unanticipated volunteer projects or exposure not addressed herein will be
9 added onto the City of Keizer's coverage agreement by endorsement with
10 advanced notice to CIS and allowing at least two (2) weeks for processing.

11 It is hereby acknowledged that coverage of this type cannot be backdated.

12 NOW, THEREFORE,

13 BE IT RESOLVED by the City Council of the City of Keizer that the City of
14 Keizer hereby elects, pursuant to ORS 656.031/656.041 to provide workers'
15 compensation coverage as indicated above.

16 ///

17 ///

18 ///

19 ///

20 ///

1 BE IT FURTHER RESOLVED by the City Council of the City of Keizer that
2 Resolution No. R2005-1598 is hereby repealed in its entirety, but such Resolution shall
3 remain in force for the purpose of providing workers' compensation coverage for claims
4 when such Resolution was in effect.

5 PASSED this _____ day of _____, 2012.

7 SIGNED this _____ day of _____, 2012.

9 _____
10 Mayor

11
12
13

City Recorder

EXHIBIT "A"

7720V	Law Enforcement Volunteers
8411V	Public Safety Volunteers
8742V	Volunteer Boards/Commissions/Public Officials
8810V	Volunteer Clerical/Library/911 Operators
9102V	Volunteer Parks/Summer Rec/Teen Center

CITY COUNCIL MEETING: October 1, 2012

AGENDA ITEM NUMBER:_____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS

THROUGH: CHRISTOPHER C. EPPLEY, CITY MANAGER

FROM: E. SHANNON JOHNSON, CITY ATTORNEY

SUBJECT: KEIZER LITTLE LEAGUE PARK TASK FORCE

The Keizer Little League Park Task Force was established to review the management structure, use rates, improvements required at Keizer Little League Park, and other appropriate issues regarding the Keizer Little League Park.

The Keizer Little League Park Task Force has not completed its purpose. Therefore, it is appropriate to extend such Task Force to February 4, 2013. This will allow time after the holidays to finalize the Task Force's final report.

RECOMMENDATION:

Adopt the attached Resolution continuing the task force to February 4, 2013.

Please let me know if you have any questions. Thank you.

ESJ/tmh

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2
3 Resolution R2012-____

4
5
6 CONTINUING KEIZER LITTLE LEAGUE PARK TASK FORCE

7
8
9 WHEREAS, a Keizer Little League Park Task Force was established under Resolution No.
10 R2012-2252 to review the management structure, use rates, improvements required and other
11 appropriate issues regarding the Keizer Little League Park;

12 WHEREAS, the Keizer Little League Park Task Force is set to dissolve on October 1, 2012
13 unless extended by City Council action;

14 WHEREAS, the Keizer Little League Park Task Force has not completed its purpose;

15 WHEREAS, the Keizer City Council finds it necessary and appropriate to continue the
16 Keizer Little League Park Task Force;

17 NOW, THEREFORE,

18 BE IT RESOLVED by the City Council of the City of Keizer that the Keizer Little league
19 Park Task Force is hereby continued as outlined in Appendix "A", which is attached hereto and by
20 this reference made a part hereof.

21 PASSED this _____ day of _____, 2012.

22
23 SIGNED this _____ day of _____, 2012.

24
25
26 _____
27 Mayor

28
29 _____
30 City Recorder

Appendix “A” City Council Task Force

Name: Keizer Little League Park Task Force

Purpose: To make recommendations to the Keizer City Council regarding management of Keizer Little League Park, suggested use rates, required improvements and other recommendations as the Task Force may deem appropriate.

Membership: The Task Force shall consist of seven members. Five members shall be appointed by the Mayor, together with one representative each from Keizer Youth Sports Association and Keizer Little League, named by such organizations. The Task Force will be staffed by the City Manager or other city staff as non-voting members.

Chair and Vice-Chair: The Task Force will elect the Chair and Vice-Chair at the first meeting.

Meetings: The Task Force shall meet as determined by a majority of the members. All meetings of the Task Force shall follow Robert Rules of Order Newly Revised and the Oregon Public Meeting Laws.

Attendance: It is the duty of each member to attend at least 75% of the meetings each calendar year. When a member is unable to attend a meeting, the member shall notify the Chair.

Duration: This Task Force shall be dissolved no later than February 4, 2013, unless extended by City Council action. However, the Task Force can make recommendations to City Council at any time.



MINUTES
KEIZER CITY COUNCIL
Tuesday, September 4, 2012
Keizer Civic Center, Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Christopher called the meeting to order at 7:08 p.m. Roll call was taken as follows:

Present:

Lore Christopher, Mayor
Cathy Clark, Council President
Brandon Smith, Councilor
Mark Caillier, Councilor
David McKane, Councilor
Jim Taylor, Councilor
Joe Egli, Councilor

Staff:

Chris Eppley, City Manager
Shannon Johnson, City Attorney
Nate Brown, Community Development
Bill Lawyer, Public Works Director
Marc Adams, Police Chief
Tracy Davis, City Recorder

FLAG SALUTE

Mayor Christopher led the pledge of allegiance.

**PUBLIC
TESTIMONY**

Jeff Fleming, Keizer, addressed Council regarding a development proposed for Zachris Court and McLeod. He explained that he was concerned about the safety of the children in the neighborhood, noted that the lots are not as wide as required by the neighborhood CCRs, and requested that the quantity of lots be reduced. Mr. Brown responded that CCRs are private agreements that the City has no power to enforce; applications cannot be denied based on CCRs. Mr. Fleming noted that the developer should have received a copy of the CCRs with the title papers and should therefore be aware of the restrictions.

Charles Baker, Keizer, questioned why Council could not veto this development as Salem did. Mr. Johnson suggested that it might have been a "Conditional Use" and the project in question is a simple subdivision. Discussion then took place regarding possible reasons that Salem could veto a development such as zoning and conditional use approvals.

Sherrie Gottfried, Keizer Renaissance Inn, distributed the tourism report for the past five months, reviewed recent activities including partnering with Oregon Garden for the Brewfest and the State Fair. She reviewed activities of the State Fair booth, thanked those who volunteered at the booth, and reviewed bookings that were made during the fair. She then provided details regarding Keizer Welcome Bags and noted that the next

Good Vibrations event is planned for July 12-14, 2013. In conclusion she reviewed bookings for upcoming events.

PUBLIC HEARING None

ADMINISTRATIVE ACTION
a. RESOLUTION ~
Authorization
for
Supplemental
Budget

Community Development Director Nate Brown explained that this amendment was to allow adjustment in staffing to bring the Permit Specialist back into Community Development for 90% of her time. There has been an increase in the number of permits and Dina continues to support Code Enforcement as well.

Councilor Clark moved to adopt a Resolution - Authorization for Supplemental Budget Community Development Staffing Needs. Councilor Taylor seconded. Motion passed unanimously as follows:

AYES: Christopher, Egli, Smith, McKane, Caillier, Taylor and Clark (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

CONSENT
CALENDAR

A. Approval of July 23, 2012 Work Session Minutes

B. Approval of August 6, 2012 Regular Session Minutes

C. Approval of August 13, 2012 Work Session Minutes

D. Approval of August 20, 2012 Regular Session Minutes

Councilor Clark pulled Item B; Councilor Taylor pulled Item D.

Councilor Clark moved for approval of Items A and C of the Consent Calendar. Councilor Taylor seconded. Motion passed unanimously as follows:

AYES: Christopher, Egli, Smith, McKane, Caillier, Taylor and Clark (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Councilor Clark moved for approval of Item B of the Consent Calendar. Councilor Taylor seconded. Motion passed as follows:

AYES: Christopher, Egli, Smith, McKane, Caillier and Taylor (6)

NAYS: None (0)

ABSTENTIONS: Clark (1)

ABSENT: None (0)

Councilor Clark moved for approval of Items D of the Consent Calendar. Councilor Smith seconded. Motion passed as follows:

AYES: Christopher, Smith, McKane, Caillier and Clark (5)

NAYS: None (0)

ABSTENTIONS: Egli and Taylor (2)

ABSENT: None (0)

COMMITTEE REPORTS

a. Keizer Heritage Foundation Board

Mayor Christopher read the Keizer Heritage Foundation report and indicated that she wished to serve on this committee. City Attorney Shannon Johnson explained that traditionally for outside committees like this, the Mayor appoints a representative. Council gave concurrence for her appointment.

Councilor Clark reported that she had attended the groundbreaking ceremony for the Newberg/Dundee by-pass. She noted that the Woodburn interchange construction would begin next year; the third bridge work session will be in October. She thanked State Fair booth volunteers, noted that K-23 did not have a quorum for the last meeting; and announced upcoming meeting details for Mid-Willamette Area Commission on Transportation, Commissioners Breakfast and West Keizer Neighborhood Association.

Councilor Egli announced the upcoming Chamber lunch: "Hometown Heroes".

Councilor Caillier announced the upcoming Keizer Chamber of Commerce Board meeting and the Claggett Creek Watershed Council meeting.

Councilor McKane announced that the September Planning Commission meeting has been cancelled.

OTHER BUSINESS

a. New Business or Old Business Issues

Chief Adams reported that he had met with the Director of Security for the Transit District regarding security at the new transit center at Keizer Station. He explained that there will be 9 cameras on the facility and after 10 p.m. the lights will dim down but be motion activated so any passing police car can readily see activity. He noted that Keizer was quiet over Labor Day and commended Councilor Clark for acting as Master of Ceremonies at the State Fair Franz School of Dance performance in which his granddaughter performed.

Nate Brown reported that the first Economic Opportunities Analysis Task Force meeting was well attended by members and interested parties. Five meetings are anticipated.

Shannon Johnson explained that for future reference, "tabling" a motion temporarily kills an issue. So the proper motion would be to "postpone to a date certain".

Councilor Egli reported that the letters on the Focal Point "Pride, Spirit and Volunteerism" were partially torn off a few years ago so all were removed. He has an estimate of \$750 for replacement letters and Randy Miller has offered to install them. There are many donors willing to donate for this project so another bid has gone out. He requested permission to continue with this project. Council gave him permission by consensus.

He added that CCR stands for Covenants, Conditions and Restrictions.

**WRITTEN
COMMUNICATIONS**

None

AGENDA INPUT

September 10, 2012

5:45 p.m. – City Council Work Session

- City Council Rules of Procedure – Section 17.8 Youth Councilor

September 4, 2012

5:45 p.m. – City Council Work Session

- Keizer Parks Tour (Keizer Little League Park, Keizer Rapids Park, and Wallace House Park)

September 17, 2012

7:00 p.m. – City Council Meeting

October 1, 2012

7:00 p.m. – City Council Meeting

ADJOURNMENT

With no further business, the meeting adjourned at 7:58 p.m.

MAYOR:

APPROVED:

Lore Christopher

Debbie Lockhart, Deputy City Recorder

COUNCIL MEMBERS

Councilor #1 – David McKane

Councilor #4 – Cathy Clark

Councilor #2 – Brandon Smith

Councilor #5 – Joe Egli

Councilor #3 – Mark Caillier

Councilor #6 – James Taylor

Minutes approved:

CITY COUNCIL MEETING: October 1, 2012

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

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

SUBJECT: KEIZER PLANNING COMMISSION APPOINTMENT

ISSUE:

On September 30, 2012, the Keizer Planning Commission term of Jonathan Thompson (position #6) expired. A media release was distributed and **Jonathan Thompson** submitted an application to continue serving on the Commission. No other applications were received.

At the September 13, 2012, meeting of the Volunteer Coordinating Committee, Mr. Thompson was interviewed and his application reviewed. The Volunteer Coordinating Committee recommends Jonathan Thompson for position #6 to serve a three-year term, expiring September 2015.

RECOMMENDATION:

It is recommended the City Council accept the recommendation of the Volunteer Coordinating Committee and appoint Jonathan Thompson to fill Planning Commission position #6 to serve a three-year term, expiring September 2015.