MINUTES

KEIZER CITY COUNCIL
Monday, October 1, 2001
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Christopher called the regular meeting to order at
7:15 p.m. Roll Call was taken as follows:

Present:
Lore Christopher, Mayor
Ray Kelly, Councilor
Charles E. Lee, Councilor
Jerry McGee, Councilor
Jacque Moir, Council President
Judy K. Smith, Councilor
Richard Walsh, Councilor

Staff:
Chris Eppley, City Manager
Rob Kissler, Public Works Director
Maria Meier, Planning Director
Mark Miranda, Captain
Shannon Johnson, City Attorney
Tracy L. Davis, City Recorder

PUBLIC TESTIMONY

Mike Basinger, 7624 Kayla Shae Court-spoke as an interested party regarding the new schools and traffic/pedestrian issues. Mr. Basinger reviewed a map which he provided that outlined some of his concerns. He stressed the need for a pedestrian walkway from Dearborn to the middle school for the safety of the school children. He summarized the remainder of the map noting the walking zones for Carmelite Weddle Elementary, Kennedy Elementary and Claggett Creek Middle School.

Councilor Smith noted a map and tape provided by a concerned citizen regarding the lack of safe pedestrian access in the area.

Responding to inquiries Public Works Director Rob Kissler noted that school zone flashers had been ordered with the hopes to have in place within the next

30-days. He reported that bids were being solicited for sidewalk construction between Claxter Road and 18th Avenue, also in coordination with Salem Electric and PGE this portion of the street would be lit. Mr. Kissler indicated that staff was analyzing funding and the possibility of reallocating funds for the construction of some type of bike path/walkway along Verda Lane south of Dearborn.

Mr. Basinger urged the Council to expedite the funding process for this project.

City Manager Eppley reported that staff would develop a proposal to present to the Budget Committee on October 16, 2001 to evaluate the funding of this project.

Mayor Christopher urged Mr. Basinger to attend the Budget Committee Meeting to address his concerns.

Mr. Basinger also discussed the traffic calming devices, which had been placed on Alder adjacent to the new school. He noted they were minor ridges in the pavement and felt that they did not provide the calming aspect needed in this area.

Council President Moir addressed earlier communications noting that she had been under the impression that children east of Verda Lane were going to be bussed to school. She indicated that this did not come about and felt this was the reason for the lack of adequate pedestrian access to the school on Verda Lane.

Responding to questions Mr. Kissler reported that he would review the Hearings Officer decision pertaining to the traffic calming devices and report back to Council. He indicated that an overlay similar to Cummings Avenue would supply a wide enough shoulder for pedestrians.

After further discussion Mayor Christopher suggested that the Hearings Officer decision be reviewed and this information brought back to the next Council meeting.

Mr. Basinger requested that staff and the school district work together to make the area safe for children.

Mayor Christopher thanked Mr. Basinger for his testimony.

COMMITTEE REPORTS

(taken after Administrative Action)

a. Gateway Project Presentation by Brooks Historical Society and Willamette Valley Model Rail Road Club

City Manager Eppley introduced Judy MacInnes with Willamette Valley Model Rail Road Club and Lena Carney with Brooks Historical Society.

Judy MacInnes, 4496 River Road North, Keizer-Vice President of the Willamette Valley Rail Road Club. Ms. MacInnes noted the club's intention of moving onto the Powerland site and the upcoming additions to the area.

Lena Carney-provided a brief history of the Brooks Historical Society and their reciprocation with the Keizer Chamber of Commerce and the Willamette Valley Rail Road Club.

Ms. MacInnes exhibited a map of future plans for the Powerland site. She summarized some of the fundraising events that would take place.

Mayor Christopher thanked Ms. Carney and Ms. MacInnes for their presentation.

b. City of Salem Waste Water Facility Plan-Presentation by Frances Kessler

Mr. Kessler summarized the 1996 Waste Water Master Plan and the requirement to eliminate sewage overflows into the Willamette River by 2009. He indicated that the costs for these upgrades were noted at $310 million in 1996 master plan. He noted alternatives for these upgrades and stressed the need for support.

Councilor Kelly declared a potential conflict of interest regarding the issue.

Paul Eckley, Operations Manager-noted the various organizations where presentations had been made and stakeholders supplied with information regarding this issue. Mr. Eckley noted the bottlenecks in the sewer system near Union Street and out near north River Road Park. He reiterated options to control the spillage during wet weather that included either the development of interceptors or satellite facilities. Mr. Eckely reported that a draft plan for these projects should be complete in January.

Mr. Eckely responded to questions from the Council addressing that the plan for the plant would extend its use through 2027. He provided illustrations of the Willow Lake Natural Treatment Wetlands and urged the Council to review this area.

(moved to Skyline Ford Development Review)

c. Council Liaison Reports *(all Council Liaison reports were reviewed after public hearings with the exception of the TSC report which was reviewed after the Skyline Ford Public Hearing)*

- **Library Services Task Force**-Councilor Walsh reported that the subcommittees met and would be compiling their information into a single comprehensive report that would be presented to the Council in the near future.

- **Keizer Urban Renewal Board**-Councilor Walsh reported that the Board reviewed the landscape grant for 7-11, which was approved. A Civic Center Master Plan was also addressed and the Board recommended to the Council that a Task Force be created to review this issue.

  Responding to questions Councilor Walsh indicated as part of the Board's discussion a feasibility study was addressed but was not part of the motion.

  Councilor McGee felt a feasibility study would be appropriate to determine the need.

  Mayor Christopher stressed that she felt it would be appropriate to wait on the results of the air quality studies prior to making additional recommendations.

City Manager Eppley indicated that staff could develop a protocol and present this and the air quality findings during the October 15th City Council meeting.

- **Parks Advisory Board**-Mayor Christopher reported that one of the new cement tables had been broken when kids they attempted to move it. She noted interest from the Parks Board in reviewing tables that are used at the Salem Skate Park, which were of a solid concrete design and were set in concrete to prevent them from being moved.

  Mayor Christopher reported that the Board passed a motion asking the Council to consider allocating funds for the new park signage totaling $3500 from another source rather than the park budget.

  She also noted that the Board was interested in an officer attending the next Parks Board meeting to supply insight on some things that could be done to increase helmet compliance at the Skate Park.

  Mayor Christopher reported that a member of the Parks Board would be in touch with the School District regarding some type of partnership with the District and the Parks Board.

  In addition she summarized the Parks Board's interest regarding information pertaining to park districts. She indicated that Salem was reviewing the possibility of a regional park district.

  Council discussed the signage issue and funding. City Manager Eppley indicated that staff would review the various options.

- **Claggett Creek Watershed Council**-Council President Moir reported that the annual meeting would be held on October 23rd at 7:00 p.m. She urged everyone to attend this potluck/meeting.

- **Emergency Operations Committee**-Council President Moir reported that they were continuing with the manual update. She noted that a tabletop exercise would take place on October 18th simulating an earthquake. She noted the various organizations that would take part in this simulation.

- **Salem-Keizer Area Transportation System (SKATS)**-Councilor Smith reported that they were continuing to review projects for use of ODOT funds. She indicated that the interchange off of I-5, as well as, other projects was discussed.

- **Bikeways Committee**-Councilor Smith reported that the first helmet diversion class was held with 25 children and their parents attending. She complimented the instructors of the class and noted that the class would be a quarterly event.

- **Traffic Safety Commission**-Councilor Smith reported that a presentation made by Jim Cathey pertaining to the speed limit on Verda Lane from Chemawa to the Parkway being 35 mph and the request to have this speed limit lowered. The Council reviewed the tape presented by Mr. Cathey.

Jim Cathey, 1835 Jonathan Court, Keizer-stressed that the danger for pedestrians began past 18th on Verda near the curve. He urged that the speed limit in this area be lowered to 25 mph.

Council President Moir summarized the steps, which the city must go through in order to change the speed limit on a street. She urged Mr. Cathey's patience, as it was a long process.

Councilor Smith requested a temporary reduction of speed in this area similar to Salem temporarily reducing the speed limit along Front Street during the "Bite of Salem".

Public Works Director, Rob Kissler indicated he would research the option of a temporary reduction of speed and submit his findings at the next Council meeting.

Council discussed the issue and asked additional questions of staff.

Councilor Smith requested that Council give staff the authority to enact the reduction of speed if discovered that this was something they could initiate before the next Council meeting.

After further discussion City Manager Eppley indicated staff would review all the options and report back at the next Council meeting.

Councilor Smith pursued the issue stressing the need for immediate action in the area.

City Attorney Johnson noted the issue could be addressed with a successful suspension of the rules.

Councilor Walsh expressed his uneasiness with moving this issue forward without additional information.

<u>Councilor Smith moved to suspend the rules. Councilor McGee seconded the motion.</u>

<u>Due to a majority requirement the motion failed as follows:</u>

<u>AYES:</u> Lee, McGee, Moir and Smith (4)
<u>NAYS:</u> Christopher, Kelly and Walsh (3)
<u>ABSTENTIONS:</u> None (0)
<u>ABSENT:</u> None (0)

After further discussion it was the consensus of the Council to direct staff to research the issue and bring back the information to Council during the October 8th Special Session.

Mayor Christopher recessed the meeting at 9:10 p.m. The meeting was reconvened at 9:20 p.m.

- **Traffic Safety Commission**-Councilor Smith also reported that the Gubser Neighborhood Association had contacted her and was requesting that "No Parking" signs be placed in front of the

Council President Moir suggested that the school be made aware of the neighborhood associations concerns.

With further discussion it was the consensus of Council to direct staff to review the situation and bring back a recommendation to the Traffic Safety Commission.

At Mr. Kissler's request the council granted him a 30-day window to review the issue.

- **Southeast Keizer Neighborhood Response Council-Council Lee-**a report was not submitted.

- **Marion County Public Safety Coordinating Council-**Councilor Kelly reported that this group met on September 25th. Councilor Kelly summarized the biannual report presented by Marion County Sheriff Raul Ramirez.

OTHER BUSINESS

New Business

Recycling Award

Councilor McGee noted the statewide award received by Loren's Sanitation and Valley Recycling for the education and promotion of recycling in the area. He indicated that recycling in Keizer has been increased by forty percent.

Volunteer Coordinating Committee Appointment

Councilor Lee reported that he would be appointing Kim Beasley to fill the recent opening on the Committee. He provided a brief history of her volunteer work.

Duck Hunting Along the Willamette

Responding to questions, Captain Miranda noted that calls pertaining to this should be directed to Polk County.

Bikeways Give Away

Councilor Smith reported on Saturday, October 6th at 2:00 p.m. the Bikeways Committee in conjunction with the police department would be holding a drawing for a bicycle, skateboard and gift certificates at the Gazebo.

Children that had been seen wearing their bike helmets were included in the drawing.

Coast Guard Duty
Captain Miranda reported at this time he had not been called for active duty.

Serial Rapist Arrest
Captain Miranda noted that a suspect had been arrested.

Local Law Enforcement Block Grant
Captain Miranda reported that this was an annual grant for Part One Crimes. He indicated the Police Department was requesting $10,621.00 from the Federal Grant with a 10% match from the City. He noted the items that would be purchased from the grant, which would include new workstations, chairs and printers.

Responding to questions, Captain Miranda indicated that the match would be used from already budgeted items and there would be no fiscal impact to the city.

Council President Moir moved to suspend the rules. Councilor Kelly seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Kelly, Lee, McGee, Moir, Smith and Walsh (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

Council President Moir moved to accept the Local Law Enforcement Block Grant for Fiscal Year 2001. Councilor Lee seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Kelly, Lee, McGee, Moir, Smith and Walsh (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

Keizer Station Plan
Planning Director Maria Meier noted that this plan had been distributed and the planning process had officially started. She indicated that the first public hearing would take place on December 12th before the Planning Commission. The Planning Commission would be reviewing the plan in work session on October 10th.

b. Old Business

Focal Point
Councilor Lee reported that the Task Force would be meeting on Friday to continue work on this project.

Cable TV Update
City Manager Eppley reported that the city would be using channel 23 and that he expected to receive bids for equipment soon. Mr. Eppley acknowledged that it would take two to three months before the program could be implemented.

PUBLIC HEARINGS

a. Development Review Appeal-Skyline Ford

City Attorney Shannon Johnson noted the applicable criteria and with no objection from the public waived the reading of the criteria. He reported that testimony and evidence must be directed toward the criteria.

Mr. Johnson asked for any objections from the public regarding notice, bias or exparte contacts.

Mayor Christopher shared an exparte contact with Leon Adams General Manager of Skyline Ford.

Councilor Lee noted he was part of the Keizer Chamber Greeters at Skyline Ford, but felt there was no conflict.

Planning Director Maria Meier reported that Section 2.315 *Development Standards* of the Keizer Development Code required all new commercial development to comply with design standards as written in 2.315.08 of the code.

Ms. Meier noted the design criteria and its subjective nature and summarized the remainder of the report including exhibits, pictures and a map.

Staff recommended that the City Council review and discussion the Development Standards and the applicants appeal.

Responding to questions from Council Ms. Meier indicated that additional materials were provided to the Council for review, which the Planning Commission did not have the opportunity to review during the review of the application. Additional questions pertained to the amount of siding, which could be considered trim and fascia and the design standards discouraging metal siding mainly for aesthetic reasons.

Mayor Christopher opened the public hearing.

Leon Adams (Skyline Ford, 3555 River Road North, Keizer) -expressed his confusion regarding the trim being discussed as part of the fascia. Mr. Adams indicated it was his understanding that the issue was regarding the back wall of the structure.

Brad Barcroft (Pence Kelly Construction PO Box 4109, Salem)-responding to questions from Council Mr. Barcroft summarized why the original plan to use EIFS was altered to metal. Mr. Barcroft acknowledged their error in receiving proper review from the city for this change and noted it would cost approximately $75,000 to bring the building into compliance if their request was not granted.

Council President Moir addressed Mr. Barcroft's letter dated September 24, 2001. She requested clarification regarding dates in the letter. Mr. Barcroft affirmed that the year's noted on page one paragraph four and page two; paragraphs two, three and four should be 2001.

Responding to questions Ms. Meier summarized the reasons behind the refund of the appeal fee.

With no additional testimony Mayor Christopher closed the public hearing.

Council President Moir moved a motion for Council to approve the metal material as an alternative material used in this specific project. Councilor Kelly seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Kelly, Lee, McGee, Moir, Smith and Walsh (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

b. Legislative Amendment to Redesignate Chalmers Jones Park and Clarify Boundaries (continued from 9/17/01) (reviewed after TSC Committee report)

Public Works Director Rob Kissler reported that staff supplied five different options and during the September 18th Parks Board Meeting they unanimously chose option number two as the preferred park boundary.

Staff recommended that the public hearing be reopened, testimony accepted and the hearing closed. Staff would then prepare an ordinance to be brought back for Council's approval.

Mayor Christopher opened the public hearing.

With no one wishing to testify Mayor Christopher closed the public hearing.

Responding to questions Mayor Christopher indicated that the Parks Board reasoning behind choosing option two was the intent to stay with the original intent of the master plan.

City Attorney Johnson noted that the boundary could be changed at a public hearing if necessary, but cautioned the Council to set a boundary nearest to what they felt would be the closest use for the property in the future. He went on to suggest choosing the option that would set a minimum amount of park space.

Councilor McGee summarized that the optimum use of the land would by done by the adoption of a modified option three, which would leave a small portion of the walking path outside of the park boundary.

Councilor McGee moved to adopt the modified option number three. Councilor Smith seconded the motion.

Mr. Johnson noted that staff would bring back an ordinance that would include a map containing the discussed boundary.

Councilor McGee clarified that the boundary should be made parallel with the property on Rickman.

The motion passed as follows:

AYES: Kelly, Lee, McGee, Moir, Smith and Walsh (6) *
NAYS: Christopher ~~(6)~~ 1
ABSTENTIONS: None (0)
ABSENT: None (0)

corrected 10-15-01

ADMINISTRATIVE ACTION (reviewed after public testimony)

a. RESOLUTION- Extinguishing Easement Near Jack Street and Rivercrest Drive

City Attorney Shannon Johnson reported that the easement to this property had never been extinguished. The current owners were attempting to sell their property on the northeast corner of Garland Way and Jack Street; the prospective buyers were concerned that the easement would cloud the title to the property.

Mr. Johnson noted that public works had indicated that there was no reason to retain the easement and had no issue with extinguishing the easement.

Council President Moir moved a Resolution Authorizing the City Manager to Sign Deed Extinguishing Easement in the Vicinity of Garland Way North and Jack Street (River's Edge Park) Councilor Kelly seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Kelly, Lee, McGee, Moir, Smith and Walsh (7)
NAYS: None (0)
ABSTENTIONS: None (0)

ABSENT: None (0)

CONSENT CALENDAR

a. Approval of September 10, 2001 Work Session Minutes

b. Approval of September 17, 2001 Regular Session Minutes

Council President Moir moved for approval of the Consent Calendar. Councilor Lee seconded the motion.

The vote for the September 10th minutes passesd as follows:

AYES: Christopher, Kelly, Lee, McGee, Moir, Smith and Walsh (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

The vote for the September 17th minutes passed as follows:

AYES: Christopher, Kelly, Lee, Moir, Smith and Walsh (6)
NAYS: None (0)
ABSTENTIONS: McGee (1)
ABSENT: None (0)

WRITTEN COMMUNICATIONS

Mayor Christopher noted a letter from PGE regarding the waiver of the 60-day franchise notice.

Mayor Christopher read a letter from a Golf Sport Apparel Manufacturing Company and their interest in locating their business in Keizer. Mayor Christopher directed the City Manager to reply to the letter and submit a copy to Councilor Walsh so he might present the information to the Chamber.

Mayor Christopher summarized letters from Chaplain Services and the League of Oregon Cities regarding the Annual Conference.

AGENDA INPUT

October 8, 2001
5:30 p.m. City Council Special Session

- Proposed Infill and Redevelopment Maser

Plan Public Hearing (continued from 9/24/01)

October 15, 2001
7:00 p.m. City Council Regular Session

October 22, 2001
5:30 p.m. City Council Special Session

- Proposed Infill and Redevelopment Master Plan Public Hearing (continued from 10/8/01)

Mayor Christopher noted the agenda items.

Councilor McGee requested that that an agenda item be added to the October 15th meeting to review the possibility of changing the Personnel Policies Committee from an Ad hoc committee.

ADJOURNMENT

Mayor Christopher adjourned the meeting at 10:34 p.m.

Cindy Perry
Recording Secretary

APPROVED:
MAYOR:

Lore Christopher

COUNCIL MEMBERS:

Councilor #1 - Judy K. Smith

Councilor #2 - Ray Kelly

Councilor #3 - Charles E. Lee

Councilor #4 - Jacque Moir

Councilor #5 - Richard Walsh

Councilor #6 - Jerry McGee

Minutes approved:

October 15, 2001