

MINUTES
KEIZER CITY COUNCIL
Monday, September 21, 1998
Keizer City Hall
Robert L. Simon Council Chambers, Keizer, Oregon

CALL TO ORDER

Mayor Koho called the regular meeting to order at 7:03 p.m. Roll call was taken as follows:

Present:

Dennis Koho, Mayor
Carl Beach, Councilor
Jim Keller, Council President
Jerry McGee, Councilor
Al Miller, Councilor
Garry Whalen, Councilor

Absent:

Lore Christopher, Councilor

Staff:

Wally Mull, City Manager
H. Marc Adams, Chief of Police
Dianne Hunt, Human Resources Officer
Amy Drought, City Planner
Rob Kissler, Public Works Director
Susan Gahlsdorf, Finance Director
Shannon Johnson, City Attorney
Tracy L. Davis, City Recorder

PUBLIC TESTIMONY Presenting testimony to the Council were:

Jack Norton, 1569 Mistwood Drive NE, Keizer explained his two sons will be leaving for El Salvador as missionaries which required a clearance from the Police Department for their visas. He voiced his concern with the lack of cooperation he received when requesting this document be notarized and the fee associated with this transaction.

Mayor Koho requested the City Recorder notarize the document for Mr. Norton.

FMAGIC

Linary Kingdon, 296 Triple Tree Circle, Keizer expressed her concerns with the overcrowding in the schools in Keizer. She understood the bond issue on the November ballot, if successful, will add two schools to our area, however this will be 3-4 years before they are constructed. She believed a charter school would be an ideal solution to this issue. Ms. Kingdon requested Council support, citizen involvement, and support from the business community to create this educational program. She explained with her background in education and the support of the community, it could be done.

In response to a question from Mayor Koho, Ms. Kingdon explained a charter school is a cross between a private and public school.

Mayor Koho questioned if the City could instigate such an endeavor, however he offered meeting room space and assistance in getting the word out to the community. He requested Ms. Kingdon contact him at a later time to discuss a process for initiating this process.

There was no further testimony to come before the Council.

COMMITTEE REPORTS

VOLUNTEER OF THE QUARTER AWARD

Mayor Koho introduced Gary Steiner as the recipient of the Volunteer of the Quarter Award for the third quarter of 1998. Mr. Steiner is presently a member of the Keizer Parks Advisory Board, Community Policing Committee, and is the chair of the South East Keizer Neighborhood Association. Mr. Steiner is also involved with Keizer United, Cub Scouts and teaches Sunday School. Mayor Koho thanked him for his contributions to the community and presented Mr. Steiner with a clock in recognition of his volunteer efforts.

Mr. Steiner thanked the Council for the award and also his wife, Pamela for her support.

OREGON ASSOCIATION OF MUNICIPAL RECORDERS – RECORDER OF THE YEAR AWARD

Mayor Koho announced City Recorder, Tracy Davis recently received the "Recorder of the Year" Award from the Oregon Association of Municipal Records at their annual conference in Coos Bay.

**SALEM-KEIZER
SCHOOL DISTRICT
PRESENTATION**

Dave Bauer, Salem-Keizer School District Board member thanked the Council for allowing this opportunity to give a brief presentation which explains the upcoming school bond issue on the November ballot. Joining Mr. Bauer in the presentation was: Wink Miller, Salem-Keizer School District, Ed Johns, McNary High School Principal, and Darcy Jones, parent.

After a brief video presentation, Mr. Bauer indicated upon passage the first school to be constructed will be a middle school in the southern portion of Keizer. The land purchased for this school is large enough to accommodate an elementary school in the near future.

Mr. Miller, Mr. Johns, and Ms. Jones each gave an overview of the crowding in the Keizer schools and the need for these new facilities.

Councilor McGee expressed his support for the bond issue and relayed his personal views of the overcrowding at Whiteaker Middle School. He commended the school district for their management of the overcrowding. Councilor McGee noted the passage of this bond issue is a positive gain to our City.

Councilor Beach questioned the use of portable classrooms to ease the overcrowding. He believed the district should investigate other alternatives such as longer school days or staggered schedules instead of adding more portables. These additions do not alleviate the overcrowding of the gymnasiums, offices, or cafeteria.

Council President Keller echoed the comments of Councilor McGee. He indicated it is also important for the teachers to have adequate working conditions.

Responding to a concern from Councilor Whalen pertaining to getting the word out to the community, Ms. Jones explained several presentations are being given throughout the entire Salem-Keizer area and there is a campaign underway to get citizens to vote. She believed if this measure fails, there will be devastating for the entire system.

Mayor Koho urged all members of the community to vote on this issue and support the kids.

**MARION COUNTY
PRESENTATION ON
JUVENILE CRIME
ISSUES**

Randy Franke, Marion County Commissioner and Larry Oglesby, Marion County Juvenile Department Director

appeared before the Council to give a brief report on the studies and community forums being conducted on juvenile crime issues. Mr. Franke explained that with the failure of facility bond issue in 1995, the County has been meeting with residents in the community to try to find out what was missing and why this measure failed. He believed it was essential to build a partnership with the School District, Cities, and other organizations to bring a united front and coordination of beliefs when approaching the voters again in the future.

Mr. Franke announced Keizer United will be hosting a community forum on October 5th to review the information received and to discuss plans for the future. This is part of the County's effort to build a comprehensive response.

Mr. Oglesby distributed the 1997 Marion County Juvenile Department annual report and a copy of the Juvenile Justice Report completed in the spring of 1998. He reviewed the major themes which evolved from the community meetings. These themes included:

- The county should be focusing on prevention.
- Parents should be held accountable.
- Treatment type resources are favored.
- Consequences for illegal behavior.
- Effectiveness and efficiency.
- Local prevention and intervention is important.

Mr. Oglesby indicated these discussions will also help determine when the County should return to the voters with a request for construction of additional juvenile facilities. He believed the bond request will include not only construction but also the operation of the facility.

In response to a question from Council President Keller, Mr. Oglesby pointed out Craig Campbell, Chair of the Community Policing Committee has been working with the Juvenile Department on many issues.

In discussing the overcrowding of the juvenile facility, Mr. Oglesby explained many offenders are released ahead of time due to the

lack of space to detain them. Councilor Beach believed this fact is important public information should be included with information presented during any bond request.

Mr. Franke explained he was unsure when the County would place this issue before the voters. The County wanted to make sure all the information is gathered and the public is aware of the issues before presenting it to the voters. He thanked the City for their efforts through the Community Policing Program in looking at juvenile crime issues and the support by Chief Adams and the Police Department on working cooperatively with the other jurisdictions.

PLANNING COMMISSION APPOINTMENTS

Wally Mull, City Manager reported the Planning Commission terms of Dick Inman, Bill Wolf, and June Abbott will expire on September 30th. Each of these individuals has expressed their desire to be reappointed for an additional three-year term. The Volunteer Coordinating Committee met on September 1st and unanimously voted to recommend reappointment of these individuals.

Councilor McGee moved to reappoint June Abbott, Dick Inman, and Bill Wolf each to another three-year term on the Keizer Planning Commission. Council President Keller seconded the Motion.

The Motion passed as follows:

AYES: Beach, Keller, Koho, McGee, Miller and Whalen (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Christopher (1)

COUNCIL LIAISON REPORTS

Council President Keller reported the **Planning Commission** met on September 9th and continued their discussion on the Transportation System Plan, in particular the bike element. No recommendations were made at the meeting due to the lack of traffic counts and right of way necessary on some of the streets. He noted this information will be forthcoming at the next meeting in October.

Councilor Whalen reported the **Community Policing Committee** met on September 16th and discussed the implementation of a plan for water rescues, particularly near Inland Shores and Willamette River. In addition, the newly hired Crime Analyst, Staci Kowalski attended each of the district meetings and will be preparing statistical reports for each district. Councilor Whalen revealed the Neighborhood Watch program now covers 136 streets in the City. Other issues discussed during the meeting were three-to-six after school program, peer court program, Keizer Police Department strategic planning and the SMART program.

Councilor Miller pointed out the **Parks Advisory Board** was unable to meet due to a change in the meeting date. The next meeting will be held on October 13th at 7:00 p.m.

Mayor Koho announced due to the resignation of Councilor Meier, he will be appointing an incoming member of the Council to serve on the **Mid-Willamette Valley Area Commission on Transportation**.

OTHER BUSINESS

Though Council President Keller, Councilor Christopher questioned if there were **decibel readings** taken during the recent **musical concert** at the stadium.

Chief Adams indicated he did not use a decibel meter, however he did check several locations surrounding the stadium for noise levels. He believed the noise was similar to the noise generated at the McNary High School football games. Chief Adams noted there were three noise complaints received.

Council President Keller requested decibel readings be taken at the next event to assure the noise level stays within the guidelines of the Ordinance.

Council President Keller also relayed the continued interest of the Gubser Neighborhood Association on any progress or status change of the **Trail/Manzanita property**.

Councilor McGee expressed his concern with the City's lack of involvement with potential **transit district routes** within the city limits.

Wally Mull, City Manager indicated in the past the City has not been involved with any of these decisions. However, Amy Drought, City Planner believes there may be some opportunity in the future to comment on transportation issues.

Councilor McGee believed it is extremely important to be involved in these decisions. He believes some of the routes are hazardous and are not in the best interest of the citizens. Councilor McGee believed it is essential for us to be involved with the Transit District on routes within the City.

Mayor Koho noted the Transit District Board is independently elected from various areas in the community. Bob Newton serves as the representative for Keizer.

Chief Adams informed the Council the strategic planning process for the Keizer Police Department has begun and will be continuing in the next few months. In addition, the K-9 fund raising raffle prize (outdoor pond) was installed at a local citizens yard today. Chief Adams also explained the department is participating in the SMART program, which is a pilot project to monitor the high profile reoffenders and keep them on track. The cities of Salem and Keizer along with Deschutes County are participating in this program.

Wally Mull, City Manager pointed out the improvements to **McLeod Lane** were finished last week and the completion of the landscaping should be complete within the next few weeks. The work on the **east/west connector between River Road and Cherry Avenue** should be completed mid-October.

In response to an inquiry by Mayor Koho, Mr. Mull reported Cherry Avenue and the east/west connector projects are being completed by the same contractors. He noted the water line, right of way, and storm drain improvements on Cherry are nearing completion.

PUBLIC HEARINGS

SANITARY SEWER WASTEWATER COLLECTION AND TRANSMISSION SYSTEM DEVELOPMENT CHARGES

Mayor Koho opened the public hearing.

Councilor Whalen announced due to a potential conflict of interest, he will not participate in this issue. He removed himself from the Council Chambers.

Bill Peterson, City Engineer reported in March, 1994 the Master Sewer Plan Update was adopted which levied assessments to properties benefiting from this system. The system development charge fee for the sanitary sewer waste water collection and transmission system was \$4400 per acre. Mr. Peterson explained property developers in Keizer pay for new sewer line construction which was necessary for their developments. He pointed out a study has been completed on the actual developable land remaining within the boundaries to be developed. This information along with current cost estimates, support an increase in the fee to \$7460 per acre.

Reviewing a map of the undeveloped land, Mr. Peterson pointed out there are some areas which plans have been submitted and are awaiting approval. He recommends these areas pay the existing rate rather than the newly proposed fee. Mr. Peterson noted approximately 15,000 to 20,000 feet of sanitary sewer trunk lines have been constructed using the acreage assessment method. In regards to the properties affected by the special policy area, these projects have been put on hold due to the regional issues between Salem and Keizer. Mr. Peterson believed these properties should also be allowed to pay the present fee of \$4400 per acre. This would not cause a negative fiscal impact on the overall plan.

In response to an inquiry from Council President Keller, Mr. Peterson explained the City installed the initial 36 inch sewer line through McNary Estates. This was completed by forming a local improvement assessment district. All other lines have been built by the developers and any necessary reimbursements have been provided by additional developers. These charges are to cover the sewer trunk lines or the backbone of the sewer system in large areas.

Councilor McGee believed the system which has been in place works well, however he questioned the 70% increase in the costs and any consequences of overcharging or undercharging.

Responding, Mr. Peterson indicated the numbers used are an estimate of the costs to finish the system. There is no guarantee to these numbers or a timetable as to when the land will be developed. Future modifications may be necessary. In addition, Mr. Peterson explained the cost increase reflects a six-year period. These increased costs are related to larger lines, potential costs to acquire right-of-way, and the high price for crushed rock. He stated the costs are based upon those of the previous year. Mr. Peterson concluded these costs are reasonable and average of those charged by surrounding areas.

In response to an inquiry by Councilor Miller, City Manager Mull noted the staff report and proposed Ordinance were not distributed to any outside individuals or agencies. Shannon Johnson, City Attorney indicated the notice of hearing was published as well as distributed to a list of developers and engineers. This notice indicated the report would be available upon request.

Councilor Miller pointed out he received a call from a developer who was unaware of this hearing. He requested this matter be held over for a few weeks to allow any interested party an opportunity to review the report and provide testimony.

Providing testimony were:

Eric Meurer, Marion-Polk Building Industry Association, 375 Taylor Street NE, Salem 97303 indicated he was unaware of this proposal until today. He requested additional time to review the material and discuss the increase with the staff.

Mark Grenz, Multi-Tech Engineering, 1155 13th Street SE, Salem 97302 announced he is representing specific property owners who have land within the special policy area whose development has been put on hold. He requested properties identified as tax lot numbers 300, 400, 500, and 600 from tax map 063W34C be excluded from these increased costs. Mr. Grenz pointed out he concurs with the cost estimates proposed by Mr. Peterson and understands the significant cost increase associated with the construction of the sewer lines.

In response to a question from Councilor McGee, Mr. Grenz disclosed he has been involved with most of the sewer trunk line construction in Keizer and believes the methodology used has been beneficial and accurate. Citing the past construction of the Wheatland Road sewer project, Mr. Grenz noted relying on public funds for construction would have been detrimental to the sewer system. Therefore, the methodology that has been used to adequately fund the system and provide reimbursement is an overall benefit.

Mr. Grenz pointed out the tax lots he cited were those parcels in which the City has approved subdivisions or development plans. There are additional properties within the special policy area that do not have approved development proposals at this time.

Mr. Peterson pointed out the developers are also concerned the acreage fee is adequate for construction and reimbursement of the sewer lines. He believes the proposed fee is reliable and accurate.

There was no further testimony to come before the Council.

Mayor Koho suggested this matter be continued for deliberation in order to allow the staff to provide information to those who were unaware of the proposed increase.

Councilor Miller voiced his concern with those parties that were not notified of the increase.

Council President Keller requested all land owners within the special policy area be treated fairly with the adoption of this increased fee.

City Attorney Johnson suggested additional language be added to the resolution to identify the specific properties affected by this increase and an exception for those properties which have submitted complete applications.

In response to Councilor Miller, Mr. Johnson noted the definition of a completed application will be brought forth.

Mayor Koho closed the public hearing.

Mayor Koho announced deliberations on this matter will be held on Monday, October 19th.

Mayor Koho directed staff to meet with the Marion-Polk Building Association and report back at the October 19th meeting.

**WITTENBERG LANE
STREET LIGHTING
DISTRICT**

Mayor Koho reopened the public hearing continued on August 17, 1998.

Wally Mull, City Manager reported Mr. Wittenberg is still working with Portland General Electric and the City Engineer to install decorative lighting similar to those in the surrounding area. He requested the hearing be held over for an additional month to allow Mr. Wittenberg to complete his negotiations with Portland General Electric.

There was not testimony to come before the Council.

Mayor Koho continued the hearing until October 19th, 1998 at 7:00 p.m.

**FOREST RIDGE
ESTATES STREET
LIGHTING DISTRICT**

Mayor Koho opened the public hearing.

Wally Mull, City Manager reported the developer of the Forest Ridge Estates subdivision submitted a petition to form a street lighting district in August, 1998. The Council then initiated the district and approved the City Engineer's report. Notice of this hearing was distributed to the property owners and no remonstrances have been received. Mr. Mull recommended the Council adopt the Resolution and Ordinance included with the staff report.

There was no public testimony to come before the Council.

Mayor Koho closed the public hearing.

Mayor Koho moved a Resolution Forming the Forest Ridge Estates Street Lighting Local Improvement District. Councilor Beach seconded the Motion.

The Motion passed as follows:

AYES: Beach, Keller, Koho, McGee and Miller (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Christopher and Whalen (2) (*Councilor Whalen absent from Council Chambers at time of vote*)

Mayor Koho moved a bill for an Ordinance Spreading Assessments to the Forest Ridge Estates Street Lighting District. Councilor Beach seconded the Motion.

The Motion passed as follows:

AYES: Beach, Keller, Koho, McGee, and Miller (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Christopher and Whalen (2) (*Councilor Whalen absent from Council Chambers at time of vote*)

Councilor Whalen returned to the meeting at 9:07 p.m.

ADMINISTRATIVE ACTION

RESOLUTION – AUTHORIZING CITY MANAGER TO ENTER AGREEMENT TO PURCHASE PROPERTY FOR COUNTRY GLEN PARK

Wally Mull, City Manager reported this matter was referred to the Parks Advisory Board for a recommendation on the purchase of the property. Due to the cancellation of their last meeting, a phone consensus was taken by the Parks Advisory Chair.

Councilor Miller announced he was advised by Lore Christopher, Chair of the Parks Advisory Board of a unanimous recommendation to purchase the parcel.

Council President Keller moved a Resolution Authorizing the City Manager to Enter an Agreement with Tran Co. to Purchase Real Property for a Park in the County Glen Subdivision. Councilor Beach seconded the Motion.

The Motion passed as follows:

AYES: Beach, Keller, Koho, McGee, Miller and Whalen (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Christopher (1)

CONSENT CALENDAR

Items on the Consent Calendar were as follows:

- a. Resolution – State of Oregon Fund Exchange Agreement – Cherry Avenue
- b. Resolution – Initiating Text Amendment to Allow Motor Homes in the Public Zone
- c. Resolution – Bid Award (Auxiliary Public Works Shop)

Council President Keller pulled item "b" from the consent calendar.

Councilor McGee pulled item "c" from the consent calendar.

Mayor Koho moved for approval of item "a" on the consent calendar. Councilor Miller seconded the Motion.

The Motion passed as follows:

AYES: Beach, Keller, Koho, McGee, Miller and Whalen (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Christopher (1)

"item b"

In response to an inquiry from Council President Keller, City Attorney Johnson indicated the action being recommended only initiates the process to consider allowing motor homes in the public (P) zone. During the hearing and deliberations a determination will be made if it is applicable in all land zoned public or limited to the commercial sports facilities.

In reviewing the reason to initiate this process, Mr. Johnson explained this method was chosen based upon the criteria and definition of a recreational vehicle under the conditional use process. He advised the Council the Salem-Keizer Volcanoes have withdrawn their conditional use permit application and requested an amendment to the development code.

Responding to an inquiry by Council President Keller, City Manager Mull believed it would not be allowable to use sewer cleanouts, however there may be a possibility they could hook up a septic sewer line. Additional information on this issue will be forthcoming from Salem. This issue will be separate from the planning issue.

Council President Keller pointed out the sewer issue should not be limited only to the baseball stadium, it should be considered for all park areas in the City.

Councilor McGee expressed his desire to discuss this matter under the conditional use process rather than a text amendment. He believes the conditional use process would place the strongest conditions and guidelines for placement.

City Attorney Johnson pointed out many of these issues can be discussed in the process. He reiterated this only initiates the process and allows the matter to be set for hearing before the Planning Commission and then back to the City Council for consideration.

Councilor Miller requested staff discuss with the Planning Commission interpretation or definition of a dwelling unit/single-family residence.

Mayor Koho moved for a Resolution Initiating Text Amendment to Allow Motor Homes in the Public Zone. Councilor Miller seconded the Motion.

Councilor Beach voiced his concern with allowing recreational vehicles to use Claggett Creek Park.

The Motion passed as follows:

AYES: Beach, Keller, Koho, McGee, Miller and Whalen (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Christopher (1)

"item c"

Councilor McGee understood additional property was previously purchased next to the public works shop with the intention of constructing an auxiliary building. He requested staff describe the building for the benefit of the neighbors living in the area.

Rob Kissler, Public Works Director explained this is a 46 foot by 50 foot metal building that will be built by American Building Contractors of Woodburn at a cost of \$50,809. The structure will be similar to the adjacent public works building.

Mayor Koho moved a Resolution Authorizing City Manager to Enter Agreement with American Building Contractors to Construct a Metal Building at the Public Works Shop. Councilor McGee seconded the Motion.

The Motion passed as follows:

AYES: Beach, Keller, Koho, McGee, Miller and Whalen (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Christopher (1)

**WRITTEN
COMMUNICATION**

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

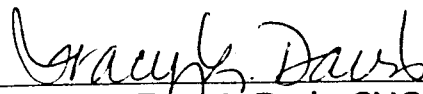
AGENDA INPUT

Mayor Koho noted the agenda input items.

Mayor Koho requested a topic for the October 14th work session be determined by October 5th.

ADJOURNMENT

The City Council meeting was adjourned at 9:22 p.m.



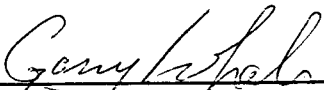
Tracy L. Davis, CMC
City Recorder

APPROVED:



Dennis Koho-Mayor

COUNCIL MEMBERS:



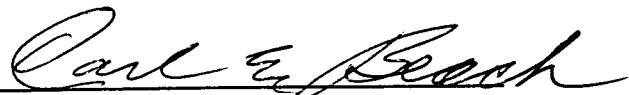
Councilor #1 - Garry Whalen

(absent)

Councilor #2 - Lore Christopher

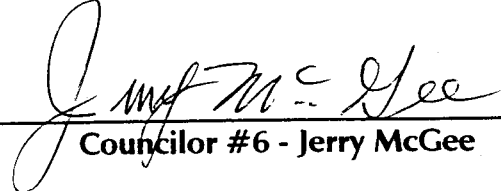


Council President - Jim Keller



Councilor #4 - Carl Beach

Councilor #5 - Al Miller



Councilor #6 - Jerry McGee

Minutes approved:

October 19, 1998