

MINUTES
KEIZER CITY COUNCIL
Monday, September 20, 1999
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Newton called the regular meeting to order at 7:05 p.m. Roll Call was taken as follows:

Present:

Bob Newton, Mayor
Craig Campbell, Councilor
Lore Christopher, Councilor
Jim Keller, Councilor
Jerry McGee, Councilor
Jacque Moir, Councilor
Garry Whalen, Council President

Staff:

Wally Mull, City Manager
Rob Kissler, Director of Public Works
Dianne Hunt, Human Resources Officer
Shannon Johnson, City Attorney
Tracy Davis, City Recorder

PUBLIC TESTIMONY

There was no public testimony brought before the Council.

**COMMITTEE
REPORTS**

a. Introduction of Whiteaker Middle School Principal-
Dale Koger

Christopher
Councilor Campbell introduced Mr. Koger as the new principal of Whiteaker Middle School.

Mr. Koger submitted some of his background as a principal and welcomed the Council to visit the school. He noted the crowding that continues at Whiteaker and the school is staffed to meet the large number of children attending the school. He expressed his appreciation in the parent volunteers that work at the school.

Mayor Newton thanked Mr. Koger for his report and also expressed appreciation in the amount of volunteerism that takes place in the area schools.

*10-4-99
corrected*

b. PROCLAMATION-Disability Employment Awareness Month

Mayor Newton shared the proclamation and declared October to be Disability Employment Awareness Month.

c. Regional Library District Report

Mayor Newton announced his intent was to bring a representative from the committee but indicated the information regarding the amounts of the tax assessments have not been finalized at this time. Mayor Newton noted it was premature to make a report until this information was confirmed.

Mayor Newton indicated that the Salem City Council would be meeting with the Library Committee in a work session, which he would try to attend and bring more information back to the Council in November. Mayor Newton noted that he had called a meeting of the Keizer Library Committee on September 22 at 6:00 p.m. and would supply this information back to Council.

OTHER BUSINESS

a. New Business

Councilor Campbell shared a copy of a booklet titled "The Face of Fatherlessness" which was distributed by the Oregon Center of Family Policy that talked about the role of fathers taking their job seriously.

Councilor Campbell reported that he attended the National Association of Telecommunications Officers and Advisors Conference. He explained some of the high-speed advancements that could be taking place in large cities in reference to infrastructure development. He felt it was important for Keizer to review these possibilities for future development.

Councilor Moir announced in Councilor Christopher's absence she attended the Parks Advisory Board meeting. She indicated that the Clearlake Neighborhood Association had raised \$400 that they would like to use to purchase picnic tables and park benches for Bair Park. The Board discussed the identification of possible projects to partnership with the National Guard. Councilor Moir shared that the Parks Tour that took place last month would be broadcast on CCTV. The Punt, Pass and Kick will take place on October 2, 1999 at McNary High School.

Councilor Moir noted Karla Juhola resigned from her position from the Parks Board due to other commitments.

b. Old Business

Ms. Hunt submitted her Y2K report noting that the City of Keizer has taken a proactive approach in making the necessary changes to meet the Y2K concerns. She went through each department and the upgrades that have been made to make all systems compliant.

Ms. Hunt indicated that they were confident any Y2K problems would not be a problem for Keizer but shared that Keizer's Emergency Operations Manager had been placed on alert and plan to identify employees who deliver critical services. Ms. Hunt shared she would supply a more detailed report on this issue at an upcoming meeting.

Mayor Newton thanked Ms. Hunt for her report. He indicated that he had spoken with Council Liaison Moir and she would speak to the Emergency Management Committee regarding a large generator that could power the needs at City Hall at their next meeting on September 23, 1999.

Rob Kissler, Director of Public Works noted he had been trying to locate inexpensive fill material for the Manzanita/Trail property. Resources previously identified have not been obtained at this time, however other alternatives may be available with the construction of the sewer trunk line extension in the Chemawa Activity Center.

Responding to questions, Mr. Kissler pointed out the Berkshire subdivision is a private development and until the development is 90% full, the overlay of the streets will take place. He noted that the developer was anticipating the overlay to take place in the spring of 2000.

City Manager Mull noted that the land in McNary Estates south of the bridge is being mitigated and improved. He noted that the City was not involved in this work. This was between the homeowners association, which sold land to a local engineering firm. However, he noted it is not being used for the construction of new homes.

City Manager Mull announced the Keizer Heritage Foundation is looking at a grand opening of the school building in November.

City Manager Mull stated he would be joining Chief Adams and Mayor Newton at Roth's Thursday evening to bag groceries to raise funds for the United Way.

Mr. Mull also noted a work session of the school board will be taking place on Tuesday, September 21, 1999 in the City auditorium. City Manager Mull encouraged the public to attend.

Responding to questions regarding the completion of the improvements to Cummings Lane, Mr. Kissler indicated that a new water line for River Road is being developed from Cummings Lane to Chemawa Road and once the waterline is completed the completion of Cummings Road will take place. He also noted that this area on River Road does not have enough right-of-way to place bike lanes.

ADMINISTRATIVE ACTION

a. ORDER- Appeal of Hearings Officer Decision – Partition/Variance Case No. 99-23 (1295 Harmony Drive)

City Attorney, Shannon Johnson reported at the September 7, 1999 Council Meeting staff was directed to prepare and Order approving the referenced partition/variance, as modified by the tentative agreement reached between the city attorney's office and the attorney for the applicant.

Councilor Keller moved and Order in the Matter of the Application of James Toney for a Partition and a Variance for a 3.11-Acre Parcel Located at 1295 Harmony Drive Northeast, Keizer, Oregon (Partition/Variance Case No. 99-23). Councilor Campbell seconded the motion.

Mayor Newton noted he and Councilor Christopher would abstain from voting on this matter due to their absence at the September 7th meeting.

The motion passed as follows:

AYES: Campbell, Keller, McGee, Moir, Whalen (5)

NAYS: None (0)

ABSTENTIONS: Christopher and Newton (2)

ABSENT: None (0)

b. RESOLUTION- Authorizing City Manager to Enter O'Neil Sanitary Sewer Trunk Line Reimbursement Agreement-The Highlands Subdivision

Mayor Newton noted he would allow public testimony on this issue.

Gordon Hanna, PO Box 4591, Salem, OR - Mr. Hanna spoke on behalf of Mike Lydon, developer and Mark Grenz from Multi-Tech Engineering pertaining to issues of development at Highlands and Bahnsen Woods Subdivision. Mr. Hanna shared a copy of the order of approval with recommendations regarding the Highlands Subdivision. He indicated that in these recommendations

Piccullel/Chimento that an overall master storm drainage plan would be provided to serve that area of Keizer prior to the issuance of permits for construction in the proposed development.

Mr. Hanna explained how the City had required contributions of the development of the storm drains in the subdivision. He indicated that the storm drains constructed by Lydon were extensive and designed to carry storm water from a large area, including portions of land in that area that have not been developed. Mr. Hanna stated that there was no agreement from Piccullel/Chimento to participate in paying their share of the storm sewer development and Mr. Chimento had indicated he felt he did not owe money for the development of these storm drains.

Mr. Hanna noted that this raised questions of passed practices regarding the development and requirements of the City pertaining to storm drain lines, and areas which benefit from these lines are required to contribute a fair reimbursement at the time of development. Stressing that this would include Piccullel/Chimento for hooking into the line developed by Lydon for the Highland Subdivision.

Responding to questions, Mr. Hanna noted the concern of the release of funds until all the issues were resolved.

Mr. Johnson shared that he felt that this was an argument between the two developers that the City has tried to avoid in the passed. He clarified that the agreement tonight was for sanitary sewer only. Mr. Johnson noted that there are water reimbursements, but are done by water regulations without formal agreements. Storm drain reimbursements are less common and in this case it was a combination of miscommunication between the two developers regarding the possibility of a private agreement and the timing of the projects.

Mr. Johnson felt that this was a separate from the issue being brought before the Council. Mr. Johnson advised the Council that he felt they were not in the position to confirm policy and reimbursement for storm drain.

Mr. Johnson noted he had a conversation with Mr. Chimento who expressed he did not wish to wait on the reimbursement agreement. Mr. Johnson stressed that he felt this was a separate issue from the Lydon Chimento issue but indicated this would be the decision of the Council and went into an explanation of how this could be done.

Responding to questions Mr. Johnson clarified the reimbursement process and noted the basis for not proceeding could be the fairness of the situation between the developers but is not a direct connection for not proceeding with the agreement brought before them tonight. He reiterated his feeling that the dispute between Lydon and Chimento was a civil disagreement between the two of them. But, Mr. Hanna felt there had been reimbursement agreements in the past and felt it would be equitable for the City to participate in seeing that the reimbursement is made to Lydon Construction.

Mr. Hanna clarified that his comments should not be construed as negative towards the Picculle/Chimento Group that they had not had time to work through the information received. He felt the City's active participation in working out a reimbursement agreement was essential.

City Manager Mull noted that once the numbers were assembled pertaining to the cost of the project the City would be happy to help negotiate these numbers with the developers.

Responding to questions City Manager Mull noted that the agreements tonight were for sanitary sewer and Mr. Hanna's concern was with the storm sewer.

Councilor Keller moved a Resolution Authorizing the City Manager to Enter into O'Neil Sanitary Sewer Trunk Line Reimbursement Agreement (Highland Estates Subdivision) Councilor Moir seconded the motion.

The motion passed unanimously as follows:

AYES: Campbell, Christopher, Keller, McGee, Moir, Newton and Whalen (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**c. RESOLUTION-
Authorizing City
Manager to Enter O'Neil
Sanitary Sewer Trunk
Line Reimbursement
Agreement –Bahnsen
Woods Subdivision**

Councilor Keller moved to Authorize the City Manager to Enter into O'Neil Sanitary Sewer Trunk Line Reimbursement Agreement (Bahnsen Woods Subdivision). Mayor Newton seconded the motion.

The motion passed unanimously as follows:

AYES: Campbell, Christopher, Keller, McGee, Moir ,
Newton and Whalen (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

CONSENT CALENDAR

Items on the consent calendar were as follows:

a. Approval of September 7, 1999 Regular Session Minutes

Councilor Keller moved for approval of the Consent
Calendar. Council President Whalen seconded the
motion.

Mayor Newton and Councilor Christopher announced
they would abstain from the approval of the minutes due
to their absence at the September 7th meeting.

The motion passed as follows:

AYES: Campbell, Keller, McGee, Moir and Whalen (5)

NAYS: None (0)

ABSTENTIONS: Christopher and Newton (2)

ABSENT: None (0)

WRITTEN COMMUNICATIONS

Mayor Newton shared that the release of information had
been supplied for the applications for the Planning
Commission and Parks Board vacancies and encouraged
any interested citizens to apply.

AGENDA INPUT

Mayor Newton noted the agenda input items.

September 27, 1999

5:30 p.m. City Council Work Session

October 4, 1999

7:00 p.m. City Council Meeting

- Collette's Restaurant Liquor License Change of
Name/Ownership (McNary Restaurant)
- Lucky's Deli II Liquor License Public Hearing
- City of Keizer Compensation Resolution
- Keizer Police Association Union Agreement
- Burglary Alarm Ordinance
- Adoption of 1999-2000 Council Goals

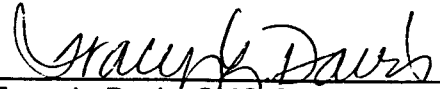
October 18, 1999

7:00 p.m. City Council Meeting

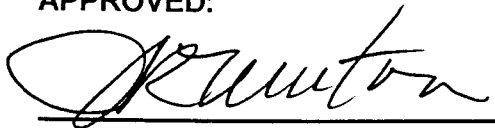
Mayor Newton announced the Chemawa Activity Center's Task Force meetings are scheduled for October 5th and October 19th. Mayor Newton noted that the Chair of this task forces goal was to reaffirm their goals and establish a calendar of meetings.

ADJOURNMENT

The meeting was adjourned at 8:04 p.m.

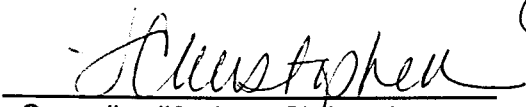

Tracy L. Davis, CMC-City Recorder

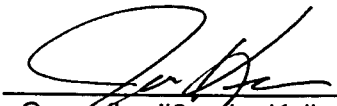
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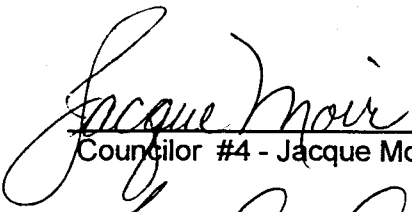

Mayor Newton

COUNCIL MEMBERS:

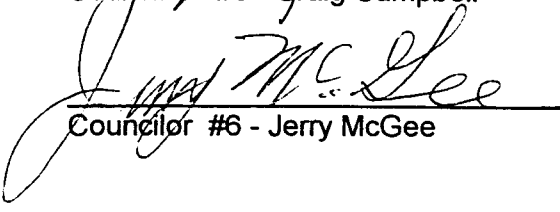

Councilor #1 - Garry Whalen


Councilor #2 - Lore Christopher


Councilor #3 - Jim Keller


Councilor #4 - Jacques Moir


Councilor #5 - Craig Campbell


Councilor #6 - Jerry McGee

Minutes approved:

October 4, 1999