

MINUTES

KEIZER CITY COUNCIL
Monday, September 19, 1994
Robert L. Simon Council Chambers
Keizer City Hall
Keizer, Oregon

CALL TO ORDER

Mayor Dennis Koho called the regular meeting to Order at 7:07 p.m. Roll call was taken as follows:

Present:

Dennis Koho, Mayor
Jim Keller, Councilor
Jerry McGee, Councilor
Al Miller, Councilor
Chet Patterson, Councilor
Jerry Watson, Councilor
Marlene Wellin, Councilor

Staff:

John Morgan, Community Development Director
Charles R. Stull, Chief of Police
Kim Krause, Finance Officer
Shannon Johnson, City Attorney
Tracy L. Davis, City Recorder

PUBLIC TESTIMONY

There was no public testimony to come before the Council.

PUBLIC HEARINGS

Mayor Koho reopened the public hearing which was continued from September 6, 1994.

ORDINANCE - Manufactured Home Standards (continued from 9-6-94)

Shannon Johnson, City Attorney asked the Council to accept the written testimony included in the staff report which includes an the findings in this matter. Mr. Johnson also distributed an additional finding (number 6) which notes roofing and siding materials comply with ORS 197.307(5)(d).

Providing testimony was:

Michelle Massy, 7235 Woodgrove Court, Keizer stated she did not wish to present any testimony at this time.

Wayne Massy, 7235 Woodgrove Court, Keizer asked the Council to consider each case individually in order to examine the overall appearance rather than just the siding and roofing of the manufactured home.

Councilor Watson shared a letter written by the City Manager to the League of Oregon Cities asking for a review of the statutes in regards to manufactured homes. The letter specifically suggests allowing cities to adopt by Ordinance a list of acceptable materials, allowing the councils to determine the community or neighborhood standards and examining each home on a case-by-case basis.

There was no other testimony to come before the Council.

Mayor Koho closed the public hearing.

Councilor Keller noted he opposed the Ordinance as written, as it will not set new standards which will determine the manufactured home fits into the neighborhood.

Councilor McGee moved for a bill for an Ordinance in the Matter of the Amendment of the Keizer Zoning Ordinance Regarding Manufactured Homes Development Standards Amending Ordinance Nos. 87-078 and 91-206 including the additional finding 6. Councilor Watson seconded the Motion.

Councilor McGee noted by adopting this amendment it will clarify the law for Keizer. However, he does agree the state statute needs to be changed and by adopting these amendments, it will not hinder the legislative process to do so.

Councilor Wellin noted she has reviewed the testimony and evidence presented at the September 6, 1994 hearing and intends to vote on this matter.

The Motion passed with the following votes:

AYES: Koho, McGee, Miller, Patterson, Watson and Wellin (6)

NAYS: Keller (1)

ABSTENTIONS: None (0)

ABSENT: None (0)

The Ordinance will be scheduled for a second reading on October 3, 1994.

**SPRINGRIDGE
ESTATES STREET
LIGHTING LOCAL
IMPROVEMENT
DISTRICT**

Mayor Koho opened the public hearing.

John Morgan reported a petition was received from the developer of the Springridge Estates subdivision to form a street lighting district for installation of lights in this area.

There was no testimony to come before the Council.

Mayor Koho closed the public hearing.

Councilor Keller moved for a Resolution forming the Springridge Estates Street Lighting Local Improvement District. Councilor Wellin seconded the Motion.

The Motion passed with the following votes:

AYES: Keller, Koho, McGee, Miller, Patterson, Watson and Wellin (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Councilor Patterson moved a bill for an Ordinance spreading Assessments to Springridge Estates Street Lighting Local Improvement District. Mayor Koho seconded the Motion.

The Motion passed with the following votes:

AYES: Keller, Koho, McGee, Miller, Patterson, Watson and Wellin (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**PARKMEADOW
DRIVE STREET
LIGHTING LOCAL
IMPROVEMENT
DISTRICT**

Mayor Koho opened the public hearing.

John Morgan reported a petition was received from the developer of the Parkmeadow Drive area to form a street lighting district for installation of lights.

There was no testimony to come before the Council.

Mayor Koho closed the public hearing.

Councilor Wellin moved for a Resolution forming the Parkmeadow Drive Street Lighting Local Improvement District. Mayor Koho seconded the Motion.

The Motion passed with the following votes:

AYES: Keller, Koho, McGee, Miller, Patterson, Watson and Wellin (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Councilor Keller moved a bill for an Ordinance spreading Assessments to Parkmeadow Drive Street Lighting Local Improvement District. Councilor Patterson seconded the Motion.

The Motion passed with the following votes:

AYES: Keller, Koho, McGee, Miller, Patterson, Watson and Wellin (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**HIDDEN CREEK
PHASE II STREET
LIGHTING LOCAL
IMPROVEMENT
DISTRICT**

Mayor Koho opened the public hearing.

John Morgan reported a petition was received from the developer of the Hidden Creek Phase II subdivision to form a street lighting district for installation of lights in this area.

There was no testimony to come before the Council.

Mayor Koho closed the public hearing.

Councilor Miller moved for a Resolution forming the Hidden Creek Phase II Street Lighting Local Improvement District. Councilor Watson seconded the Motion.

The Motion passed with the following votes:

AYES: Keller, Koho, McGee, Miller, Patterson, Watson and Wellin (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Councilor Miller moved a bill for an Ordinance spreading Assessments to Hidden Creek Phase II Street Lighting Local Improvement District. Councilor McGee seconded the Motion.

The Motion passed with the following votes:

AYES: Keller, Koho, McGee, Miller, Patterson, Watson and Wellin (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**LARSEN PARK
STREET
LIGHTING LOCAL
IMPROVEMENT
DISTRICT**

Mayor Koho opened the public hearing.

John Morgan reported a petition was received from the developer of the Larsen Park subdivision to form a street lighting district for installation of lights in this area.

There was no testimony to come before the Council.

Mayor Koho closed the public hearing.

Councilor Watson moved for a Resolution forming the Larsen Park Street Lighting Local Improvement District. Councilor Patterson seconded the Motion.

The Motion passed with the following votes:

AYES: Keller, Koho, McGee, Miller, Patterson, Watson and Wellin (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Councilor Watson moved a bill for an Ordinance spreading Assessments to Larsen Park Street Lighting Local Improvement District. Councilor Wellin seconded the Motion.

The Motion passed with the following votes:

AYES: Keller, Koho, McGee, Miller, Patterson, Watson and Wellin (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**ADMINISTRATIVE
ACTION**

**ORDER -
CONDITIONAL
USE CASE 93-9
(BREWSTER)**

Mayor Koho advised the Council he has become aware of facts that may or may not affect the outcome of this matter. The exparte contacts he received entail changing conditions for Mr. Brewster that may affect his application. He asked the Council to consider reopening the record in order for Mr. Brewster and other parties to make additional comments.

Shannon Johnson, City Attorney noted the record should be reopened and testimony received if the Council feels the information would influence their vote. However, he noted the information was received outside of the record and has nothing to do with the listed criteria in this case.

Mayor Koho noted this matter should be treated cautiously for appeal purposes.

Councilor McGee confirmed this information was received after the hearing record was closed. Councilor Miller noted the information he has heard will not bias his vote on this issue.

Councilor Watson commended Mayor Koho for disclosing the information he received but voiced his concern that reopening the record would cause a considerable time lapse before a decision was made on this matter.

Councilor Keller noted he had received an anonymous phone call and read the article in the newspaper. However, he does not feel this information has biased his decision.

Mayor Koho stated the information has not changed his decision but he is concerned about the process.

Councilor McGee moved for an Order in the Matter of the Application of Elmer and Ronald Brewster for a Conditional Use Permit for Property Located at 389 Hazelbrook Drive North, Keizer, Oregon, Case No. P/CU 93-9 (Brewster II). Councilor Miller seconded the Motion.

Mayor Koho moved to postpone this matter until October 3, 1994.

The Motion died for a lack of a second.

In response to a question from Councilor Keller, Community Development Director John Morgan noted the roof pitch will be checked by Marion County under the setup permit. Councilor Keller noted he is concerned the roof pitch would be determined by photograph rather than an actual site inspection.

Councilor Wellin stated she has reviewed the testimony and evidence presented at the September 6, 1994 hearing.

In response to a concern from City Attorney Johnson, the Council agreed the newspaper article in the Statesman-Journal issue dated September 19, 1994 will not influence their vote on this matter.

Councilor Miller moved to amend the Motion to include language in Exhibit E - A(1) to read: If the applicant or his successors plan to place a manufactured home on the site, it shall be a 1989 or 1991 Silvercrest "Presidential" model home. If the home is site-built, it shall meet all applicable requirements. Mayor Koho seconded the Motion.

The amendment to the Motion passed as follows:

AYES: Keller, Koho, McGee, Miller, Patterson, Watson and Wellin (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

The main Motion as amended passed as follows:

AYES: Keller, McGee, Miller, Patterson, Watson and Wellin (6)

NAYS: Koho (1)

ABSTENTIONS: None (0)

ABSENT: None (0)

CONSENT CALENDAR

The Consent Calendar consisted of the following:

- a. Approval of September 6, 1994 Regular Session Minutes

Councilor Keller moved for approval of the consent calendar. Councilor Patterson seconded the Motion.

The Motion passed as follows:

AYES: Keller, Koho, McGee, Miller, Patterson, Watson and Wellin (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

OTHER BUSINESS

There was no other business to come before the Council.

**WRITTEN
COMMUNICATION**

Mayor Koho stated he received a letter from the Mayor of the City of Salem asking for a Keizer representative on a ad-hoc committee to develop a draft plan relating to Community Block Grant Program through the Department of Housing and Urban Development. Nominations should be forwarded to Mayor Koho.

Mayor Koho also noted an invitation to the City Council for the dedication of lights at the Keizer Little League field on Wednesday, September 21, 1994 at 7:00 p.m.

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

AGENDA INPUT

Mayor Koho noted the agenda input items listed.

Mayor Koho announced the addition of a Proclamation for Recycling Week will be added to the October 3, 1994 meeting.

The Council discussed the upcoming agenda for the worksession scheduled for October 3, 1994. Mayor Koho noted the agenda will include discussion on the upcoming budget session. Councilor Miller announced he will be unavailable to attend the worksession.

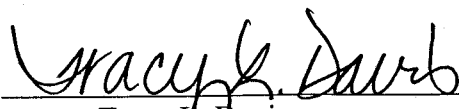
The Council agreed to move the worksession to October 17, 1994 at 5:30 p.m. The Council also agreed to discuss future topics and dates for worksessions at this time. Mayor Koho suggested scheduling worksessions whenever a 5th Monday occurs in the month. Councilor Patterson suggested meeting at least quarterly.

Councilor McGee asked for an update on the 911 study being conducted by the Police Department. Charles Stull, Chief of Police indicated the Fire Department is working on alternatives with their board and when a consensus is reached at that level, the Police Department will meet to discuss this issue.

Councilor McGee also voiced his concern with complaints he has received regarding the voice mail system at City Hall.

ADJOURNMENT

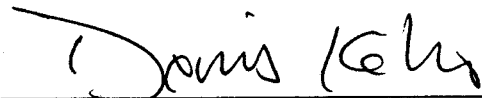
The Meeting was adjourned at 8:12 p.m.



Tracy L. Davis
City Recorder

APPROVED:

MAYOR:



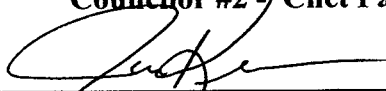
Dennis Koho

COUNCIL MEMBERS:

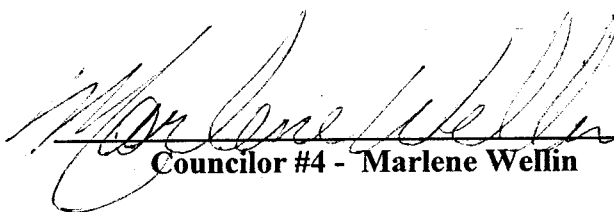
Councilor #1 - Jerry Watson



Councilor #2 - Chet Patterson

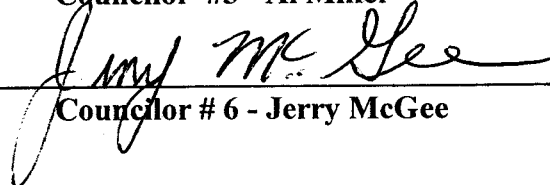


Councilor #3 - Jim Keller



Councilor #4 - Marlene Wellin

Councilor #5 - Al Miller



Councilor #6 - Jerry McGee

Minutes approved:

10-3-94
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