MINUTES
KEIZER CITY COUNCIL
Monday, September 17, 2001
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Christopher called the regular meeting to order at 7:00 p.m. Roll Call was taken as follows:

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

Absent:
Jerry McGee, Councilor

Staff:
Chris Eppley, City Manager
Rob Kissler, Public Works Director
Maria Meier, Senior Planner
Marc Adams, Chief of Police
Shannon Johnson, City Attorney
Bill Peterson, City Engineer
Tracy L. Davis, City Recorder

PUBLIC TESTIMONY

No public testimony was heard before the City Council.

COMMITTEE REPORTS

- **Community Policing**-Councilor Kelly reviewed the memo from Sergeant Kuhns pertaining to the future of community policing due to budget constraints. He noted recommendations by staff including the assignment of a Sergeant to participate in neighborhood association meetings.

  Responding to questions Chief Adams indicated that the suggested changes were brought before the Main Community Policing Group, but that this group has not had a quorum during its last three meetings. Chief Adams indicated that the Main Community Policing Meeting would continue to meet monthly with an attempt for greater participation through this and the neighborhood association meetings.

FMAGIC

- **Parks Advisory Board**-Mayor Christopher reported that the meeting was cancelled and rescheduled for September 18th.

  Mayor Christopher expressed the Council and the City's condolences for the victims of the terrorist attack. She asked for a moment of silence for the families and victims of the attack.

- **Planning Commission**-Council President Moir reported on October 10th the new Planning Commissioners would be sworn in.

- **Mid Willamette Area Commission on Transportation**-Councilor Smith reported discussions were still taking place regarding ODOT funds.

- **Chamber of Commerce Governmental Affairs**-Councilor Walsh reported bylaws for the group was addressed and the suggested changes in representation from individual occupation representation to geographic representation.

- **Library Task Force**-Councilor Walsh reported that the next meeting of the main committee would take place on September 20th.

OTHER BUSINESS

a. New Business

Councilor Smith addressed the ongoing liter problem at the Skate Park. She requested consensus from the Council to purchase brooms and a small shed to house the supplies, which could be used by the kids using the park.

The Council discussed various options and Council requested that staff reviews these options and make a recommendation to Council on the viability of these suggestions.

b. Old Business

Warrant Study

Councilor Smith re-addressed the request for a warrant study for a crosswalk at Verda and Lockhaven. She noted a memo submitted by Public Works Director Rob Kissler pertaining to the costs of the study.

Councilor Smith moved to set aside funds for a warrant study for a crosswalk on Lockhaven at Verda Lane, 14th Avenue and River Road. Council President Moir

seconded the motion.

Mr. Kissler addressed questions from the Council noting that it was his opinion that the study would find that a signalized crosswalk would not be warranted. Visibility in the area was also discussed, as well as, other projects that had been slated for review and the funding issues involved.

Councilor Smith indicated that the request was not for a signalized crosswalk, but rather a painted crosswalk to allow for the safe crossing of pedestrians.

Mr. Kissler stressed that it was his belief, as well as the Traffic Engineer that a mid-block painted crosswalk would be dangerous for pedestrians. He addressed the differences between a school crossing verses a normal pedestrian crosswalk and the ODOT codes and manuals that deal with warrant studies and its criteria.

The motion failed as follows:

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

Task Force for Possible Development of Unocal Property
Councilor Lee reported that this Task Force had been organized and consisted of Bob Newton, Jerry McGee, Christine Jones, Greg Rands and staff Rob Kissler.

Mayor Christopher requested that the adjacent property owners be contacted as stakeholders in this process.

Visibility Issue
Councilor Lee noted contact from a citizen regarding the reduced visibility at River Road and Parkmeadow Drive due to chain link fence at this area. He requested that staff be directed to review the issue.

Pay It Forward Day
Councilor Lee supplied a packet containing information pertaining to Pay it Forward Day. He urged the Mayor to develop a proclamation declaring November as Pay it Forward month.

Councilor Lee moved to draft a proclamation for the

Mayor's signature proclaiming the month of November as "Pay it Forward" month. Councilor Kelly seconded the motion.

The motion passed as follows:

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

Whiteaker Grounds
Councilor Walsh reported that he was approached by individuals at Whiteaker requesting the cooperation between the School District and the Parks Board to allow for development of the field behind the school.

Mayor Christopher indicated she would address this issue with the Parks Board.

Willow Lake Treatment Plant
City Manager Eppley reported that Frances Kessler requested to make a presentation at the next Council meeting regarding Plant Collection System. With the consensus of the Council this to the agenda for the next meeting.

Natural Treatment System
Public Works Director Rob Kissler reported that a meeting with the DEQ would take place at the Salem Public Library on September 27th at 2:00 p.m.

PUBLIC HEARINGS

a. Comprehensive Plan Map Amendment/Zone Change/Conditional Use Case No. 01-35 (Salem-Keizer District)

City Attorney Shannon Johnson noted the applicable criteria and requested a waiving of reading of the criteria. With no objections the reading was waived. Mr. Johnson as for any objections to notice, jurisdiction, exparte contact or bias is presented.

Councilor Smith noted that she visited the site to review the stage of development.

Planning Director Maria Meier reported that the applicant was the Salem-Keizer School District 24J. Ms. Meier indicated that the subject property was located at 1050 Clearlake Rd NE. The request was for approval of a Comprehensive Plan Map Amendment/ Zone Change to establish an Elementary School (ES) Comprehensive

Plan designation and a Public (P) zone designation on the subject property. It was also noted that the applicant was requesting a Conditional Use for the construction of the Elementary School.

Ms. Meier noted that the criteria was outlined in the staff report and reported that the Hearings Officer conducted a public hearing on August 23rd of which the record was closed on September 4, 2001.

The staff and Hearings Officer recommendation was to approve the above request with the suggested Hearings Officer recommendations.

Mayor Christopher opened the public hearing.

Public Testimony

Mark Shipman, 250 Church Street SE, Suite 300, Salem-attorney for the applicant. Mr. Shipman shared their agreement with the staff and Hearings Officer's recommendations. He asked for concurrence from the Council to move forward with the project to allow the school to open in the Fall of 2002. Mr. Shipman also offered input from the various organizers of the project at the Council's request.

Dan Prideaux, Project Manager Salem-Keizer School District- responding to Council's questions he indicated that the street would be developed to full width with curb and sidewalk up to Mr. Cronemiller's property.
Mr. Prideaux also noted that a traffic study did not warrant a left -hand turn lane.

Mr. Prideaux addressed the perimeter access road requested by the Marion County Fire District. He noted that the District had met all building code requirements for this building and felt that the perimeter access road was unnecessary. He noted that a gated emergency access would be available if the need arose for evacuation or access for emergency vehicles.

In response to Councilor Smith's concerns Mr. Shipman noted his comment pertaining to the Chemawa Activity Center in his written statement was to recognize that there was a need for publicly owned land in Keizer as part of their zone change application. He summarized the recent development of other schools in the area where these issues were cited as part of the process.

Mr. Prideaux explained as part of the development a tree preservation and replacement plan was enacted that would include the planting of approximately 40 trees. He also noted DEQ's inspection of the site and the compliance as required by the permits.

Addressing additional concerns pertaining to the purchase and placement of flashing lights at the new schools Mr. Prideaux indicated that there had been discussions for the school district to pay the costs for appropriate crosswalks on Wheatland and Clearlake Road. These areas would be outlined once attendance for the school had been determined.

Mark Grenz, Multi-Tech Engineering, Project Engineer, 1155 13t^{h} Street SE, Salem-noted storm drain facilities and the 12-inch water line that would be placed for the new school. He offered to answer questions from the Council.

Dave Guile, Principal of Forest Ridge Elementary School, 6711 14th Avenue, Keizer-spoke in support of the land use change and requested that this action take place in an expedient manner to help reduce the overcrowding at Clear Lake Elementary School.

Mr. Guile addressed portions of the Hearings Officer's report noting the environmental theme would be followed and the required trees added to the site. He also addressed the lack of sidewalks from St. Charles Street to the new school site. Mr. Guile encouraged the School District, City and the Clear Lake Neighborhood Association to engage in conversations to see that this addition was added for the safety of children walking to school in that area. The curriculum was outlined, as well as the suggested boundaries for the new school.

Mr. Guile answered questions from the Council pertaining to the development and boundaries of the new school.

Council and the City Attorney discussed the appropriateness for the requirement of the sidewalk as recognized by Mr. Guile. Public Works Director Rob Kissler summarized issues for the area, but indicated that there might be enough right- of- way available to provide at least a shoulder along the road to provide some protection to pedestrians. He offered to develop some cost analysis for Council's review.

The sidewalk issue was discussed further with Mr. Shipman pledging their commitment to work with the city and the neighborhood association to see that the appropriate sidewalks were put in place. Although Mr. Shipman did not feel it was reasonable to expect the school district to bear the full cost of the sidewalks for this area.

Mr. Prideaux expressed his support for continued discussions between the city and the school district for cost sharing negotiations for walking access in the area.

Responding to Councilor Smith's concerns Mr. Guile indicated that he did not feel that additional traffic would be moved onto Rupp Street and stressed that the school would be providing training to the children and their families to keep everyone safe and minimize the use of Rupp Street.

Paula Smith, Deputy Fire Marshall Marion County Fire District-addressed the access road requested by the Fire District. She noted the hydrant, which was placed towards the back of the site, but indicated that no access was made available for emergency vehicles to use this hydrant. She stressed the need for access to this hydrant as the size and weight of the fire equipment could make it difficult to access the hydrant across the grass.

Responding to questions, Mr. Kissler indicated that Rupp was built to development code standards and should adequately accommodate fire equipment with parking on both sides of the street.

With further discussion Ms. Smith agreed that the conditions of approval as recommended by the hearings officer were adequate for access to the fire hydrant.

The use of Marks Avenue was addressed and Mr. Johnson cautioned the Council against imposing a condition that was out of the control of the applicant since Marks Avenue was a private street.

The Council and legal counsel debated the request by the Fire District for the requirement of the road around the perimeter of the school for emergency access per the Fire Code and the Hearings Officer's report.

Dennis Wise, 999 Rupp Avenue NE, Keizer-expressed appreciation for recognition regarding concerns of the

neighborhood. He urged neighborhood awareness for the safety of the children in the area and advised involvement of the neighbors during the development of the school.

City Manager Eppley noted that the School District had expressed an interest in working with the neighbors to do this.

Mr. Prideaux confirmed that they would work staff and the Fire District pertaining to emergency access to the school. He addressed the enormous growth of the district, which was twice the projected growth. He urged the Council to allow the district to move forward with the development of the school.

With no additional testimony Mayor Christopher thanked everyone for testifying and recessed the meeting at 9:37 p.m. The meeting was reconvened at 9:47 p.m.

Mr. Johnson noted that Council had suggested some additional conditions those included:

- *Page 16 of Hearings Officer's Recommendation to add to Condition 13 after second sentence; Upon dedication of sufficient right-of-way from the adjoining property owner (Rod and Loretta Lent), the applicant shall construct a full street improvement on that property.*

Mr. Johnson addressed this amendment whereupon Mr. Shipman noted that this amendment would work on the Lent property but indicated that on the Cronemiller property they had agreed to provide gate access to approximately 30 feet on his property.

Council discussed the Cronemiller agreement. Mr. Prideaux indicated that Mr. Cronemiller was interested in only developing to his property line and gaining property to extend this would probably take the condemnation process.

Council further deliberated this issue reviewing the Lent and Cronemiller properties by way of the map provided by the school district.

Discussions of "No Parking" along Rupp Avenue were brought about. Mr. Johnson suggested an amendment to *Page 16 Condition 14* to add the sentence to read:

- *The applicant shall pay the cost of signage*

and marking for the cul-de-sac area as a "No Parking/Tow Away Zone."

Mr. Johnson also suggested the addition of *Condition 19* to read:

- *The applicant shall construct and/or pay for the school zone crosswalks and flashing signals in accordance with City specifications on Clear Lake and Wheatland Road.*

Council President Moir moved to Adopt a Bill for an Ordinance in the Matter of the Comprehensive Plan Map Amendment Zone Change Conditional Use for Development of New Elementary School in the Vicinity of Clear Lake Road in which the City Grants Approval in Accordance with the Keizer Hearing's Officer Recommendation Dated September 7, 2001, as amended. (Case 01-35 Salem-Keizer School District 24J) Councilor Lee seconded the motion.

Councilor Kelly moved to remove the amendments from the motion.

The motion died due to the lack of a second.

The motion passed as follows:

AYES: Christopher, Lee, Moir, Smith and Walsh (5)
NAYS: Kelly (1)
ABSTENTIONS: None (0)
ABSENT: McGee (1)

Councilor Kelly moved to suspend the Council rules to enable him to reconsider his vote. Councilor Walsh seconded the motion.

The motion passed as follows:

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

Councilor Walsh moved for reconsideration of the Motion. Councilor Smith seconded the Motion.

The motion passed as follows:

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

Mayor Christopher moved a bill for an ordinance in the Matter of the Comprehensive Plan Map Amendment/conditional Use For Development of A New Elementary School in the Vicinity of Clear Lake Road in which City Grants Approval in Accordance with the Hearings Officer Recommendation with the Amendments as Outlined by the City Attorney-Case No. 01-35 (Salem-Keizer School District 24J) Councilor Walsh seconded the Motion.

The motion passed as follows:

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

Council President Moir Moved to Direct Staff to Work with the School District and Property Owners in the area to Consider Possible widening of Clear Lake Road to Include five-foot Bike Paths on Each Side from St. Charles to the New School. Councilor Lee seconded the motion.

Councilor Walsh suggested a friendly amendment to consider Bike Paths from Wheatland Road to the City Limits. Council President Moir and Councilor Lee accepted the friendly amendment.

The motion passed as follows:

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

b. Kat's Korner Billiards Liquor License

City Manager Eppley reported that on August 30, 2001 Kathy Miller submitted an application for a Limited On-

Application (taken before Public Hearing a.)

Premises Sales Liquor license for Kat's Korner Billiards located at 3393 River Road North, Keizer, Oregon. He noted public hearing notices were published and the required background checks had taken place.

Staff recommended that the public hearing take place and approve the application for the Limited On Premises liquor license for Kat's Korner Billiards.

Mayor Christopher opened the public hearing.

Public Testimony
Kathy Miller, applicant, 1826 SE 52nd Avenue, Hillsboro, Oregon-expressed an interest in opening a small pub and billiard parlor opening October 1st. She submitted a plan of compliance to the Council.

Responding to questions Ms. Miller noted that a General Manager would be hired but that all final decisions would come through her.

Councilor Lee urged Ms. Miller to let the neighbors in the area be aware of her establishment and to develop a level of trust with neighbors in the area.

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

Council President Moir moved to recommend approval of the Limited On Premise liquor license application to the Oregon Liquor Control Commission. Councilor Kelly seconded the motion.

The motion passed as follows:

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

c. Infill Master and Redevelopment Plan (continued from 8-20-01)

Mayor Christopher opened the public hearing.

There was no testimony to come before the Council.

Mayor Christopher continued the public hearing until the special session scheduled for September 24, 2001 at 5:30 p.m. She announced that additional special sessions would be held on October 8th and October 22nd at 5:30.

p.m.

d. Legislative Amendment to Redesignate Chalmers Jones park and Clarify Boundaries (continued from 8-20-01)

Mayor Christopher opened the public hearing.

There was no testimony to come before the Council.

Mayor Christopher continued the public hearing until October 1, 2001.

ADMINISTRATIVE ACTION

a. RESOLUTION- Authorizing City Manager to Award Bid from Alder Drive NE Improvements (Storm Drainage

Mayor Christopher addressed questions as submitted by an audience member noting that the grant was only for improvements to Alder in the existing right-of-way.

Responding to additional questions Public Works Director Rob Kissler explained the process, as it would take place through the Urban Renewal Agency, which would forward their action to the Council for consideration.

City Manager Eppley indicated that property owners would be involved in the process prior to public hearing being contacted by public works to address issues which property owners might have. He noted a minimum of 90-days notice to the property owners before the issue would be brought before the Council for a public hearing.

Mayor Christopher directed staff to develop a schedule to outline for the public how the process takes place.

Councilor Smith expressed concerns regarding issues in the TSP.

Planning Director Maria Meier responded that the TSP was scheduled to be reviewed on five-year intervals, but could be reviewed as requested by the Council.

City Manager Eppley agreed to work with Councilor Smith to review some of the issues, which she identified and would work with various committees to review before bringing back to the Council.

Council President Moir moved to Authorize the City Manager to Enter an Agreement with Morse Bros. Construction for Alder Drive Improvements. Councilor Kelly seconded the motion.

The motion passed as follows:

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

CONSENT CALENDAR

a. Approval of September 4, 2001 Regular Session Minutes

Council President Moir moved for Approval of the Consent Calendar. Councilor Kelly seconded the motion.

The motion passed as follows:

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

WRITTEN COMMUNICATIONS

Mayor Christopher noted that Clear Lake Neighborhood Association's next meeting would be September 18th at 7:00 p.m. she noted the agenda for this meeting.

Mayor Christopher requested consensus from the Council to amend Ordinance 2001-441 to allow PGE to submit franchise payment to the City in 45 days rather than 30 days. It was the consensus of the Council for the amended ordinance to be brought back before the Council.

Mayor Christopher noted letters from Albertson's pertaining to assisting the Red Cross by accepting donations, a letter from citizen Casey McCallister urging the development of a library in Keizer and a letter from the Governor pertaining to statewide policy and requesting input from the Council.

AGENDA INPUT

October 1, 2001
7:00 p.m. City Council Regular Session
- Presentation by Frances Kessler on Willow Lake Treatment Plan
- Legislative Amendment to Re-designate Chalmers Jones Park and Clarify Boundaries

October 8, 2001
5:30 p.m. City Council Special Session
- Infill Master and Redevelopment Plan

October 15, 2001

7:00 p.m. City Council Regular Session

ADJOURNMENT Mayor Christopher adjourned the meeting at 10:48 p.m.

Cindy Perry
Recording Secretary

APPROVED:
Lore Christopher-Mayor

COUNCIL MEMBERS:

Councilor #1 - Judy K. Smith

Councilor #2 - Ray Kelly

Councilor #3 - Charles E. Lee

Councilor #4 - Jacque Moir

Councilor #5 - Richard Walsh

ABSENT
Councilor #6 - Jerry McGee

Minutes approved:
October 1, 2001