

MINUTES

KEIZER CITY COUNCIL

Tuesday, September 8, 1992
Robert L. Simon Council Chambers
Keizer City Hall

CALL TO ORDER

Mayor Orcutt called the regular meeting to order at 7:32 p.m. Roll call was taken as follows:

Present

Andrew J. Orcutt, Mayor
Mike Hart, Councilor
Dennis Koho, Councilor
Jerry McGee, Councilor
Al Miller, Councilor
Bob Newton, Councilor
Joe Van Meter, Councilor

Staff

John Morgan, Community Development Director
John Lien, City Attorney
Shannon Johnson, City Attorney
Linda Sanders, Recording Secretary

PUBLIC TESTIMONY

There was no public testimony to come before the Council.

COMMITTEE REPORTS

There were no committee reports.

PUBLIC HEARINGS

Meadows Phase 5

Street Lighting

The Mayor opened the Public Hearing, No one wished to speak in the hearing, so it was closed.

Timberview Phase 3

Street Lighting

Mayor Orcutt opened the Public Hearing and there was no one to speak. The Public Hearing was closed.

DELIBERATION

No comments were made under deliberation.

ORDINANCES

Meadows Phase 5

Street Lighting

Councilor Koho moved a bill for an ordinance spreading assessments to the Meadows Phase 5 Street Lighting Local Improvement District. The motion was seconded by

Councilor Van Meter.

The motion passed unanimously with the following votes:

AYES: Hart, Newton, Orcutt, Van Meter, Koho, Miller,
McGee (7)

NAYS: None

ABSTENTIONS: None

ABSENT: None

**Timberview Phase 3
Street Lighting**

A motion was made by Councilor Van Meter and seconded by Councilor Koho for a bill for an ordinance spreading Assessments to Timberview Phase 3 Street Lighting Local Improvement District.

The motion was passed by voting:

AYES: Hart, Newton, Orcutt, Van Meter, Koho, Miller,
McGee (7)

NAYS: None

ABSTENTIONS: None

ABSENT: None

**Amendment to
Master Sewer Plan**

Mr. Morgan reported the Ordinance before the Council did not include an amendment to the Systems Development Charge as requested but an adoption of the Clear Lake Sector. A separate ordinance will come from the City Attorney's office, possibly next meeting.

Councilor Van Meter moved a bill for an Ordinance Amending the City of Keizer Master Sewer Plan (Amending Ordinance No. 87-077). Councilor Koho seconded the motion.

The motion passed unanimously:

AYES: Hart, Newton, Orcutt, Van Meter, Koho, Miller,
McGee (7)

NAYS: None

ABSTENTIONS: None

ABSENT: None

**DISCUSSION
Conditional Use Appeal
(Chandler)**

Mr. Morgan reported that the agreement worked out between the Keizer and Salem City staffs had been scheduled to go before the Salem City Council in an afternoon meeting today but was held over. He commented that if they fail to pass the agreement, a meeting of the two Councils will be held. A report

will be given at the next meeting.

**Recruitment -
City Manager
Profile Adoption**

Mr. Hershey of COG led the Council in looking at the draft of the Profile for the Most Desired Skills and Abilities of the Keizer City Manager. He noted changes, corrections and additions are encouraged and the profile is a reflection of the personality of the Council as a team.

Councilor Hart stated he would like the person to be looking ahead and able to give new ideas. Councilor Miller suggested the use of the word "visionary" and Councilor Hart agreed. Councilor McGee offered two editorial changes which would make the document more positive. Councilor Koho agreed with those. Councilor Miller asked about including the need for experience managing a Police Department that is under contract. Mr. Hershey noted it was in the advertisements but could be added to the profile.

Councilor Koho pointed out the use of "economic development" as a needed skill in the ads. He stated he did not believe that was included by the Council and he would prefer not to have it included. Councilor Van Meter and Mayor Orcutt agreed. Councilor McGee asked why it would not be a good asset for a candidate. Councilor Koho stated it seemed to imply the need for someone to recruit business but the greater need is community development. Mayor Orcutt added that economic development should not be added to the limited City Staff but the greater need is someone strong in the day to day management.

Mr. Hershey explained his method of coming up with the profile. Councilor McGee was concerned about false information going out on the blue fact sheet about Keizer. Councilor Koho commented that some changes were made during the prior meeting. Mr. Hershey stated that 29 full application packets have been mailed out as response to the ads in the Keizertimes, Statesman Journal and the Oregonian. He also said the proposed amendments were sent out with the packets. Mayor Orcutt asked Mr. Hershey to bring back the changes to the profile at the next meeting.

Mr. Hershey directed the Council to the corrected List of Advertising Expenses. He noted that the new list includes \$83.21 more in expenses.

Councilor Van Meter moved that the \$83.21 extra be deleted and the budget the Council approved remain.

The motion died for lack of a second.

Councilor Hart moved that the amended amount of \$438.27 be approved for Advertising Expenses. The motion was seconded by Mayor Orcutt.

Councilor Hart stated he was looking at getting two different ads in the Statesman Journal and at the price when the vote was taken before. He was concerned that the correct information was not before the Council previously. Mr. Hershey noted that three people worked on the information resulting in some mistakes. Councilor McGee stated he would be supporting the motion. Councilor Van Meter stated he would not support the motion since a number of applications had already been received.

The motion passed with the following votes:

AYES: Hart, Newton, Orcutt, Miller, McGee (5)
NAYS: Koho, Van Meter (2)
ABSTENTIONS: None
ABSENT: None

Mr. Hershey asked about the expansion of the advertising for minority coverage. Mayor Orcutt noted the motion limited the available funds so that only those opportunities listed could be supported.

Briefing on Housing Report

Mr. Morgan stated the theme of the evening would be housing and he hoped to bring to focus several areas. He stated the Council would be briefed on the research and the findings of the recent housing survey and then asked for direction for the staff.

Mr. Morgan noted that housing in Keizer is an issue that has not been taken over by the City. Housing assistance is still provided by the Housing Authority in Salem. At present 220 families use vouchers to seek private housing in Keizer. Speaking on Housing will be Bob French, the City's representative to the Salem Housing Advisory Committee and Mr. Sumner Sharpe, from the firm who did the research.

Mr. French reported that the Advisory Committee was established in 1974, Keizer joined in 1985 and he had served since 1991. He stated that in addition to monthly meetings, the Committee met yearly with the Salem City Council in an informal setting. From his personal observations, he felt there were some conditions in Keizer worse than any to be found in the City of Salem.

Mr. French also reported that the availability of housing in Keizer is low and that the housing vouchers used in the city are 25% of the total vouchers used in that program. He stated an hourly wage of \$9.50 would be required to buy a home in the median range in Keizer. He did not think Keizer businesses were the type to offer such a wage. Mr. French offered the Council best wishes in the struggle of housing and stated he believed finding a solution would make Keizer a better community.

Councilor Van Meter questioned the seeming contradiction of Mr. French in stating there are areas of low income housing that vastly needed improvement and then the statement that no low income housing was available. Mr. French clarified by saying that there is very little vacancy rate. Councilor Hart asked if Keizer has the "problem" areas in housing. Mr. French stated that 25% of the vouchers are used in an area which includes 15% of the population. Mr. Morgan also noted that Salem rents about 1200-1400 subsidized units in another program for low income housing.

The Councilors discussed the ramifications of Keizer being the location for 25% of the low income housing vouchers. Mr. French encouraged the Councilors to look at the available housing themselves. Councilor Hart added that he was glad that the Council was receiving information on housing needs in the community.

Mr. Morgan introduced Sumner Sharpe of Cogan Sharpe Cogan whose firm directed the recent housing study. Mr. Sharpe related that nationally first attempts are being made to look at the possible housing problem. The Block Grant program monies will now require communities to complete a Comprehensive Housing Affordability Strategy (CHAS) about how they are going to intervene in housing affordability and housing conditions. He suspected that in the future other Federal funding will require a CHAS as well. 1993 is the first time that the 1990 census figures will be available for use and probably the first year for many housing plans.

Mr. Sharpe reported that there are about 8100 housing units in Keizer. He said that the biggest question will probably be affordability as opposed to condition. In the survey, the total area was divided into 5 smaller sub-areas. The north sub-area which includes most of Keizer is smaller than the others. The methods used were a random telephone survey and an external condition survey.

Some of the Overall Findings are:

- Housing conditions are basically quite good with 4000 total units in the City not rated average or better.
- Rental units are more likely to need attention although multi-family units are generally in better condition.
- The worst conditions are found where there are mobile homes with two or more units on the sites. Since the land tends to be zoned commercial industrial for those areas, land values are high and not much money is put into upkeep.
- Among renters, small households are most likely to have an affordability problem and the majority of the renting households fall in that category where they spent more than 30% of their income for housing.
- Among homeowners, the elderly are most likely to have cost burdens.
- In the north area (basically Keizer), there is no indication of overcrowding.

Mr. Sharpe further explained that a 100% survey was done of the general outside conditions of each unit. About 500 units of the 8,100 in Keizer were rated less than average or better. Councilor McGee was pleased to have the survey results which would allow the City to identify problems in advance. He was concerned that renters would be fearful of their landlords and thus not report unsatisfactory conditions. He noted that it is difficult to maintain affordable housing stock and hard to replace it. Councilor Van Meter said that had been his dilemma about the trailer park on Cherry. If the owner is forced to renovate, then residents will not be able to afford the rent.

Mr. Sharpe stated that if the community feels that affordable housing is at the mobile home park they will have to work an agreement to keep those units affordable. In the case of mobile home parks there is another dilemma since the home heating situation is usually pretty dangerous.

Councilor McGee asked about the theory that the best way to develop lower income housing is to build more expensive housing, forcing the ripple effect to occur. Mr. Sharpe stated that theory was the most predominant in the past but the difficulty arose when homes weren't

built at all levels. The vacancy rate must be maintained for the theory to work since supply and demand aren't always equal. In answer to a question concerning Urban Renewal funds, Mr. Sharpe stated that the monies could be used to maintain lower income housing at an affordable level and also maintain the condition, too.

Councilor Miler was concerned that the credibility of the report for Keizer will be diminished by the drawing of the boundaries of the sub-areas. Mr. Morgan noted that since all the information is to be on a computerized data base, in time the boundaries will be able to be adjusted.

Councilor McGee was interested to know whether someone with a few hours of training could make a duplicate condition survey in the future to know if the situation is better or worse. Mr. Sharpe reported the survey would take training or a practiced eye and primarily one person did the whole thing.

Mr. Morgan pointed out there are a few isolated spots in Keizer that are particularly bad. He thought one of the ways to go about changing that is implementation of a housing code with multi-family licensing allowing the housing to be closed if it does not meet the criteria. In Salem that practice has been extremely successful. He reported that Mr. Wendolowski, City Planner, had done some research since Salem is the only city having such a code. The enforcement is totally fee supported. While doing research, Mr. Wendolowski discovered that neither Salem or Marion County personnel were interested in contracting to do Keizer's enforcement. At present, \$250,000 worth of fees are paid by Keizer residents to the Marion County Building Inspection Department. Mr. Wendolowski suggested that perhaps the Building code and Housing Code could be combined and a Department, possibly profitable, created in the Keizer City government. He asked the Council to consider if there was interest in doing that.

Councilor Koho thought the recommendation to ask the Community Development Department to look into the idea is probably a good one. Mr. Morgan also mentioned there are private providers that could do the job, under the assumption that it would be fee supported. Councilor McGee stated that the possible solution may be larger than the one or two sites that are causing a problem. Councilor Van Meter spoke in favor of the research, stating that he had been told by other enforcers that this is a money making proposition and it should be looked at.

Councilor Hart said the department, if established, would have to be on a scheduled basis or complaint basis and he did not feel comfortable about a complaint basis because of renters being afraid to complain. Councilor Miller stated he was against enlarging Keizer City Government at this time. He felt the housing business is a cyclable one and a downturn could come at any time. He was not even interested in pursuing a budget analysis. Mr. Morgan added that Salem, recognizing the possibility of a future change in building, has an extraordinary inclusion in their personnel rules where a supervisor could hire or fire the inspectors on demand.

Mayor Orcutt said that the future may hold several more good years of growth but the economy could take a down turn. He also said he was worried a bit that the City of Salem is the only jurisdiction having a Housing Code. Mr. Morgan clarified that other jurisdictions do have Housing Codes but only Salem has an inspection schedule. Councilor Van Meter stated a concern about Cherry Avenue and Chemawa Road. He wanted to have more information regarding the establishment of a Department. Councilor Newton thought the report was enlightening but overwhelming and suggested that the Council continue to study the report. He felt the whole Council is concerned with the plight of people living in unsatisfactory housing and wanted to discover how much of a problem it really is in Keizer.

Aside from the Housing Code issue, Councilor Koho wanted to look into moving the Building inspection service in-house. Councilor McGee would like the Housing code to include only the two issues of Health and Sanitation. Councilor Newton agreed that the Council wanted to know how the issue of safe clean housing could be addressed.

Councilor Hart was concerned whether renters would call to complain. Councilor McGee stated that the Landlord Tenant Act in Oregon assures that renters needn't worry about being evicted for bringing a formal complaint.

Counselor Van Meter moved that the Community Development Director be directed to research having a Housing Code which would inspect for safety and sanitation on complaint and to begin investigation of taking over the building code function within the City. Counselor Koho seconded the motion.

Counselor McGee moved to amend the motion to eliminate the second part and restrict the motion to the Housing Code. Counselor Miller seconded the motion.

Councilor McGee did not want to ask the staff to commit the time needed to make a cost analysis.

The motion to amend failed with the following votes:

AYES: Newton, Miller, McGee, (3)
NAYS: Orcutt, Koho, Hart, Van Meter (4)
ABSTENTIONS: None
ABSENT: None

The motion failed with the following votes:

AYES: Van Meter, Koho, (2)
NAYS: Hart, Orcutt, Newton, Miller, McGee (5)
ABSTENTIONS: None
ABSENT: None

Councilor Van Meter stated he did not know how to get to the problem that the Staff was asked to look at. He felt the major entrance to our city has problems which are health and safety issues. Councilor McGee suggested the Staff focus on the issue of safe and affordable housing.

Councilor Koho moved that the staff be directed to prepare an ordinance for a complaint based Housing Code dealing with safety and sanitation. The motion was seconded by Councilor Van Meter.

Councilor Miller moved to amend the motion to request a detailed fiscal impact statement on the City be submitted at the same time. Councilor Van Meter seconded the motion.

The amendment passed with voting:

AYES: Newton, Van Meter, Koho, Miller, McGee, (5)
NAYS: Hart, Orcutt (2)
ABSTENTIONS: None
ABSENT: None

The amended motion passed with votes of:

AYES: Van Meter, Koho, Miller, McGee, (4)
NAYS: Orcutt, Newton, Hart (3)
ABSTENTIONS: None
ABSENT: None

Industrial Lands Policy

Mr. Morgan gave the staff report regarding the industrial lands policy within the Periodic Review Order. He summarized the staff's response to the Marion County requests to retain large pieces of

industrial land and to have a consistent policy between Salem and Keizer. With those responses in mind, he read an alternative policy which would restrict divisions to include at least one 20 acre parcel and to be subject to a special review and approval process.

Councilor Miller asked the size of Mr. Epping's property. Mr. Morgan said it was 67 acres which would mean only 27 acres available after division if the County's policy is used. Councilor Miller noted that even with the use of a 20 acre policy, Mr. Epping might be stuck with 20 acres of bare ground. Mr. Morgan stated he was suggesting a compromise to get the process moving.

Councilor Koho moved that the staff recommendation be adopted. Councilor Van Meter seconded the motion.

Councilor Miller stated it was good to seek compromise but this is one of the times that the fight may need to continue. He stated that it is clear that even the compromise is not in the City's best interest. In answer to a question by Councilor Van Meter, Mr. Morgan reported that the LCDC had said that the policy is not strict enough. Salem has drafted their Periodic Review and forwarded it to LCDC for comment. Councilor Hart pointed out that Keizer's situation is different since only one parcel is affected. He felt that LCDC would probably do the same thing to Keizer's recommendation that they would do to Salem and he would like to see pressure put on LCDC. He believed if the City can show what would be in it's best interest, that LCDC would have a hard time objecting. Mayor Orcutt said he was uncertain how smaller parcels, i.e. 5 acres, 10 acres, etc. could be justified. He thought the City needed a bank of industrial lands. Mr. Morgan pointed out that the land was added to the Urban Growth boundary since there did not seem to be enough industrial lands. He suggested maybe it was not needed in the boundary. Councilor McGee said the most important issue is not the size but the division of land. He felt a major philosophical battle will be won if Salem agrees that Keizer could have a difference policy in their Periodic Review Order.

Councilor Miller spoke again in opposition to the motion which would lock Keizer into 20 acres, saying that Salem might accept a proposition of smaller parcels. Councilor Newton noted that would not be acceptable to Marion County.

The motion passed with the votes as follows:

AYES: Hart, Newton, Van Meter, Koho, McGee, Orcutt (6)

NAYS: Miller (1)
ABSTENTIONS: None
ABSENT: None

CONSENT CALENDAR

- a. RESOLUTION - Orchard Crest Phase 2 Street Lighting District
- b. Approval of July 27, 1992 Special Session Minutes
- c. Approval of August 10, 1992 Special Session Minutes
- d. Approval of August 17, 1992 Regular Session Minutes

Councilor Van Meter moved the approval of the Consent Calendar. Councilor Hart seconded the motion.

The motion passed unanimously with the following votes:

AYES: Hart, Newton, Van Meter, Koho, Miller, McGee, Orcutt (7)
NAYS: None
ABSTENTIONS: None
ABSENT: None

OTHER BUSINESS

Councilor Miller encouraged the City Staff to move forward toward getting a light at Sandy Drive, doing whatever the next step would be. He asked that Mr. Peterson, City Engineer be brought back to the Council and that was placed on the agenda for the meeting of September 21st.

WRITTEN COMMUNICATIONS

There were no written communications to come before the Council.

AGENDA INPUT

Councilor Koho stated he had received a letter requesting the speed limit by the Meadows be lowered from 55 to 35 miles per mile. The issue was placed on the agenda for the next meeting. Councilor Koho also requested discussion regarding Town Hall type forums, for quarterly communication with the public, be put on the agenda. Mr. Morgan stated the next meeting will also include the hearing on the Flamingo Liquor License Application and the report from the Chandler appeal.

ADJOURNMENT

The meeting was adjourned at 10:15 p.m.

Linda S. Sanders

Linda S. Sanders,
Recording Secretary

APPROVED:

[Signature]
MAYOR

Dale Newton

Doris Koko

[Signature]

[Signature]
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