



MINUTES
KEIZER CITY COUNCIL
Monday, September 4, 2007
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

**CALL TO
ORDER**

Mayor Christopher called the regular meeting to order at 7:04 pm. Roll Call was taken as follows:

Present:

Mayor Lore Christopher
Richard Walsh, Council President
Jim Taylor, Councilor
Jacque Moir, Councilor
Cathy Clark, Councilor
David McKane, Councilor
Position #2 Vacant

Staff:

Chris Eppley, City Manager
Shannon Johnson, City Attorney
Nate Brown, Community
Development
Rob Kissler, Public Works
Marc Adams, Chief of Police
Tracy Davis, City Recorder

FLAG SALUTE

Mayor Christopher led the pledge of allegiance.

**PUBLIC
TESTIMONY**

Carol Doerfler, Keizer, representing KARES (Keizer Animal Rescue Emergency Shelter) presented the Mayor with a t-shirt in appreciation of her support and participation in the Mayors walk.

Lyndon Zaitz, Keizertimes, read a statement regarding the upcoming events planned to celebrate the 25th Anniversary of Keizer which will be held on October 13 and requested Council approval for this event. Interested parties were encouraged to contact Lyndon at 503-390-1051 or email at KT@keizertimes.com. Additional discussion took place regarding various events being considered for the occasion. Councilors agreed to support this effort.

PUBLIC HEARING

**a. Appeal of
Hearings
Officer
Decision –
Subdivision
2007-26 – Bolf
Terrace/Jack
Lowery**

Mayor Christopher recused herself from this portion of the meeting due to a conflict of interest and turned the meeting over to Council President Walsh.

City Attorney, Shannon Johnson, explained that this was a combined application for a subdivision lot line adjustment and variance so the criteria were quite lengthy and suggested that, barring objections, the reading of the criteria set forth in the staff report be waived. There were no objections. He added that testimony arguments and evidence must be directed toward the criteria or any other criteria in the Comprehensive

Applicant

Plan or land use regulations believed to apply to this decision. Failure to raise an issue accompanied by statements or evidence sufficient to afford the Council and the parties an opportunity to respond to the issue would preclude appeal to the Land Use Board of Appeals based on that issue. In addition any failure by the applicant to raise constitutional or other issues related to the proposed conditions of approval with sufficient specificity to allow the Council or its designee to respond to that issue would preclude an action for damages in Circuit Court. He noted that if anyone had any objection as to conflict of interest, bias, jurisdiction, notice and opportunity to be heard, it should be brought up at the time of testimony and any Council members wanting to disclose conflict of interest, bias or prejudice on this case should do so at this time.

Councilors Moir, McKane, Walsh, Taylor and Clark indicated they had read newspaper articles regarding this issue. Mr. Johnson noted that these articles would therefore be made exhibits and part of the record. Councilors McKane, Clark, Taylor and Walsh indicated they had spoken to Mayor Christopher regarding the property; Councilors Taylor, Clark had visited the site.

Community Development Director, Nate Brown, reported that the Land Use Hearings Officer had approved the application by Jack Lowery for a 14-lot subdivision on property located along Bolf Terrace Drive. Following the Hearing Officer's decision, an appeal was received from Mark Murphy who indicated that he believed the Hearing Officer erred in approving the application. Staff, however, recommends an order to affirm the Hearing Officer's decision to approve the proposed subdivision.

Mr. Brown reviewed the appeal statements filed by the appellate and fielded questions along with Public Works Director, Rob Kissler, regarding traffic control, connectivity and street specifications.

Council President Walsh opened the public hearing.

Jack Lowery, Keizer, explained the specifications of the subdivision and fielded questions from Council with the assistance of Nate Brown.

Jeremy Grenz, Multi-Tech Engineering, Keizer, representing Jack Lowery, voiced support for the Hearing Officer's decision and agreement with staff supplemental findings and explained that the streets will accommodate the additional traffic generated from this subdivision.

Jacklyn Pierce, Keizer, posed questions regarding parking, enforcement and city authority in a PUD (Planned Unit Development).

Mark Murphy, Keizer, spoke on behalf of the residents of Veranda Court, voicing support for the development and concern that traffic safety had not been addressed. He fielded questions from Council regarding his concerns.

Mike Smedima, Veranda Court, Keizer, echoed Mr. Murphy's concerns.

With no further testimony, Council President Walsh closed the Public Hearing.

Council President Walsh reopened the Public Hearing in order to allow rebuttal.

Jeremy Grenz, speaking on behalf of the developer, noted that the proposed development meets the standards for local streets and all applicable criteria adding that the stop sign planned for this intersection should remedy any safety concerns of the neighbors. He then fielded additional questions from Council regarding traffic.

With no further testimony, Council President Walsh closed the Public Hearing.

Councilor Taylor moved to direct staff to prepare an order to affirm the Hearing Officer's decision to approve the proposed subdivision. Councilor McKane seconded.

Discussion followed regarding children playing in the street, connectivity and increased traffic. The question was called.

Motion passed unanimously as follows:

AYES: Christopher, Walsh, McKane, Moir, Clark and Taylor (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0) Position #2 vacant (1)

ADMINISTRATIVE ACTION

a. City Council Position #2 Appointment Process

Administrative action was taken out of order – before the Public Hearing.

City Manager, Chris Eppley, reviewed the council vacancy issue and the timeline adding that a Special Session had been scheduled for Monday, September 24 for presentations by the applicants and, following that process, the successful applicant would be sworn in. He reviewed the interview procedure which was agreed upon at the previous meeting and requested that Council address and decide upon various issues relating to the process. Discussion then took place regarding sequestering candidates, order of appearance, methods of interviewing and the proposed questions for the candidates.

Mayor Christopher moved to sequester each of the applicants regardless of how many until they have given their presentation; after their presentation, they would be free to stay or leave at their option. Councilor Walsh seconded. Additional discussion took place. Motion passed as follows:

AYES: Christopher, Walsh, McKane, Moir and Taylor (5)

NAYS: Clark (1)

ABSTENTIONS: None (0)

ABSENT: Position #2 Vacant (1)

Additional discussion took place regarding the follow-up/clarification

questions, summaries and time limits.

Following discussion Councilors agreed by consensus on the following process:

- Applicants will be allowed 5 minutes for their opening statement outlining qualifications and interest in the position
- Six questions will be directed at the applicants with 5 minutes allowed per question
- Time will be available for follow-up questions from Council
- One minute will be allowed for closing statement
- Total time allowed per candidate will be 45 minutes
- Applicants will be sequestered until their turn and allowed to leave or remain in the room for the remainder of the process.
- Order of the applicants will be decided by drawing the names from a bucket.

**b. RESOLUTION ~
Authorizing the
Mayor to Sign
Inter-
governmental
Agreement for
Chemawa
Road
Maintenance
and Repair –
Keizer Rapids
Park**

City Attorney, Shannon Johnson, explained that part of the Keizer Rapids Park Master Plan approval required improvement of Chemawa Road outside the jurisdiction of Keizer so an Intergovernmental Agreement is necessary to allow the City to assume responsibilities for road maintenance and repair.

Discussion followed regarding funding and matching funds.

Councilor Walsh moved that Council adopt Resolution R2007 Authorizing the Mayor to Sign Intergovernmental Agreement for Chemawa Road Maintenance and Repair (Keizer Rapids Park). Councilor Moir seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, McKane, Moir, Clark and Taylor (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Position #2 Vacant (1)

Taken out of order – before the Public Hearing.

- A. Resolution – Continuing Hearing for Keizer Station Village Center Street Lighting Local Improvement District
- B. Resolution – Granting Step Increase and Tuition/Educational Payment to the City Manager
- C. Approval of August 20, 2007 Regular Session Minutes

Councilor Walsh moved for approval of the Consent Calendar. Councilor Moir seconded. Motion passed as follows:

AYES: Christopher, Walsh, McKane, Moir, Clark and Taylor (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Position #2 Vacant (1)

**CONSENT
CALENDAR**

**COMMITTEE
REPORTS**
**a. Something
Special Task
Force Report**

Taken out of order – before the Public Hearing.

Chair of the Something Special Task Force, Jim Taylor, briefly reviewed items being addressed by the task force and the recommendations/ motions that the task force has made to Council. Mayor Christopher provided supplemental information and concluded that Councilor Taylor wished to direct staff to investigate the issues stated in the Something Special motion for additional information so that they can make a recommendation to Council. Councilor Walsh suggested that the possibility of leasing the land be explored as well as any limitations on use of the rental funds.

Discussion followed regarding the Parks Master Plan concepts for a recreational facility, city obligation, involvement of the Park Board, feasibility studies and city need.

Continued after the Public Hearing

Councilor Clark reported that

- She attended the retirement dinner for Sheriff Ramirez and that it was a privilege to honor a man who had given so much to his community.
- Technical Advisory Committee for the Transportation System Plan update would meet at a date in October to be determined. Interested parties were encouraged to check the website for that information.
- EVAK (Emergency Volunteers Assisting Keizer) will have training on September 6 and 15. She encouraged citizen involvement.
- She attended the Vancouver Washington 150th birthday celebration, complimented the city's cycling city guide and maps and encouraged the development of the same for Keizer.

Councilor Taylor reported that Keizer Points of Interest would meet at 6:30 on September 5.

Councilor Walsh reported that

- Library Task Force meets September 6 at 5:30. The library consultant is in the middle of the analysis and talking to stakeholders. Interested parties should contact Ruth Metz Consultants. Councilor McKane requested that Council be allowed to review the survey questions.
- League of Oregon Cities conference is September 28 and 29
- Darlene Hooley will be kicking off her campaign for Willamette River legislation on September 6 at 8 a.m. He encouraged everyone to show support by gathering on the shores of the river as she passed.
- An attempt to break the Kazoo Band record was made at the August 31 Volcanoes game. The final word for breaking the record is still out. He thanked Uptown Music for their support.
- McDonalds has been renovated and had a full rededication. He commended Mr. & Mrs. Seaman for their civic contributions particularly in the field of education.

Councilor Moir reported that

- Jerry Frank would be speaking at the Chamber luncheon. She encouraged everyone to attend.
- Planning Commission meets September 12 at 6 p.m.
- Technical Advisory Committee for the Transportation System Plan update meetings are open to the public; she encouraged interested parties to attend adding that public input would be received but time is limited.

OTHER BUSINESS

- a. **New Business**
- b. **Old Business**

Public Works Director, Rob Kissler, responded to questioning regarding the trees on Lockhaven and Chemawa Road by Keizer Station that are stressed from the heat. He explained that they are being watered and staff is working on a regular watering schedule.

Community Development Director, Nate Brown, explained that Technical Advisory Committee for the Transportation System Plan update has met twice and is working through the goals and objectives. The committee is on schedule.

WRITTEN COMMUNICATIONS

Council President Walsh read

- An invitation from Keizer Fire District for a memorial on 9-11 at 7:00 a.m. – The firefighters' final call for the collapse of the north tower.
- A letter from National League of Cities welcoming the city of Keizer to the League and enumerating the benefits of membership.

AGENDA INPUT

September 13, 2007

5:45 pm. City Council Work Session

- City of Keizer Compensation Policy Study

September 17, 2007

7:00 p.m. City Council Regular Session

- Keizer Station Area B Master Plan Public Hearing
- Storm Water Utility Fee

September 24, 2007

7:00 p.m. City Council Special Session

- Appointment to City Council Position #2

October 1, 2007

7:00 p.m. City Council Regular Session

October 8, 2007

5:45 p.m. City Council Work Session

- Infill Development Discussion

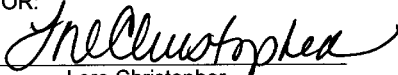
October 15, 2007

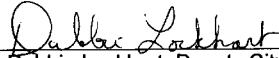
7:00 p.m. City Council Regular Session

Councilor Clark encouraged Councilors to attend the OMPOC summit to be held at the Wittenberg Inn on October 13 and 14 and reviewed subjects which will be discussed.

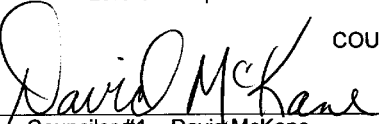
ADJOURNMENT Council President Richard Walsh adjourned the meeting at 9:40 p.m.

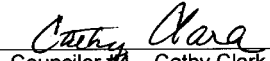
MAYOR: APPROVED:


Lore Christopher

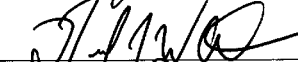

Debbie Lockhart, Deputy City Recorder

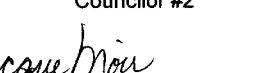
COUNCIL MEMBERS


Councilor #1 – David McKane


Councilor #4 – Cathy Clark

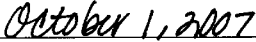
~ Vacant ~
Councilor #2


Councilor #5 – Richard Walsh


Councilor #3 – Jacque Moir


Councilor #6 – James Taylor

Minutes approved:


October 1, 2007