

DON OTTERMAN

NOTE! Special date of meeting

CITY OF KEIZER MISSION STATEMENT

KEEP CITY GOVERNMENT COSTS AND SERVICES TO A MINIMUM BY PROVIDING BASIC CITY SERVICES TO THE COMMUNITY IN A COORDINATED, EFFICIENT AND LEAST COST FASHION.

A G E N D A

KEIZER CITY COUNCIL
TUESDAY, September 3, 1991
7:30 p.m.

Keizer City Hall
Robert L. Simon Council Chambers

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC TESTIMONY - This time is provided for citizens to address the Council on matters not on the agenda.

4. COMMITTEE REPORTS

5. PUBLIC HEARING

a. McNary Activity Center Plan

6. DELIBERATION

NONE

7. DISCUSSION

a. Annexation - Reece, Blackman, Croteau and Wheatland - Automotive, Inc., properties.

b. Approval of Revised Job Descriptions ✓

c. Adoption of Agreement/Regulations on Solid Waste, Recycling and Nuisance Abatement, SEPT 16.

d. Zoning and Subdivision Administration - Proposed changes to contract with Marion County, Keizer staffing plan and revision to Fiscal Year 1991-92 budget ✓

e. Northridge Park - Update

f. Fernwood Park - Update

JOHN SCHAEFER
~~TELL ROGER TO~~
~~LET CLOCK FIXED.~~

✓ FEE FOR HEAVY
HAULES USING THE
STREET.

COPY OF
ORGANIZATIONAL
CHART

AND CONTRACT TO JERRY.
THESE ARE
LGPI DESCRIPTIONS
FIRST MEETING
IN OCTOBER

meeting to be on
with John



City of Keizer

Administration

930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

CITY COUNCIL MEETING: Sept. 3, 1991

AGENDA ITEM NUMBER: 7a

TO: MAYOR AND CITY COUNCIL

THROUGH: DONALD H. OTTERMAN M.S.P.A.,
CITY MANAGER

FROM: JOHN N. MORGAN, AICP
COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: ANNEXATION 91-1

DISCUSSION:

This is an application to annex approximately 38 acres into the City of Keizer. The property is located west of Wheatland Road in a long, narrow strip encompassing Claggett Creek, land on top of the bank above the creek, and the bank itself. A copy of the annexation petition is attached.

There are five separate parcels involved in the annexation request which encompasses most of the remaining land within the Urban Growth Boundary. There are four parcels with a total of 6.33 acres that are surrounded by the properties petitioning for annexation, but which are not included. Staff discussed the costs and benefits of annexation with these property owners, however, they chose to not participate. There are two maps attached to this report showing the location of the subject properties.

ORS 222.125 allows a City to annex land without an election or public hearing if all the involved property owners are part of the petition. This is the case with this annexation.

The subject properties are split north/south by the Urban Growth Boundary. The legal description of the Urban Growth Boundary states it follows "the top of the bank." Staff assumes this means the top of the larger bank, not the actual bank of Claggett Creek. However, its exact location as defined in a proper legal description has not been defined.

City Council
September 3, 1991

As Staff does not know the County position on the land to be included, nor does it know what action the County would take if all the property was annexed over their objection, Staff suggests official action not take place until the next Council meeting. This will allow Staff to meet with the County and the property owners and determine what line would be acceptable to all.

RECOMMENDATION:

It is recommended that Council:

1. approve the annexation and direct the City Attorney to develop the appropriate ordinance and findings to be considered for first reading on September 16, 1991; and
2. Direct Staff to work with Marion County and the property owners to define the actual area of land to be annexed.

ATTACHMENTS

Petition for Annexation
Maps showing the subject properties

3. PETITIONERS Maurice E. Reece and Wheatland Automotive, Inc., are the sole owners of the real property described as Parcel 1 and Parcel 2 in Exhibit A. PETITIONERS Dennis Blackman and Sandra Blackman are all of the sole owners of the real property described as Parcel 3 in Exhibit A. PETITIONERS Leon Croteau and Alice May Orey Croteau are the sole owners of the real property described as Parcel 4 and Parcel 6 in Exhibit A.

4. ORS 222.125 provides as follows:

"The legislative body of a city need not call or hold an election in the city or in any contiguous territory proposed to be annexed or hold the hearing otherwise required under ORS 222.120 when all of the owners of land in that territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation of the land in the territory and file a statement of their consent with the legislative body. Upon receiving written consent to the annexation by owners and electors under this section, the legislative body of the city, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation."

5. Attached to this petition as Exhibit B, and by this reference made a part hereof, is a Statement of Consent, which has been executed by all of the owners of land described in Exhibit A, and by not less than 50% of the electors, if any, residing in the territory described in Exhibit A, and which statement of consent is hereby filed with the Common Council in accordance with ORS 222.125.

WHEREFORE, PETITIONERS respectfully request that the Common Council proceed in accordance with ORS 222.125 to adopt

EXHIBIT A

PARCEL I

All that portion of the following described parcels lying East of the high bank line which is 100 feet, more or less, West of the East line of the Alvis Smith Donation Land Claim No. 69 in Section 26, Township 6 South, Range 3 West; thence Northerly along the high bank line West of and generally parallel to Market Road No. 24 (Wheatland Road North).

Beginning at the Northwest corner of the Alvis Smith Donation Land Claim No. 69 in Section 26, Township 6 South, Range 3 West of the Willamette Meridian in Marion County, Oregon; thence South along the East line of said Claim, a distance of 1718.93 feet to the Northeast corner of that tract of land described in Reel 268, Page 1601, Deed Records for Marion County, Oregon; thence West along the North line of said Tract, a distance of 397.64 feet to the Northwest corner thereof; thence North 9° 00' East a distance of 265.00 feet; thence North 26° 00' East, a distance of 124.00 feet; thence North 12° 00' East, a distance of 105.00 feet; thence North 19° 00' East, a distance of 104.87 feet; thence North 2° 00' East, a distance of 104.87 feet; thence North 2° 00' East, a distance of 165.00 feet; thence North 19° 00' East, a distance of 65.00 feet; thence North 7° 00' East, a distance of 150.00 feet; thence North 3° 00' West, a distance of 125.00 feet; thence North 20° 00' West, a distance of 75.00 feet; thence North 15° 00' West, a distance of 145.00 feet; thence North 14° 00' West, a distance of 150.00 feet; thence North 22° 00' West, a distance of 89.65 feet to a point on the North line of said Smith Claim; thence South 89° 46' 10" East along said Claim line, a distance of 380.32 feet to the point of beginning.

SAVE AND EXCEPT

Beginning at the Northeast corner of the Alvis Smith Donation Land Claim No. 69 in Section 26, Township 6 South, Range 3 West of the Willamette Meridian in Marion County, Oregon; thence South along the East line of said Claim, a distance of 603.50 feet; thence West, a distance of 221.86 feet; thence North 20° 00' West 32.10 feet; thence North 15° 00' West, a distance of 145.00 feet; thence North 11° 00' West, a distance of 210.00 feet; thence North 14° 00' West, a distance of 150.00 feet; thence North 22° 00' West, a distance of 89.65 feet to a point on the North line of said Smith Claim; thence South 89° 46' 10" East along said Claim line, a distance of 380.32 feet to the point of beginning.

PARCEL II

All that portion of the following described parcels lying East of the high bank line which is 100 feet, more or less, West of the East line of the Alvis Smith Donation Land Claim No. 69 in Section 26, Township 6 South, Range 3 West; thence Northerly along the high bank line West of and generally parallel to Market Road No. 24 (Wheatland Road North).

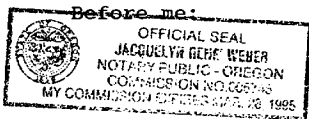
PARCEL V

A parcel of property located in Section 26 and 27 in Township 6 South, Range 3 West of the Willamette Meridian, Marion County, Oregon, more particularly described as follows:

Beginning at a point which is North $00^{\circ} 24'$ West 409.32 feet from the Southeast corner of the Alvis Smith Donation Land Claim No. 69; thence North $89^{\circ} 53'$ West along a line to its point of intersection with the high bank line which forms a portion of the Westerly boundary of the Keizer Urban Growth Boundary; thence Northerly along said high bank line to its point of intersection with a line which bears North $76^{\circ} 51' 29''$ West from a point which lies North $00^{\circ} 24'$ West 409.332 feet; 2031.49 feet and South $89^{\circ} 59' 02''$ West 370.01 feet from the Southeast corner of the Alvis Smith Donation Land Claim No. 69; thence South $76^{\circ} 51' 29''$ East to the last point described above; thence North $89^{\circ} 59' 02''$ East 370.01 feet; thence South $00^{\circ} 24'$ East 1094.95 feet; thence West 122.10 feet; thence South 357.72 feet; thence East 122.10 feet; thence South $00^{\circ} 24'$ East 169.50 feet to the point of beginning.

STATE OF OREGON)
) ss.:
County of Marion)

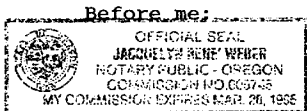
On this 17th day of August, 1991, personally appeared the within named Maurice E. Reece, and acknowledged the foregoing instrument to be his voluntary act and deed.



Jacquelyn Rene Weber
Notary Public for Oregon
My commission expires: 3/28/95

STATE OF OREGON)
) ss.:
County of Marion)

On this 17th day of August, 1991, personally appeared the within named John Aldridge, the President of Wheatland Automotive, Inc., and acknowledged the foregoing instrument to be its voluntary act and deed.

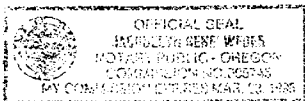


Jacquelyn Rene Weber
Notary Public for Oregon
My commission expires: 3/28/95

STATE OF OREGON)
) ss.:
County of Marion)

On this 17 day of August, 1991, personally appeared the within named Judy Aldridge, and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me:

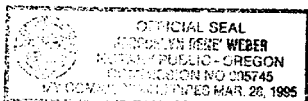


Jacquelyn Rene Weber
Notary Public for Oregon
My commission expires: 3/28/95

STATE OF OREGON)
) ss.:
County of Marion)

On this 17th day of August, 1991, personally appeared
the within named Leon Croteau, and acknowledged the foregoing
instrument to be his voluntary act and deed.

Before me:

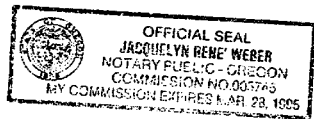


STATE OF OREGON)
) ss.:
County of Marion)

Jacquelyn Rene' Weber
Notary Public for Oregon
My commission expires: 3/28/95

On this 16th day of August, 1991, personally appeared
the within named Alice May Orey Croteau, and acknowledged the
foregoing instrument to be her voluntary act and deed.

Before me:



Jacquelyn Rene' Weber
Notary Public for Oregon
My commission expires: 3/28/95

Beginning at a point on the East line of the Alvis Smith Donation Land Claim No. 69 in Section 26, Township 6 South, Range 3 West of the Willamette Meridian in Marion County, Oregon, marking the Northeast corner of that tract of land described in Reel 151, Page 445, Deed Records for Marion County, Oregon, which is recorded as being South 2131.52 feet from the Northeast corner of said Smith Claim; thence West along the North line of said tract of land described in Reel 151, Page 445, a distance of 440.38 feet to the Northwest corner thereof; thence North 00° 05' 28" East 140.30 feet to an axle; thence North 9° 00' East 271.84 feet; thence East 397.64 feet to a point on the East line of said Smith Claim; thence South along said Claim line, a distance of 408.79 feet to the point of beginning.

PARCEL III

All that portion of the following described parcels lying East of the high bank line which is 100 feet, more or less, West of the East line of the Alvis Smith Donation Land Claim No. 69 in Section 26, Township 6 South, Range 3 West; thence Northerly along the high bank line West of and generally parallel to Market Road No. 24 (Wheatland Road North).

Beginning at a point on the East line of the Alvis Smith Donation Land Claim No. 69, in Section 26, Township 6 South, Range 3 West, Willamette Meridian, Marion County, Oregon, that is South 2631.52 feet from the Northeast corner of said Donation Land Claim; thence West 441.18 feet to the West line of said Section 26; thence Northerly along said West line of Section 26, 500.00 feet; thence East, to a point on the said East line of the Alvis Smith Donation Land Claim; thence Southerly along said East line of the Alvis Smith Donation Land Claim to the place of beginning.

PARCEL IV

All that portion of the following described property lying East of the high bank line which is 100 feet more or less West of the East line of the Alvis Smith Donation Land Claim No. 69 in Section 26, Township 6 South, Range 3 West, and which runs Northerly along the high bank line West of and generally parallel to Market Road 24 (Wheatland Road)

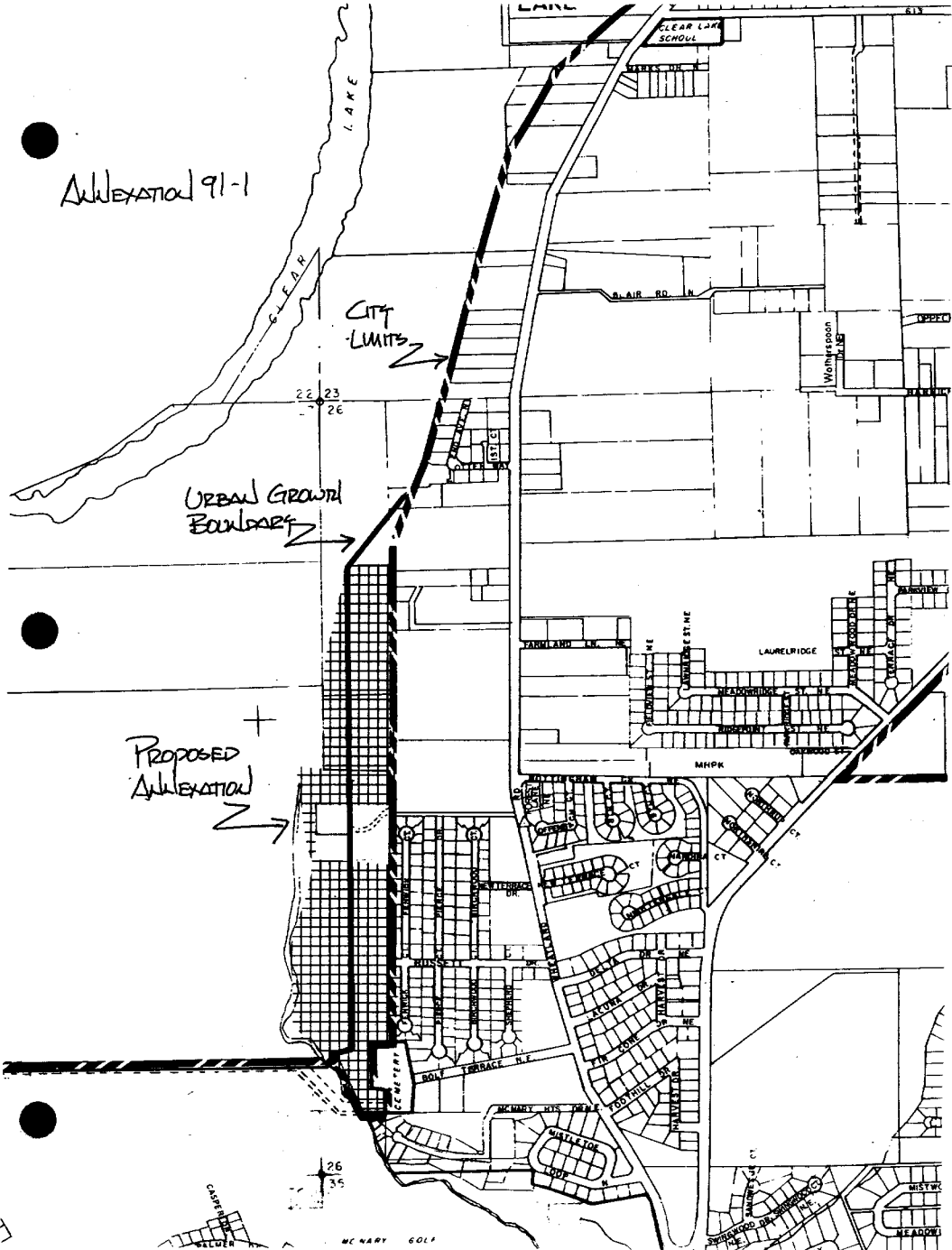
Beginning at a point on the East line of the said Alvis Smith Donation Land Claim No. 69 in said Section 26 which is South 2631.52 feet from the Northeast corner of said claim; thence East 593.95 feet; thence South 245.00 feet; thence West 593.95 feet to a point on the East line of the Alvis Smith Donation Land Claim; thence North 245.00 feet to the point of beginning.

Annexation 91-1

CITY LIMITS

URBAN GROWTH
BOUNDARY

PROPOSED
ANNEXATION





City of Keizer

Administration
930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

COUNCIL MEETING: SEPTEMBER 3, 1991

AGENDA ITEM NO.: 7B

TO: MAYOR AND CITY COUNCIL
FROM: DONALD H. OTTERMAN M.S.P.A, CITY MANAGER
SUBJECT: APPROVAL OF REVISED JOB DESCRIPTIONS

DISCUSSION

As part of the goals established by the City Council, in March, 1989, the city staff has been, as time permits, working on updating the job descriptions of city employees. The city, initially, contracted with LGPI for the preparation of those job descriptions and each employee was asked to complete a questionnaire regarding their job duties and submit those to LGPI. After the questionnaire was completed, the employee was interviewed and a job description then prepared by LGPI for review by each of the employees.

The employees did review the proposed job descriptions and there were a number of concerns raised that the job descriptions were not tailored specifically to the jobs that are performed by our city employees, but were more generic job descriptions that would apply to other larger cities. Over several months, the job descriptions have been reviewed and revised, where necessary and are now ready for City Council review and approval.

The job descriptions that you have before you this evening include all positions within the city, with the exception of those positions that are represented by the Police Association. Those job descriptions were established during negotiations with the Police Association several years ago and remain unchanged.

As we have gone through this process, we have found that a number of the job titles and descriptions that were in place originally in the city, were very much out-of-date and did not accurately reflect the job that was being performed by the incumbent in that position. We also found that it was not possible, in many instances, to obtain a valid comparison of salaries and fringe benefits of positions because the title of that position did not reflect the actual work being performed. With these revised job descriptions and the titles of those positions, it is now going to be easier to complete a comparison of salaries and fringe benefits for

those positions, in comparison with other cities of the same size that provide the same services.

The staff had originally hoped to provide for the City Council the revised job descriptions, as well as a comprehensive compensation policy for the Council's consideration. However, I felt that it would be more appropriate to have the City Council adopt the job descriptions and titles first so that we would then have a set of criteria by which to compare the job classifications with other cities to prepare an overall comprehensive compensation policy.

RECOMMENDATION

It is recommended that the City Council APPROVE the job titles and descriptions as attached to this memorandum. There is one additional position for which there is no job description with this agenda item. That position is the Planning Associate or Code Enforcement Officer's position whichever is determined to be the appropriate way to go by the City Council. That job description should be approved as a part of the agenda item in which the Council deliberates the creation of that position.

DHO:clm

f:\admin\Job.adg

Attachments:

Proposed Job Descriptions



City of Keizer

Administration
930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

CITY COUNCIL MEETING: September 3, 1991

AGENDA ITEM NUMBER: 7c

TO: MAYOR AND CITY COUNCIL

FROM: DONALD H. OTTERMAN M.S. PA *DHO*
CITY MANAGER

SUBJECT: Adoption of Agreement/Regulations on Solid Waste,
Recycling, and Nuisance Abatement

DISCUSSION:

The City Council during the deliberations on the 1991-92 budget discussed the possibility of establishing a Code Enforcement Officer position and utilizing the franchise fees from the trash haulers to offset the cost of that Code Enforcement position. The City would take over the enforcement of the County's Solid Waste Ordinance as well as would continue with the enforcement role that it has up to now, handled either through a contract with Marion County Planning for zoning enforcement or handled by in-house staff. Such enforcement includes the noxious weed ordinance and other complaints regarding condition of property or violation of other municipal codes.

The Council approved a budget that included the Code Enforcement Officer position under the Planning Department function but the Council also discussed the possibility of terminating the contract with Marion County Planning for day-to-day administrative work in relation to planning and to combine the Code Enforcement Officer position with a Planning position and hire one (1) individual that would be responsible for both functions.

Based upon the direction of the City Council and the approval of the Code Enforcement position, staff notified Marion County that it was going to terminate the agreement with Marion County for Solid Waste Ordinance enforcement, effective July 1, 1991. The in-house City staff has assumed the responsibility of enforcement of the Solid Waste Ordinance pending final decision by the City Council as to whether the Code Enforcement Officer

City Council
September 3, 1991

The proposed solid waste ordinance will be submitted to the City Council at the second meeting September.

RECOMMENDATION

It is recommended that the City Council approve the resolution regarding regulation of solid waste, recycling, and nuisance abatement and approve the agreement regarding regulation of solid waste, recycling, and nuisance abatement within the City of Keizer.

ATTACHMENTS:

Proposed Agreement
Proposed Resolution

K:\DH.COU

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2 Resolution R91-_____

3 REGARDING REGULATION OF SOLID WASTE,
4 RECYCLING AND NUISANCE ABATEMENT

5 WHEREAS, Marion County has exercised regulatory authority
6 over solid waste collection and transportation, recycling and
7 nuisance abatement within the city limits of the City of Keizer by
8 consent of the City of Keizer and pursuant to the terms of an
9 intergovernmental agreement between Marion County and the City of
10 Keizer dated August 27, 1985; and

11 WHEREAS, the City of Keizer has chosen to assume all
12 regulation of solid waste, recycling and nuisance abatement within
13 the city limits of the City of Keizer as of July 1, 1991; and

14 WHEREAS, the City of Keizer wishes to provide for a smooth
15 transition between County and City regulation of the matters
16 referenced above; NOW, THEREFORE,

17 BE IT RESOLVED by the City Council of the City of Keizer that
18 the City enter into the intergovernmental agreement Regarding
19 Regulation of Solid Waste, Recycling and Nuisance Abatement Within
20 the City of Keizer copied and attached hereto as Exhibit "A".

21 BE IT FURTHER RESOLVED that the Mayor of the City of Keizer
22 is authorized to execute and deliver said agreement on behalf of
23 the City.

24 ///

25 ///

26 ///

27 ///

28 ///

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Agreement

REGARDING REGULATION OF SOLID
WASTE, RECYCLING AND NUISANCE
ABATEMENT WITHIN THE CITY OF
KEIZER

This Agreement made this _____ day of _____, 1991, by and between the City of Keizer, an Oregon municipal corporation located in Marion County, hereinafter called the "City", and Marion County, a political subdivision of the State of Oregon, hereinafter called the "County".

WHEREAS, the City has consented to County Regulation of Solid Waste Collection, Recycling, and Nuisance Abatement within the city limits of the City of Keizer pursuant to the terms of City Resolution No. R85-161 and the intergovernmental agreement between the parties dated August 27, 1985; and

WHEREAS, the parties wish to terminate the above referenced agreement and to provide for the assumption by the City of the responsibility for regulation of solid waste collection, recycling and nuisance abatement within the City;

NOW, THEREFORE, the parties mutually agree as follows:

1. Beginning July 1, 1991, and thereafter the City shall collect and receive all franchise fees from those collectors doing business within the city limits of the City of Keizer.
2. The City shall continue to consent to the application of County Ordinance Nos. 615, 663, 696 and 692 within the city limits of the City of Keizer for a period to be determined by the City in order to provide for a transition from County to City regulation.
3. Beginning July 1, 1991, the City shall enforce any violations relating to solid waste, recycling or nuisance abatement occurring on or after that date within the city limits of the City of Keizer and collect and receive any and all sums generated therefrom.
4. The City and the County shall cooperate in providing continued regulation and enforcement throughout the transition from County to City authority.



City of Keizer

Administration

930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

CITY COUNCIL MEETING: Sept. 3, 1991

AGENDA ITEM NUMBER: 7d

TO: MAYOR AND CITY COUNCIL

THROUGH: DONALD H. OTTERMAN M.S.P.A.,
CITY MANAGER

FROM: JOHN N. MORGAN, AICP
COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: STAFFING ANALYSIS - CURRENT PLANNING SERVICES

DISCUSSION:

At the special Council meeting of June 28, 1991, Staff discussed with Council a proposal to change the FY 91-92 budget by eliminating the planning contract with Marion County thereby bringing current planning functions in-house. This would necessitate hiring an Associate Planner rather than the approved Code Enforcement Officer.

Council deferred consideration of this proposal so that Staff could prepare a staffing analysis and so it could be considered on its own merits outside of the total budgeting process.

Staff's analysis is attached to this report. In summary it concludes:

1. Such a move will better implement the City's Mission Statement.
2. Bringing the current planning function in-house will improve customer service, improve local control, and increase efficiency and effectiveness.
3. In-house current planning services will save the City money.
4. The City would be better served by changing the nature of the new position.

CURRENT PLANNING SERVICES

STAFFING ANALYSIS

By John Morgan
Community Development Director

City of Kelzer

August 26, 1991

Introduction and Summary

For some time, Staff has been analyzing the systems that go into administering Kelzer's ordinances dealing with community development issues. The three purposes of this analysis are very important. They are:

- *To implement the City's mission statement*
- *To improve customer service*
- *To save money*

In summary, this analysis has led to the conclusion the City would be better served by changing the nature of how administration of the planning and solid waste ordinances takes place. It is recommended the planning contract with Marion County be rescinded and planning services be brought in-house. It is also recommended the Fiscal Year 91-92 budget be revised to reflect a new Associate Planner position instead of a Code Enforcement Officer.

Analysis

1. Analysis of Existing Current Planning System

a. Services provided by the City

- i. As of July 1, 1991, the City has total responsibility for two services that used to be provided by the County. These are Code Enforcement and Solid Waste Ordinance Administration. These are described below:
 - (1) Code Enforcement - City staff takes complaints, performs investigations, communicates with the violators, and issues citations where necessary. Also, files are

Current Planning Services Staffing Analysis

- (2) Building Code Administration - The County Building Division enforces the building codes including reviewing and approving building, electrical, plumbing, and other related permits, and performing the necessary inspections and follow-up. All records are maintained by the County.

c. Problems encountered

1. Planning - The area with the greatest amount of problems is in current planning. These problems are fundamental in the way the City does business and in how it relates to its citizens. It must be kept strongly in mind that for many citizens their primary or most important contact with the City, other than paying their water bills, is through the planning process. The major issues include:
 - (1) Every day citizens are turned away from Kelzer City Hall and told to go to Marion County for help with zoning issues. Often they are angry or frustrated with the situation. This is very poor customer service.
 - (2) There is only one person with Marion County, Skip Wendolowski, who has the total picture of all planning activity in Kelzer, including the status and issues of pending cases. When he is out of the office, inquiring citizens are usually told no one can help them at that time. This is also poor customer service, and it is getting worse now that Skip is spending about two days a week in the Silverton and Stayton city halls.
 - (3) Despite the Community Development Director's overview of staff reports, they still generally reflect the history and philosophy of Marion County instead of the attitudes and positions the City may wish to emphasize.
 - (4) The cost of the planning contract continues to rise with no commensurate increase in the services provided. In fact, the \$25,000 contract amount for FY 91-92 is the same as for FY 90-91, but the County has cut code enforcement out of the project. In real dollars expended for the actual hours spent on Kelzer business, this amounts to an increase of approximately 25 percent.
 - (5) Coordination between the City and the County on review and approval of building permits is very poor.

- a. It is proposed an Associate Planner position be created instead of the Code Enforcement Officer. The planning service contract with Marion County will be terminated and all current planning activities moved in-house.
- b. The Associate Planner would have the following responsibilities:
 - i. Contact with the public on current planning issues including zone designations, planning cases, zoning and subdivision regulations, and general consultation on development.
 - ii. Preparation of staff reports on planning cases and managing those cases through the review process.
 - iii. Code Enforcement through investigation, correspondence, and preparation of citations.
 - iv. Administration of the solid waste ordinances, in cooperation with the Community Development Director.
 - v. Management of special planning projects, under the general direction of the Community Development Director.
 - vi. Assistance to the Community Development Director in planning, economic development, and urban renewal projects.
- c. This change will also necessitate having the City take over more responsibility for record keeping and processing. The County clerical staff currently spends an average of two to three hours per week on Keizer business, so this responsibility will need to be shifted to the City staff.

4. Budgeting

Attached to this report is an spreadsheet listing the adopted FY 91-92 budget and an alternative FY 91-92 budget to support this proposal. Also shown is a projected FY 92-93 budget so the total annual costs can be compared with the adopted FY 91-92 budget.

It can be seen the alternative would cost approximately \$8,200 less this fiscal year based on the pro-rated costs, and would cost approximately \$5,700 less next fiscal year based on constant salary and other rates.

5. Summary - Analysis of Alternative

Current Planning Services Staffing Analysis

ning services. It is best to implement the proposed in-house system as soon as possible so its benefits can begin accruing to the City.

7. Necessary Actions

In order to implement this plan, Council must take the following actions:

- a. Terminate the planning contract with Marion County effective on or about October 15, 1992, depending on when the new planner will start work.
- b. Direct staff to hire an Associate Planner in accordance with the budget outlined above. The actual City budget will be adjusted to reflect these changes in revenue and expense when a supplemental budget is adopted next spring.
- c. Approve the attached Associate Planner job description.

TO: Mayor & City Council
FROM: Kevin Wickman, Parks Director
THRU: Donald Otterman, City Manager
SUBJECT: Northridge Park Update

BACKGROUND

Northridge Park consists of two separate parcels of land that boarder Claggett Creek. The first parcel is 4.42 acres and was set aside as park land in August of 1964 as required by subdivision ordinance. This parcel was declared surplus property in September of 1990 to be preserved as wetlands with no development to take place on this property. Two ten foot wide pedestrian access easements located on Verda Lane NE exist although they are completely undeveloped.

The second parcel is 5.2 acres and was deeded to the City in November of 1985. This parcel has no defined access easement but does allow for one. Any easement would extend from Lockhaven NE and go through the Northwood Apartments to the edge of the Park. The easement allows a 10 foot width for pedestrian use only.

The two parcels of Northridge Park are separated by approximately sixty feet of privately owned land owned by two property owners on Lawnview Ct NE.

ACTION TO DATE

The Parks Committee as well as City Staff agree that any easement through Northwood Apartments is undesirable. In 1968 the Director of The Regional Park And Recreation Agency recommended that if the second parcel of land was ever acquired as park land it should be connected to the first parcel by way of ownership or easement. Staff sees this as the best option for connecting the parcels and could thereby access all points of these properties through existing easements. I have directed the City attorney to pursue this matter at once. We anticipate meeting with the property owners of the piece that separates these parcels in the next week or so. The owner of the Northwood Apartment complex has agreed to purchase our easement rights through his property allowing us the funding to purchase a new easement.



City of Keizer

Administration
930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

CITY COUNCIL MEETING: Sept. 3, 1991

AGENDA ITEM NUMBER: _____

TO: MAYOR AND CITY COUNCIL

THROUGH: DONALD H. OTTERMAN M.S.P.A.,
CITY MANAGER

FROM: KEVIN WICKMAN, 
PARKS DIRECTOR

JOHN N. MORGAN, AICP 
COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: FERNWOOD PARK

DISCUSSION:

The Fernwood Park Subdivision was developed in two phases approximately thirty years ago, and as was tradition at that time, a portion of that development was dedicated to the public as a park. The park is just less than one acre in size. The "Old Keizer School" occupies about one fifth of one acre on the south end of the park. The remainder of the park is and has always been virtually undeveloped.

Prior to the placing of the "Old Keizer School" building and the development of a shopping center, the park property was utilized by Keizer Elementary School as an extension of their playground.

Issues

There are four issues concerning this park property as described below:

The first issue - park development:

There are no city funds allocated or with the likelihood of being allocated in the near future to develop Fernwood Park. It is destined to remain in its current undeveloped state unless a means other than traditional park funding is tapped.

City Council
September 3, 1991

and developed as a playground.

The feeling of the Board was that the lease agreement would specify how Springer Development would contribute to the development of the entire park, and allow the public to use the fenced playground area when the day care was not operating. The Board sees this as an opportunity to develop the entire park without general fund tax dollars. The Board also agreed that the City should obtain ownership of this park as is the case with other City parks even if the day care was not a consideration.

Staff Proposal

In order to address all the issues, including the interest of the neighbors living within the Fernwood Park subdivision, staff developed a strategy for developing the park and each of the components within it. The strategy is listed below:

Actions to be Taken by the City of Keizer:

- Vacate public park leaving property as a city park
- Enter lease agreement with Springer for playground
- Enter new agreement with Keizer Heritage
- Remove and/or move east/west fence

Actions to be Taken by Springer Development Corporation:

- Level Park
- Prepare soil for planting
- Install water and hose bibs through park as directed by City
- Seed the Park with grass
- Build day care playground
- Make playground available to public during off-hours

Actions to be Taken by Keizer Heritage Foundation:

- Finish School within new time frame
- Provide additional landscaping around school as approved by City
- Provide long-term maintenance of park

SCALE 1" = 30'



← Drive

SEPTEMBER

1991

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1)	2) <i>holiday</i>	3) City Council (new) 7:30pm Library 2-4pm	4) K Tomorrow Comm (new) 7:00 pm Muni Ct (new) 8-noon	5) Masonics (old) 7pm	6)	7) AA 8:45- 11:45am (old)
8)	9) Muni Ct (new) 5p	10) Hearings Ofcr Case #KV 91-3 (new) 7:30pm	11) Plann Comm (new) 7:30pm Muni Ct (new) 8-noon	12) Muni Ct (new) 5p	13)	14) AA "
15)	16) City Council (new) 7:30pm	Library 2-4pm 7) Parks Bd (old) 7:30pm	18) K Tomorrow Comm (new) 7:00 pm Muni Ct (new) 8-noon KGAC (new) 4pm	19) Employee Staff Mtg (old) 10:00 am	20) Obsolete Fleet Chevy (old) 7:30pm	21) AA "
22)	23) Muni Ct (new) 5p	Library 2-4pm 24)	25) Muni Ct (new) 8-noon	26) Muni Ct (new) 5p	27)	28) AA "
29)	30)	Library 2-4pm				

M I N U T E S

KEIZER CITY COUNCIL
Monday, August 5, 1991
Robert L. Simon Council Chambers
Keizer City Hall

CALL TO ORDER

Mayor Orcutt called the regular session to order at 7:35 p.m. Roll was taken as follows:

Present

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

Donald H. Otterman, City Manager
John Morgan, Community Development Director
Kevin Wickman, Parks Director
Wally Mull, Public Works Director
Shannon Johnson, City Attorney
Roxie McGrath, Acting City Recorder

PUBLIC TESTIMONY

Catherine Thiebold addressed the Council on the subject of Claggett Creek Park and noted that she had submitted a letter concerning the subject on July 26, 1991. Ms. Thiebold lives next to the park and finds that there is a severe problem with noise and vandalism. She stated that the noise ordinance is not being enforced and noted that when the police are contacted about problems there is a four hour delay in their arrival. Ms. Thiebold pointed out that the park is often used after dark, even though it is supposed to be closed at dark.

Mayor Orcutt asked Mr. Wickman what action the City is taking to resolve the problems. Mr. Wickman responded that bilingual signs are being posted in the parks. He stated that he has met with representatives of the Police Department. As a result, there will be increased patrols in the area. Mr. Wickman stated that there has been an increase in vandalism at the park which is occurring after dark. Mayor Orcutt asked Mr. Wickman to follow the situation closely.

COMMITTEE REPORTS
Certificate of
Appreciation

The L.D.S. Church on Lockhaven held a youth convention in July at which time the group spent a day providing park clean up chores. At Claggett Park and Wilark Park the children performed litter clean up and weeding which

Mr. Morgan discussed the mixed use zone issue. He stated that staff is recommended adding a definition of "single development." The following change is proposed: "... no more than 50% of a single development shall be non-residential. Single development is defined as a complex of one or more buildings within the MU zone developed as a single project with one or more phases, having an overall development plan, and sharing parking and access."

Mr. Morgan discussed the proposed park location north of Keizer School. The Planning Commission had three reasons for choosing this location: (1) the location is centrally located to the northwest portion of the city and has direct access from a collector street; (2) it is best to integrate city park development with school ground development, as successfully shown in Salem; and (3) it is closer to the public it serves, as well as providing parking and is easily observable from the school.

Mr. Morgan discussed the planned development and conditional use processes. He stated that the process does become cumbersome with the Plan requiring the planned development process for the Staats property and the Activity Center Overlay Zone requiring the conditional use process for all development. One development should not have to go through both processes. Therefore, a new Subsection (c) is proposed to be added to Section 46.03 as follows: "(c) In lieu of using the conditional use process, a developer may elect or may be required to use the Planned Development process. In these cases, the provisions of (a) and (c) shall also apply."

Mr. Morgan stated that staff agrees with Ken Sherman that there needs to be descriptions of the Mixed Use and Medium Density Residential plan designations within the Comprehensive Plan. Additionally, staff agrees that it would be best to zone the Medium Density Residential portion of the Staats property RL rather than UT. The RL designation best conforms with the planned land uses, while the UT zone is better suited for areas on the board of the developed community that are still in agricultural use and that will be developed only as single family subdivisions. It is recommended the Proposed Zoning Map be amended to reflect this change.

Ken Sherman, representing the Staats Corporation, stated that he is more comfortable than before on the issues he raised at the previous public hearing. However, there are still some issues that need to be addressed related to the letters he had submitted to the Council. Mr. Sherman suggests that he and City of Keizer staff work

the issue made up of residents of McNary Estates, the developer, and staff.

Dora Taylor, a resident of McNary Estates, questioned whether McNary Estates or the Staats Corporation would benefit from the turnaround. Mayor Orcutt responded that if there was a gate erected on McNary Estates, then it would probably be for the benefit of McNary Estates residents. Ms. Taylor suggested that if a gate was erected it should be on the Staats property and not McNary Estates. Mayor Orcutt pointed out that neither City, nor the Staats Corporation, proposed erecting a gate. This is an option Hillman Properties suggested if the homeowners wish to exclude public access. Ms. Taylor suggested placing a gate between McNary Estates and the Staats property. Mr. Morgan pointed out that this would require a turnaround on Staats property. He stated that there would need to be negotiations if the gate was placed on Staats property. Councilor Hart stated that there needs to be a second way out of McNary Estates because of the projected increase in population in McNary Estates. Ms. Taylor stated that she bears no malice towards the Staats Corporation, but does not want public access to McNary Estates.

Jim Roop, a resident of McNary Estates, discussed the petition from residents of McNary Estates opposing the proposed turnaround. He stated that he agrees with Mr. Pearl's comments. Responding to a question from Mr. Roop, Mr. Johnson stated that the residents of McNary Estates had followed the process correctly in finding an alternative to the turnaround by submitting the petition and testifying at the public hearing. Now, discussions will have to be entered into with the Staats Corporation for a turnaround on their property. Mr. Johnson stated that the residents should keep up their input on the issue. Mr. Roop stated that most of the residents were against the public access to the Estates. Responding to a question from Councilor Miller, Mr. Roop stated that even if the turnaround was on Staats property he would like gates erected on McNary Estates. Responding to a question from Mayor Orcutt, Mr. Roop stated that he purchased his property in 1990 and was not informed of a proposed turnaround which would allow public access to McNary Estates, rather he was told it would be a private community.

Mr. Morgan suggested that representatives of Hillman Properties, the Staats Corporation, the City of Keizer, and McNary Estates should meet to negotiate the turnaround. Ernie Fish stated that there is \$80,000 provided to finance the turnaround (\$50,000 received from Hillman Properties and \$30,000 would be received after sale of a designated lot on McNary Estates). Councilor

PUBLIC HEARING -
IZZY'S PIZZA
RESTAURANT
LIQUOR LICENSE

Mayor Orcutt opened the public hearing to receive input regarding the request of Izzy's Pizza Restaurant for a new liquor license.

No testimony came before the Council, Mayor Orcutt closed the public hearing.

PUBLIC HEARING -
ALPEN HAUS
RESTAURANT
LIQUOR LICENSE

Mayor Orcutt opened the public hearing to receive input regarding the request of Alpen Haus Restaurant for a new liquor license.

No testimony came before the Council, therefore Mayor Orcutt closed the public hearing.

PUBLIC HEARING -
STADIUM GRILL
& SPORTS PUB
LIQUOR LICENSE

Mayor Orcutt opened the public hearing to receive input regarding the request of Stadium Grill & Sports Pub for a new liquor license.

Mr. Otterman stated that the liquor license application was incorrect in that the Stadium Grill & Sports Pub owners would like to request a Restaurant Liquor License not a Retail Malt Beverage Liquor License. He stated that the city attorney agreed that since the restaurant liquor license was more restrictive than the malt beverage liquor license, the Council could approve the change today. There was a discussion on the differences in the two licenses.

Dave Fifer, Manager of the Stadium Grill & Sports Pub, stated that the application was incorrect and requested the approval of a restaurant liquor license. He stated that the establishment would be open only until 11 p.m. Monday through Saturday and only until 9 p.m. on Sunday. Responding to a question from Mr. McGee, Mr. Fifer stated that there had to be an overall percentage of food sold compared to alcohol sold, 65 percent food to 35 percent alcohol. Mr. Fifer noted that under a restaurant liquor license only beer and wine could be sold.

Lyndell Cheeves, representing the Church of Christ, stated that the church was located across the street from the Pub and feels that the turnaround onto Dearborn is an accident waiting to happen. He feels that it is an inappropriate location due to the proximity of the church. He stated that he is opposed to any type of establishment selling liquor. He feels that there is an increased danger because of alcohol consumption. Mr. Cheeves noted that over half of the fatal accidents in Oregon are caused by alcohol consumption. Responding to a question by Councilor Van Meter regarding whether there was an increase in traffic when Plaid Pantry was in the establishment, Mr. Cheeves stated that there was some increase in traffic, but a person did not leave Plaid Pantry after consuming alcohol as they would if the

- Urban Renewal Financial Statement
- Bid Award - Water Department Dump Truck
- Bid Award - Wheatland Road Bike Path
- July 15, 1991 City Council Regular Session Minutes

Changes to the July 15, 1991 minutes were made as follows:

Page 5, under Cummings School Disability Access, second paragraph, replace "Miller" with "Koho."

Page 6, first motion, replace "Newton" with "Miller."

Page 6, third paragraph, replace "Miller's" with "Koho's."

Councilor Hart asked that the Wheatland Road Bike Path be pulled off the consent calendar.

Councilor Koho moved for approval of the remainder of the consent calendar. Councilor Newton seconded the motion. The motion carried unanimously by the following vote:

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

NAYS: None (0)

Bid Award -
Wheatland Road
Bike Path

Councilor Hart questioned the inconsistency between the memorandum from the City regarding the bike path bids and the information received from Marion County. Mr. Mull stated that the information received from Marion County was incorrect, the cost of construction is only to the south property line of Par 3 golf course.

Councilor Hart moved that the Council accept the bids as presented and award the construction of the Wheatland Road Bike Path to Salem Road and Driveway. Councilor Koho seconded the motion. The motion carried unanimously by the following vote:

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

NAYS: None (0)

OTHER BUSINESS

The Council complimented Mr. Otterman on the promptness of the briefing notes.

Councilor Koho stated that staff could contact Keizer Times on Monday afternoons to place a notice of agenda topics to be discussed at the next City Council meeting in the newspaper. He suggested that staff contact Keizer Times to begin the process.

WRITTEN

No written communications were presented.



City of Keizer - Public Works Department

Phone: 390-3700 • 393-1608

930 Chemawa Rd. N.E. • P.O. Box 21030 • Keizer, Oregon 97307-1030

COUNCIL MEETING: SEPTEMBER 3, 1991

AGENDA ITEM NO.: 8b

TO: MAYOR AND CITY COUNCIL
THROUGH: DONALD H. OTTERMAN M.S.P.A, CITY MANAGER *DH*
FROM: *WM* WILLY MULL, PUBLIC WORKS DIRECTOR
SUBJECT: RESURFACING OF LOCKHAVEN DRIVE N.E.
RIVER ROAD NORTH TO MCLEOD

BACKGROUND

In May, 1991, the City of Keizer Traffic Safety & Street Improvement Committee adopted a list of projects to be completed in the fiscal year of 1991-92 (see attachment #1).

One of the projects was the resurfacing of Lockhaven Drive N.E. from 14th Avenue to McLeod N.E. Because of the apparent breakup of asphalt on Lockhaven N.E., between River Road and 14th, I had Marion County Road Department conduct a test for truck traffic and the effect it was having on the overall road condition and made a recommendation for repair (see attachment #2).

Bids were opened on Wednesday, August 28, 1991, and the low bidder to overlay Lockhaven N.E., from River Road to McLeod, was D & D Paving, of Salem, at a cost of \$204,790.67. Currently, \$106,250 has been approved to repair and overlay Lockhaven from 14th to McLeod. There will also be approximately \$75,000 remaining from the Street Resurfacing Fund. Along with an estimated savings of \$25,000 in the installation of the crossing lights, a total of \$206,250 would be available for the complete overlay of Lockhaven.

RECOMMENDATION

It is recommended that the City Council AWARD the contract to D & D Paving for the resurfacing of Lockhaven N.E., from River Road North to McLeod N.E., at a price of \$204,790.67 and authorize a notice to proceed immediately to ensure the completion of this work, prior to inclement weather.

WM:clm
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Attachments



Marion County

OREGON DEPARTMENT OF PUBLIC WORKS

DIRECTOR

Robert J. Hansen, P.E., P.L.S.

ADMINISTRATION & ENGINEERING

(503) 588-5036

COUNTY SURVEYORS OFFICE

(503) 588-5155

ROAD MAINTENANCE

(503) 588-5304

BOARD OF

COMMISSIONERS

Randall Franke

Gary Heer

Mary Pearmine

ADMINISTRATIVE

OFFICER

Ken Roudybush

July 17, 1991

Wally Mull, Director of Public Works
City of Keizer
P.O. Box 21000
Keizer, OR 97307-1000

RE: Lockhaven Drive

Dear Wally:

As you requested I'm providing the following recommendations for the Lockhaven Drive Reconstruction/Resurfacing project. The project's limits to begin at River Road N east to approximately 100 ft. west of McLeod Lane NE. Estimated cost is \$180,000.

Project Scope:

1. Saw cut settled area, excavate approximately 320 cubic yds. of material. Back fill and compact with 1"-0" crushed rock, A.C. plug cut area.
2. Place 1" leveling course full length of the project and of varying width from fog stripe to fog stripe.
3. Place Petromat fabric over the leveling course using the same parameters in item 2.
4. Resurface the project with 3" of B-mix Asphalt concrete to be placed in two 1.5" lifts.
5. Rock shoulders using 3/4"-0 (varying widths).

For the administration of the contract, please contact Dave Chamness at 588-5036.

Sincerely,

Michael L. Rybka
Pavement Management Foreman

MLR:js

c: Dave Chamness

07171ckhyn.mlr

Senator Building • 220 High Street NE • Salem, Oregon 97301-3670

Surveyor's Office • 495 State Street • Salem, Oregon 97301-3658

Road Maintenance/Emergency Management • 5155 Silverton Road NE • Salem, Oregon 97305-3899

CITY OF KEIZER MISSION STATEMENT

KEEP CITY GOVERNMENT COSTS AND SERVICES TO A MINIMUM BY
PROVIDING BASIC CITY SERVICES TO THE COMMUNITY IN A
COORDINATED, EFFICIENT AND LEAST COST FASHION.

A G E N D A

KEIZER CITY COUNCIL
Monday, September 16, 1991
7:30 p.m.

Keizer City Hall
Robert L. Simon Council Chambers

1. CALL TO ORDER
2. ROLL CALL
3. PUBLIC TESTIMONY - This time is provided for citizens to address the Council on matters not on the agenda.
4. COMMITTEE REPORTS
5. PUBLIC HEARINGS
 - a. Adoption of Periodic Review Order. To be continued to October 7, 1991)
6. DELIBERATION - Annexation - Reece, Blackman, Croteau and Wheatland Automotive, Inc., properties
7. AWARD OF CONTRACT - Codification Services
8. ORDINANCE - Relating to the abatement of nuisances created by the accumulation of waste, solid waste, or inoperable vehicles; and declaring an emergency.
9. CONSENT CALENDAR
 - a. August 19, 1991 City Council Minutes
 - b. Resolution - Certification of Lighting District Accounts
 - c. Resolution - Adjusting Employee Pay Ranges
10. OTHER BUSINESS - This time is provided to allow Council members the opportunity to bring matters before the Council which are not on tonight's agenda.

11. WRITTEN COMMUNICATIONS

- a. Keizer Police Department - 1991 Six Month Crime Analysis Report

12. AGENDA INPUT - October 7, 1991

- * Continued Public Hearing on Periodic Review Order
- * Revised Job Descriptions
- * Continued Public Hearing on McNary Activity Center Plan

13. ADJOURN

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**COST ESTIMATE SUMMARY
CITY OF KEIZER - 1991 TRAFFIC SAFETY IMPROVEMENT PROJECTS**

PROJ. NO.	PRIORITY	PRIORITY PROJECTS			
		PROJECT	(2) Right of Way	(1) Construction & Design Costs	TOTAL PROJECT COST
		Crossing Lights			
	1	Cummings-Computerized		\$10,000	\$10,000
	1	Whiteaker-Computerized		10,000	10,000
	1	N. River Rd. at Kelzer Village		10,000	10,000
		Sidewalks			
91-012	1	Kelzer Rd. at Kennedy School (Note 8)		11,488	11,488
		Improve, Resurface or Widen			
91-013	2	Resurface Lockhaven Dr.- 14th to Mcleod		106,250	106,250
		Traffic Signals & Intersections			
91-012	3	McLeod & Lockhaven (Notes 5 & 7)	4,541	340,935	345,476
91-012	4	N. River Rd. & Sandy Dr. (Note 6 & 7)	31,680	181,420	213,100
		Improve, Resurface or Widen			
91-012	5	Lockhaven Dr.- 2 Lane+ Turn Ln. & Bikepath		496,250	496,250
TOTAL - PRIORITIZED PROJECTS			\$36,221	\$1,166,343	\$1,202,564

OTHER PROJECTS					
91-012		Traffic Signals & Intersections			
		Delight-Cummings	\$20,988	\$70,247	\$91,235
		Sidewalks			
91-012		River Rd. North of Chemawa		23,775	23,775
		Improve, Resurface or Widen			
91-013		Plymouth Dr. (Note 4)	31,835	248,459	280,294
		Bike Lanes			
91-013		Verda Lane (Both Sides)		248,250	248,250
		Otter Way to City Limits		100,000	100,000
		Other			
91-012		Second Bus Access - Whiteaker	27,225	159,931	187,156
		Landscaping Lockhaven -			
		River Rd. to Windsor Is. Rd.		113,400	113,400
TOTAL - OTHER PROJECTS			\$80,048	\$964,062	\$1,044,110

NOTES:

1. Construction costs include; engineering, survey, inspection, testing, legal and administrative costs estimated at 25%.
2. Land values based on Marion County Assessor's TCV for comparison purposes.
3. Construction costs estimated for mid-1991. ENR-Const. Cost Index = 4800.
4. Plymouth Dr. requires the acquisition of 18 parcels for 50' right of way.
5. Mcleod-Lockhaven Intersection costs to be shared with State Farm Insurance Co. Approx. \$ 121,000 = State Farm share.
6. River Rd.- Sandy Intersection & signal costs to be shared by School District (up to \$50,000) & Developer (\$5,000).
7. Timing of Improvements by developers may reverse these priorities.
8. Right of Way assumed donated by School District.

COMMUNICATIONS

AGENDA INPUT

The Council discussed whether or not to hold a meeting on August 19th.

Councilor Van Meter moved that the August 19, 1991 Council Meeting be canceled. The motion died for lack of a second.

The Council requested that the August 19, 1991 meeting address park related issues and include the yearly parks tour. Councilor Miller suggested that the meeting start at 6:30 p.m. if there was a parks tour.

ADJOURNMENT

Mayor Orcutt adjourned the meeting at 9:40 p.m.

Respectfully submitted,

Acting City Recorder

APPROVED:

MAYOR

liquor license was approved. He stated that there may law prohibiting establishments that sell liquor to be close proximity to churches. Mr. Miller pointed out that an individual is required to order food when ordering alcohol under this license.

There being no further testimony to come before the Council, Mayor Orcutt closed the public hearing.

IZZY'S PIZZA
RESTAURANT
LIQUOR LICENSE

Councilor Hart moved that the City Council recommend approval of Izzy's Pizza Restaurant liquor license application. Councilor Van Meter seconded the motion. The motion carried unanimously by the following vote:

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

NAYS: None (0)

ALPEN HAUS
RESTAURANT
LIQUOR LICENSE

Councilor Van Meter moved that the City Council recommend approval of Alpen Haus Restaurant liquor license application. Councilor Newton seconded the motion. The motion carried unanimously by the following vote:

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

NAYS: None (0)

STADIUM GRILL
& SPORTS PUB
LIQUOR LICENSE

Councilor Hart moved that the City Council recommend approval of Stadium Grill & Sports Pub license application. Councilor Van Meter seconded the motion.

Councilor McGee noted that there has never been a review of whether the intersection was an unusual traffic situation and suggested that the police might want to review the situation. Councilor Koho stated that there should be no delay in approving the license, since it is legal to drink and drive in Oregon. Councilor Van Meter stated that there are two other exits provided, one on James Street and one on River Road. Councilor Newton stated that he did not know if there was a law prohibiting establishments that sell liquor to be in close proximity to churches. Mr. Johnson noted that Mr. Cheeves had registered his complaint with the Liquor Commission, where they would be aware if there was a restriction. Mr. Otterman noted that there was no restriction in the zoning area or in the ordinance for approving liquor licenses.

The motion passed by the following vote:

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

NAYS: McGee (1)

CONSENT CALENDAR Items on the Consent Calendar included:

McGee suggested that the turnaround could be negotiated after the McNary Activity Center Plan was adopted, since it was an adjunct issue. Mayor Orcutt stated that Mr. Sherman's issues also needed to be resolved.

Jack Miller, a resident of McNary Estates, stated that the turnaround benefits Hillman Properties rather than the residents of McNary Estates. He stated that there was no benefit to him if a second access was provided.

There being no further testimony to come before the Council, Mayor Orcutt closed the public hearing.

Councilor Koho moved that staff commence negotiations with Staats Corporation, representatives of the homeowners of McNary Estates, and Hillman Properties. He requested that the subject be placed on the first meeting in September's agenda. Councilor Miller seconded the motion.

Responding to a question by Councilor Van Meter, Councilor Koho stated that his motion was with regards to the whole activity center, however the McNary Estates residents and Hillman Properties would primarily be interested in the turnaround. He stated that the two groups would not be involved in negotiations with Staats and the Staats Corporation unless there is a direct impact on them. Councilor Van Meter stated that the motion, as stated, would imply that the representative of McNary Estates and Hillman Properties would be involved in other discussions. Councilor Koho stated that the participation of Hillman Properties and the representatives of McNary Estates would be most limited to the McClure Extension and traffic related issues.

Councilor Van Meter moved to amend the motion for the Staats Corporation, through their attorney, to negotiate the remaining issues with the City in regards to the McNary Activity Center Plan.

Councilor Koho stated that this was implied in the motion.

Councilor Van Meter withdrew his amendment to the motion.

Responding to a question from Councilor Hart, Mayor Orcutt stated that the September date was a target date and could be adjusted if further time for negotiation were required between Mr. Sherman and the City.

The motion passed by the following vote:

AYES: Orcutt, Koho, McGee, Miller, Newton, Van Meter
NAYS: Hart (1)

together on compromises concerning the Staats proper. He believes that a more detailed, in-depth discussion would be helpful, but is not appropriate to discuss at the public hearing due to the lengthiness of the subject. He feels that if these issues are not resolved that the Staats Corporation will come back five to ten years from now to take another look at still vacant property.

Responding to a question from Councilor Hart, Mr. Sherman stated that there is more flexibility in the new draft with regards to the mixed use zone because of the addition of the definition of single development and since staff has no objection to removing the restriction on ground floor residential. Staff noted that there does not appear to be any reason to believe this restriction would encourage mixing of uses and it may inhibit a developer's creativity in designing a project.

Mr. Sherman suggested an extension period of one to two months. Mr. Morgan noted that if an extension was granted development could still commence during the next building season.

Mark Grenz, representing Hillman Properties, stated that in 1989 the Council reviewed the issue of the extension of McClure and this issue was also reviewed during traffic study funded by Hillman Properties. He pointed out that the Homeowners Association would have to make a decision when the turnaround would be built. He stated that the turnaround is not required to be built, it is only a provision that one could be constructed.

Rick Herrin, a resident of Trial Drive, is concerned that he was not provided with sufficient time to review the material, since he just received the packet of information today. He had questions on the future of Trail Avenue and the mixed use zone. He also requested current examples of residences on the second floor of a building. Mr. Morgan requested that Mr. Herrin contact him after the public hearing for further information.

Bob French, a resident of Keizer, stated that he supports the Staats portion of the Plan. He suggested that the Council look at the public interest of Keizer, rather than the personal preferences of individual people. Mr. French feels that the public should not have access to Staats Lake. He supports joint development of a neighborhood park with Keizer School.

Bill Pearl, a resident of McNary Estates, discussed the proposed turnaround related to McNary Estates. He stated that when he bought his property he was never informed that there might be a turnaround constructed. He suggested that a committee should be created to review

resulted in thirty-five bags of debris. Mayor Orcutt presented Rudy Carlos the City of Keizer Community Service Award for his Youth Convention coordinating efforts.

Also, in July, a local Cub Scout group cleaned up Willamette Manor Park which include limb and litter pick up, as well as sweeping of the tennis courts. Mayor Orcutt presented Dan King, as Cub Scout Leader, the City of Keizer Community Service Award for coordinating park clean up.

PUBLIC HEARING -
McNary Activity
Center Plan
(Continued)

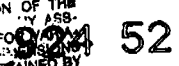
Mayor Orcutt opened the public hearing to consider testimony regarding the McNary Activity Center Plan.

Mr. Morgan noted that the Council held its public hearing on July 1, 1991. The hearing was held over until this meeting so that staff could respond to the testimony and to allow for additional comments from the public.

Mr. Morgan discussed his report on the public testimony provided. One of the main points was circulation. The first issue was the proposed turnaround into McNary Estates. He stated that a petition was submitted by residents of McNary Estates concerning the proposed turnaround into McNary Estates. The petition states that the signers are not opposed to a second entrance, however they feel it is an invasion of privacy to allow public access across McNary Estates Drive, which is privately maintained, into the proposed turnaround. The petition additionally states that the development was offered as being private and they wish it to remain as such. The signers request an alternative be found for a second entrance.

The second issue concerning circulation was the requirement for an internal street system, primarily on the Staats Corporation property. Mr. Morgan stated that staff agrees with the Planning Commission's findings in that there will be no or minimal loss of lots. Additionally, the issue could be addressed through careful design and use of traffic inhibitors.

Mr. Morgan discussed the Planning Commission's recommendation to the Council on requiring an agreement on a strategy to "maximize retention of geese..." He pointed out that the phrase "maximizing retention" may be so restrictive in nature that it can result in interpretations that severely restrict development potential of the property. Additionally, inside an urban growth boundary where urban development is supposed to occur it may not be appropriate to restrict development for factors not specifically called out in law, such as wetlands or floodplains.



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This strategy leverages resources each party has to offer to the park and results in a finished park, a finished school, and a finished play ground without significant cost to the taxpayers. Without participation by all three parties in this type of strategy, none of the end products would likely occur in the near future. Plus, this offers the neighbors within Fernwood Park an improvement to their neighborhood which should enhance its safety and livability.

This proposed strategy has been discussed with representatives of all involved parties. Response has been very favorable.

FISCAL IMPACT

If the park was owned by the City, and a lease agreement could be reached with a party wishing to use a portion of the park, at least that portion would be developed, and possibly more, in exchange for lease payments. This could realistically allow for development of this park without using City dollars.

The vacation process would require the preparation of legal documents, and correspondence with all Fernwood Park Subdivision property owners. This process would likely take about sixty days or so.

RECOMMENDATION:

It is recommended Council:

1. Direct staff to initiate the vacation of the public park; and
2. Direct staff to develop the appropriate formal agreements, for approval by the Council, with all the involved parties.

ATTACHMENT

Maps of Fernwood Park area

City Council
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The second issue - day care development:

Springer Development Inc. has a potential tenant for School House Square that would like to use a portion of the park for their business. The tenant would be a day care facility which by law is required to provide a fenced outdoor play area. Springer Development Inc. wishes to obtain a lease agreement with the City to allow the day care facility to operate a playground on the park. However, the City is not able to lease this property to anyone because it belongs to the public, not the City.

The third issue - Keizer Heritage:

The Keizer Heritage Foundation's use agreement for the park requires that the school house be essentially finished and occupied by November 15, 1991. There is the likelihood this deadline will not be met. Keizer Heritage has asked the City to vacate the park to them so they can use it as collateral for financing to finish the project.

The fourth issue - park ownership:

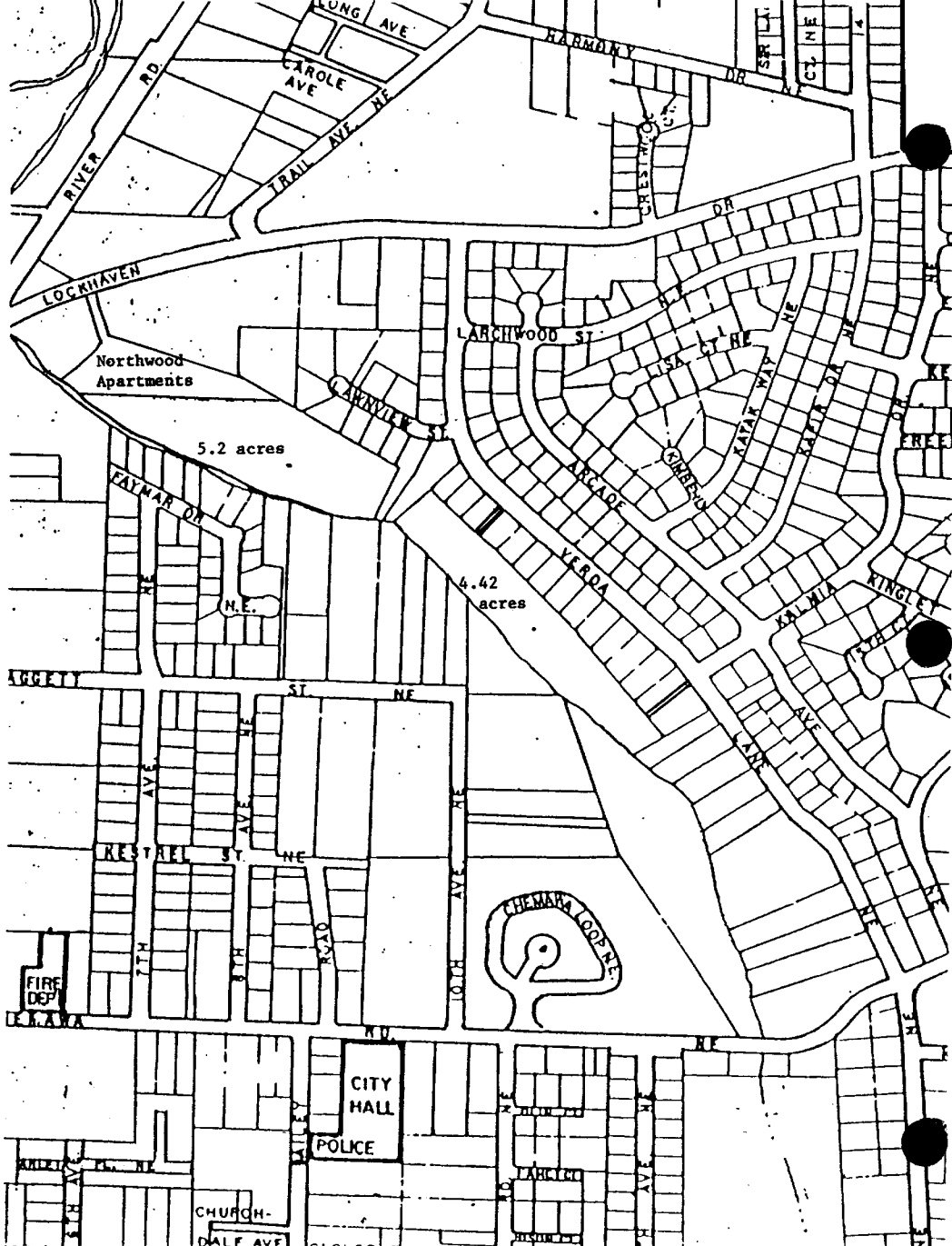
Fernwood Park was dedicated to the public, not deeded to the City. The City acts as custodian of the property, but does not "own" the property as is customary today. In order to obtain ownership of the park property, the property must be vacated to the City.

This report will analyze how these issues can be resolved.

Parks Advisory Board Recommendation

The Parks Advisory Board discussed the Fernwood Park issue at their meeting on Tuesday August 13th. A motion was made and passed unanimously to recommend the following to the City Council:

Vacate the park to The City of Keizer and obtain ownership to remain in the City's name and to negotiate a lease agreement with Springer Development Inc. allowing a day care facility to use up to four thousand square feet of the park to be fenced



CURRENT PLANNING SERVICES
STAFFING ANALYSIS
AUGUST 26, 1991

EXPENDITURES

	Adopted 91-92 Budget	Proposed 91-92 Budget (1)	Projected 92-93 Budget (2)
PERSONAL SERVICES			
Code Enforcement Officer	\$21,600	\$0	\$0
Associate Planner	\$0	\$23,800	\$33,600
Clerical - .25 FTE	\$0	\$3,263	\$3,263
Retirement	\$2,376	\$2,618	\$4,072
Health Insurance	\$3,000	\$3,306	\$5,142
Life Insurance	\$74	\$82	\$127
Disability Insurance	\$100	\$110	\$171
Workers Compensation	<u>\$107</u>	<u>\$118</u>	<u>\$183</u>
Total Personal Services	\$27,257	\$33,296	\$46,559
MATERIALS AND SERVICES			
Materials & Services	\$1,000	\$1,000	\$1,000
Contractual Services	\$3,993	\$3,993	\$3,993
Travel & transportation	\$500	\$500	\$500
Contract Serv. Plan. Admin.	\$25,000	\$7,292	\$0
LCDC Grant	\$0	\$0	\$0
Hearings Officer	\$5,000	\$5,000	\$5,000
Pro Services-Legal	<u>\$8,000</u>	<u>\$8,000</u>	<u>\$8,000</u>
Total Materials and Services	\$43,493	\$25,785	\$18,493
CAPITAL OUTLAY			
Office Equipment	<u>\$0</u>	<u>\$3,500</u>	<u>\$0</u>
Total Capital Outlay	\$0	\$3,500	\$0
TOTAL EXPENDITURES	\$70,750	\$62,581	\$65,052

SAVINGS IN EXPENDITURES	\$8,169	\$5,698
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REVENUE

Planning Fees	\$15,000	\$15,000	\$15,000
Franchise Fees	\$39,497	\$39,497	\$39,497
Subsidy from Other Fund Sources	<u>\$16,253</u>	<u>\$8,084</u>	<u>\$10,555</u>
Total Revenue to Support Program	\$70,750	\$62,581	\$65,052

(1) Associate Planner and Secretary costs are pro-rated for 8.5 months. County contract costs are pro-rated for 3.5 months.

(2) Projected budget assumes salary and revenue sources are consistent with FY 91-92 rates.

Current Planning Services Staffing Analysis

a. Costs

- i. The services provided by Marion County can be efficiently provided by the City, however the anticipated work by the Code Enforcement Officer to assist the Department of Public Works in field work will be eliminated.
- ii. There will be more secretarial work to totally manage planning files and processes.
- iii. The additional secretarial time will need to be absorbed through increased productivity or additional hours.
- iv. There will be some financial impact due to printing and mailing costs, however these are expected to be minimal.

b. Benefits

- i. The alternative will better implement the City's Mission Statement.
- ii. The City will be providing current planning services in an efficient and coordinated manner emphasizing excellent customer service and the philosophies and direction of the City of Keizer.
- iii. There will be a net cost savings of \$8,200 this fiscal year with the alternative.
- iv. The City's planning fees will be analyzed by Staff later this fiscal year with the intent of adjusting them to more closely reflect actual costs. Adjusting the fees to make up for a \$8,000 loss will have less impact than for a \$18,000 loss.

6. Conclusion

Bringing the current planning function in-house will improve customer service, improve local control, increase efficiency and effectiveness, and save the City money. The alternative budget and staff structure outlined above achieve these ends.

Marion County wishes to terminate the contract as soon as possible and certainly by next fiscal year. Therefore, Keizer is faced in the near future with moving to an alternative system for providing current plan-

While the County planning staff is supposed to help assure coordination is taking place, often the system fails.

- (6) The efficiency and accuracy of the record keeping system is jeopardized by having two physically separated secretarial staffs manage one case file at different points in time, with materials passing back and forth by courier. Case files pass through three hands, with the County setting the file up and handling the mailings before hearings, the Hearings Officer keeping the file during her deliberations, and the City having the file with all responsibility for mailings, notifications, and follow-up after the initial decision is reached.
- (7) Marion County would like to terminate this contract, as they do not have adequate staff resources to handle their work program. They are carrying Kelzer on a temporary basis until other arrangements can be made for current planning services. They do not anticipate including this contract in their FY 92-93 work program.

2. Current Planning System approved in the FY 91-92 Budget

- a. The planning organization budgeted and programmed for fiscal year 1991-1992 shifts all code enforcement and solid waste administration responsibilities to the City and keeps other planning processes in place with Marion County.
- b. The planned Code Enforcement Officer will be responsible for taking complaints, investigating alleged violations, communicating with the responsible parties, and issuing citations if necessary. Violations will be primarily in the zoning, subdivision, sign, solid waste, and noise areas.
- c. In addition, the Officer will assist the Community Development Director in performing both field and literature research, and in other areas of the City's planning work. It is anticipated these activities will not keep the Officer busy full time, so the Officer will assist the Public Works crews in non-physical labor activities such as inspections, field surveys, etc.

3. Alternative Proposal

maintained on each case. This work is currently being performed by the Community Development Director, but will be shifted to the new staff member, whether a Code Enforcement Officer or an Associate Planner.

- (2) Solid Waste - The solid waste ordinance historically has been administered through the Marion County Solid Waste Management Department. With the City's assumption of this responsibility, and the City's adoption of its own solid waste ordinances, this responsibility is now totally within City Hall.

The work is fairly comprehensive. It involves managing the franchise agreements and all other relationships with the waste haulers, as well as dealing with violations of the solid waste ordinance. If necessary, City staff will cite violators into the Municipal Court. This work is the responsibility of the Community Development Department with day-to-day operation to be handled by the new staff member.

b. Services Provided by the County

- i. As of July 1, 1991 there are two basic services involved in the City's relationship with Marion County: Current Planning and Building Code Administration. Each is described below.

- (1) Current Planning - The County provides the public information service at their downtown Salem location. This includes both phone and in-person inquiries.

They issue and accept planning applications, and then process those applications. This involves creating a file, site visitations, mailing notices, preparing staff reports, and managing the public hearings.

The County planning staff also reviews building permits for compliance with planning ordinances and conditions of approval.

The City provides consultation on more complex planning questions, reviews and approves the draft staff reports, and manages the paper flow after the initial decisions are reached by the hearings officer. If cases are appealed, the city manages all the activities involved with the appeal.

City Council
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Staff has discussed this idea with several people involved in the City's current planning process including Mark Grenz, Jim Reimann, Skip Wendolowski, Wally Mull, Bill Peterson, Dan Chandler, and Larry Epping. They all indicated their support for this change. They have been invited to share their opinions on this issue with the Council.

If this proposed is approved, recruitment will begin immediately with a closing date of September 13. The new Associate Planner should begin work around October 14th.

Council can direct Staff to proceed with this plan without changing the budget at this time as there is no change in revenue, only in expenditures. However, attached to this report is a budget spreadsheet showing the approved budget and the alternative budget. The change would be adopted as part of a supplemental budget next spring.

RECOMMENDATION:

1. Direct the City Manager to terminate the planning contract with Marion County effective on or about October 15, 1991, depending on when the new planner will start work.
2. Direct staff to hire an Associate Planner in accordance with the budget outlined in the analysis. The actual City budget will be adjusted to reflect these changes in revenue and expense when a ping budget is adopted next spring.
3. Approve the Associate Planner job description attached to the analysis.

ATTACHMENTS:

Current Planning Services - Staffing Analysis
Associate Planner Job Description
Budget Spreadsheet

5. The County solid waste collection franchises will remain operative within the city limits of the City of Keizer. The County will terminate their franchises when the City has enacted laws regulating collection of solid waste and established an operative collection system.

6. The agreement regarding Marion County Regulation of Solid Waste dated August 27, 1985, is terminated.

IN WITNESS WHEREOF, the parties have caused this Agreement to be signed by their duly authorized representatives as of this _____ day of _____, 1991.

CITY OF KEIZER

MARION COUNTY BOARD OF
COMMISSIONERS

Mayor: _____

Chairman

APPROVED AS TO FORM:

Commissioner

Legal Counsel
City of Keizer

Commissioner

Commissioner

APPROVED AS TO FORM:

Assistant Marion County
Legal Counsel

Director of Marion County
Public Works

824C.010

1 BE IT FURTHER RESOLVED that the City of Keizer consents to
2 Marion County Ordinances 615, 663, 692 and 696, as amended, and
3 rules, regulations and orders associated therewith and franchises
4 granted thereunder being applied and enforced within the city
5 limits of the City of Keizer.

6 PASSED this _____ day of _____, 1991.

7 SIGNED this _____ day of _____, 1991.

8
9

Mayor

10
11

City Recorder

12 824C.009

City Council
September 3, 1991

position should be combined with a Planning position or whether the Code Enforcement Officer position should be a separate position handling nothing but code enforcement. That question is an item that is listed on tonight's Council Agenda. The matter that you have before as this agenda item is the approval of a resolution and agreement that will provide a smooth transition from the County to the City for the enforcement of the solid waste regulations, recycling, and nuisance abatement programs and will authorize the City of Keizer to collect the franchise payments from the two (2) franchise haulers that currently do business within the City. This resolution and agreement would be retroactive to July 1, 1991 and will fill, on a temporary basis, the void that has been created by termination of the agreement between Marion County and the City of Keizer. Marion County staff has reviewed the resolution and agreement and are recommending approval to the Marion County Board of Commissioners.

The City Attorney has prepared a number of other ordinances regarding the enforcement of the solid waste ordinance and an ordinance pertaining to the method in which a company could apply for a solid waste collection and transportation franchise. The two franchise haulers within the City have requested that they be given an opportunity to review the proposed regulations prior to City Council consideration and these items have been sent to the trash haulers for their review.

The City Council is being requested to approve the proposed resolution and agreement that will, upon its passage, permit the City to enforce the existing solid waste regulations within the City of Keizer and will permit the City of Keizer to begin to receive the franchise payments from the trash haulers. The resolution also states that the City of Keizer consents to Marion County ordinances 615, 663, 692, and 696 as amended and rules, regulations and orders associated therewith and franchises granted thereunder being applied and enforced within the City limits of the City of Keizer.

The adoption of the resolution and agreement will simply formalize the break from Marion County and permit the City to continue enforcement of the County ordinances within the City until the City has adopted its own solid waste ordinance. The City Attorney has prepared the solid waste ordinance which will be reviewed by the trash haulers and the City staff prior to City Council review and staff requesting City Council approval.

104

010
D 473-235 & 3rd
MILITARY FRONT ST.

WD 235-57
ROBERT A. ZELINSKY
The ...
D 135-444
H. T. ...

Map ...
V. ...
C.R. 2114-57

25'
(E. ...)
E. ...
E. ...

221.50' West
West 2423.54

ESE 151-106.1

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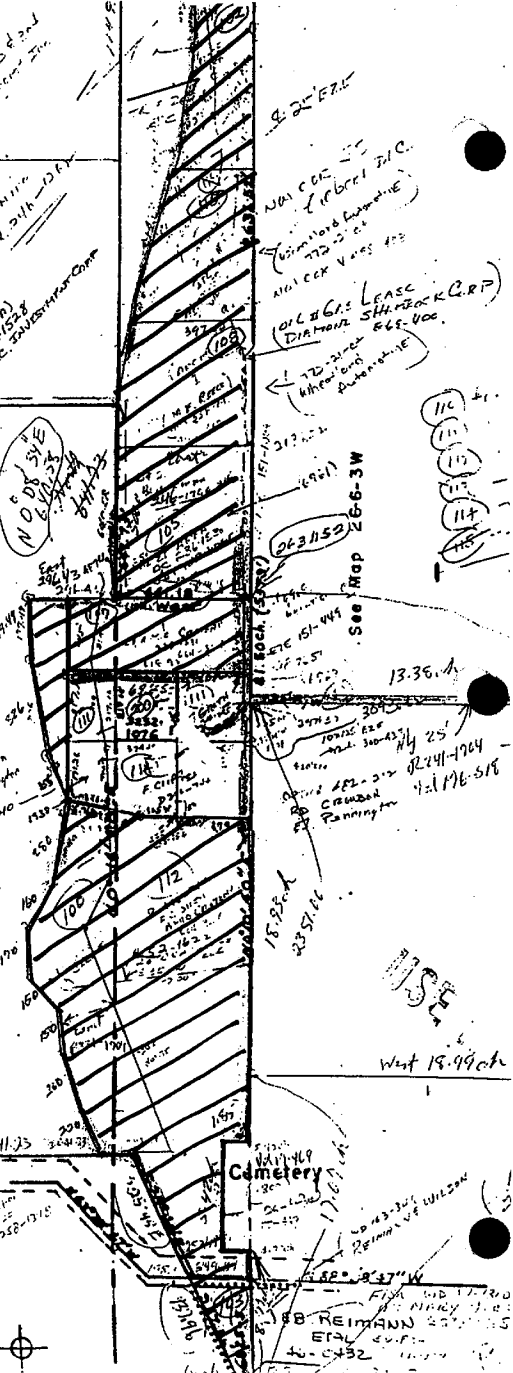
Creditor 109
R 331-1695

BD ...
Es. ...
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E 2149.65 to ...
2046.24 ...

Ent.
Book 254-99
& USA
(Val 7-351)

222-1310



Cemetery

18-REIMANN
ETAL
4-CH22

PARCEL V-

A parcel of property located in Section 26 and 27 in Township 6 South, Range 3 West of the Willamette Meridian, Marion County, Oregon, more particularly described as follows:

Beginning at a point which is North $00^{\circ} 24'$ West 409.32 feet from the Southeast corner of the Alvis Smith Donation Land Claim No. 69; thence North $89^{\circ} 53'$ West along a line to its point of intersection with the high bank line which forms a portion of the Westerly boundary of the Keizer Urban Growth Boundary; thence Northerly along said high bank line to its point of intersection with a line which bears North $76^{\circ} 51' 29''$ West from a point which lies North $00^{\circ} 24'$ West 409.332 feet; 2031.49 feet and South $89^{\circ} 59' 02''$ West 370.01 feet from the Southeast corner of the Alvis Smith Donation Land Claim No. 69; thence South $76^{\circ} 51' 29''$ East to the last point described above; thence North $89^{\circ} 59' 02''$ East 370.01 feet; thence South $00^{\circ} 24'$ East 1094.95 feet; thence West 122.10 feet; thence South 357.72 feet; thence East 122.10 feet; thence South $00^{\circ} 24'$ East 169.50 feet to the point of beginning.

EXHIBIT A

PARCEL I

All that portion of the following described parcels lying East of the high bank line which is 100 feet, more or less, West of the East line of the Alvis Smith Donation Land Claim No. 69 in Section 26, Township 6 South, Range 3 West; thence Northerly along the high bank line West of and generally parallel to Market Road No. 24 (Wheatland Road North).

Beginning at the Northwest corner of the Alvis Smith Donation Land Claim No. 69 in Section 26, Township 6 South, Range 3 West of the Willamette Meridian in Marion County, Oregon; thence South along the East line of said Claim, a distance of 1718.93 feet to the Northeast corner of that tract of land described in Reel 268, Page 1601, Deed Records for Marion County, Oregon; thence West along the North line of said Tract, a distance of 397.64 feet to the Northwest corner thereof; thence North 9° 00' East a distance of 265.00 feet; thence North 26° 00' East, a distance of 124.00 feet; thence North 12° 00' East, a distance of 105.00 feet; thence North 19° 00' East, a distance of 104.87 feet; thence North 2° 00' East, a distance of 104.87 feet; thence North 2° 00' East, a distance of 165.00 feet; thence North 19° 00' East, a distance of 65.00 feet; thence North 7° 00' East, a distance of 150.00 feet; thence North 3° 00' West, a distance of 125.00 feet; thence North 20° 00' West, a distance of 75.00 feet; thence North 15° 00' West, a distance of 145.00 feet; thence North 14° 00' West, a distance of 150.00 feet; thence North 22° 00' West, a distance of 89.65 feet to a point on the North line of said Smith Claim; thence South 89° 46' 10" East along said Claim line, a distance of 380.32 feet to the point of beginning.

SAVE AND EXCEPT

Beginning at the Northeast corner of the Alvis Smith Donation Land Claim No. 69 in Section 26, Township 6 South, Range 3 West of the Willamette Meridian in Marion County, Oregon; thence South along the East line of said Claim, a distance of 603.50 feet; thence West, a distance of 221.86 feet; thence North 20° 00' West 32.10 feet; thence North 15° 00' West, a distance of 145.00 feet; thence North 11° 00' West, a distance of 210.00 feet; thence North 14° 00' West, a distance of 150.00 feet; thence North 22° 00' West, a distance of 89.65 feet to a point on the North line of said Smith Claim; thence South 89° 46' 10" East along said Claim line, a distance of 380.32 feet to the point of beginning.

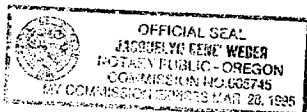
PARCEL II

All that portion of the following described parcels lying East of the high bank line which is 100 feet, more or less, West of the East line of the Alvis Smith Donation Land Claim No. 69 in Section 26, Township 6 South, Range 3 West; thence Northerly along the high bank line West of and generally parallel to Market Road No. 24 (Wheatland Road North).

STATE OF OREGON)
) ss.:
County of Marion)

On this 17th day of August, 1991, personally appeared the within named John Aldridge, and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:

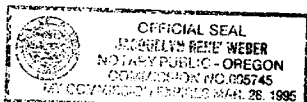


STATE OF OREGON)
) ss.:
County of Marion)

Jacquelyn Rene' Weber
Notary Public for Oregon
My commission expires: 3/28/95

On this 17th day of August, 1991, personally appeared the within named Dennis Blackman, and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me:



STATE OF OREGON)
) ss.:
County of Marion)

Jacquelyn Rene' Weber
Notary Public for Oregon
My commission expires: 3/28/95

On this 17th day of August, 1991, personally appeared the within named Sandra Blackman, and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me:



Jacquelyn Rene' Weber
Notary Public for Oregon
My commission expires: 3/28/95

EXHIBIT B

STATEMENT OF CONSENT

THE UNDERSIGNED PERSONS, who are owners of one or more of the parcels of real property described in Exhibit A, attached hereto and by this reference made a part hereof, and/or are electors residing on real property described in Exhibit A, as set forth opposite their signatures below; hereby consent to the annexation of the real property owned by each such person and described in Exhibit A to the City of Keizer, Marion County, Oregon.

Done this 17 day of August, 1991.

Maurice E. Reece
Maurice E. Reece
Owner: Parcels 1 & 2

Judy Aldridge
Judy Aldridge
Resident: Parcel 2

Dennis Blackman
Dennis Blackman
Owner and Resident: Parcel 3

Leon Croteau
Leon Croteau
Owner and Resident: Parcel 4
Owner: Parcel 6

Wheatland Automotive, Inc.
By John Aldridge
John Aldridge, President
Owner: Parcels 1 & 2

John Aldridge
John Aldridge
Resident: Parcel 2

Sandra Blackman
Sandra Blackman
Owner and Resident: Parcel 3

Alice May Orey Croteau
Alice May Orey Croteau
Owner and Resident: Parcel 4
Owner: Parcel 6

Beginning at a point on the East line of the Alvis Smith Donation Land Claim No. 69 in Section 26, Township 6 South, Range 3 West of the Willamette Meridian in Marion County, Oregon, marking the Northeast corner of that tract of land described in Reel 151, Page 445, Deed Records for Marion County, Oregon, which is recorded as being South 2131.52 feet from the Northeast corner of said Smith Claim; thence West along the North line of said tract of land described in Reel 151, Page 445, a distance of 440.38 feet to the Northwest corner thereof; thence North 00° 05' 28" East 140.30 feet to an axle; thence North 9° 00' East 271.84 feet; thence East 397.64 feet to a point on the East line of said Smith Claim; thence South along said Claim line, a distance of 408.79 feet to the point of beginning.

PARCEL III

All that portion of the following described parcels lying East of the high bank line which is 100 feet, more or less, West of the East line of the Alvis Smith Donation Land Claim No. 69 in Section 26, Township 6 South, Range 3 West; thence Northerly along the high bank line West of and generally parallel to Market Road No. 24 (Wheatland Road North).

Beginning at a point on the East line of the Alvis Smith Donation Land Claim No. 69, in Section 26, Township 6 South, Range 3 West, Willamette Meridian, Marion County, Oregon, that is South 2631.52 feet from the Northeast corner of said Donation Land Claim; thence West 441.18 feet to the West line of said Section 26; thence Northerly along said West line of Section 26, 500.00 feet; thence East, to a point on the said East line of the Alvis Smith Donation Land Claim; thence Southerly along said East line of the Alvis Smith Donation Land Claim to the place of beginning.

PARCEL IV

All that portion of the following described property lying East of the high bank line which is 100 feet more or less West of the East line of the Alvis Smith Donation Land Claim No. 69 in Section 26, Township 6 South, Range 3 West, and which runs Northerly along the high bank line West of and generally parallel to Market Road 24 (Wheatland Road)

Beginning at a point on the East line of the said Alvis Smith Donation Land Claim No. 69 in said Section 26 which is South 2631.52 feet from the Northeast corner of said claim; thence East 593.95 feet; thence South 245.00 feet; thence West 593.95 feet to a point on the East line of the Alvis Smith Donation Land Claim; thence North 245.00 feet to the point of beginning.

a resolution or ordinance setting the final boundaries of the area to be annexed, as described in Exhibit A; and proclaiming the annexation of said real property to the City of Keizer.

The undersigned PETITIONERS hereby declare under penalties of perjury that the each of the statements made by them in the foregoing Petition are true.

Done this 17 day of August, 1991.

PETITIONERS

Maurice E. Reece Wheatland Automotive, Inc.
By John Aldridge, President

Dennis Blackman
Dennis Blackman

Sandra Blackman
Sandra Blackman

Leon Croteau
Leon Croteau

Alice May Orey Croteau
Alice May Orey Croteau

CITY OF KEIZER
MARION COUNTY, OREGON

IN THE MATTER OF	)	
	)	
the Annexation of	)	PETITION FOR ANNEXATION
	)	
Certain Real Property	)	
	)	
to the City of Keizer,	)	
	)	
Marion County, Oregon	)	

**TO: Mayor and Common Council, Keizer, Marion County,
Oregon**

Come now the undersigned PETITIONERS, who, acting in accordance with ORS 222.111, hereby petition the Common Council, as the legislative body of the City of Keizer, to annex to the City of Keizer the parcels of real property described in Exhibit A, attached hereto and by this reference incorporated herein. In support of this petition, PETITIONERS, being first duly sworn, do hereby allege and state as follows:

1. Each of the parcels of real property described in Exhibit A are contiguous to the City of Keizer, or are separated therefrom only by a public right of way, or are contiguous to another of the parcels described in Exhibit A, which is in turn contiguous to the City of Keizer.

2. Each of the parcels of real property described in Exhibit A lies within the urban growth boundary of the city of Keizer.

City Council
September 3, 1991

Because of this vagueness, Staff encouraged the petitioners to include all their properties in the annexation. The intent would be to annex all of the properties including the portions outside of the Urban Growth Boundary. The portions outside would be zoned Exclusive Farm Use and preserved in their natural state except for selective thinning of trees on the bank to provide for a view.

There is precedence for this in other cities in the State with city limits outside of UGBs for a variety of reasons. A further reason to annex all of the properties is to place the entirety of the ownerships under one jurisdiction.

Staff discussed this approach with staff from the Department of Land Conservation and Development, who did not have any objection. The Marion County staff, however, is concerned as their general policy is to have land buffering urban uses from farm uses, such as the bank and creek, under County jurisdiction. The County staff would prefer annexation only to the top of the bank. The Board of Commissioners is being asked what their position will be on this issue and have not offered a response as of the preparation of this report.

The portions of the subject properties within the Urban Growth Boundary are designated Low Density Residential on the Comprehensive Plan. They will be rezoned to RS (Residential-Single Family) at time of annexation.

Sewer, water, and street access will be available to the subject properties from Timberview Subdivision and from Orchard Crest subdivision which is now under construction immediately east of the northern portion of the subject property.

After annexation and when facilities are available the properties will be able to develop in accordance with the LDR plan designation. Uses that have been discussed for different portions of the property include single family detached or attached housing and a cemetery. However, no formal proposals have been made.

The action of annexation is in the form of an ordinance with appropriate findings.

8. CONSENT CALENDAR

- a. Minutes - Regular Session - August 5, 1991
- b. Resurfacing of Lockhaven Drive N.E., River Road North to McLeod

9. OTHER BUSINESS - This time is provided to allow Council members the opportunity to bring matters before the Council which are not on tonight's agenda. B

10. WRITTEN COMMUNICATIONS - To inform the Council of significant written communications and petitions.

11. AGENDA INPUT - September 16, 1991

- * Public Hearing on Salem Area Comprehensive Plan - Periodic Review Order B

12. ADJOURN

f:\admin\9-3.adg



City of Keizer

Administration
930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

CITY COUNCIL MEETING: Sept. 16, 1991

AGENDA ITEM NUMBER: 5a

TO: MAYOR AND CITY COUNCIL

THROUGH: DONALD H. OTTERMAN M.S.P.A.,
CITY MANAGER

FROM: JOHN N. MORGAN, AICP
COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: PERIODIC REVIEW OF THE SALEM AREA COMPREHENSIVE PLAN -
PUBLIC HEARING

DISCUSSION:

This is a public hearing on the final Local Review Order adopting the Periodic Review of the Salem Area Comprehensive Plan. In order to meet notice requirements, this hearing should be held over until October 7, 1991.

Periodic review of a jurisdiction's comprehensive plan is required by Oregon Administrative Rule as adopted by the Land Conservation and Development Commission. The rule essentially requires local jurisdictions to review their plan approximately every five years to do three things:

1. Review the factual basis of the Plan to determine if things have changed such as assumptions on land consumption or population growth that might impact the policy structure of the Plan.
2. Review the policies of the Plan to determine if they are still current and reflective of public opinion and needs.
3. Meet any changed or new requirements adopted by State or other agencies that must be address within the Plan.

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review order for the Periodic Review of the Keizer Comprehensive Plan and anticipates sending the draft to the Council by the end of the year.

THE PROPOSED LOCAL REVIEW ORDER

Attached to this report are the elements of the Periodic Review Order that affect the City of Keizer. Copies of the total order will be available at the hearing. A summary of the provisions follows:

- A fundamental change is the recognition that Keizer and Salem will have separate, distinct, but coordinated comprehensive plans. The coordination will involve two areas, factual data such as demographics, and topics of regional significance. One set of regional policies will be adopted within both plans to address these regional issues. The highlights of these policies are summarized in the following points.
- On page 20 of the order, definitions 1, 2, and 3 define the two distinct urban areas.
- The original definition E on page 20 has been eliminated. This is the definition setting the 15 or more acre standard for land use actions requiring concurrence by all jurisdictions.
- Regional Policies and Regional Planning Actions are defined in 5 and 6 as issues that are agreed to and adopted by all four jurisdictions. Definition 7 indicates that all other decisions are not regional. This has significance in that non-regional policies are administrated solely by the affected jurisdiction. This is reflected in Items B-1 through B-4 on page 21.
- The procedures for amendment starting on page 21 have been eliminated in favor of a new procedure starting on page 23. The procedure is greatly simplified.
- Item F on page 24 details the relationship between the Keizer

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significance to Keizer, the Order essentially acknowledges the City of Keizer as a distinct place and minimizes the number of regional policies where the four jurisdictions have authority over each other.

ADDITIONAL ISSUES

Staff anticipates there will be issues raised at Keizer's public hearings on the Order that are basically irrelevant to Keizer's interest in this document. However, since Keizer's hearing is the last of several on the same Order, issues raised at this hearing are part of one total record on the issue and give the party testifying standing for possible future appeals.

Staff is aware that testimony may be received concerning Salem's historic preservation ordinance and East Salem Water District's concerns about revised annexation policies. The Keizer City Council will not be expected to respond to this testimony, but it will be appropriate for you to direct Staff to pass the testimony on to the appropriate bodies for comment and action.

RECOMMENDATION

It is recommended the Council:

1. Continue the public hearing until October 7, 1991 to receive additional oral and written testimony;
2. Following the close of the hearing, direct staff to prepare the appropriate order for adoption of the Local Review Order for the Periodic Review of the Salem Area Comprehensive Plan.

III. SALEM/KEIZER URBAN AREA (REGIONAL) PROCEDURES AND POLICIES

A. DEFINITIONS

1. Salem/Keizer Urban Area

The area within the ~~regional-UGB which includes all of the area within both the Salem urban area and the Keizer urban area~~ shall be known as the Salem/Keizer urban area and shall be defined by the Salem/Keizer urban growth boundary.

2. Salem Urban Area

The area within the Salem city limits and the area within the Salem/Keizer urban growth boundary which is unincorporated and is located regional-UGB adjoining the Salem city limits to the southeast south and west of the common city limits boundary between the cities of Salem and Keizer which is generally east of the Interstate 5 Freeway as it runs north of the Salem city limits and east, south, and west of the Salem city limits and west of the Willamette River shall be known as the Salem Urban Area.

3. Keizer Urban Area

The area within the Keizer city limits and the Salem/Keizer urban area regional-UGB adjoining the Keizer city limits to the north and west which is generally north and west of the Keizer city limits, west of the Interstate 5 Freeway as it runs north of the Salem city limits, and east of the Willamette River shall be known as the Keizer Urban Area.

4. Dual Interest Areas

Dual interest areas are geographic areas where two or more entities have, by agreement, established that each has an interest in the nature and scope of land use regulation in the area even though the area may be outside the jurisdiction of one or more of the entities which are parties to the agreement, shall be known as Dual Interest Areas. Dual interest areas may be outside the Salem/Keizer urban growth boundary. Decision regarding areas identified by agreement as Dual Interest Areas shall be governed by the terms of such agreement. regional-UGB.

~~E. Quasi Judicial Comprehensive Plan Amendments~~

~~Decisions that involve less than 5 properties under separate ownership and less than 15 acres of property lying entirely within one city's or one county's jurisdiction shall be considered Quasi Judicial Comprehensive Plan Amendments.~~

5. Regional Policy

Any policy which is concurred in by all four jurisdictions (Cities of Salem and Keizer and counties of Marion and Polk) and is identified in each jurisdiction's Comprehensive Plan is a regional policy.

~~F. Legislative Comprehensive Plan Amendments~~

~~All amendments not defined as Quasi Judicial Comprehensive Plan Amendments above, shall be considered Legislative Comprehensive Plan Amendments.~~

6. Regional Planning Action

Any amendment to a regional policy.

B. Legislative Comprehensive Plan Amendments

1. ~~Notice. The jurisdiction proposing any Legislative Comprehensive Plan Amendments shall notify all of the others regarding the proposed amendment.~~
2. ~~Opportunity to be Heard. Each jurisdiction shall have the opportunity to be heard regarding any Legislative Plan Amendment proposed by another.~~
3. ~~Legislative Comprehensive Plan Amendments Which Only Apply to the Area Within One Jurisdiction.~~
 - a. ~~Legislative amendments which apply only within the Salem city limits may be approved by Salem but must be concurred in by Keizer, Marion County, and Polk County as set forth below before they are considered effective amendments to the plan.~~
 - b. ~~Legislative amendments which apply only within the Keizer city limits may be approved by Keizer but must be concurred in by Salem and Marion County as set forth below before they are considered effective amendments to the plan.~~
 - c. ~~Legislative amendments which apply only within Polk County's portion of the Salem Urban Area may be approved by Polk County but must be concurred in by Salem as set forth below before they are considered effective amendments to the plan.~~
 - d. ~~Legislative amendments which apply only within Marion County's portion of the Salem/Keizer Urban Area may be approved by Marion County but must be concurred in by Salem and Keizer as set forth below before they are considered effective amendments to the plan.~~
 - e. ~~If the proposed legislative amendment applies only to the area within the exclusive jurisdiction of one city or county, the jurisdictions that must concur in that proposed amendment in order for it to be effective may show their concurrence by not responding to the notice prior to the date set by the proposing jurisdiction in its notice to LCDC for the final hearing in the matter. In that case, the final action by the proposing jurisdiction adopting the amendment, and referring to the fact that no objections were filed within the time allowed, shall be an effective amendment to this plan. Notwithstanding the above, if a jurisdiction whose concurrence is required does object to a proposed amendment under this subsection, that objection must be filed with the proposing jurisdiction on or before the date set by the proposing jurisdiction in its notice to LCDC for the final hearing in the matter. Any such objection shall continue until removed by the objecting jurisdiction in writing. As long as an objection exists, there is no concurrence as required by this plan and the proposed amendment receiving the objection cannot become an effective amendment to this plan. However, if all of the objections are removed in writing, the proposing jurisdiction may then take final action adopting the amendment, which action shall be an effective amendment to the plan. The proposing jurisdiction shall mail copies of any final ordinance adopting the amendment to each of the other jurisdictions.~~
4. ~~Legislative Comprehensive Plan Amendments With Effect Outside the Proposing Jurisdiction~~
 - a. ~~Legislative Comprehensive Plan Amendments which apply throughout the Salem/Keizer Urban Area, or which have effect outside the proposing jurisdiction, or which would effect the regional UGB may be made by any one of the four jurisdictions, but must be concurred in by all of the other jurisdictions as set forth below before they are considered effective amendments to the plan.~~
 - b. ~~If the proposed amendment affects areas outside the proposing jurisdiction or the regional UGB, the proposing jurisdiction shall notify all of the other jurisdictions of the proposed amendment by sending to them a true copy of the 45 day notice sent to LCDC. That copy shall be sent to the other jurisdictions not less than 45 days prior to the date set for final hearing in the matter. If a jurisdiction~~

- e. When the proposing jurisdiction has received concurring ordinances which are identical with regard to the text of the regional planning action adopted from each of the other jurisdictions, it may take final action to adopt its own ordinance and the effective date of that final ordinance shall be the effective date of the amendment to this plan. The proposing jurisdiction shall send copies of the final ordinance to all of the other jurisdictions.
- f. If jurisdictions disagree as to regional planning actions or if there is a need for clarification of regional policies, the issue may be resolved through the Salem Keizer Area Plan Advisory Committee process.

2. Non-Regional Planning Actions Procedures

- a. Any amendment to an urban area policy shall follow the regional planning action procedures, except that the concurrence requirement will be limited to jurisdictions within the urban area.
- b. Any non-regional planning action other than an urban area policy amendment shall be acted upon by Salem, Keizer, Polk County, and Marion County respectively for areas over which each exercises exclusive jurisdiction.
 - (1) Each jurisdiction shall notify all other jurisdictions of pending planning actions within their jurisdiction and as required by dual interest area agreements.
 - (2) If a disagreement is reached, the jurisdiction having authority to take the action is free to act, and any other jurisdiction is free to appeal such action to the Land Use Board of Appeals.

D. RULES OF PROCEDURE

Each governing body shall adopt rules of procedure to govern the initiation and processing of amendments to this plan in the geographic area of the jurisdiction.

E. REVIEW AND REVISION

The plan shall be subject to major review and, where necessary, revision to comply with the requirements for periodic review. Except for Quasi-Judicial Comprehensive Plan map amendments initiated by property owner, plan amendments should, wherever possible, be reserved for those years when the plan undergoes major review.

F. RELATIONSHIP BETWEEN SALEM AREA COMPREHENSIVE PLAN AND KEIZER COMPREHENSIVE PLAN

- 1. A Comprehensive Plan for the Keizer Urban Area as defined in Section IV of the Salem Area Comprehensive Plan (SACP) above has been adopted as an amendment to the Salem Area Comprehensive Plan (SACP). It shall be referred to as the Keizer Comprehensive Plan (KCP). The KCP incorporates all regional elements of the SACP. The KCP and its plan map shall be the Comprehensive Plan and plan map for the "Keizer Urban Area" as defined in Section IV of the SACP. Keizer may also adopt ordinance to implement the KCP and map. All regional policies are included in the text of the SACP and the KCP.
- 2. Land use decisions, including plan map amendments, other than regional planning actions involving land within the Salem urban area city limits shall be made based solely on the SACP, its plan map, and its implementing ordinances. Land use decisions including individual plan map amendments, involving land outside the City of Salem, but within the "Salem Urban Area", shall be made based solely on the SACP, its plan map and its implementing ordinances.

J. SOLID WASTE

1. The disposal of solid wastes shall be accomplished with a minimal negative impact on the land, air and water resources of the region. A balanced program of waste reduction, recycling, resource recovery, landfill and other disposal methods shall be encouraged. The cities and counties shall participate cooperatively in the development of a solid Waste Management Plan for each county and participate in implementation of the plan to the extent it applies to each jurisdiction. The facilities developed to implement the Solid Waste Management Plans are not required to be located in the Salem/Keizer urban area. planning for a new landfill site and related solid waste operations. Site selection for new landfill operations, or to expand existing facilities, should make use of the latest locational methodologies and maximize citizen participation during the entire planing process.

K. STORM DRAINAGE POLICY

1. The Cities and Counties shall coordinate the management of storm water. A storm water management plan shall be developed to establish release rates for consideration in reviewing all public and private developments, recognizing that such release rates should minimize the increase in storm water runoff from the area.

L. RESIDENTIAL DENSITY

1. The effective utilization of land for residential development and the potential of proposed urban growth boundary changes for residential use, should be guided by residential density objectives scaled to the character of each urban area. Commencing January 1, 1992, performance in achieving the residential density objectives shall be used in determining conformance with urban growth boundary expansion factors for residential use.



City of Keizer

Administration

930 Chemawa Rd. N.E. • P.O. Box 21000

Keizer, Oregon 97307-1000 • (503) 390-3700

CITY COUNCIL MEETING: Sept. 16, 1991

AGENDA ITEM NUMBER: 6

TO: MAYOR AND CITY COUNCIL

THROUGH: DONALD H. OTTERMAN M.S.PA,
CITY MANAGER

FROM: JOHN N. MORGAN, AICP
COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: Annexation of Reece, Blackman, Croteau and Wheatland
Automotive, Inc., Properties

DISCUSSION:

This item was before Council for information at its September 3, 1991 meeting. It was indicated that the specifics of the property to be annexed had yet to be worked out with the property owners and Marion County. The intent was to return at tonight's meeting with a final legal description and the ordinance approving the annexation.

Staff and Jim Reimann, who is purchasing a portion of the land to be annexed, have met several times with County officials to reach agreement on the annexation line. A general understanding has been reached that the line will be toward the top of the bluff, however Mr. Reimann is preparing a specific description for consideration by the two staffs. As this will not be completed during the week of September 9th, the issue will not be able to return to the Council until October 7th.

3. Land use decisions, other than regional planning actions including plan map amendments, involving land within the Keizer urban area city limits shall be made based solely on the KCP, its plan map, and its implementing ordinances. Land use decisions, including individual plan map amendments, involving land outside the Keizer city limits but within the "Keizer Urban Area" shall be made based solely on the KCP, its plan map, and implementing ordinances.

~~In addition to the above, state standards may apply to some types of land use decisions.~~

4. Regional planning actions shall be made solely on the basis of the concurrence of all the jurisdictions - City of Salem, City of Keizer, Marion County, and Polk County. Regional planning actions shall be adopted by each jurisdiction with the identical language.

G. URBAN GROWTH BOUNDARY

1. The cities of Salem and Keizer and Counties of Marion and Polk have adopted by legal description the Salem/Keizer urban growth boundary for the Salem and Keizer urban areas and shall review the Salem/Keizer urban growth boundary on a periodic basis or upon the request of one of the jurisdictions to identify if changes are necessary.
2. All parties shall work toward the development of the most efficient and economical method for providing specific urban services to the area within the Salem/Keizer urban growth boundary.
3. Changes to the Salem/Keizer urban growth boundary shall be based upon consideration of the following factors. This consideration does not include comparison of the proposed change with lands within the Salem/Keizer urban growth boundary.
 - a. Demonstrated need to accommodate long-range urban population growth requirements consistent with State land use goals.
 - b. Need for housing, employment opportunities and livability.
 - c. Orderly and economic provision for public facilities and services.
 - d. Environmental, energy, economic and social consequences.
 - e. Retention of agricultural land, as defined, with Class I being the highest priority for retention and Class VI the lowest priority.
 - f. Compatibility of the proposed urban uses with nearby agricultural activities.
 - g. Other criteria as required by the State Land Use Goals and Administrative rules.
4. If the Urban Growth Boundary for the Salem Urban Area is expanded to include additional land for residential development, first priority shall be given to lands that have been removed from the 1982 boundary.

H. TRANSPORTATION

1. The Salem/Keizer Area Transportation Study Cooperative Agreement shall provide the coordination mechanism for regional transportation issues within the Salem/Keizer urban growth boundary.

I. WILLOW LAKE TREATMENT PLANT

1. The Willow Lake Treatment Plant dual interest area is defined by an adopted legal description. Development requirements are established in the Willow Lake Treatment Plan dual interest area agreement.

does not consider itself to be affected by an amendment proposed under this subsection, it shall so notify the other jurisdictions within 30 days of the notice of proposed amendment and it will then no longer be necessary to obtain concurrence from that jurisdiction prior to the adoption of the amendment. Each jurisdiction shall decide for itself whether it is unaffected by a proposed amendment under this subsection and each jurisdiction shall set its own procedure for making that decision. Except for jurisdictions which have indicated that they are unaffected as set forth above, all jurisdictions shall, within 30 days of the notice of proposed amendment, indicate to the proposing jurisdiction either concurrence, lack of concurrence, the conditions necessary for concurrence, or the need for a specific amount of additional time to consider the matter before responding with one of the other three alternatives. Those jurisdictions that concur shall adopt ordinances indicating their concurrence and transmit those ordinances to the proposing jurisdiction within the time allowed. Those jurisdictions that do not concur, or that have conditions that must be met prior to concurrence, or that need additional time, shall indicate their position in the matter, together with their reasons, findings, and conclusions in writing to the proposing jurisdiction within 30 days of the notice of proposed amendment. When the proposing jurisdiction has concurring ordinances which are identical with regard to the text of the amendment adopted from each of the other jurisdictions, it may take final action to adopt its own ordinance and the effective date of that final ordinance shall be the effective date of the amendment to this plan. The proposing jurisdiction shall send copies of the final ordinance to all of the other jurisdictions.

5. Regional Coordination. If the amendment process uncovers disagreement among the jurisdictions with respect to an issue of regional concern, the matter may be submitted pursuant to any regional coordination agreement existing between the parties before a final decision is made.
6. Dual Interest Areas. Decisions regarding areas identified by agreement as Dual Interest Areas shall be governed by the terms of such agreement.

1. Regional Planning Actions Procedures

- a. Regional planning actions may be initiated by any one of the four jurisdictions (Cities of Salem and Keizer and Counties of Marion and Polk), but must be concurred in by all of the other jurisdictions as set forth below before they are considered effective amendments to the Plan.
- b. The proposing jurisdiction shall notify all of the other jurisdictions of the proposed regional planning action by sending to them a true copy of the 45 day notice sent to the Department of Land Conservation and Development (DLCD). That copy shall be sent to the other jurisdictions not less than 45 days prior to the date set for final hearing in the matter. If the final hearing is rescheduled, the other jurisdictions shall be notified of the new hearing date.
- c. All jurisdictions that concur with the regional planning action shall, at least 15 days prior to the final hearing as cited in the DLCDC notice, indicate to the proposing jurisdiction their concurrence. Those jurisdictions that concur shall adopt ordinances indicating their concurrence and transmit those ordinances to the proposing jurisdiction within the time allowed.
- d. Where "c" does not apply, jurisdictions shall at least 15 days prior to the final hearing as cited in the DLCDC notice, indicate to the proposing jurisdiction their lack of concurrence, the conditions necessary for concurrence, or the need for a specific amount of additional time to consider the matter before responding. Those jurisdictions indicating non-concurrence shall provide their reasons, findings, and conclusions in writing to the proposing jurisdiction.

7. Non-Regional Planning Action

Non-regional planning actions are of two types:

- a. Any amendment to an urban area policy.
- b. All other land use actions.

B. JURISDICTION OVER PLAN-AMENDMENTS

1. Salem's Jurisdiction

Salem has exclusive jurisdiction over all land use actions applicable within its city limits other than regional planning actions and amendments to urban area policies. Quasi-Judicial-Comprehensive-Plan-amendments-affecting-areas-only-within-its-city-limits-and-concurrent-jurisdiction-over-Legislative-Comprehensive-Plan-Amendments-as-set-forth-below.

2. Keizer's Jurisdiction

Keizer has exclusive jurisdiction over all land use actions applicable within its city limits other than regional planning actions and amendments to urban area policies. Quasi-Judicial-Comprehensive-Plan-amendments-affecting-areas-only-within-its-city-limits-and-concurrent-jurisdiction-over-Legislative-comprehensive-Plan-Amendments-as-set-forth-below.

3. Polk County's Jurisdiction

Polk County has exclusive jurisdiction over all land use actions applicable within that portion of the Salem Urban Area that is outside the Salem city limits and inside Polk County other than regional planning actions and amendments to urban area policies. Quasi-Judicial-Comprehensive-amendments-affecting-areas-only-within-its-jurisdiction-over-Legislative-Comprehensive-Plan-Amendments-as-set-forth-below.

4. Marion County's Jurisdiction

Marion County has exclusive jurisdiction over all land use actions applicable within that portion of the Salem Urban Area and Keizer Urban Area that are outside the Salem city limits and outside the Keizer city limits other than regional planning actions and amendments to urban area policies. Quasi-Judicial-Comprehensive-Plan-amendments-affecting-areas-only-within-its-jurisdiction-over-Legislative-Comprehensive-Plan-Amendments-as-set-forth-below.

C. PROCEDURES FOR AMENDMENT

A. Quasi-Judicial-Comprehensive-Plan-Amendments

Quasi-Judicial-Comprehensive-Plan-Amendments shall be approved by Salem, Keizer, Polk County, and Marion County respectively for areas over which each exercises exclusive jurisdiction as set forth above. Each jurisdiction shall give notice to the others as required below. All jurisdictions shall have an opportunity to be heard on the matter at or before the final public hearing.

1. ~~Marion County shall notify Salem of pending Quasi-Judicial-Comprehensive-Plan-Amendments if the property is in the Salem Urban Area or in a Dual-Interest-Area requiring such notice.~~
2. ~~Marion County shall notify Keizer of pending Quasi-Judicial-Comprehensive-Plan-Amendments in the Keizer Urban Area or in a Dual-Interest-Area requiring such notice.~~
3. ~~Polk County shall notify Salem of pending Quasi-Judicial-Comprehensive-Plan-Amendments if the property is in the Salem Urban Area or in a Dual-Interest-Area requiring such notice.~~
4. ~~Each city shall notify the other and/or either county of pending Quasi-Judicial-Comprehensive-Plan-Amendments if the jurisdiction of the other city or the county is within 500 feet of the property or if the property is in a Dual-Interest-Area requiring such notice.~~

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and Salem Comprehensive Plans. It strengthens the separation between the Plans but recognizes the LCDC requires there to be one over-riding comprehensive plan for the total urban area.

- The Urban Growth Boundary policies found on Page 25 reflect a change releasing Keizer from the criteria for an expansion of the Urban Growth Boundary giving priority for land previously removed from the Boundary.
- The Transportation Policy on page 25 indicates the SKATS Plan is the regional transportation plan adopted by all jurisdictions.
- The Willow Lake Treatment Plan dual-interest agreement is acknowledged on page 25.
- On page 26, new policies for solid waste and stormwater management are included. These policies call for coordination between the cities.
- A residential density policy is the last policy on page 26. It calls for efficient use residential land and states that the Cities' success in being efficient will be considered with any future expansions of the Urban Growth Boundary. In the Salem component of this Order, an urban development policy is included setting a minimum average residential density of 6.5 dwelling units per acre for new development. No number is included for Keizer, but the Planning Commission is considering at this time what, if any, number should be set.

ANALYSIS

The City of Keizer came out well in the negotiations on regional policies. Out of the four issues that have been debated over the last year, Keizer's position on shrinking the Willow Lake Area of Influence is the only one where this City's position was not met.

The Local Review Order for the Periodic Review of the Salem Area Comprehensive Plan is a solid document that reflects the changes in the metropolitan community over the last decade. Of particular

City Council
September 16, 1991

HISTORY

The history of Keizer's work as part of this urban area planning process goes back to the City's incorporation. There have been these basic steps in the process:

1. The Salem Area Comprehensive Plan was adopted by Salem, Marion County, and Polk County in 1982. The Plan covered all land within the Urban Growth Boundary.
2. Keizer was incorporated in 1982 and thereby came under the umbrella of the Salem Area Comprehensive Plan which is the "regional" comprehensive plan.
3. Keizer developed and adopted the Keizer Comprehensive Plan in 1987. The Plan is considered a component of the Salem Area Comprehensive Plan.
4. All four local jurisdictions began the required periodic review of the Salem Area Comprehensive Plan in 1988.
5. Keizer began periodic review of the Keizer Comprehensive Plan in 1988.
6. Hearings were held on the periodic review order for the Keizer Comprehensive Plan in 1989.
7. Work on the periodic review of both Comprehensive Plans stalled in 1990 as several regional issues were debated and decided.
8. The issues were resolved by subcommittees of each decision-making body and the adoption process began again during the summer of 1991.
9. The final local review order for the Periodic Review of the Salem Area Comprehensive Plan is going through hearings by all four jurisdictions between July and October of 1991. Keizer's hearing begins this evening and will extend until October 7th.
10. The Planning Commission is working on finalizing the local



City of Keizer

Administration
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COUNCIL MEETING: September 16, 1991

AGENDA ITEM NO.: 7

TO: MAYOR AND CITY COUNCIL
FROM: SUSAN DARBY, CITY RECORDER *[Signature]*
THRU: DONALD H. OTTERMAN, M.S.P.A., CITY MANAGER *[Signature]*
SUBJECT: AWARD OF CONTRACT - CODIFICATION SERVICES

ISSUE

Shall the City Council award a contract for codification of the City's ordinances?

BACKGROUND

In late 1990, the City Manager asked department heads to compile their departmental goals in preparation for the upcoming budget year. One of the goals of the City Recorder's Office was to codify the City's special ordinances. To this end, the City budgeted the funds necessary to complete this project. There are two ways in which to do this, both of which are very briefly explained here.

Mechanical Compilation - The first is to simply re-format the existing ordinances, assign them code numbers, and compile them in a binder. There is no legal analysis of the City's ordinances to determine whether they conflict with State statutes, Federal laws, etc.

Full Codification - The second method is to conduct a full codification. This includes a legal analysis and review of the ordinances to compare them against State statutes and Federal laws to determine where they might conflict and to resolve those differences. This is an exhaustive analysis and review. The ordinances are then arranged in a logical fashion, assigned to specific chapters, and placed in binders.

Between the two methods (mechanical compilation and full codification), staff agreed that a full codification would be preferable. A major determining factor is the high cost of performing a mechanical compilation (see League of Oregon Cities' proposal). Full codification by a commercial codification company could conceivably cost less than the mechanical compilation. In addition, the City is only ten years old and relatively few ordinances have been adopted. It will be less expensive and easier to perform the full codification now and to update the code as necessary rather than waiting for more ordinances.

CODIFICATION PROPOSALS

COMPANY	BASE COST	PAGE COST	NO. OF PAGES	NO. OF COPIES	BINDER COST	MAPS/ DIAGRAMS	PER PAGE SUPPLEMENT
Sterling Codifiers	\$8,200	\$18 over/under 400	400	40	Incl	Incl	\$20.00
Book Publishing Company	\$3,000	\$26 over 100	100	50	\$18/ea	\$15/ea	\$20.50
Municipal Code Corporation	\$8,800	\$28 over 300	300	50	Incl	\$10/ea	\$22.00
League of Oregon Cities	\$6,963 - \$7,863		20		(Mechanical Compilation Only)		

ANALYSIS OF CODIFICATION PROPOSALS

Assumptions: 300 page code; 50 copies; 10 diagrams/maps

	<u>STERLING</u>	<u>BOOK PUBLISHING</u>	<u>MUNICIPAL CODE</u>
Base Cost	\$8,200	\$3,000	\$8,800
Add/Subtract pages to 300	-1,800	+5,200	-
Add/Subtract copies to 50	+ 450	-	-
Binders (50)	Included	+ 900	Included
Maps/Diagrams (10)	Included	+ 150	+ 100
TOTAL COST	\$6,850	\$9,250	\$8,900*
PER CODE COST	\$ 137	\$ 185	\$178 - 208

* Price does not include Legal Review and Analysis. This service is charged extra at \$60/hour up to a maximum of \$1,500.

September, 1991

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R91- _____

RELATING TO THE CODIFICATION OF CITY ORDINANCES

WHEREAS, the City is desirous of codifying its ordinances; and

WHEREAS, Sterling Codifiers, Inc., has provided the lowest bid to the City for said services;

and

WHEREAS, the terms and conditions of the attached Professional Services Contract are generally satisfactory to the City; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Keizer that:

- 1. The City Manager is authorized to negotiate the terms of the attached Professional Services Contract with Sterling Codifiers, Inc., not to exceed a total cost of \$7,000.**
- 2. The Mayor is authorized to execute the final negotiated Professional Services Agreement with Sterling Codifiers, Inc.**

APPROVED this _____ day of _____, 1991.

SIGNED this _____ day of _____, 1991.

Mayor

City Recorder

CODIFY, CODIFICATION - The systematic organization and restatement of regulatory and administrative legislation of the Municipality that is general and permanent.

CODE - The code of the Municipality, as compiled, updated, revised, amended or supplemented, containing the systematic organization of the legislation and any appendix, index or other reference materials, as accumulated, organized, systematized, numbered, composed, printed, bound and thus published.

CODE WORK BOOK - An organization of the regulatory and administrative legislation of the Municipality that is general and permanent. The code work book will show the edited legislation of the Municipality in its current, amended form.

PAGE - Any one side of a leaf, as printed by the Publisher, upon which there is any printing.

RESUME - A report of comments and recommendations prepared by the Publisher giving an assessment and evaluation of each chapter of the code work book.

SUPPLEMENTATION - The editing, composing and publishing of amendments, changes, deletions or additions to the code necessitated by legislation of or affecting the Municipality, or resulting from changes in appendix, index or other reference material, in such a manner that the system and context of the code are maintained and kept current by the inclusion of said legislation and appendix, index or reference materials in the code.

Section 5. Editorial procedures.

- A. **Copies of legislation.** The Municipality shall furnish the Publisher with one copy of each item of legislation of a general and permanent nature as adopted in final form. Should the Municipality have an existing code, one complete and accurate copy will be furnished the Publisher, along with one copy of each general and permanent item of legislation enacted subsequent to the most recent item of legislation included in the code. The Municipality shall continue to forward promptly to the Publisher, following its adoption, a copy of each item of legislation adopted by the Municipality.
- B. **Organization.** The Publisher will organize the pertinent and currently enforceable legislation according to the general subject matter thereof, arranged in order with all currently enforceable amendments to each, correctly replacing the superseded portions thereof, and appropriately noted where applicable.
- C. **Code work book preparation.**
 - 1. The Publisher will prepare the legislation so organized for publication, numbering and titling the sections and editing the

3. Upon request of the Municipality, appropriate information on possible new subject material based on legislation currently in force in other municipalities will be provided by the Publisher for review and evaluation by the Municipality's Counsel. Upon request of the Municipality's Counsel, the Publisher will undertake to write specific language tailored to meet the needs of the Municipality.

E. Review and approval by the Municipality; editorial conference.

1. Review. Upon completion of the editorial preparation of the code work book, ordinance list and legislation resume, the Publisher will submit a copy of these documents to the Municipality and to its Counsel for review. The Municipality shall: review the same; make any changes, additions or deletions desired in the code work book; and resolve any questions raised by the Publisher. Within sixty (60) days, the Municipality shall return the code work book with proper notations and authorizations to the Publisher. When the Publisher receives the code work book and all questions have been answered, the Publisher shall proceed with the final editing, making all changes authorized and approved by the Municipality, and preparing a concordance index keyed to the title, chapter and section numbering system, for use in locating specific and related materials within the codified legislation, and proceed with the printing of the code.
2. Editorial conference. At the request of the Municipality, the Publisher's representative will attend and meet with designated representatives of the Municipality, at the municipal offices to discuss the codification project.

Section 6. Indexing.

The Publisher shall prepare and publish, to be included in the code, a complete cross-referenced index, keyed to the chapter and section numbering system, for use in locating specific and related material within the codified legislation.

Section 7. Publication.

Upon completion of the editorial procedures described in Section 5 above, the Publisher will compose, proofread, duplicate and bind, and thereby publish (5) _____ copies of the code in hard-cover, loose-leaf binders, suitably titled and labeled as the code of the Municipality, and deliver the copies of the code to the Municipality. The binders shall be similar to the high quality binders being supplied by the Publisher to its customers at the time. Tab dividers will be provided to separate major parts of the code.

Section 8. Code adoption.

The Publisher will submit to the Municipality and its Counsel the text of proposed legislation to adopt the code or establish the code as an official document.

- F. Upon request, the Publisher will compare copies of the code in the possession of the Municipality with the Publisher's master copy and make changes or corrections as necessary to the Municipality's copy to ensure that it matches the master and that supplemental pages have been properly inserted.

Section 10. Development of legislation.

In conjunction with the supplementation of the code, upon request from the Municipality, the Publisher will provide information and editorial assistance in connection with proposed code amendments and additions. The Publisher will consult with and assist the Municipality's Counsel or other departments of the Municipality in the comparison of proposed legislation with the existing code. Upon the request of the Municipality, the Publisher will supply sample legislation to the Municipality and its Counsel. The Publisher will also report to the Municipality on internal inconsistencies, organization, numbering system, style or format of the proposed legislation, pre-edit major new legislation prior to adoption and generally provide services to aid the orderly development and maintenance of a comprehensive and organized body of law.

Section 11. Responsibility of Publisher.

The Publisher shall be responsible for the correctness and accuracy of its work, based upon the materials and information supplied by the Municipality, as reflected in the published code or supplementation delivered to the Municipality. Regardless of the Municipality's acceptance of published materials when delivered, the Publisher shall correct errors, found either by the Municipality or the Publisher, when the succeeding supplementation is prepared. The Publisher's liability for all services shall extend only to the correcting of errors in the code or supplementation, not to any acts or occurrences as a result of such errors, and only so long as this contract is in effect.

Section 12. Responsibility of Municipality.

The Municipality shall be responsible for the correctness and accuracy of the information it supplies to the Publisher, for providing the Publisher with decisions and answers to questions and problems raised by the Publisher, for the inclusion of sufficient funds in the municipal budget to pay the Publisher for services, and for the prompt payment of invoices as provided herein. In order for the Publisher to adhere to production schedules and meet the delivery deadlines, it is necessary for the Municipality to communicate with and provide information to the Publisher without delay; in this regard, time is of the essence, and it is the responsibility of the Municipality to complete its work herein so as to avoid delay of the Publisher's work. The Municipality will be responsible for any additional labor materials or overhead costs incurred by the Publisher as a result of the Municipality's delay in performing its obligations.

Section 15. **Shipping and handling.**

The Publisher will deliver the code, supplementation and other services via USPS, UPS, motor freight, air freight or whichever method offers the most efficient delivery at the time. Delivery, handling, packaging, insurance and/or shipping charges will be prepaid by the Publisher and added to the invoice/voucher for services to be paid by the Municipality.

Section 16. **Cost and payment procedures.**

- A. **Cost.** For the original work -- the code, including editing, printing and binding as provided for above - (6).\$ _____. This sum is based on the publication of (5)._____ copies of the code in heavy-duty loose-leaf binders including custom tab dividers. This quotation provides for the following number of pages based on the format chosen by the Municipality:

<u>Format</u>	<u>Number of Pages</u>	<u>Excess Pages</u> <u>Cost Per Page</u>
Single column		
6 $\frac{1}{2}$ x 9 $\frac{1}{2}$	_____	\$ _____
8 $\frac{1}{2}$ x 11	_____	\$ _____
Double Column		
8 $\frac{1}{2}$ x 11	_____	\$ _____

Cost for supplementation services provided by the Publisher to the Municipality shall be at the standard rate being charged for those services by the Publisher at the time such services are rendered.

The Publisher will not charge for blank pages.

B. **Payment procedures.**

1. **Codification services.**

- a. The first part, consisting of thirty percent (30%) of the contract price, upon the date of execution of this contract.
- b. The second part, consisting of twenty percent (20%) of contract price, upon the date of delivery of the code work book and related documents to the Municipality.
- c. The third part, consisting of twenty percent (20%) of the contract price, two (2) months after delivery of the code work book and related documents to the Municipality.
- d. The fourth part, consisting of the remaining balance due under this contract, shall be paid upon delivery of the code books to the Municipality.

- E. **Editorial conferences.** At the request of the Municipality, the Publisher's representative will attend an editorial conference or conferences, at an additional charge of three hundred fifty dollars (\$350.00) plus expenses per conference.
- F. **Binders.** Changes in the binders involving cover material, seals, metals, colors or multiple colors, or other changes from the Publisher's standard binder can be made available, at the Municipality's request, at extra expense to the Municipality not exceeding the extra expense to the Publisher.

THE PUBLISHER HEREBY CERTIFIES that there is no intermediary involved between the parties and that there are no state or federal taxes included in any of the above charges.

THIS CONTRACT COMPRISES the entire contract between the Publisher and the Municipality regarding the Publisher's services for the effective period of this contract.

IN WITNESS WHEREOF, both the Publisher and the authorized representatives of the Municipality have hereunto set their official signatures, at which time this contract shall take full force and effect.

This Contract is herewith executed by the (1)._____, by its proper officers, this ____ day of _____, 19____.

(1)._____

(1)._____

Attest _____

By _____

Title _____

Title _____

This Contract is approved and executed by the officers of Sterling Codifiers, Inc. this ____ date of _____, 19____.

STERLING CODIFIERS, INC.

STERLING CODIFIERS, INC.

Attest _____
Corporate Secretary

President

2. **Supplementation and related services.** The costs shall be paid by the Municipality upon delivery of the services or supplementation pages and submission of an invoice/voucher by the Publisher.
- C. **Terms of payment.** All payments shall be made upon receipt of the invoice/voucher without discount nor the withholding of any portion of the amount for any reason. Interest, not to exceed that allowed by law, may be charged by the Publisher and shall be paid by the Municipality on any amounts not paid by the Municipality and sixty (60) days or more past due.

Section 17. **Extra value services.**

At the request of the Municipality, any of the following services, at additional charges, shall be performed by the Publisher:

- A. **Specially composed or duplicated matter in the code.** Inclusion of specially composed or duplicated matter in the code as published requiring other than straight-line cold-type composition, such as maps, charts, drawings, pictures, etc., shall be charged at a rate which shall not exceed the costs incurred by the Publisher in obtaining such necessary specially composed or duplicated matter.
- B. **Pamphlets.** The preparation of pamphlets containing portions of the code as published, such as the zoning title, etc., shall be billed at Publisher's prevailing rates. Advance cost quotations on such will be given upon request before printing, but firm orders for such must be received by the Publisher on or prior to the publication of the code. Any orders received for pamphlets after publication of the code will be subject to new cost quotations.
- C. **Additional volumes of the code.** The preparation of additional volumes of the code, beyond the quantity contracted for herein, may be ordered before publication of the code. Advance cost quotations on such will be given upon request before publication at the Publisher's prevailing rates, but firm orders for such must be received by the Publisher on or prior to the publishing of the code. Additional volumes desired after publication of the code shall be subject to new cost quotations.
- D. **Variations from standard methods and procedures.** Variations from the Publisher's standard methods and procedures, including systemization and stylization, desired by the Municipality, must be requested in writing specifying the exact nature of the desired variations. If possible, such variations will be adapted by the Publisher, with additional charges for such variations, where deemed applicable by the Publisher and approved by the Municipality, to be paid by the Municipality.

Section 13. **Municipal Council.**

In conjunction with the services rendered by the Publisher and the work of the Municipality and Publisher required under this contract, any and all questions requiring legal advice or opinions, analysis of legislation for legal sufficiency, interpretation of cases or statutes, etc., shall be directed by the Municipality and the Publisher to the Municipality's Council. In this regard, any and all information in the possession of the Publisher, including opinions, advice and recommendations reflecting the knowledge and experience of the Publisher, shall be made available to the Municipal Council upon request.

Section 14. **Performance schedules.**

- A. **Copies of legislation.** The Municipality shall furnish the Publisher with the copies of the materials to prepare the code within one month from the execution of this contract.
- B. **Submission of code work book, ordinance list and legislation resume.** The Publisher shall submit to the Municipality a code work book, ordinance list and legislation resume within six (6) months from the date of receipt by the Publisher of the materials from the Municipality.
- C. **Return of code work book.** The Municipality shall return the code work book with proper notations and authorizations within two (2) months from receipt of same.
- D. **Delivery of code.** The bound volumes of the code shall be delivered to the Municipality within four (4) months after the date of receipt by the Publisher, from the Municipality, of all necessary information needed in order for the Publisher to proceed with the publication of the code.
- E. **Production date deadline.** Being highly specialized and complex in nature, the methods and procedures of codification and the publication of a code necessitate the fixing of certain deadlines for the commencement of the composition and duplication portions of the work. Any readjustment of such deadline date, once fixed, results in inevitable and substantial cost increases for the Publisher. Therefore, the Municipality agrees to provide the Publisher with timely decisions, approvals, answers and other actions and materials as are required by the Publisher to meet schedules and deadlines.
- F. **Delays.** In the event of any unauthorized and/or unwarranted delays on the part of the Municipality, the Publisher may, after giving thirty (30) day's written notice thereof to the Municipality, proceed with the printing and delivery of the bound code volumes, using the code work book as developed by the Publisher, anything to the contrary notwithstanding. However, upon the mutual consent of the Publisher and the Municipality, schedules may be changed or extended.

INS COLLECTORS TEL NO.20 SEP 1991 5:31 PM 001 P.05

Section 9. **Supplementation.**

Upon publication, the code will contain the legislation in a specific system and style. In addition to the legislation, the code will contain material derived from the legislation but prepared by the Publisher, such as a table of contents, title, chapter and section schemes, footnotes, cross-references, general references, histories and an index, and may also contain certain other appendix and/or reference materials. The contents of the code, both textual and physical, are organized and numbered in such specific system and style to enhance the usability of the code and, through periodic and regular supplementation, to maintain the value of the code as a continually current statement of the legislation of the Municipality. In the performance of services under this section, the Publisher shall maintain the continuity of system, style, organization and numbering used throughout the code when preparing supplementation.

The code shall be maintained and updated using the following methods and procedures:

- A. The Municipality shall provide the Publisher with one copy of every piece of legislation in the form, language and format in which adopted and filed.
- B. The Publisher shall examine the legislation upon receipt to determine and extract therefrom the legislation that is to be included in the code via supplementation.
- C. The Publisher shall prepare supplementation on a regular schedule or on a schedule to be determined. The supplementation shall contain changes to the Code necessitated by the legislation, as well as changes to the table of contents, title, chapter and section schemes, footnotes, cross-references, general references, histories, index, appendix and other contents of the code as are necessary.
- D. In preparing supplementation, the Publisher's editors shall read and review the legislation, comparing it with the entire code, and note any conflicts, inconsistencies, errors and/or differences with the content, system and style of the code which they may find. If any legal issues are noted, the editors shall contact the Municipality's Counsel to resolve such problems before proceeding. Each page, as finally published, shall be checked to ensure that it accurately reflects the legislation as enacted by the governing body and maintains continuity and consistency within the code. A copy of each supplement shall be placed in the Publisher's master copy of the code and checked for consistency and continuity before the Publisher ships the supplements to the Municipality.
- E. The Publisher will publish (5) _____ copies of the supplementation pages, each with an instruction page, describing how the pages are to be inserted in the copies of the code.

legislation utilizing the Publisher's style manual and editing procedures. The organization of legislation, numbering of titles, chapters and sections, and style of layout shall be according to the Publisher's style manual, which shall be the determinant of the finished format of the code books. The code work book (proof copy) will show the codified and edited legislation of the Municipality in its current, amended form. It will be printed on 8 $\frac{1}{2}$ x 11 inch paper, one side only, with wide margins so that the Municipality may easily make changes, deletions, etc. to the document.

2. During the editing process, the Publisher will prepare:
 - a. A table of contents listing all titles and chapters included in the code.
 - b. Descriptive headings or catchlines for titles, chapters and sections.
 - c. Historical notations indicating the source and date of adoption of each enactment.
 - d. Cross-references and editor's notes as required keyed to the title, chapter and section numbering system for use in locating specific material and related material within the code.

D. Legislation Resume.

1. The Publisher's editorial staff will develop and prepare to be used in conjunction with the code work book a legislation resume. The resume will contain, to the extent deemed applicable by the Publisher, an assessment and detailed evaluation by the Publisher of each chapter of the code work book, including the opinion of the Publisher as to whether the legislation in the chapter so organized: is internally consistent; needs certain minor or major editorial changes; or accurately embodies the current practices and desires of the Municipality. The Publisher will provide to the Municipality's Counsel any information in its possession concerning changes in applicable statutes or case law which have occurred since the Municipality adopted the legislation.
2. The Publisher's assessment and evaluation shall be based upon its experience and upon information obtained in codifying other municipal legislation. Included will be recommendations as to the elimination of duplications, conflicts and inconsistencies. The Publisher will review with the Municipality's Counsel any recommendations to amend the legislation to conform to the actual conditions and practices in the Municipality. Also, the Publisher will review current fines, fees and penalties for consistency and compare them with similar legislation adopted by other municipalities.

COPY

PROFESSIONAL SERVICES CONTRACT

between

STERLING CODIFIERS, INC.

and the

(1). _____

Section 1. General provisions.

This contract provides for the performance and delivery by Sterling Codifiers, Inc., in return for the consideration stated herein, of the specialized professional services of collection, organization, classification, analysis, editing, proofreading, publication and supplementation of the legislation of the (2). _____, having been entered into between the (1). _____ in the County of (3). _____, State of (4). _____, hereinafter termed "Municipality", and Sterling Codifiers, Inc., whose principal office is located at Weiser, in the County of Washington, State of Idaho, hereinafter termed "Publisher".

Section 2. Subject matter.

The legislation to be codified shall mean the body of administrative and regulatory ordinances and/or local laws of the Municipality that are general and permanent, in existence and in full force and effect, excluding the texts of standard codes adopted by reference (such as, but not limited to, building, housing or fire prevention codes recommended by ICBO, BOCA, State codes or regulations, etc.). The published code will include legislation adopted by the Municipality up to the time of completion of the editorial procedures described in Sections 5A through 5E of this contract.

Section 3. Specialized nature of work.

The Publisher shall codify the legislation of the Municipality through the specialized processes of collection, classification, editing, proofreading, printing and binding of the legislation as printed. Upon completion of the codification processes, the legislation as codified shall be termed the code and the Publisher shall maintain the code in the future, all of the preceding to be performed in accordance with the Publisher's methods, procedures and style described more fully herein.

Section 4. Definitions.

Certain words and phrases as used herein, being of a specialized, technical or trade nature, shall have the following meanings:

FISCAL IMPACT

Over the past several months, staff has contacted various vendors and obtained proposals on the codification. Those proposals are attached to this staff report, along with an analysis showing the costs associated with the project. In addition, copies of sample codes have been provided and are available should the Council wish to see examples of the vendors' products.

In order to compare apples to apples, staff assumed a project involving 50 copies of the initial code. The code would consist of 300 pages, including 10 diagrams and/or maps. Using these assumptions, staff developed the attached analysis of the proposals. It appears that Sterling Codifiers has presented the lowest bid for the best product.

The City has budgeted \$7,000 in various funds to complete the codification. The low bid from Sterling Codifiers is \$6,850. Therefore, the initial outlay necessary will meet the budgeted amount. Please note that because the exact size of the code will not be known until the legal analysis and review is completed and the code is formatted, it is impossible to give an exact price at this time.

The following is additional information that should be considered in the City Council's deliberation.

Software Program - There is a computer program offered by Sterling Codifiers by name of PC/Codebook Software for an additional \$2,000. This software will allow staff to place the code on the network and use it for daily work, searching key words, drafting ordinances, writing correspondence, etc. Since the additional \$2,000 would run over the current budget, staff is suggesting that this expense may be considered for the next budget year.

Supplement Service - In addition to the initial outlay for the code is the future expense of supplement service. This service is offered by all of the vendors, however, Sterling Codifiers offers the supplement service at the lowest estimated cost. The actual cost will depend on the market at the time the supplements are actually done. Staff has estimated that future supplement service will be an added expense of approximately \$300 to \$400 annually, depending on the number of pages revised each year. Included with Sterling Codifiers' supplement service is the same legal review and analysis of new ordinances against State statutes, Federal laws and the existing code as is done with the initial codification. This service is either not provided or would be an extra charge with the other vendors.

RECOMMENDATION

Staff recommends award of the codification project to Sterling Codifiers at an estimated initial cost of \$6,850. Should it appear that the project will run over the budgeted amount, staff will return to the Council for further consideration.

Attachments: Analysis
 Proposals from:
 Sterling Codifiers
 Book Publishing Company
 Municipal Code Corporation
 League of Oregon Cities

STERLING CODIFIERS, INC.

(800) 338-7458
(208) 549-2830
FAX: (208) 549-1515

35 West Commercial, P.O. Box 711, Weiser, ID 83672

August 15, 1991

Susan Blas Darby, City Recorder
CITY OF KEIZER
PO Box 2100
Keizer, OR 97307-1000

Dear Ms. Darby:

Pursuant to your request, this is to advise that Sterling Codifiers is very interested in performing ordinance codification services for the City of Keizer.

We appreciate your sending us copies of your ordinances, and have determined that you have 91 regular ordinances containing approximately 616 pages, and 167 special ordinances dealing with Zone Changes, Local Improvement Assessments, Bond Issues, and Liens Against Property, generally not included in a codification project. In our proposal, we have taken into account that your ordinances only date back to 1983, thus making your project less time consuming than other projects with legislation from twenty, forty, sixty and more years.

Sterling Codifiers, now one of the major codification firms in the United States, prepared its first code in 1954 and presently serves over four hundred fifty accounts in eighteen states. We have always been based in Weiser, Idaho and have a staff of twenty five who are experts in municipal ordinance codification.

Sterling's success is based upon its policy to provide its clients with the best service in the industry and a code that is an invaluable tool in the effective administration of governmental affairs. Our approach is unique in that we look to the individual needs of each client, and know that accuracy of content, organization and timely amendments are the keys to providing a trustworthy code. Sterling is committed to quality service to its client.

With Sterling's service you will find:

1. The Sterling staff looks at each client individually. We do not "can" the code to fit a certain alphabetical organizational pattern that is hard to use. We check to see what provisions each department is responsible for and to organize so that not only can each department head and staff member have ease of access to particular provisions, but concerned citizens can find ANY provision quickly. Sterling realizes that through a well organized and accurate municipal code, the municipal official and employee can professionally present themselves to their citizenry.



The mark of quality and service in ordinance codification

**PROPOSAL
FOR THE
CODIFICATION OF ORDINANCES
OF THE
CITY OF KEIZER, OREGON**

STERLING CODIFIERS, INC. hereby proposes to perform the following services.

- I. LEGAL AND EDITORIAL SERVICES.** Sterling Codifiers, through its legal and editorial staff which is well versed in all aspects of ordinance codification, will review and analyze the ordinances of the City, and proceed as follows:
- A.** After review of the ordinances of the City and with communication with City officials, Sterling will draft a proposed table of contents for the organization of the legislation of the City.
 - B.** Sterling will review each of the ordinances of the City and prepare a report which sets out:
 - Findings with regard to conflicting provisions, provisions that duplicate themselves in the ordinances, any obsolete provisions and vague and overbroad wording and phraseology.
 - Comparisons with current state law and court decisions.
 - Suggestion of new materials needed that may not have been covered by present legislation or that are more comprehensive than present legislation.
 - A legal overview that points out the extent to which the City is liable for the enforcement of its legislation and whether or not the City has the personnel to provide such enforcement.
 - All areas of the ordinances that would pose a possible problem to the City.
- Through this analysis and review, our legal and editorial staff will be in constant communication with the City Attorney and other officers of the City to clarify questions that arise during this time to expedite the codification process. This gives us a chance to know your community and municipal personnel better and provides you with the knowledge of what is required of municipal officials and personnel during the project. It also eliminates the scenario where you wonder what we are doing on your project and then being "surprised" when we deliver the draft and report.
- C.** Along with the above report, and through communication with City staff, Sterling will prepare the ordinances in the format and organization agreed upon and present the current law of the City, as affected by amending and repealing ordinances, organized so that like subject matters are grouped

Preparation of analysis and review report and initial draft	5 months
Review by City	2 months
Make changes, index, print and deliver final code books	4 months

VI. COSTS. Fees for the services outlined in this proposal and for providing forty (40) copies of the code, with binders and tab separators generally in use by Sterling Codifiers and acceptable to the City, are as follows:

- A. Editorial services and completion of code, Parts I and II of this Proposal \$8,200.00

This price is based on the estimate that there will be 400 pages in the finished code. Any difference in this estimate, plus or minus, will be computed at a per page rate of \$18 per page.

- B. Supplement service, Part III, at the current rate then set by Sterling. Sterling's current rate is \$16 per page for single-column format and \$20 per page for double-column format.
- C. Reprints, additional copies and PC/CODEBOOK are dependent on particular factors that will be determined once the size of the project is determined, and will be quoted at that time.
- D. All shipping charges will be paid by Sterling and invoiced to the municipality.

Payment schedules can be tailored to meet the needs of the City.

These fees are effective to the City for a period of ninety (90) days from date of this Proposal.

VII. WHY CHOOSE STERLING? Sterling Codifiers exemplifies its name "Sterling"--honorable, lawless, noble and pure. We give the best service in the codification industry by listening to the needs and problems of our clients, by being innovative with our organization and procedures, and by being thorough through all parts of our service.

STERLING CODIFIERS, INC. herewith submits this Proposal to the City of Keizer, Oregon on this the 15th day of August, 1991.

STERLING CODIFIERS, INC.

By Bobbi Sweet
Bobbi Sweet
Vice-President

Features

Quick Access

The program gives you total access to all of the Code's text, either by using the electronic index or the "table of contents" menuing system. A single key brings up a list of schedules and tables from which to choose.

Electronic Indexing

The electronic index represents a dramatic breakthrough in access speed and versatility. For example, if you are searching for "residential zones," you will also find "zoning for residences." The index understands word derivation, relieving you of the necessity of providing variations of word form or order.

Use of the Text

You can copy, edit or export any of the text for use in reports, correspondence or draft legislation. You cannot inadvertently destroy or alter the text of your Code from within the program.

Clipboard

You can use text from many different parts of the Code by transferring those portions to a built-in clipboard, containing a simple but powerful word processing program, which allows you to include the text in reports and correspondence without having to leave the program.

For Further Information, Contact:

STERLING
CODIFIERS,
INC.

35 West Commercial, P.O. Box 711, Welser, ID 83672

Bookmarks

You can place up to 9 bookmarks in the text which can be used like customized tabs for ready reference. Additionally, the program will automatically save your place if you "jump" over to a referenced table, word or section, so that you can "jump" back again quickly.

Cross References

By placing the cursor on an article or section number referenced in the text and then pressing a key, the referenced article or section is displayed on the screen. A single keystroke will redisplay the previous text.

Customization

Facets of the program's operation, such as colors, sounds and output, can be configured by the user to suit individual needs and requirements.

Hardware Compatibility

PC/CODEBOOK runs on IBM PC, XT, AT, PS/2, or compatibles. MS-DOS or PC-DOS operating system, 2.0 or higher, is required with a minimum of 448K free memory. The program supports any monitor and printer compatible with your computer. A hard disk drive is recommended. Distribution is available on 5 1/4" or 3 1/2" diskettes. Installation is automatic, hardware sensing, and requires only 10 keystrokes: "a:install < ENTER >".

(800) 338-7458
(208) 549-2830
FAX: (208) 549-1515



December 20, 1990

Book Publishing
Company

*Publisher of Books and
Codes for Government
and the Legal Profession.*

Ms. Susan B. Darby
Keizer City Recorder
P.O. Box 21000
Keizer, OR 97307-1000

Dear Ms. Darby:

We are pleased to present the enclosed contract which explains our services in detail.

PROJECT SCHEDULE:

A typical production schedule is enclosed for your review.

PAYMENT PROVISIONS:

The payment provisions for this codification contract call for a \$1000 down payment. A \$1000 progress payment is due after the legal analysis is completed. The balance is due when the code is delivered to the city. We can adjust our payment provisions to meet your special needs.

LEGAL ANALYSIS:

When we prepare the legal analysis of your code and ordinances:

1. We examine all ordinances or resolutions and check them with applicable state statutes.
2. We check decisions of the Supreme Court of the State which specifically involve your ordinances.
3. We note United States Supreme Court decisions affecting or bearing on the validity of your ordinances. And we give a brief digest of the holding of the court.
4. We point out conflicts and inconsistencies to your municipal attorney.
5. We footnote references to the applicable state law below appropriate sections of the proposed code structural plan.
6. We also inform you of all outmoded ordinances and all apparently conflicting provisions of ordinances where reconciliation, repeal or other legislation appears desirable.

201 Westlake Avenue North
Seattle, WA 98109-5293
Telephone (206) 343-5700
1-800-537-7331

Book Publishing Company can offer you all of the above. We can arrange a mutually satisfactory publishing arrangement. You can trust us to honor all of our commitments and to produce codes you can be proud of.

Sincerely,



Gregory Dudiak
Codification Consultant

sdf/keizer64.dgd

Enclosures

PRODUCTION SCHEDULE

This schedule applies to any page style.

<u>Function</u>	<u>Time</u>
Ordinance Analysis & Report	3 months
City Review	at city's convenience
Editorial Conference	at city's convenience
City Amendatory Action	at city's convenience
Manuscript Preparation	
Manuscript Editing	2 months
Typesetting/Proofreading	2 months
Indexing	1 month
Printing/Binding	1 month
TOTAL	9 months

**PROPOSAL FOR
CODIFICATION SERVICES
FOR THE CITY
OF
KEIZER, OREGON**

December 20, 1990



BOOK PUBLISHING COMPANY

**201 Westlake Avenue North
Seattle, Washington 98109**

5. **MAP, DIAGRAM OR TABULAR PAGES.**

5.1. There will be an extra charge for each map, diagram or tabular page of: \$15.00

5.2. This charge applies to the basic code and to future supplements

6. **FREIGHT CHARGES.** F.O.B. Seattle.

7. **SALES TAX.** If a sales tax is applicable to this work, the amount of such tax will be added to the costs quoted in this contract.

8. **PAYMENT SCHEDULE.**

8.1. On signing of the contract, one thousand dollars (\$1000.00) is due for payment.

8.2. An additional one thousand dollars (\$1000.00) is due when the Ordinance Analysis and Report is submitted to the municipal attorney.

8.3. The balance of the total cost of the code is due on delivery of the code books to the Municipality.

8.4. By written agreement signed by the Company and the Municipality, the payment schedule may be extended over a longer period. Balances due later than 60 days after delivery of the code books are subject to a late charge. A late charge of 1% per month may be imposed on all past due amounts.

9. **WORKING COPIES OF ORDINANCES.** The Municipality will supply to the Company two legible working copies of each ordinance. If working copies are not available, the Municipality will make the ordinances available for duplicating. The Company will make duplicates of the ordinances necessary to the code and will charge the Municipality the Company's cost of having the ordinances duplicated.

10. **TIME FOR COMPLETION.**

10.1. Time is of the essence. It is the intention of the Company, with the cooperation of the Municipality, to deliver the completed codes to the Municipality within one year of the receipt of codification material from the Municipality.

12. EDITORIAL CONFERENCE.

- 12.1. Immediately after receipt of the Ordinance Analysis and Report, an editorial conference will be scheduled with the municipal attorney or authorized municipal representative and Company representative. The conference will be held at a time mutually satisfactory to both the Company and the Municipality after the municipal attorney has had an opportunity to review the Ordinance Analysis and Report. During this conference, the Company representative and the Municipality will review the code structure analysis prepared by the Company in order to determine necessary changes in the Municipality's laws.
 - 12.2. Upon completion of the editorial conference, the Company will submit to the Municipality a memorandum outlining the substantive, editorial and organizational changes agreed upon at the conference.
 - 12.3. Upon completion of the editorial conference, the municipal attorney will draft and recommend for enactment all amendments, repeals and new ordinances.
13. CODE EDITING. It will be the responsibility of the Company to prepare the code manuscript for typesetting and printing by:
- 13.1. Dividing each ordinance to be included in the code into short sections, so that each section will contain only one provision of law pertaining to only one subject, to the extent reasonably possible.
 - 13.2. Technical codes which have been adopted by reference--e.g., building, plumbing, electrical, and similar technical codes--will be excluded from the municipal code unless the Municipality's representative directs the Company to include such technical codes. Ordinances adopting such technical codes by reference shall be included and classified in appropriate sections of the municipal code.
 - 13.3. A table showing the disposition of each municipal ordinance will be prepared and included in the code volume.
 - 13.4. Catchlines for each individual section of the code will be inserted at the beginning of each section.

16.3. All labor and materials for the completed code will be furnished by the Company.

17. **PERSONNEL.** Only experienced and qualified personnel will be employed in all editorial and codification work. The Customer Relations Representative will consult the Municipality when necessary and will keep the Municipality informed of the progress of all codification work.

18. **SALE OF CODES.** The Municipality has exclusive rights to sell copies of the completed codes and looseleaf supplement material.

19. **SUPPLEMENT SERVICE.**

19.1. Ordinances adopted by the Municipality are to be forwarded as they are enacted. Book Publishing Company will edit such ordinances, appending appropriate headnotes, catchlines, cross references and explanatory notes, and reprint the page or pages of the code amended, removing the provisions superseded by the amendment and inserting the new provisions. The pages in the comprehensive index which are affected by the amendment will also be revised to take account of changes and new provisions, and will be reprinted.

19.2. Copies of the supplement pages for each code book, together with insertion guides containing full instructions for insertion of all supplemental material and revised index pages, will be supplied to the Municipality.

19.3. Supplements will be in the style and format of the original codification.

19.4. Supplements will be published as often as requested.

Supplement intervals may be changed at any time at the request of the Municipality.

19.5. The cost for Supplementation services provided shall be at the standard rate being charged for those services by the Company at the time such services are rendered.

23. DURATION OF QUOTATION.

This quotation and agreement constitutes a bid by Book Publishing Company, a Washington corporation, for the performance of the codification services described for the Municipality. If this quotation and agreement is executed by the Municipality within 90 days of the date hereof, it shall be a binding contract between the Company and the Municipality.

Bid submitted December 20, 1990

Book Publishing Company
A corporation

By Mary J Helmer,
Vice President & General Manager

and

David J. Helmer,
Secretary

Accepted:

Date _____

MUNICIPALITY OF KEIZER, OREGON

By _____

2.32.010 Term.

The city treasurer shall be elected for a four-year term at the same time the mayor is elected. If a vacancy occurs in the office of city treasurer it shall be filled by the mayor with the advice and consent of the city council, the person so appointed to hold office for the unexpired term of the officer elected. He shall receive such compensation as is set from time to time by ordinance of the city council; provided however, the compensation may not be changed during his term of office. (Ord. 12 § 1, 1959)

2.32.020 Bond.

The city treasurer shall give a bond in such sum as may be required by the council, but the bond shall not be less than the amount required by statute. The bond shall be conditioned upon the faithful performance by the treasurer of the duties of this office, and to indemnify the city for any loss due to any neglect of duty or wrongful act on the part of the treasurer. (Ord. 12 § 2, 1959)

2.32.030 Duties generally.

A. The city treasurer shall receive all money paid into the city, either directly from the person paying it, or from the hands of such other officer as may receive it.

B. He shall keep records showing all money received by him, the source from which it was received, and the purpose for which it was paid out.

C. He shall keep a separate account of each fund or appropriation, and the debts and credits belonging thereto.

D. He shall pay out money only on vouchers or orders properly signed by the

city clerk and the mayor. (Ord. 12 § 3, 1959)

2.32.040 Receipts and warrants.

A. The city treasurer shall receive and safely keep all money which comes into his or her hands as treasurer, for all of which he or she shall execute triplicate receipts, one to be filed with the city clerk. He or she shall receive all money due the city and disburse it on warrants issued by the clerk, countersigned by the mayor, unless the clerk, mayor pro-tem or mayor is ill, on vacation or deceased, then the deputy clerk shall sign in the absent official's stead, and not otherwise. He or she shall deliver to the clerk the duplicate receipts for all money received and all cancelled warrants as evidence of money paid.

B. The treasurer shall sign all treasurer's checks unless ill, on vacation or deceased, then the city clerk shall sign in the absent treasurer's stead. (Ord. 12 § 4, 1959)

2.32.050 Bank accounts.

The city treasurer shall be responsible for setting up all bank accounts for the city, shall make all monetary deposits at the banks and savings and loan associations and shall keep the books and records of each and every monetary transaction dealing in the funds of the city. (Ord. 12 § 5, 1959)

2.32.060 Annual budget.

The city treasurer shall also assist in the preparation of the annual budget and shall submit to the mayor an itemization of all receipted revenue for the preceding year and, in order to comply therewith,

2.32.010 Term. The city treasurer shall be elected for a four-year term at the same time the mayor is elected. If a vacancy occurs in the office of city treasurer it shall be filled by the mayor with the advice and consent of the city council, the person so appointed to hold office for the unexpired term of the officer elected. He shall receive such compensation as is set from time to time by ordinance of the city council; provided however, the compensation may not be changed during his term of office. (Ord. 12 §1, 1959)

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2.32.050 Bank accounts. The city treasurer shall be responsible for setting up all bank accounts for the city, shall make all monetary deposits at the banks and savings and loan associations and shall keep the books and records

19.6. The supplement service may be terminated by written notice of cancellation received not less than 60 days prior to the editorial cutoff date for any one supplement.

20. ASSIGNATION, INTEGRATION AND MODIFICATION.

When executed by both the Company and the Municipality, this agreement constitutes the entire agreement between the parties. There are no other agreements or representations not set forth in this agreement. This agreement incorporates all prior negotiations, agreements and representations. This agreement shall be binding upon and inure to the benefit of the parties and their respective successors and assigns. This agreement may not be modified except in writing, signed by the Company and the Municipality.

21. LAWS OF WASHINGTON TO GOVERN.

This agreement shall be governed by and construed in accordance with the laws of the State of Washington.

22. WAIVER.

The waiver by any party of a breach of any provision of this agreement or the failure by any party to claim a breach of any provision of this agreement shall not constitute a waiver of any subsequent breach, or change the effect of or make that provision thereafter unenforceable in any way.

- 13.5. A table of contents for each chapter will be prepared consisting of numerical listings of the catchlines of the individual sections in each particular chapter. A table of contents for each title will be prepared consisting of numerical listings of the chapters in each particular title.
- 13.6. An historical citation showing its legislative history and derivation will be prepared for each section of the code.
- 13.7. Only the substantive provisions of each ordinance will be codified; provisions such as the title, ordaining clause and attestation clause of each ordinance being omitted to the extent permitted by law.
- 13.8. Where necessary, the language of existing ordinances will be edited, by revising into concise, modern and proper language to delete apparent conflicts, ambiguities and repetitious provisions. All substantive changes will be submitted to the municipal attorney for approval.
14. **INDEXING.** A complete and comprehensive index, covering each section of the code will be prepared and included in the code volume. The index will use detailed cross-referencing.
15. **WARRANTY.** The Company warrants only that the code will contain all of the currently effective ordinances provided to the Company by the Municipality as revised and amended according to instructions from the Municipality's Representative.
16. **PRINTING.**
- 16.1. Upon completion of the editorial and indexing work, the code will be reproduced in one of Book Publishing Company's attached page styles.
- 16.2. The code is to be printed on:
- [] one side of the sheet
 - [] both sides of the sheet.
- The choice is usually based on the probable size of the code to result in a single volume of convenient size.

- 10.2. Should delivery be delayed because of the Municipality's delay in performing its duties according to this contract, the Company shall have the right to increase the final cost of the code to compensate for any increase in labor, materials or overhead costs.
11. **ORDINANCE ANALYSIS AND REPORT.** The Company will, under the supervision of the municipal attorney, prepare an Ordinance Analysis and Report upon receipt from the Municipality of the material to be included in the codification. In preparing this report, the Company will:
 - 11.1. Compile and edit the charter by inserting into their proper places all amendments. The ordinances will be checked against the charter and any apparent conflicts or inconsistencies will be called to the attention of the municipal attorney.
 - 11.2. Examine all existing ordinances of a general and permanent nature or imposing a fine, penalty or forfeiture. The Company will separate and arrange such ordinances logically according to subject in numbered titles (first division) and chapters (second division). Each division will contain provisions similarly related and complete within themselves.
 - 11.3. Examine the Municipality's provisions for apparent improprieties and conflicts. Where conflicts, inconsistencies or ambiguities are apparent to the Company, they will be brought to the attention of the Municipality's representative for consideration. Such examination shall be performed with the approval of, and in cooperation with, the municipal attorney.
 - 11.4. Formulate, draft and recommend a title and chapter outline of a proposed code structure and furnish to the Municipality's representative a copy of the outlined proposed code structure and classification of existing ordinances (Ordinance Analysis and Report). Such proposed structure and classification of ordinances will not be adopted until they have been approved by the Municipality's representative.
 - 11.5. Upon receipt of the Ordinance Analysis and Report, the municipal attorney will review the Report and recommend appropriate action on all items contained within the Report. The municipal attorney shall make all legal decisions.

PROPOSAL FOR THE CODIFICATION OF THE CODE OF ORDINANCES FOR KEIZER, OREGON. PUBLICATION OF TWENTY-FIVE (25) COPIES OF THE CODE PLUS SUPPLEMENTATION SERVICE.

1. **PARTIES.** The parties to this contract are Keizer, Oregon, (hereinafter Municipality) and Book Publishing Company (hereinafter Company or BPC).
2. **GENERAL TERMS.** It is the general intention of the parties that this contract provide for the codification and publication of the code of ordinances of the Municipality. This contract covers the editorial work, indexing, and publication of 25 copies of the code in BPC 8½" x 11" multilith or two-column composer format. Sample pages showing the styles of printing are attached to the back of this proposal.
3. **CHARGE FOR EDITORIAL AND PRINTING SERVICES.**
 - [] 3.1. Base charge for 100-page multilith code: . \$2700.00
 - [] 3.2. Charge for more than 100 pages, per page: . . \$25.00
 - [] 3.3. Base charge for 100-page two-column code: . \$3000.00
 - 3.4. Charge for more than 100 pages, per page: . . \$28.00
 - 3.5. Partial pages will be charged as full pages
 - 3.6. No charge for blank pages.
4. **BINDERS.**
 - 4.1. Standard BPC mechanical looseleaf binders:
 - 10 - 24 binders, per binder \$21.00
 - 25 - 99 binders, per binder \$18.00
 - over 99 binders, per binder \$16.00An appropriate title, approved by the Municipality, shall be imprinted on each binder.
 - 4.2. At an additional cost, the Municipality can select an alternate binder.

ABOUT BOOK PUBLISHING COMPANY

If the job is done properly, the presence of the publisher will, essentially, go unnoticed. If done improperly--particularly in the highly-specialized editing phase--every user of the code will be painfully aware of the publisher.

For almost 40 years, Book Publishing Company has been setting the standard in the legal codification industry. Over the years we have developed an approach to codification which, we believe, sets us apart from our competitors and allows us to offer our broad range of customers far more than a simple compilation service. We are confident that our codification philosophy and systematic approach offer our customers a specialized and invaluable service.

At BPC, our team of full-time attorneys, skilled editors, proofreaders and index analysts endeavors to bring the highest possible level of organization to the codification process. We strive to assist our customers in developing a system of organization which is logical and consistent in its layout.

Our production staff is proud of its versatility and adaptability. We work with over 1000 customers across the nation who rely on us for our personalized service. Our reputation has been built upon the meticulousness of our editors. They work hard to bring to the customers' attention such problems as internal inconsistencies, misnumbering of amended code sections and, all too frequently today, the technical problems so often generated and so easily overlooked in word-processed material. Our proofreaders' attention to detail ensures consistency of style and guarantees the highest level of production. Our index analysts produce an easy-to-use yet thorough index which follows the organization of the codification text.

We recognize the fact that every municipality has a unique set of circumstances, characteristics and legislative factors to consider. At BPC we take the extra care to customize each code to meet the special needs of each community.

Our Customer Relations Department stays in frequent contact with our clients to keep them informed of due dates, delivery schedules and special orders. BPC's customers know they can trust our experience, integrity and the professional quality of all phases of our codification services.

BPC uses state-of-the-art computerized publishing and typesetting equipment. We store each new code on magnetic media for easy retrieval and faster supplement service. This equipment also makes it possible to offer a variety of page sizes and styles to suit our customers' needs.

The charge for preparation of a comprehensive legal analysis of your code and ordinances, and the cost to include statutory cross-references in the code are included in our base charge.

Our personnel are the most important element in our success. Our attorneys are specialists in municipal and county law. Because of their experience and efforts, we have developed procedures which take the hassle out of codification.

CODE INDEXES:

Our indexes are prepared to guide readers accurately to the information they seek. Our indexes are specifically designed to remain accurate after the code is supplemented, with a minimum number of pages needing printing. Our staff of professional indexers includes members of the American Society of Indexers.

When we prepare a new index, we use:

1. The terminology of the city's ordinances.
2. Common synonyms that we have developed in almost 40 years' experience.
3. Local terminology or "buzz words" used by the city.

Open lines of communication are essential in an undertaking such as this. We maintain close contact with the city to keep you alert as to our progress and also to answer questions. We are happy to modify our procedures and styles to meet your special requirements.

BINDERS:

Our proposal offers a standard, 8 1/2" x 11" three-post binder. These binders are designed to expand as your code expands. They are available in a variety of capacities. They are offered in the following colors: maroon, red, navy blue, royal blue, light blue, dark green, black and dark brown. The city seal or logo can also be imprinted on the front of the cover at a slight additional charge. Alternate styles of binders are available upon request.

SUPPLEMENTS:

We can provide supplements to the Keizer Code on any schedule. There is no difference in costs to the city for providing supplements every six months vs. every three months. The annual cost of supplements depends upon the number of changes to your code. Two supplements of 50 pages each cost the same as four supplements of 25 pages each. As a general rule, a city changes 10% to 15% of their code per year. It has been our experience that cities do not change the same section of text or index more than once a year.

I believe your goal is to provide the city and general public with a reliable code. You also want to work with an experienced code publisher who has a demonstrated history of providing code and supplement service to a large group of satisfied clients. Finally, I believe you want a low-risk arrangement. The quality of the service will reflect on your office.

STERLING CODIFIERS, INC.

PC/CODEBOOK

**Personal Computer Program to
Maximize Use of Your Municipal Code**

Sterling Codifiers is pleased to announce the development of a new product which allows municipalities to utilize the speed and power of the computer to quickly and easily find and reference information in your Code of ordinances and local laws.

PC/CODEBOOK is a computerized version of your printed Code which can be installed on IBM PC's and compatibles. PC/CODEBOOK software allows you to: instantly display information on-screen; quickly print sections or chapters of interest; draft new legislation using the program's text editing capabilities; and search for sections that contain a particular word or phrase.

Sterling Codifiers can take any existing Code (no matter who printed it) and produce a PC/CODEBOOK version of that Code. As the printed Code is supplemented, the PC/CODEBOOK version of the Code can also be easily updated by Sterling Codifiers.

How PC/CODEBOOK can help you:

Municipal Managers, Administrators and Clerks — PC/CODEBOOK software permits you to access and copy the Code's text. You can search for specific information and related provisions and immediately print the section or chapter. The process of reviewing pertinent sections of the Code for updating is greatly improved. Networking allows many users to view, utilize and share information from the Code. Up-to-date, on-screen information is available at your fingertips, and copies can be made available in an electronic form.

Attorneys — PC/CODEBOOK's unique and powerful searching/indexing/editing technology improves the process of legal review and research and the drafting of amendments and new legislation. Drafting is made easy by using the text-editing capabilities within PC/CODEBOOK or by exporting the text to your word processor.

Governing Bodies — Information can be quickly obtained in much the same way as any reference book is used, but with many advantages not available in a printed version. A unique indexing system instantaneously searches for data and rapidly provides access to textual material. The ease with which provisions of the Code can be accessed make the program a valuable reference tool.

Enforcement Personnel — PC/CODEBOOK provides instant access to information. It is a quick and easy-to-use desktop reference. Your police, zoning and building officials, and other Code enforcement personnel will find it helpful in researching regulations, providing assistance in issuing permits, reviewing plans, writing reports and notices, drafting letters and referencing pertinent data.

The General Public — Legislation which affects and governs the public can be made available anywhere there are publicly accessible computers. This would include your municipal offices or libraries. Copies of the PC/CODEBOOK version of your Code can be sold to individuals for use on their own computers on a subscription basis.

together and chapters and sections numbered in order to direct the reader more quickly in desired materials. The City will, in this way, be able to see their code as it will appear in final form.

The City will then have a chance to review the documents, make all necessary changes and return same to Sterling.

II. COMPLETION OF CODE. After final review by the City, Sterling Codifiers, Inc. will:

- Make the changes to the draft, as directed by the City, complete all tables and cross references.
- Prepare a comprehensive index to the code, setting out in easy-to-read language key words to direct the reader to the desired subject matter.
- Print and deliver to the City forty (40) copies of the final code on high quality book paper, each copy of the code to be furnished with a hard cover binder with metal rings, imprinted per the City's instructions. Each copy will also be provided with tab separators.

III. SUPPLEMENT SERVICE. Supplement service to the new code will be constantly maintained. Upon receipt of amending ordinances, Sterling will analyze the ordinances to be sure that there are no discrepancies or conflicts with current state law and other parts of the code not addressed by the amending legislation, amend the code, make all changes to table of contents and index pages and forward the proper number of supplement sets to the City. The City may choose the frequency of supplementation at no additional cost.

The Sterling legal and editorial staff will be available to the City for help in drafting new legislation or in providing sample legislation as requested during the initial project and continuously through supplement service.

IV. ADDITIONAL SERVICES.

- A. *Special reprints.* Reprints of any part of the code can be prepared at the time the code is originally printed, or at any time thereafter. These are done in booklet format for distribution to the public or for use by specific municipal departments.
- B. *Additional volumes of the code.* The preparation of additional volumes of the code, beyond the quantity provided for herein, may be ordered before publication or at any time thereafter.
- C. *PC/CODEBOOK.* Sterling now has available a software program whereby a municipal code can be available to the City on any IBM compatible computer. This program enables the City to immediately key in amendments, to search and review single or multiple words and phrases, to cross reference and other features that provide quick access to the municipal code.

V. TIME FRAME. Upon acceptance of this proposal, Sterling will adhere to the following time frames:

Preparation of suggested organization

30 days

August 15, 1991
Keiser, OR

Page 2

2. The Sterling staff will provide you with accurate, timely and friendly service. We don't have to make excuses because of "temporary" help or failure to meet deadlines. Sterling demands exacting competence and timeliness of every staff member.

For excellence in codification services, STERLING is the answer.

Yours truly,

STERLING CODIFIERS, INC.

Bobbi Sweet

Bobbi Sweet
Vice President

BS/pp
Encs.

**Municipal
Code
Corporation**

July 2, 1991

Ms. Susan Biasi Darby
City Recorder

P. O. Box 21000

Keizer, Oregon 97307-1000

RECEIVED

JUL 13 1991

Dear Ms. Darby:

Thank you for sending us copies of the ordinances of the City of Keizer. After a review of the material, we are pleased to enclose our updated professional services proposal for consideration.

MCC QUALIFICATIONS

The attachment to the enclosed proposal denotes MCC's experience and expertise as the Nation's leading codifier. MCC employs fourteen attorneys, full-time. Each one is thoroughly experienced in codification work and renders the very best services available.

PUBLICATION

The following outlines the phases involved in the publication project:

Editing. The ordinances would be classified by subject matter with appropriate catchlines appended to each section. History notes would follow each section designating the source. Internal references would also be prepared to tie related sections and chapters of the Code together. Chapters would be reserved in contemplation of future legislation to be enacted by the City.

Indexing/Tables. Indexing is performed by specialists, who devote full-time to indexing our Codes and Supplements, assisted by special computer software. A Comparative Table is included to assist in locating the ordinances set out in the Code. A Statutory Reference Table will also be prepared, if desired, listing by statutory citation all sections carrying a reference.

Typesetting, Printing and Binding. The format of the page is designed to accommodate the maximum amount of material. The type is easy-to-read and includes special typefaces such as boldface and italics to provide eye appeal and readability. All Codes reflect the professional quality of a legal publication. The entire looseleaf volume is designed for future expansion and supplementation on a page-for-page basis.

Our three-post looseleaf binder opens easily for insertion of the supplement pages and provides minimum wear and tear on the pages during use. Chapter divider tabs would be furnished for all bound volumes to facilitate location of desired material.

Post Office Box 2235

600 Capital Circle, S.W.

Tallahassee, FL 32316

(904) 576-3171

1-800-262-CODE (National)

1-800-342-CODE (Florida)

Ms. Susan Biasi Darby
July 2, 1991
Page 3

THE END RESULT

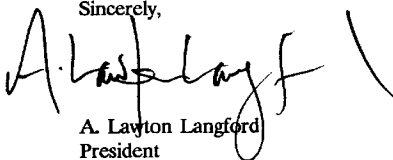
A Code of Ordinances tailored to meet your specific requirements for today and designed for expansion to meet the needs of tomorrow.

Under separate cover we are forwarding you a copy of the new Sterling, Colorado Code, which reflects our extensive reference system, index, 8-1/2 x 11 double column format, expandable binder and mylar divider tabs. We are also returning the City's ordinances you sent us for review. We have attached a copy of the Record of Ordinances for your use.

If you have any questions concerning our proposal or desire additional information, please do not hesitate to call our toll free number.

We appreciate your interest and hope that we will have the pleasure of working with you and serving the City of Keizer on this important project.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Lawton Langford", with a long horizontal flourish extending to the right.

A. Lawton Langford
President

ALL/js

enclosures

Professional Services Proposal
for
Keizer, Oregon

July 1, 1991



Municipal Code Corporation

QUALIFICATIONS

BACKGROUND

For the last 40 years Municipal Code Corporation has engaged *exclusively* in editing and publishing Codes for cities and counties of all sizes throughout the United States. MCC has published and supplemented more Codes which are in current use than any other codifier in the Country. This experience enables us to offer you the finest services available.

- (1) Business location: 1700 Capital Circle, SW
Tallahassee, FL 32304
1-800-262-2633 or 904-576-3171
- (2) Incorporation Date: March 1951
- (3) Current Code accounts serviced: 2,000
- (4) Project contact persons:
Bill Carroll, Vice President - Codes
Robert L. Laslie, Vice President - Supplements

LAW EDITORIAL STAFF

George R. Langford, LL.B., University of Virginia; 40 years' experience in editing and publishing city and county Codes; Chairman of the Board.

A. Lawton Langford, B.A., Vanderbilt University; M.B.A., J.D., Florida State University; Member of Florida Bar; President.

Robert L. Laslie, A.B., J.D., University of Georgia; 23 years' experience in editing city and county Codes; Vice President of Supplement Department.

William James Carroll Jr., B.S., Penn State University; J.D., Florida State University; 17 years' experience in editing city and county Codes; Member of Florida Bar; Vice President of Code Department.

B. Meade White, J.D., University of Miami (Florida); 27 years' experience in editing city and county Codes; Member of Florida Bar.

PROFESSIONAL SERVICES PROPOSAL

PUBLICATION OF THE ORDINANCES

The **MUNICIPAL CODE CORPORATION**, a corporation duly authorized and existing under the laws of the State of Florida, hereinafter referred to as **MCC**, hereby offers to publish a Code of Ordinances for the **CITY OF KEIZER**, a municipal corporation duly organized and existing under the laws of the State of Oregon, hereinafter referred to as the Municipality, according to the following terms and conditions.

PART ONE

PUBLICATION

MCC will, under the supervision of the Attorney for the Municipality:

(1) **ORDINANCES INCLUDED.** Classify and edit the ordinances of a general and permanent nature passed in final form by the Municipality as of the date of any contract entered into pursuant to this agreement; provided that the Municipality may forward to the offices of MCC all ordinances passed subsequent to said date for inclusion in the new Code.

(2) **EDITING.** The editorial process shall include the following:

- (a) **Chapter Arrangement.** Each chapter of the new Code shall embrace all ordinances dealing with the subject matter of that chapter, and within the chapter itself, the ordinances shall be arranged in an orderly and logical fashion.

Chapters, sections and page numbers will be reserved for future expansion.

- (b) **Chapter Analysis.** Each chapter of the new Code will be preceded by a detailed analysis listing the articles, divisions, and sections contained therein.
- (c) **Catchlines.** Preparation of a catchline for each section, which catchline shall reflect the content of the section.
- (d) **History Notes.** Preparation of a history note for each section of the new Code, which note will indicate the source from which the section is derived.
- (e) **Footnotes and Cross References.** Preparation of editorial footnotes and cross references which tie together related sections of the new Code.

- (e) **Binding.** MCC will bind copies of the completed Code in expandable post type binders, each with slide lock fasteners and with imitation leather covers stamped in gold leaf (color choices available). Any unbound copies of the Code will be punched and wrapped separately for storage and eventual binding by the Municipality. Additional binders can be ordered at any time by the Municipality at the then current prices.
- (f) **Separator tabs.** MCC will furnish separator tab sheets (mylar tabs, printed both sides) for the bound Codes. The tabs will reflect the major divisions or chapters of the Code volume.
- (7) **DELIVERY/ADOPTING ORDINANCE.** MCC will perform the work of editing, printing and binding as set out above and make final delivery of the completed Codes within ten (10) months from the date of receipt of the executed contract and material, excluding time required for the analyzation process, review of the proofs and any delays occasioned by the Municipality.

At this time, MCC will furnish the Municipality with a suggested form of an ordinance adopting the new Code. Once the Code has been adopted, a copy of the ordinance should be sent to MCC, so that it can be included in the Code.

PART THREE

LOOSELEAF SUPPLEMENT SERVICE

(1) **SCHEDULE.** The Code of the Municipality will be kept up-to-date by the publication of Looseleaf Supplements containing the new ordinances of a general and permanent nature enacted by the governing body. The Supplements will be published bimonthly, quarterly, semiannually or annually, depending on the requirements of the Municipality. There shall be no additional charge for more frequent publication. A minimum of thirty (30) working days shall be required for delivery of a Supplement following publication of the previous Supplement.

(2) **ORDINANCES TO BE FURNISHED BY MUNICIPALITY.** The ordinances will be forwarded to MCC promptly following enactment by the Municipality for recording and processing.

(3) **EDITORIAL SCRUTINY.** The new ordinances will be studied by a member of the law editorial staff of MCC in conjunction with the existing provisions of the Code for the purpose of determining if any provisions of the basic Code are repealed, amended or superseded. The page or pages of the Code containing provisions that are repealed or amended by ordinance shall be reprinted or printed to remove such repealed or amended provisions and to insert the new ordinances.

(4) **EDITORIAL NOTES.** Appropriate editorial notes will be prepared and appended as deemed necessary by MCC. State law references appended to the new ordinances by the Municipal Attorney will be included as appropriate footnotes.

(5) **INDEX AND TABLES.** When the inclusion of new material necessitates changes in the Index, appropriate entries will be prepared and the necessary pages of the Index will be printed or reprinted to include the new entries. The Comparative and State Law Reference Tables will also be kept up-to-date by listing the ordinances and state law citations, if any, included in each Supplement, together with their disposition in the Code. The Table of Contents will also be kept current to reflect changes in the Code Volume.

(6) **INSTRUCTION SHEET.** Each Supplement will contain a page of instructions for removal of the obsolete pages and insertion of the new pages. The latest ordinance included in the published Supplement will be noted in boldface type on the Instruction Sheet.

(7) **CHECKLIST.** A checklist of up-to-date pages will be prepared and kept current for the benefit of the user. The checklist of up-to-date pages will allow instant determination of whether the user is relying on a page reflecting current ordinances.

(8) **TABULAR MATTER.** Should the Supplement contain tables, drawings and the like for which special typesetting or other methods of reproduction are required, the costs will be charged as set out herein.

QUOTATION SHEET

(A) PUBLICATION

(1) Base cost \$8,800

(2) Base cost includes:

- (a) Editorial work
- (b) Typesetting and proofs
- (c) Indexing
- (d) Special order tabs in bound copies
- (e) Printing and binding
 - (i) Number of copies 50
 - (ii) Number of binders 35
 - (iii) Number of paper covers 15
 - (iv) Please choose desired format (estimated pages)¹
 - ☐ 6 x 9 inches 600
 - ☐ 8-1/2 x 11 inches, single column 450
 - ☐ 8-1/2 x 11 inches, double column 300

(3) Base cost does not include:

- (a) Tabular matter, additional per page \$10.00
- (b) Pages in excess of those listed above will be billed as follows:
 - (i) 6 x 9 inches \$16.00
 - (ii) 8-1/2 x 11 inches, single column \$20.00
 - (iii) 8-1/2 x 11 inches, double column \$28.00
- (c) Freight charges prepaid
invoiced upon shipment.

(B) ADDITIONAL SERVICES AVAILABLE

- (1) Analyzation of Ordinances with State Statutes, per hour \$60.00
Not to exceed \$1,500
- (2) Magnetic Media \$650.00

¹A page is defined as the area on one side of a sheet of paper. A sheet contains two (2) pages.

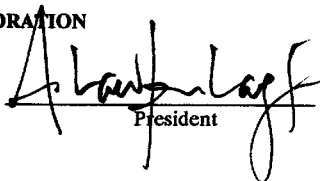
The terms of this proposal shall remain in force and effect for a period of ninety (90) days from the date appearing below, unless accepted by the Municipality.

Submitted by:

MUNICIPAL CODE CORPORATION



Witness



President

July 1, 1991

Accepted by:

KEIZER, OREGON

Witness

(Title)

Date

fore activation of the alarm system occurs to allow for a reset of the system in the event of an error. (Grandfather existing alarms.)

- (2) A minimum forty-five (45) second delay after the alarm system is set up for use before activation of the alarm system can occur. (Grandfather existing systems.)
 - (3) An automatic audible alarm system cutoff after thirty (30) minutes of activation for those systems using an audible alarm.
 - (4) The use of rechargeable standby batteries in the event of electrical power interruptions for a period of four (4) hours and an automatic recharging system for such batteries.
 - (5) Any subscriber of a central station alarm system must provide to the central station or answering service the names and telephone numbers of at least three (3) persons who can respond to the premises where the alarm occurred at any time with the keys to the premises and the alarm system. The same information shall be supplied to the police department upon request. Any subscriber to a system other than a central alarm station must supply the same information to the police department.
 - (6) All audible alarm systems shall have a sign or notice posted on or near the audible device with the name and telephone number of the person responsible for the service and maintenance of the system. The notice shall be conspicuously posted and readable from ground level.
- (Ord. No. 427-90, § 5, 2-19-90)

Sec. 11-25. Response to alarms.

- (a) Whenever an alarm is activated in the city thereby requiring an emergency response to the location by the police or fire department and the police or fire department does respond, the police or fire department personnel on the scene of the activated alarm system shall inspect the area protected by the system and shall determine whether the emergency response was in fact required as indicated by the alarm system or whether the alarm signal was a false alarm.

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(b) Any speed in excess of limits established by the city council shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful.
(Ord. No. 91, § 1, 1-8-62; Ord. No. 316, § 2, 7-14-87)

Sec. 9-27. School zones.

The maximum speed limit for all vehicles in designated school zones shall be twenty (20) miles per hour, Monday through Friday, September through May, between the hours of 7:00 a.m. and 9:00 a.m. and the hours of 2:00 p.m. and 4:00 p.m.
(Ord. No. 91, § 5, 1-8-62)

Sec. 9-28. Authorized emergency vehicles.

The maximum speed limit for authorized emergency vehicles responding to emergency calls shall be ten (10) miles per hour above the posted speed limits.
(Ord. No. 155, § 6, 7-6-71; Ord. No. 316, § 3, 7-14-87)

Sec. 9-29. Placement of signs.

The city administrator is hereby authorized and directed to place and maintain any and all speed limit signs necessary to carry out the provisions of this article in accordance with the laws of the state.
(Ord. No. 316, § 4, 7-14-87)

Secs. 9-30—9-45. Reserved.

ARTICLE III. PARADES AND PROCESSIONS*

Sec. 9-46. Permit required.

It shall be unlawful for any number of persons, delegation or association of persons or for any company, circus or group to parade or assemble on the streets or public grounds within the city without first having obtained a written permit from the city council.

Sec. 9-47. When prohibited.

The city council shall not issue a permit under the provisions of this article for any person to start any parade or assembly between the hours of 7:00 a.m. and 9:00 a.m.; between the hours of 11:00 a.m. and 1:00 p.m.; and between the hours of 3:30 p.m. and 6:00 p.m., except Sundays, and on days that the city council shall declare legal holidays.

*State law reference—Authority of city to regulate processions or assemblages on the highways, Vernon's Ann. Civ. St. art. 6701d, § 27(a)(3).

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writing the name of any person or persons for whom he desires to vote in the appropriate blank space or spaces and making a cross in the square opposite the written-in name.

(Code 1977, § 2:104.1)

Sec. 5-8. Sample ballots.

The city clerk shall, at least seven (7) days before the election, cause to be printed a sufficient number of sample ballots, upon paper of different color and clearly marked "SAMPLE BALLOT", but otherwise identical to the ballot to be used at the election, and shall distribute the same to qualified voters at his office and fifty (50) to each candidate for councilperson in each ward upon the candidate's request, and fifty (50) for each ward to each candidate for mayor upon the candidate's request.

(Code 1977, § 2:105; Ord. of 10-5-87)

Sec. 5-9. Qualifications of candidates.

No person shall be a candidate for election as councilperson who has not been a resident of the city for at least one (1) year immediately preceding his election, and who is not a duly qualified voter in the ward from which he is seeking election. No person shall be a candidate for mayor who is not a duly qualified voter in the city and who has not been a resident of the city for at least two (2) years immediately preceding his election.

(Code 1977, § 2:106; Ord. of 10-5-87)

Sec. 5-10. Polling hours and places.

The polls shall be open in each ward for each regular or special municipal election during the hours designated by the city council in conformance with state law.

(Code 1977, § 2:107; Ord. No. 5-14-90)

Sec. 5-11. Counting of ballots.

As soon as the polls are closed following each regular or special municipal election, the ward officers shall immediately open the ballot boxes, take the ballots therefrom, and count them in public view, and enter the total number thereof on the tally sheet provided therefor by the city clerk. They shall also carefully enter the number of votes for each candidate on the tally sheet and

the ballots and tally sheets used at such election shall be sealed up in the manner provided by law in the case of general biennial elections and returned within one (1) hour after such sealing to the city clerk. Within the same time period, a return of the result of the vote in each ward for officers to be chosen at such election, certified by the moderator, shall be made to the city clerk on blanks provided by him or her for that purpose. The city clerk shall immediately record all such returns, and the same, together with his or her record thereof, shall be open to the inspection of any citizen.

(Code 1977, § 2:108)

Sec. 5-12. Declaration of election.

The city council shall meet within six (6) calendar days after the municipal election at a specially declared meeting. The city clerk shall submit to them his or her record of the returns of the election. The council shall canvass the returns and declare the qualified candidates having the largest number of votes for each office to be elected as councilperson or mayor, as the case may be, and shall cause said persons to be notified of their election.

(Code 1977, § 2:109; Ord. of 10-5-87)

Sec. 5-13. Recount.

Within seven (7) calendar days thereafter the city council shall, subject to rules and regulations as it may prescribe, upon request of any candidate recount the ballots cast in the election. The council shall also hear and determine any election contest on the ground of fraud or misconduct therein, and to assist therein shall have the power to subpoena witnesses and compel the production of all pertinent books, records, and papers. In such cases the council may adjourn from time to time, but not later than the time appointed for the installation of new officers.

(Code 1977, § 2:110; Ord. of 10-5-87)

Sec. 5-14. Tie vote.

In case of a tie vote the tie shall be determined by lot by the city clerk in the presence of the can-

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Sec. 5-1. Composition of the city council.

The city council shall consist of nine (9) councilpersons, two (2) elected from each of the four (4) wards of the city, and a mayor elected at large, unless the Charter shall be amended to provide otherwise.

(Code 1977, § 2:101; Ord. of 10-5-87)

Charter reference—Composition of council, § 3.

Sec. 5-2. Date of election.

The biennial meeting of each ward, hereinafter known as the regular municipal election, shall be held on the first Tuesday following the first Monday in November of every odd-numbered year, at such place in the city as may be fixed by the city council. The supervisors of the checklists shall prepare a checklist for each ward for use at such meetings. At each regular municipal election, one (1) councilperson shall be elected from each ward for a four-year term of office.

(Code 1977, § 2:102; Ord. of 10-5-87)

Charter reference—Similar provisions, §§ 10, 11.

Sec. 5-3. Nonpartisan election of mayor and council.

The mayor and members of the city council who are to be elected by the voters of the city or of any ward therein, at any regular municipal election or, in the case of the mayor, at any special election called for the purpose of filling a vacancy in the office of mayor, shall be elected on a nonpartisan ballot.

(Code 1977, § 2:103)

Charter reference—Similar provision, § 11.

Sec. 5-4. Form of ballots.

The city clerk shall prepare the ballots to be used for the election of the mayor and members of the city council in form and manner of folding as nearly alike as possible to the ballots prepared by the secretary of state for use at state biennial elections.

(Code 1977, § 2:104)

Sec. 5-5. Filing of notice of candidacy.

The ballot shall contain the names of all who file notice of candidacy with the city clerk as candidates for mayor or for councilperson. Such filing

shall take place not before 9:00 a.m. of the forty-fifth day before the election nor later than 4:00 p.m. of the fifth Monday before the election.
(Code 1977, § 2:104.2; Ord. of 10-5-87)

Sec. 5-6. Requirements for notice of candidacy.

The notice of candidacy shall be entitled "Notice of the Candidacy of (insert full legal name of candidate) for the office of (insert mayor or councilman and ward number) of the City of Berlin, New Hampshire". Such notice shall be signed by the candidate in the presence of the city clerk. Lines shall be provided on such notice for the signature of the candidate, for his or her legal address, for the date of signing, and for the signature of the city clerk as witness. No name shall be printed on the ballot unless such notice of candidacy shall be filed as prescribed herein.

(Code 1977, § 2:104.3)

Sec. 5-7. Requirements for ballots.

(a) Upon the official ballots, the names of the candidates for the same office shall be grouped and printed in the alphabetical order of their surnames. Only the full legal name of each candidate shall appear on the ballots, except that the candidate may use a middle initial instead of his or her full middle name. No nicknames shall be included in the name of any candidate. Nothing on the ballot shall be indicative of the source of the candidacy or of the support of any candidate. No ballot shall have printed thereon any party or political designation or mark, and there shall not be appended to the name of any candidate any such party or political designation or mark, or anything indicating his or her views or opinions. Over each group of candidates for the same office shall be a statement of the office for which they are candidates and a direction to the voters as to the number of candidates to be voted for. Under each group shall be left as many blank spaces as there are persons to be elected to such office at such regular or special municipal election. Opposite each printed name shall be a square.

(b) The voter shall indicate his choice by making a cross in the square opposite the printed name of each candidate for whom he desires to vote, or by

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Sec. 9-5. Objects on the street.

No person shall drop, or permit to be dropped, or thrown, upon any street or right-of-way, any destructive or injurious material or glass, nails, tacks, wire, cans, or other substance likely to injure any person, animal or vehicle upon such street, or any litter. Any person who drops, or permits to be dropped, or thrown, upon any street or right-of-way, any such destructive or injurious substance or litter shall immediately remove the same or cause it to be removed.
(Ord. No. 91, § 13, 1-8-62)

Cross references—Offenses and miscellaneous provisions, Ch. 10; solid waste, Ch. 12.

Sec. 9-6. Operation of vehicle on private property.

It shall be unlawful to operate any vehicle on or across any private property located in this city without permission of the owner except on an established drive or roadway.
(Ord. No. 91, § 16, 1-8-62)

State law reference—Parking on private property, V.T.C.A., Local Government Code § 431.001.

Sec. 9-7. Temporary one-way streets.

One-way traffic on any street may be temporarily directed by the mayor when it shall appear that unusually heavy vehicular traffic is anticipated or during an emergency. No person, having notice, shall operate a vehicle contrary to the one-way traffic so directed.
(Ord. No. 91, § 18, 1-8-62)

Sec. 9-8. Penalty for violations.

Any person who shall operate a vehicle, or direct or order that a vehicle be operated, in violation of any of the provisions of this chapter, or who shall violate any of the provisions of this chapter, shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined as provided in section 1-5.
(Ord. No. 91, § 20, 1-8-62)

Secs. 9-9–9-25. Reserved.**ARTICLE II. SPEED*****Sec. 9-26. Maximum prima facie speed limits.**

(a) The city council, upon the basis of an engineering and traffic investigation, has established the maximum prima facie speed limits on all streets within the city to be thirty (30) miles per hour, except as otherwise provided by the city council. Provided, however, that no person shall drive a vehicle on a public street or highway in the city at a speed greater than is reasonable and prudent under the circumstances then existing.

*State law references—Speed restrictions, Vernon's Ann. Civ. St. art. 6701d, § 166 et seq.; municipal speed limits, Vernon's Ann. Civ. St. art. 6701d, § 169.

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shall be available for inspection by the fire department and the police department. Permits for private residences will be in the possession of the user of the alarm system and will be available for inspection by the police department or the fire department.

(d) If a residential alarm user is over the age of sixty-five (65) years and is the primary resident of the residence, and if no business is connected to the residence, a user's permit may be obtained from the police chief's office according to this section, without the payment of the fee.

(e) A fee of fifty dollars (\$50.00) will be charged in addition to the fee provided in subsection (b) to a user who fails to obtain a permit, or who is more than thirty (30) days delinquent in renewing the permit.

(f) An alarm user which is a government/political agency or unit (supported in whole or at least fifty (50) percent by tax dollars), shall be subject to this article; however, no fee or penalty shall be imposed.

(Ord. No. 427-90, § 3, 2-19-90)

Sec. 11-23. Adequate instructions; copies of regulations.

(a) Every alarm business selling, leasing, or furnishing to any user of an alarm system which is installed on the premises located in the area subject to this article shall furnish the user with instructions that provide information to allow the user to operate the alarm system properly, and to obtain proper service with the alarm system at any time.

(b) The office of the chief of police or fire inspector will make available copies of this article to all alarm users at the time that an alarm permit is approved. The fire inspector and police chief shall also make available copies of amendments or additions to this article to ensure that all users are properly notified of such changes.

(Ord. No. 427-90, § 4, 2-19-90)

Sec. 11-24. Required equipment/information.

(a) Any alarm system which falls under the provisions of this article shall be required to have as a part of the alarm system the following:

- (1) A minimum of fifteen (15) second delay after entry is made into the facility where a covered system is maintained be-

(C) LOOSELEAF SUPPLEMENT SERVICE

- | | | |
|-----|--|----------|
| (3) | Annual state law review fee | none |
| (4) | Annual fee for Supplements | none |
| (5) | Number of copies | 50 |
| (6) | Cost per page | |
| | (a) 6 x 9 inches | \$16.00 |
| | (b) 8-1/2 x 11 inches, single column | \$18.00 |
| | (c) 8-1/2 x 11 inches, double column | \$22.00 |
| | (d) Tabular matter, additional per page | \$10.00 |
| | (e) Updating magnetic media, additional per page | \$1.50 |
| (7) | Sample Ordinance Service (<u>Optional</u>) | |
| | (a) Up to 100 pages, per annum | \$180.00 |
| | (b) Over 100 pages, per page | \$0.50 |

(D) PAYMENT

- | | | |
|-----|---|-----------|
| (1) | Upon signing of the contract | \$2,500 |
| (2) | (Optional) Upon completion of analyzation,
if paragraph (1), PART TWO, is chosen | total due |
| (3) | Upon receipt of proofs | \$2,500 |
| (4) | Balance upon delivery of Code. | |
| (5) | Payment for the Looseleaf Supplement Service will be
due upon receipt of an invoice. Supplements will be
invoiced when shipped. | |
| (6) | Freight charges will be prepaid and invoiced at time
of final billing. | |

(9) **REPRINTS.** The looseleaf reprint pamphlets, which contain certain portions of the Code, including appropriate Index, will be kept up-to-date at the same time the Code volume is supplemented, if desired.

(10) **SAMPLE ORDINANCE SERVICE (OPTIONAL).** Sample provisions of specific subjects will be furnished upon request. A sample ordinance index will be furnished for use in requesting the desired sample provisions.

(11) **SHIPMENT.** The Supplements will be shipped to the Municipality for distribution to the holders of the Codes. However, storage, distribution and billing services are available. Prices will be furnished upon request. The Municipality shall have the exclusive right to sell the Codes and Supplements.

(12) **TERMINATION.** The Looseleaf Supplement Service as provided herein shall be in full force and effect for a period of five (5) years and shall be automatically renewed from year to year, provided that either party may alter or cancel the terms of this agreement upon sixty (60) days' written notice.

PART TWO

ADDITIONAL SERVICES AVAILABLE

(1) **ANALYZATION OF ORDINANCES WITH STATE LAWS.** The Corporation offers, under the direction of the Municipal Attorney, to review the ordinances against current state laws. The law editor will submit an editorial memorandum to the Municipal Attorney outlining all recommendations for eliminating duplications, inconsistencies and obsolete provisions. Appropriate state law references will be included in the Code, as deemed necessary. A Statutory Reference Table will be prepared, listing by statutory citation all sections carrying a reference. This Table will be prepared only if desired by the Municipality.

Recommended provisions desired to be included as a result of the analyzation, will be incorporated in the Code, upon specific instructions from the Municipality. Amendatory ordinances may be included in the future through the Looseleaf Supplement Service as provided in Part Three.

(2) **EDITORIAL CONFERENCE.** If requested by the Municipality, the law editor assigned to the analyzation project will schedule a conference with the Municipal Attorney in the Municipality, to discuss the memorandum and recommended changes in the Code.

(3) **MAGNETIC MEDIA.** The magnetic media for the new Code will be available after completion of the Code. The magnetic media available is 3-1/2 inch diameter disks, double sided, double density, 720 KB; 3-1/2 inch diameter disks, double sided, high density, 1.44 MB; or 5-1/4 inch diameter disks, double sided, double density, 360 KB. All disks are formatted for DOS 3.3 (Disk Operating System), with data in ASCII or WordPerfect 5.1. The magnetic media delivered after supplementation will reflect the entire Code as updated through the most recent Supplement.

(4) **REPRINTS.** Additional copies of specific chapters or any portion of the Code may be printed and bound in paper covers for separate sale or distribution by the Municipality. Quotations for specific chapters in pamphlet format will be furnished upon request.

(3) **INDEX.** A comprehensive, legal and factual general Index for the entire Code will be prepared.

(4) **TABLES.** The following Tables will be prepared for the new Code:

- (a) **Table of Contents.** This Table will list the chapters, articles or divisions of the Code, with appropriate page numbers.
- (b) **Comparative Table.** This Table will list the ordinances included in the Code, in chronological sequence, setting out the location of such ordinances in the Code.

(5) **TYPESETTING AND PROOFS.** After typesetting has been completed, MCC will submit one set of proofs to the Municipality for review. The Municipality may make word changes on the proofs without charge. However, the Municipality will be charged for changes or deletions constituting more than one page of type.

It shall be the duty of the Municipality to return the proofs, with the changes indicated thereon within forty-five (45) days from the date of their receipt. If proofs are not returned within forty-five (45) days, and no notice to the contrary is received by MCC, it will be assumed that no changes are to be made. MCC will then proceed to print the Code and no changes shall thereafter be allowed.

MCC's policy guarantees typographical correctness for an indefinite time. Errors attributable to MCC will be corrected at any time, without charge to the Municipality.

(6) **PRINTING AND BINDING.** When the proofs are returned by the Municipality, MCC will proceed with printing and binding the Code in accordance with the following:

- (a) **Copies.** The number of copies desired by the Municipality, will be printed on 50 lb. white offset paper.
- (b) **Page format.** The page size will be consistent with the format chosen by the Municipality. Formats available are 6 x 9 inches, 8-1/2 x 11 inches, single column, and 8-1/2 x 11 inches double column (samples attached).
- (c) **Type size.** The Municipality may choose the type size desired for the text and index of the new Code volume.
- (d) **Special material.** Tables, drawings, designs, Algebra formulae, or other material which require engraved cuts or special methods of reproduction, will be charged as set out herein.

Milt Lefkoff, A.B., Stanford University; J.D. University of Georgia; 21 years' experience in legal editing; Member of Georgia Bar.

James S. Vaught, B.A., J.D., Florida State University; 20 years' experience in editing city and county Codes; Member of Florida Bar.

Roger D. Merriam, B.A., Mercer University; J.D., Emory University; 17 years' experience in editing city and county Codes; Member of Florida Bar.

Alyce A. Whitson, B.A., University of South Florida; J.D., University of Florida; 9 years' experience in editing city and county Codes; Member of Florida Bar.

Jan N. Shekitka, B.A., Wofford College; J.D., University of Miami (Florida); 7 years' experience in editing city and county Codes.

H. Palmer Carr, B.A., J.D., Mercer University; 10 years' legal experience in private practice and public service; 3 years' experience in editing city and county Codes; Member of Georgia Bar.

Allen Zachary Paul, B.A., University of Oklahoma; M.S., Ph.D., J.D., Florida State University; over 5 years' experience in general, civil and administrative law; 3 years' experience in editing city and county Codes; Member of Florida Bar and American Bar Association.

Mary Rose DiMarco, B.A., Westfield State College; J.D., Loyola University, New Orleans; 1 year's experience in editing city and county Codes.

Gordon B. Scott, B.A., Trinity College; J.D., Stetson University; 1 year's experience in editing city and county Codes; Member of Florida Bar and Connecticut Bar.

SUPPORT PERSONNEL

MCC's law editorial staff is supported by a full complement of assistants, clerks, etc. In addition, MCC maintains a full-time proofreading department with a captive printing plant which prints Codes and Supplements to meet the contractual requirements of MCC. All facilities are located on our premises, which enables us to control each project from beginning to end with no part being subcontracted. Key personnel are available to answer questions during any phase of the project and to assure quality control in all aspects of publication.

The entire staff, including the printing operation, consists of approximately 150 employees, including 14 attorneys, 17 editors, and 40,000 square feet of floor space.

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ADDITIONAL SERVICES

The following additional services, as outlined in Part Two of the proposal, are also available:

Analysis. The proposal provides for a detailed analyzation of the ordinances, if desired. One of our law editors, who is an attorney, would review the ordinances for the purpose of pointing out conflicts, inconsistencies and obsolete provisions within the ordinances and in conjunction with current state statutes. State statute references would be appended as deemed necessary.

An editorial memorandum would be submitted to the City Attorney for evaluation of all recommendations. The City Attorney would either draft amendatory ordinances or authorize us to draft recommended provisions which could be incorporated into the Code through the editorial process.

Conference. After completing the legal research the attorney assigned to your Code would conduct an editorial conference in the City, if desired. At conference your City Attorney and other interested officials would review the manuscript and our recommendations.

Magnetic Media - We offer to furnish the entire Code on diskettes. We furnish 3-1/2 inch diameter disks, double sided, double density, 720 KB; or 3-1/2 inch diameter disks, double sided, high density, 1.44 MB; or 5-1/4 inch diameter disks, double sided, double density, 360 KB. All disks are formatted for DOS 3.3 (Disk Operating System), with data in ASCII or WordPerfect 5.1. The disks would be used for in-house research and retrieval purposes. The magnetic media delivered after supplementation would reflect the entire Code as updated through the most recent Supplement.

Reprints. Extra copies of any portion of the Code can be furnished at such time as desired. Many cities order these pamphlets for resale to the public. Supplements to the reprint pamphlets can be furnished at the same time Supplements are published for the Code.

LOOSELEAF SUPPLEMENT SERVICE

An important feature of the long-range service provided by MCC is the Looseleaf Supplement Service. The Supplement Service we offer is far more than a mere printing job. We feel strongly the level of service MCC offers its clients is unsurpassed because we assign one editor to your Code. The rapport which develops between you and the editor assures a high degree of attention and professionalism in updating your Code.

MCC would publish Looseleaf Supplements, whereby new ordinances would be incorporated into the Code. The Index and Tables would also be updated. Our cost for publishing the Supplements is on a straight per page basis with no annual charge or legal fee. Supplements may be published on a schedule designed to meet your legislative requirements.



League of Oregon Cities

Local Government Center, 1201 Court St. N.E., P.O. Box 928, Salem 97308 • Telephone: (503) 588-6550; 1-800-452-0338 toll free; FAX: 378-5859

April 15, 1991

Susan Darby
City Recorder
P.O. Box 21000
Keizer, OR 97307-1000

Dear Susan:

Enclosed is a proposal for organizing and compiling Keizer's ordinances. The proposal includes a description of the services to be provided by the League, along with an estimate of the cost for each service.

I am also enclosing a chapter from the city of Jefferson's ordinance compilation and a copy of the index to the Dallas city code so you can see an example of our work.

We would be pleased to work with you on the project. Please call me if you have any questions or need additional information.

Sincerely yours,

Sandra Quatier

Sandra Quatier
Ordinance Services Manager

SQ:ns

Enclosures (3)

\$6,963 -

\$7,863

PROPOSAL
for the
COMPILATION AND INDEXING
of the
GENERAL ORDINANCES
of the
CITY OF KEIZER

LEAGUE OF OREGON CITIES
ORDINANCE SERVICES PROGRAM

April 15, 1991

I. ORGANIZING, CATALOGING, AND WORD PROCESSING OF
ORDINANCES

League staff will look at each ordinance and determine whether it is general or special, whether it amends or repeals another ordinance, and whether it is amended or repealed by another ordinance. Staff will then organize the active general ordinances into eight chapters, including Government & Administration, Public Improvements, Utilities, Public Protection, Vehicles & Traffic, Business, Building, and Development Regulations. The ordinances will then be word processed with all amendments incorporated in the proper places.

COST ESTIMATE: \$4,500 - \$4,800

II. DISPOSITION LIST, SPECIAL ORDINANCE LIST, CHARTER

League staff will prepare a disposition list of ordinances that identifies each ordinance as general or special and specifies where it was placed in the compilation. Staff will also prepare a list of special ordinances categorized by subject matter. The city charter will be included in the compilation.

COST ESTIMATE: \$900 - \$1,200

III. INDEXING

League staff will read each ordinance in the compilation and prepare a detailed index that includes extensive cross-referencing for ease in locating subjects.

COST ESTIMATE: \$1,200 - \$1,500

MEMORANDUM

TO: City Council
FROM: Joe Hobson, City Attorney
DATE: September 11, 1991

SUBJECT:

Adoption of a Bill for an Ordinance Relating to the Abatement of Nuisances Created by the Accumulation of Waste, Solid Waste or Inoperable Vehicles; and Declaring an Emergency.

DISCUSSION:

On September 3, 1991, the council was presented with a resolution and agreement relating to regulation of solid waste, recycling and nuisance abatement in the City of Keizer. Keizer is in the process of taking over regulation of those items from the county.

As a further step in that process we present herewith an ordinance which will establish direct authority over nuisance abatement.

A nuisance abatement ordinance is the means whereby a jurisdiction begins to regulate accumulations of trash and junk. In essence the ordinance prohibits accumulation, storage, collection, maintenance or display on private property of inoperable vehicles, waste or solid waste that is either offensive or hazardous to the health and safety of the public or creates offensive odors or creates a condition of unsightliness. A condition of unsightliness means an inoperable vehicle, waste or solid waste upon private property which can be seen from public property or from property belonging to other persons. It is also a violation of the ordinance to dispose of solid waste at an inappropriate location or to use or allow use of land as a disposal site without prior written approval from the city council.

There are exemptions under the ordinance. Exemptions include:

1. Disposal sites that have been properly approved.
2. Agricultural operations in zones that allow such operations.
3. Wrecking yards with valid permits and proper approval.
4. Compost piles for garden and yard trimmings located

1 BILL NO. _____

A BILL

ORDINANCE NO.

91-_____

2
3 FOR

4 AN ORDINANCE

5 RELATING TO THE ABATEMENT OF NUISANCES CREATED
6 BY THE ACCUMULATION OF WASTE, SOLID WASTE OR
7 INOPERABLE VEHICLES; AND DECLARING AN
8 EMERGENCY

9 The City of Keizer ordains as follows:

10 Section 1. SHORT TITLE.

11 This Ordinance shall be known as the "Keizer Nuisance
12 Abatement Ordinance" and shall be so cited and pled.

13 Section 2. PURPOSE, POLICY AND SCOPE.

14 It is the declared policy of the City of Keizer, in
15 furtherance of the protection of the public health, safety and
16 welfare of the people of the City of Keizer, to enact an ordinance
17 regulating the accumulation of waste, solid waste, and inoperable
18 vehicles on public and private property as a public nuisance and
19 providing means for abatement of such accumulation of waste, solid
20 waste, or inoperable vehicles and declaring an emergency to exist.

21 Section 3. EXEMPTIONS.

22 Unless specifically provided otherwise, this Ordinance does
23 not apply to:

- 24 (1) Disposal sites approved by the City of Keizer and
25 operated in compliance with regulations promulgated by
26 the Environmental Quality Commission, Department of
27 Environmental Quality and other ordinances or regulations
28 of the City of Keizer.

1 the public or by a franchised collector or franchised
2 transporter of solid waste; but the term does not include
3 a hazardous waste facility subject to the permit
4 requirements of ORS Chapter 466 or a landfill site which
5 is used by the owner or person in control of the premises
6 to dispose of soil, rock, concrete or other similar
7 nondecomposable materials, unless the site is used by the
8 public, either directly or indirectly.

9 (4) "Inoperable vehicle" means a vehicle which:

- 10 (a) Has been left on private property for more than
11 thirty (30) days; and
12 (b) Has broken or missing window(s); or broken or
13 missing windshield; or missing wheel(s); or missing
14 tire(s); or lacks an engine or the engine will not
15 run; or lacks a transmission or the transmission is
16 inoperable; and
17 (c) Has a market value as a motor vehicle of less than
18 \$1,000.00 or the vehicle is over three years old.
19 (d) Notwithstanding the above, for the purposes of this
20 section, a showing that the vehicle(s) in question
21 is unlicensed and, if operated on a public highway
22 of this state, would be in violation of one or more
23 of the provisions of ORS 815.005 through 815.325,
24 constitutes a rebuttable presumption that the
25 vehicle is inoperable.

26 (5) "Person" includes individuals, corporations,

1 Section 5. ADMINISTRATION.

2 The City Manager or his designee shall be responsible for the
3 administration of this Ordinance.

4 Section 6. SOLID WASTE ACCUMULATION PROHIBITED.

5 No person shall accumulate, store, collect, maintain or
6 display on private property inoperable vehicles, waste or solid
7 waste that (a) is offensive or hazardous to the health and safety
8 of the public; or (b) creates offensive odors; or (c) creates a
9 condition of unsightliness. A "condition of unsightliness" means
10 inoperable vehicles, waste or solid waste upon private property
11 which can be seen from public property or from property belonging
12 to other persons.

13 Section 7. UNAUTHORIZED DUMPING.

14 Except as provided in Section 4 of this Ordinance, no person
15 shall dispose of solid waste at any place within the city limits
16 of the city of Keizer. No person shall use or permit to be used
17 any land within the City of Keizer as a public or private disposal
18 site without prior written approval from the City Council.

19 Section 8. EXEMPTIONS.

20 The City Council may authorize exemptions to provisions of
21 this Ordinance at the City Council's discretion and based upon the
22 following criteria:

- 23 (1) The applicant has shown that the granting of the
24 exemption will not be in violation of the Keizer zoning
25 ordinances.

1 (6) A copy of the determination shall be mailed by regular
2 mail to the property owners of the property which adjoins
3 the property which is the subject of the application and
4 a copy of the posted notice shall be published once in
5 a newspaper of general circulation in the City of Keizer.
6 In addition to any fee charged for an application
7 hereunder, the applicant shall pay the cost of mailing
8 and publishing notice.

9 (7) The City Manager's determination shall become final and
10 effective thirty (30) days after it is issued unless
11 prior to said effective date either the applicant or
12 other affected person files a written request for a
13 public hearing with the City Recorder or the City Council
14 requests that the matter be set for hearing.

15 (8) At any public hearing conducted pursuant to this section,
16 the City Manager shall provide information and
17 recommendations to the City Council to assist it in
18 reaching a determination. The applicant and any other
19 affected person may submit relevant evidence pertaining
20 to the criteria involved. Other interested persons and
21 affected public or private agencies may appear and offer
22 oral or written testimony. The applicant shall have the
23 burden of proving the need for an exemption by
24 substantial evidence.

25 ///

1 posted and the offender and owner will be served by
2 regular mail. Posting on the property means to
3 physically leave the notice on the property at the
4 location of the nuisance.

5 The notice shall contain the following:

6 (a) A description of the location by mailing address.

7 If the description by mailing address is not
8 sufficiently descriptive, the notice shall contain
9 a description of the property and the location of
10 the nuisance sufficient to inform an average person
11 of its location.

12 (b) The time within which the nuisance must be abated
13 which shall not exceed thirty (30) days.

14 (c) A description of the nuisance to be abated.

15 (d) A statement that unless the nuisance is abated by
16 the offender within the time prescribed, action will
17 be taken to abate the nuisance and/or the
18 responsible person may be cited under the City Civil
19 Infraction Ordinance.

20 Section 11. VEHICLE REPAIR OR RESTORATION EXCEPTIONS. .

21 (1) This Ordinance shall not apply to a single inoperable
22 vehicle on a given tax lot which is in the process of
23 being repaired or restored. The person asserting this
24 exception has the burden of proving by a preponderance
25 of the evidence that either:

26 ///

1 Section 12. ANTIQUE VEHICLES EXCEPTION.

2 This Ordinance shall not apply to antique vehicle(s) as
3 defined by ORS 801.125.

4 Section 13. OWNER OR TITLE HOLDER.

5 The owner or title holder of land upon which the nuisance
6 exists is equally responsible for the abatement of the nuisance as
7 is the possessor or user of the land.

8 Section 14. DISPOSAL OF WASTE.

9 It will be the responsibility of all persons producing waste
10 or solid waste within the City of Keizer to dispose of their waste
11 in an approved method.

12 Section 15. PENALTIES.

13 A violation of this Ordinance is a City infraction under
14 Ordinance No. 86-063. The City of Keizer may seek any other legal
15 or equitable remedy provided by law for the enforcement of
16 provisions of this Ordinance.

17 Section 16. SAVINGS CLAUSE.

18 Should any section or portion of this Ordinance be held
19 unlawful and unenforceable by any court of competent jurisdiction,
20 such decision shall apply only to the specific section, or portion
21 thereof, directly specified in the decision. All other sections
22 or portions of this Ordinance shall remain in full force and
23 effect.

24 ///

25 ///

26 ///

M I N U T E S

KEIZER CITY COUNCIL

Monday, August 19, 1991

Robert L. Simon Council Chambers
Keizer City Hall

CALL TO ORDER

Mayor Orcutt called the regular session to order at 7:35 p.m. Roll was taken as follows:

Present

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

Staff

John Morgan, Community Development Director
Kevin Wickman, Parks Director

PUBLIC TESTIMONY

Roy Duncan, 6972 Offenbach Court, Keizer, spoke about the firing of Sergeant Kershaw and expressed his displeasure with the action. He asked the Council to reconsider its action.

COMMITTEE REPORTS None

TOUR

The Council, along with members of the Parks Committee, toured most of the City Parks as well as property at Keizer School where a new park is proposed. Park maintenance, acquisition, and planning were discussed.

At Fernwood Park Council discussed the future of the park, the old Keizer School, and the proposed playground for a day care center in Schoolhouse Square.

At Northridge Park Marion Drake was present and raised questions with the Council about progress in acquiring easements allowing access to all parts of the Claggett Creek greenway. Staff is pursuing the matter and will keep the Council informed.

OTHER BUSINESS

None

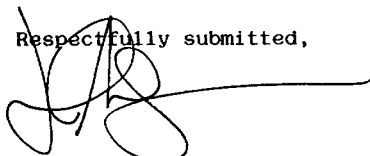
WRITTEN
COMMUNICATIONS

No written communications were presented.

ADJOURNMENT

Mayor Orcutt adjourned the meeting at 9:00 p.m.

Respectfully submitted,

A handwritten signature in dark ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Recording Secretary

APPROVED:

MAYOR



City of Keizer

Administration
930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

COUNCIL MEETING: September 16, 1991

AGENDA ITEM NO.: 9c

TO: MAYOR AND CITY COUNCIL

FROM: DONALD H. OTTERMAN, M.S.P.A, CITY MANAGER *dh*

SUBJECT: RESOLUTION - SETTING FORTH A CHANGE IN COMPENSATION FOR NON-BARGAINING UNIT EMPLOYEES INCLUDING CERTAIN EMPLOYEES OF THE WATER DEPARTMENT AND POLICE DEPARTMENT, CERTAIN PERMANENT PART-TIME EMPLOYEES AND CERTAIN MANAGEMENT EMPLOYEES

In June, the City Council approved a 5% cost of living adjustment in the pay ranges for all non-bargaining unit employees. The attached resolution formalizes that approval. This resolution does not address those employees within the Keizer Police Association collective bargaining unit.

RECOMMENDATION

Approval of the attached resolution setting forth a change in compensation for non-bargaining unit employees including certain employees of the Water Department and Police Department, certain permanent part-time employees and certain management employees.

SECTION 4. The following salary grades have been adjusted based on cost of living as recommended by the City Manager and approved by the City Council, and are hereby assigned to the classifications of the following clerical employees effective July 1, 1991:

<u>CLASS TITLE</u>	<u>BASE MONTHLY PAY RANGES</u>					
	FLAT	1	2	3	4	5
Secretary		\$1,402	\$1,472	\$1,546	\$1,623	\$1,704
Municipal Court Clerk		8.09	8.49	8.91	9.36	9.83
Clerical Specialist		\$1,359	\$1,427	\$1,498	\$1,573	\$1,652

SECTION 5. The following salary grades have been adjusted based on cost of living as recommended by the City Manager and approved by the City Council, and are hereby assigned to the classifications of the following permanent part-time employees effective July 1, 1991:

<u>CLASS TITLE</u>	<u>BASE MONTHLY PAY RANGES</u>					
	FLAT	1	2	3	4	5
Personnel Clerk		7.28	7.64	8.02	8.42	8.84
Secretary		8.09	8.49	8.91	9.36	9.83
Utility Collections		7.15	7.51	7.89	8.28	8.69
Maintenance Worker		7.15	7.51	7.89	8.28	8.69
Student Clerk		4.99				

SECTION 6. The following salary grades have been adjusted based on cost of living as recommended by the City Manager and approved by the City Council, and are hereby assigned to the classifications of the following seasonal employees effective July 1, 1991:

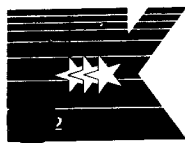
<u>CLASS TITLE</u>	<u>BASE MONTHLY PAY RANGES</u>					
	FLAT	1	2	3	4	5
Street Sweeper		7.15				
Water Laborer		5.50				

PASSED this _____ day of _____, 1991.

SIGNED this _____ day of _____, 1991.

Mayor

City Recorder



Keizer Police Department

930 Chemawa Rd. N.E. • P.O. Box 21060
Keizer, Oregon 97307-1060 • 390-3713 / FAX 390-8295

COUNCIL MEETING: SEPTEMBER 16, 1991

AGENDA ITEM NO.: 11a

Charles R. Stull
Chief of Police

DATE: SEPTEMBER 10, 1991
TO: MAYOR AND CITY COUNCIL
THRU: DON OTTERMAN, CITY MANAGER *JS*
FROM: CHARLES R. STULL, CHIEF OF POLICE *APS*
SUBJECT: KEIZER POLICE DEPARTMENT -
1991 SIX-MONTH CRIME ANALYSIS REPORT

I have prepared for your review the Keizer Police Department's "Six Month Crime Analysis Report" through June 30, 1991.

This report analyzes our first six months of reported crimes and calls for service data, and compares this information with the same data collected during the same time period for 1990.

The report is broken down into three (3) crime categories: Part I, Part II, and Part III offenses. Each category is ranked by the seriousness of the offense which makes up the individual categories.

Part I Crimes include Homicide, Robbery, and Burglary, which are some of the most serious in terms of potential violence and physical injury.

Part II Crimes include Vandalism, Fraud, and Trespassing, which have a lesser degree of physical injury and violence although still potentially dangerous.

Part III Crimes include Traffic Crimes, Alarm Calls, and Suspicious Persons, which have the lowest potential for violence or physical injury.

PART I CRIMES: Total "Part I Crimes" have increased 29.4% this year compared to 1990. Showing the largest increase was Larceny Crimes (theft over \$200.00) from 251 in 1990 to 381 in 1991, for a percentage increase of 51.7 %. Burglaries, both residential and business, remain slightly below our 1990 average at 55 and 14 respectfully.

PART II CRIMES: Total "Part II Crimes" have increased 17% compared to the same period in 1990. The additional 136 reported crimes indicated increases in both Runaway Juveniles and Drunk Driving Arrest. Runaway Juveniles increased 140.4%, or 66 additional cases, and Drunk Driving Arrests increased from 130 to 195, 65 additional arrests or 50% more then reported in 1990.

E 07/20/9

KEIZER PD
CONSOLIDATED
06/01/91
THLY REPORT
06/30/91

PART I	ACTUAL OFFENSES			PERCENT			OFFENSES CLEARED			PERCENT CLEARED			PERSONS ARRESTED		
	THIS MO	LAST YR	THIS YR	CHANGE	THIS MO	LAST YR	THIS MO	LAST YR	THIS YR	THIS MO	LAST YR	THIS YR	JUV	ADULT	TOTAL
CRIMINAL HOMICIDE															
MURDER															
RAPE															
ROBBERY	2	5	8	- 37.5%	2	3	5	3	5	100.0	60.0	62.5			
ARMED															
UNARMED	1	4	2	+100.0%											
AGGRAVATED ASSAULT	1	4	4		1	4	2	1	1	100.0	100.0	50.0	1	1	1
BURGLARY	4	11	17	- 35.2%	3	8	12	12	12	75.0	75.7	70.5			
RESIDENCE	19	55	63	- 12.6%	1	11	15	15	15	50.0	50.0	50.0	3		3
NON-RESIDENCE	5	14	15	- 6.6%	2	5	5	5	5	50.0	50.0	50.0			
LARCENY	51	381	251	+ 51.7%	15	109	42	42	42	29.4	28.6	16.7	5	7	12
AUTO THEFT	5	29	32	- 9.3%	3	13	16	16	16	60.0	44.8	59.3	1		1
ARSON	4	11	5	+120.0%	1	6	2	2	2	25.0	54.5	40.0	2		2
PART I TOTAL	92	514	397	+ 29.4%	28	161	97	97	97	30.4	31.3	24.4	11	8	19
PART II															
OTHER ASSAULTS	19	119	95	+ 25.2%	17	94	73	73	73	89.4	78.9	76.8	4	12	16
FORGERY/COUNTERFEIT	5	28	16	+ 75.0%	1	11	2	2	2	20.0	39.2	12.5		1	1
FRAUD	5	26	26		2	10	9	9	9	40.0	38.4	34.6			
EMBEZZLEMENT															
STOLEN PROPERTY	1	2	2	- 50.0%											
VANDALISM	39	147	169	- 13.0%	16	39	34	34	34	41.0	26.5	20.1		3	3
WEAPONS	4	4	3	+ 33.3%											
PROSTITUTION													1		1
SEX OFFENSES	5	22	13	+ 69.2%	2	12	5	5	5	40.0	54.5	38.4			
NARCOTIC/DRUGS	4	4	15	- 73.3%		3	11	11	11	0.0	75.0	75.3	1		1
GAMBLING															
OFF AGAINST FAMILY	7	14	14	- 50.0%		6	7	7	7	0.0	85.7	50.0			
DRIVING UNDER INFLC	49	195	130	+ 50.0%	49	195	129	129	129	100.0	100.0	48.2		43	43
LIQUOR LAWS	11	40	31	+ 29.0%	11	39	28	28	28	100.0	97.5	90.3	2	4	6
DISORDERLY CONDUCT	42	157	136	+ 15.4%	35	129	80	80	80	83.3	82.1	58.6		2	2
TRESPASS/PROWLER	14	51	79	- 35.4%	14	50	47	47	47	100.0	98.0	59.4	1	1	1
ESCAPE															
CURFEW															
RUNAWAY JUV	21	113	47	+140.4%	14	79	20	20	20	0.0	100.0	100.0			
ALL OTHER	5	17	18	- 5.9%	4	14	12	12	12	66.6	69.9	42.5	8	2	2
PART II TOTAL	215	936	800	+ 17.0%	165	690	467	467	467	76.7	73.7	56.3	16	68	84
PART I & PART II TOTAL	307	1450	1197	+ 21.1%	193	851	564	564	564	62.8	58.6	47.1	27	76	103

S E P T E M B E R

1991

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1)	2) <i>Handwritten: 9/1-3 (new)</i>	3) City Council (new) 7:30pm Library 2-4pm	4) K Tomorrow Comm (new) 7:00 pm Muni Ct (new) 8-noon	5) Masonics (old) 7pm	6)	7) AA 8:45-11:45am (old)
8)	9) Muni Ct (old) 7:30pm K. Volunteer Coord Comm (new) 7pm	10) Hearings Ofcr Case # 89-1-3 (new) 7:30pm <i>Handwritten: 9/1-3 (new)</i>	11) Plann Comm (new) 7:30pm Muni Ct (new) 8-noon K. Volunteer Coord Comm (old) 7pm	12) Muni Ct (new) 5p <i>Handwritten: 10:00 am</i> Berma Keizer - Art Assoc. in Library 5:30-9:00 (new)	13)	14) AA "
15)	16) City Council (new) 7:30pm	17) Parks Bd (old) 7:30pm Employee Team Building 8am-noon McNary Restaurant Library 2-4pm	18) K Tomorrow Comm (new) 7:00 pm Muni Ct (new) 8-noon KGAC (new) 4pm	19) Employee Staff Mtg (old) 10:00 am Masonics (old) 7pm	20) Obsolete Fleet Chevy (old) 7:30pm	21) AA "
22)	23) Muni Ct (new) 5p Volunteer Coordinating Comm (old) 6:30pm	24) Volunteer Coord-inating Comm (old) 6:30pm-9:00pm Library 2-4pm	25) Muni Ct (new) 8-noon Hearings Officer Case KV91-4 (new) 7:30p	26) Muni Ct (new) 5p	27)	28) AA "
29)	30)					

PART III	ACTUAL OFFENSES			PERCENT			OFFENSES CLEARED			PERCENT CLEARED			PERSONS ARRESTED		
	MO	THIS YR	LAST YR	CHANGE	THIS YR	LAST YR	MO	THIS YR	LAST YR	MO	THIS YR	LAST YR	JUV	ADULT	TOTAL
TRAFFIC CRIME															
HIT & RUN	10	35	22	+ 59.0%			1	7	8	10.0	20.0	36.3	1	1	1
RECKLESS DRIV	2	4		- 50.0%			2	4	7	100.0	100.0	87.5			
ELUDING	1	1	5	- 80.0%			1	1	3	100.0	100.0	80.0			
DR. WHILE SUSP	7	42	57	- 26.3%			7	42	55	100.0	100.0	96.4			
TRAFFIC ACC.-FATAL				- 0%											
TRAFFIC ACC.-INJURY	6	23	30	- 23.3%			4	21	8	65.9	91.3	26.6			
TRAFFIC ACC.-PROP	7	37	69	- 46.3%			7	37	32	100.0	100.0	46.3			
FISH & GAME				- 0%											
ILLEGAL ALIEN				- 0%											
WARRANTS				- 0%											
MV. RECVRD-OTHER	1	2	8	- 75.0%			1	2	3	100.0	100.0	37.5			
PROB. RECVRD-OTHER	1			- 0%											
FUGITIVES	20	91	132	- 31.0%			20	90	130	100.0	98.9	98.4			
MISSING PERSON	8	28	16	+ 75.0%			8	28	7	100.0	100.0	43.7			
SUBORN DEATH/BODY	2	10	11	- 9.0%			2	10	2	100.0	100.0	18.1			
SUICIDE-ATMPT	1	5	15	- 66.6%			1	5	12	100.0	100.0	80.0			
OTHER ACCIDENTS				- 0%											
ANIMAL PROBLEMS	13	70	35	+100.0%			11	67	12	84.6	95.7	34.2			
PROPERTY	12	107	81	+ 32.0%			9	72	36	75.0	67.2	44.4			
ABANDONED AUTO	7	27	43	- 37.2%			7	27	19	100.0	100.0	44.1			
LOCATE ONLY AUTO				- 0%											
IMPOUND AUTO	17	60	37	+ 62.1%			17	60	27	100.0	100.0	72.9			
ASSISTANCE RENDERED	78	448	452	- 0.8%			77	445	274	98.7	99.3	60.6			
DOMESTIC PROBLEMS	27	116	98	+ 18.3%			27	115	47	100.0	99.1	47.9			
INSECURE PREMISES	6	16	1	+500.0%			6	16		100.0	100.0	59.4			
SUSPICIOUS PER/CIRC	94	513	530	- 3.2%			93	507	315	98.9	98.8	59.4			
PUBLIC SAFETY	10	13	9	+ 44.4%			10	13	7	100.0	100.0	77.7			
DISTURBANCE/NOISE	73	234	134	+ 74.6%			73	232	80	100.0	99.1	59.7			
SICK CARED FOR	4	20	13	+ 53.8%			4	20	7	100.0	100.0	53.8			
MARINE				- 0%											
TRAFFIC/ROADS	29	171	205	- 16.5%			29	164	117	100.0	95.9	57.0			
CIVIL COMPLAINTS	3	27	18	+ 50.0%			2	23	7	66.6	85.1	38.8			
VEHICLE DISPOSITION				- 0%											
ALARM				- 0%											
CONFIRMED															
FALSE	8			+300.0%			8		2						
ACCIDENTAL	11	40	7	+471.4%			11	40	6	100.0	100.0	85.7			
FAULTY	12	66	71	- 7.0%			12	66	44	100.0	100.0	61.9			
OTHER	13	76	134	- 43.2%			13	76	80	100.0	100.0	59.7			
SURPOENAS	4	34		- 0%			4	33		100.0	97.0				
OFFICER ASSAULT				- 0%											
TRAFFIC OFF OTHER	1	9	12	- 25.0%			1	9	10	100.0	100.0	83.3			
CUSTODY	4	21	13	+ 61.5%			4	21	13	100.0	100.0	100.0			
OTHER MISC	16	104	49	+112.2%			17	101	34	106.2	97.1	69.3			
PART III TOTAL	500	2664	2319	+ 6.2%			481	2366	1406	96.2	96.0	60.6			
GRAND TOTAL	807	3914	3516	+ 11.3%			674	3217	1970	83.5	82.1	56.0			

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1991 SIX-MONTH CRIME ANALYSIS REPORT

September 10, 1991

Page Two

PART III CRIMES: This category showed the lowest amount of increase at only 6.2% for 1991. The most noticeable decrease was in the Fugitive Offenses. Fugitive Arrests (suspects wanted for crimes by law enforcement agencies outside the City of Keizer) have decreased 31% or 41 fewer contacts.

TRAFFIC ACCIDENTS: Traffic Accidents, which include Hit and Run, Fatal Accidents, Personal Injury Accidents and Property Damage Accidents, have decreased 33.9% from 109 in 1990 to 72 in 1991.

TOTAL CRIMES: During the first six months of 1991, the Keizer Police Department recorded a total of 3,914 crime offenses. This reflects an increase of 11.3% over the same time period in 1990 which recorded only 3,516 crime offenses.

SUMMARY

This report reflects the total reported offenses for the first six months of 1991 as recorded in our computer data base program (R.A.I.N.). Although conclusions can be drawn and inferences made, the reader must be cautioned that this data is only for a six month period. Many factors determine the increase or decrease in crime and, although the first six months of 1991 indicate an increase in crimes and calls for service, these could be equally decreased during the remaining six month period.

crs:cp

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R91- _____

**SETTING FORTH A CHANGE IN COMPENSATION FOR
NON-BARGAINING UNIT EMPLOYEES INCLUDING CERTAIN EMPLOYEES
OF THE WATER DEPARTMENT AND POLICE DEPARTMENT, CERTAIN
PERMANENT PART-TIME EMPLOYEES AND CERTAIN MANAGEMENT EMPLOYEES**

The City Council of the City of Keizer does hereby resolve as follows:

SECTION 1. That Resolutions R89-435, R89-436, R89-440, R89-441, R90-482 and R90-483 are

hereby repealed in their entirety.

SECTION 2. The following salary grades have been adjusted based on cost of living as recommended by the City Manager and approved by the City Council, and are hereby assigned to the classifications of the following management employees effective July 1, 1991:

<u>CLASS TITLE</u>	<u>BASE MONTHLY PAY RANGES</u>					
	FLAT	1	2	3	4	5
City Manager	\$4,631					
Chief of Police	\$3,694					
City Recorder		\$2,369	\$2,489	\$2,613	\$2,744	\$2,881
Police Sergeant		\$2,565	\$2,694	\$2,829	\$2,970	\$3,119
Public Works Director	\$3,689					
Community Development Director	\$3,904					

SECTION 3. The following salary grades have been adjusted based on cost of living as recommended by the City Manager and approved by the City Council, and are hereby assigned to the classifications of the following Water Department employees effective July 1, 1991:

<u>CLASS TITLE</u>	<u>BASE MONTHLY PAY RANGES</u>					
	FLAT	1	2	3	4	5
Accountant		\$1,980	\$2,079	\$2,183	\$2,292	\$2,407
Utility Billing Clerk I		\$1,359	\$1,427	\$1,498	\$1,573	\$1,652
Utility Billing Clerk II		\$1,523	\$1,599	\$1,679	\$1,763	\$1,851
Waterworks Operator		\$1,874	\$1,968	\$2,066	\$2,169	\$2,277
Senior Waterworks Operator		\$2,499	\$2,624	\$2,755	\$2,893	\$3,038

1 Section 17. EMERGENCY CLAUSE.

2 This act being necessary for the immediate preservation of
3 the public health, safety and welfare of the community, an
4 emergency is declared to exist and this Ordinance shall take effect
5 upon its passage.

6 PASSED this _____ day of _____, 1991.

7 SIGNED this _____ day of _____, 1991.

8 _____
9 Mayor

10 _____
11 City Recorder

12 824C.006

- 1 (a) The person is actively seeking new or used parts or
2 is reshaping/welding or fixing the body, upholstery,
3 or mechanical parts to repair the vehicle. (If the
4 vehicle is not repaired within ninety (90) days
5 after the person is given written notice from the
6 City Manager or his designee, it shall be presumed
7 the situation does not fall under the exception
8 contained in this section); or
9
10 (b) The person is actively seeking new or used parts or
11 is reshaping, welding, renewing or fixing body,
12 upholstery or mechanical parts to restore the
13 vehicle. (If the vehicle is not restored within one
14 year after the person is given written notice from
15 the City Manager or his designee, it shall be
16 presumed that the vehicle is not being restored and
17 that the situation does not fall under the exemption
18 contained in this section.)
19
20 (c) This exemption for inoperable vehicles does not
21 apply to parts of a motor vehicle(s). The term
22 "parts of a motor vehicle(s)" means body, frame,
23 door(s), motor, glass, electrical, upholstery, or
24 mechanical components that make up a motor vehicle.
25 A motor vehicle which has lost or has had removed
26 more than 25 percent of its original components and
 equipment is presumed to be a part or parts of a
 motor vehicle.

(9) The City Council may, following the public hearing, affirm, modify or reverse the determination of the City Manager.

(10) The determination of the City Council after conclusion of any public hearing held under this section shall be final.

(11) If the City Council makes a decision rejecting all or part of an application, the applicant may not submit another application which includes the same request for a period of six (6) months unless the City Council finds that the public interest requires reconsideration within a shorter period of time.

Section 10. ABATEMENT OF NUISANCE.

(1) The City Manager or his designee may make an investigation to determine whether any accumulation, storage, collection, maintenance or display of inoperable vehicles, waste or solid waste is in violation of this Ordinance.

(2) If, after investigation, the City Manager or his designee determine that there is a violation of this Ordinance, the City Manager or his designee shall cause written notice either to be mailed by certified mail or served personally or by substituted service on the person in possession of the property and to the title owner of the property. Should the offender and property owner not receive or accept certified mail, the property will be

(2) The applicant has shown that the activity which is the subject of the application would not:

(a) Be detrimental or hazardous to the health or safety of the public or those persons living within 300 feet of the property which is the subject of the application.

(b) Be in violation of Keizer zoning ordinances.

Section 9. APPLICATIONS FOR EXEMPTIONS.

An application for exemption under this Ordinance shall be filed with the City Manager on a form to be determined and provided by the City Manager.

(1) Upon filing an application, the applicant shall pay a fee equal to the fee charged for an application for a variance under the Keizer zone code.

(2) The applicant shall provide such additional information as may be reasonably required by the City Manager in order to make a determination.

(3) The City Manager shall make such investigation as is deemed appropriate.

(4) On the basis of the application, evidence submitted and results of any investigation, the City Manager shall determine in writing whether an application shall be granted, granted with modifications or conditions, or denied.

(5) Notice of the determination shall be posted at the Keizer City Hall.

- associations, firms, partnerships and joint stock companies.
- (6) "Putrescible material" means organic material that can decompose and may give rise to foul or offensive odors or foul or offensive byproducts.
- (7) "Regulations" mean orders promulgated by the City Council pursuant to this Ordinance.
- (8) "Solid waste" means all putrescible and nonputrescible wastes, including but not limited to, garbage, rubbish, refuse, ashes, wastepaper and cardboard, sewage sludge, septic tank and cesspool pumpings or other sludge; commercial, industrial, demolition and construction wastes; discarded or abandoned vehicles or parts thereof; discarded home and industrial appliances; manure; vegetable or animal solid and semisolid wastes; dead animals or other wastes; but the term does not include:
- (a) Hazardous wastes as defined by ORS Chapter 466 or regulations adopted by the Department of Environmental Quality or Environmental Quality Commission.
- (b) Materials used for fertilizer or for other purposes or which are salvageable, as such materials are used on land in agricultural operations and the growing or harvesting of crops and the raising of fowl or animals.
- (9) "Waste" means useless or discarded materials.

(2) Agricultural operations (including the growing and harvesting of crops and timber, the raising of fowl or animals, and the storage or use of agricultural waste, sprays and fertilizer). This exception does not apply in those City of Keizer land use zones that do not permit such activities.

(3) The operation of a wrecking yard with a valid and current license or permit to operate a wrecking yard under ORS 377.605 to 377.655 and in an area zoned and/or permitted for use as a wrecking yard.

(4) Compost piles used only for the decomposition of garden and yard trimmings and located on the tax lot where the garden or yard trimmings were generated.

Section 4. DEFINITIONS.

(1) "City Council" means the City Council of the City of Keizer.

(2) "Dispose" or "disposal" means the accumulation, storage, collection, or transportation of waste or solid waste to a transfer facility, disposal site, sanitary landfill, or resource recovery facility.

(3) "Disposal site" means land used for the disposal or handling of waste or solid waste, including but not limited to, dumps, landfills, sludge lagoons, sludge treatment facilities, disposal sites for septic tank pumping or cesspool cleaning service, composting plants, salvage sites, incinerators for solid waste delivered by

on the lot where they were generated.

5. Repair or restoration of a single inoperable vehicle on a given tax lot.
6. Antique vehicles.

There is also a provision for obtaining further exemptions under the ordinance. The applicant would have to apply for an exemption following a procedure that is somewhat similar to an application for a variance under the zone code.

The ordinance provides a process for determining whether someone has violated the ordinance. The ordinance treats a violation as a nuisance and also as a violation of the City Infraction Ordinance number 86-063. The process for abating a nuisance would include a lawsuit in the nature of an injunction. If the matter were to be handled as an infraction under the infraction ordinance, the city would most likely seek a penalty which is referred to as a "forfeiture". According to the Infraction Ordinance the forfeiture to be assessed for a specific infraction shall not exceed \$500.00. The infraction ordinance also states that for a continuing violation the penalty could accumulate at the rate of \$500.00 per day.

The proposed ordinance is based primarily upon Marion County Ordinance 663 which was adopted by the county in 1984. That is the ordinance by which the county has been regulating nuisance abatement within the City of Keizer up until the present time.

IV. PRINTING

We will provide the city with 20 copies of the compilation, one-sided, on 8 1/2 x 11 paper, in loose-leaf, three-post binders, with index tabs for each chapters.

COST ESTIMATE:

Pressman	= \$100
20 2 1/2" binders @ \$9.00	= 180
20 set divider tabs @ \$4.15/set	= 83
Total:	\$363

V. COMPUTER DISKS

We will provide you with a copy of the compilation on disk using Word Perfect 5.1 word processing format.

COST ESTIMATE: N/C

TOTAL ESTIMATE: \$6,963 - 7,863

*20 copies
8 1/2" x 11"
imprinted
name/logo ??*

David M. Siegel, AICP
2157 Waltman Court, NE
Keizer, OR 97303

Hon. Andrew Orcutt, Mayor
City of Keizer
PO Box 21000
Keizer, OR 97307

September 12, 1991

Mayor Orcutt,

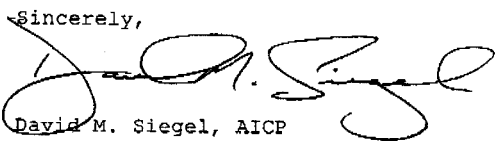
I have been informed that my term as a member of the Keizer City Planning Commission will expire in October. The purpose of this letter is to indicate my continued desire to serve the City of Keizer in this capacity, and to request reappointment to the Commission.

I believe my background in the area of land use, public facility, and transportation planning has been useful to the Commission and will continue to be useful in the future. I have attended all meetings and participated fully in deliberations.

My areas of interest include growth management, public facility financing, and the future development of Keizer as a self-sufficient community. Systems development charges, transportation planning, and maximizing the use of land within the Urban Growth Boundary are issues of importance which I would like to see before the Planning Commission in the future.. I hope to have the opportunity to participate in addressing them.

If I may be of service, or should you require additional information, please contact me. Thank you.

Sincerely,



David M. Siegel, AICP

Personal Health Insurance the State Farm way!

SAMUEL T. GOESCH, AGENT

Auto-Life-Health-Home and Business

3975 RIVER RD N, SUITE 2

PERSONAL LINES ASSIST. - VICKIE BRANDT

KEIZER, OREGON 97303 PHONE (503) 393-6252

September 12, 1991

MAYOR ANDREW J. ORCUTT

CITY OF KEIZER

P.O. BOX 21000

KEIZER, OR 97307-1000

Dear Andy:

My time on the planning commission will soon come to an end. As you will recall I was appointed to complete the term of a commissioner who had moved from Keizer.

I would like to be appointed to a full term on the commission. Please ask the council to consider my appointment to a full term on the commission when it's agenda allows.

Sincerely,



Samuel T. Goesch



City of Keizer

Administration

930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

COUNCIL MEETING: September 16, 1991

AGENDA ITEM NO.: 9b

TO: MAYOR AND CITY COUNCIL

FROM: DONALD H. OTTERMAN, M.S.P.A, CITY MANAGER *ju*

SUBJECT: RESOLUTION - CERTIFICATION OF LIGHTING DISTRICT ACCOUNTS

Each year the City of Keizer certifies to the Marion County Tax Assessor the cost of installation, operation and maintenance of street lights. These street lights benefit the properties within their respective street lighting districts.

The City of Keizer pays the cost of operation and maintenance of the street lights throughout the year. At the end of the fiscal year, the amount paid by the City is totaled up, a 10% administration charge is added, and the amounts are spread out among the affected properties. While the majority of districts are calculated on a "per lot" basis, some are calculated on a "front footage" basis. Those computed on the latter method are the Hicks-Jones Lighting District, the Greenwood Drive Lighting District, and a portion of the Shady Lane Lighting District. The amounts assessed to each of the properties are attached to this staff report.

There are two methods by which the City may collect the lighting district assessments. Historically, street lighting bills have been placed on the property tax rolls along with property taxes. However, with the passage of Measure 5, only those amounts which are considered "taxes" may be placed on the assessment rolls. Therefore, either the City must declare the street lighting assessments to be "taxes", and may therefore place them on the assessment rolls, or it must bill the individual property owners for payment. Placing the lighting district bills on the assessment rolls would be included within the \$10 tax rate. However, by doing so this year, the maximum \$10 rate will not be reached. Therefore, I have authorized staff to place the lighting district accounts on the tax assessment rolls this year.

The other alternative, to bill each property owner individually, would require a great deal of manpower, equipment and expense. There are more than 2,300 accounts for which property owner names and addresses would need to be obtained. This may be an alternative the City will wish to review in coming years.

RECOMMENDATION

Approval of the attached resolution certifying lighting district accounts to the Marion County Assessor.

Attachments

PG#	ACCOUNT	# OF LOTS	TOTALS	PLUS S.E.	PLUS ENGINEER 10% REPORT	PER LOT
STONEHEDGE EST III	3786-0	32	1,215.15	1,215.15	1,336.67	47.77
AKER HGTS	3789-0	34	795.17	795.17	874.69	34.03
ADAMS	3792-0	36	5,117.00	5,117.00	5,628.70	164.76
STONEHEDGE EST 485	3798-0	32	2,618.00	2,618.00	2,879.80	98.99
WILLOW LAKE EST	3793-0	46	1,822.73	1,822.73	2,005.00	50.16
008 MARDELL	3640-0	209	5,475.16	5,910.16	6,501.18	31.11
012 WILARK PARK ST LTG	3675-0	190	11,025.34	11,025.34	12,127.87	63.83
014 MAI-LIN DIST	3635-0	293	7,808.90	8,042.90	8,847.19	30.20
022 NORTHVIEW TER	3655-0	85	2,060.78	2,669.78	2,936.76	34.55
023 MCNARY HTS	3645-0	88	4,004.27	4,004.27	4,404.70	50.05
024 CEDAR PARK ST LTG	3615-0	19	930.60	930.60	1,023.66	53.88
028 NORTHWOOD PARK #1	3660-0	49	2,632.32	2,632.32	2,895.55	59.09
041 WILARK PARK #6	3676-0	18	646.78	646.78	711.46	39.53
042 WILARK PARK ANN #7	3678-0	16	646.78	646.78	711.46	44.47
043 NORTHWOOD PARK #2	3661-0	43	2,050.46	2,050.46	2,255.51	52.45
044 MAI-LIN #2	3636-0	23	544.63	544.63	599.09	26.05
045 MCLEOD PARK	3644-0	36	1,293.57	1,293.57	1,422.93	39.53
046 LANCER PARK	3634-0	36	1,496.09	1,496.09	1,645.70	45.71
048 CARLHAVEN ADDN	3614-0	27	475.63	475.63	523.19	19.38
049 WINDSOR ESTATES	3700-0	23	1,030.03	1,030.03	1,133.03	49.26
050 WHITAKER PARK	3677-0	78	3,341.89	3,341.89	3,676.08	47.13
079 ANDREW PARK	3604-0	15	663.80	663.80	730.18	48.68
081 LAWDALE SUB	3628-0	34	1,670.95	1,670.95	1,838.04	54.06
082 NORTHWOOD PARK #4	3658-0	98	5,894.95	5,894.95	6,484.45	66.17
084 WILARK PARK ANN #5	3674-0	18	862.37	862.37	948.61	52.70
087 CARLHAVEN ADDN #2	3616-0	29	557.69	557.69	613.46	21.15
095 WHEATLAND LN	3699-0	7	343.35	343.35	377.69	53.96
096 FREE ESTATES	5745-0	100	5,616.01	5,616.01	6,177.61	61.78
097 MA PARK	3617-0	18	1,201.70	1,201.70	1,321.87	73.44
108 MCLEOD PARK #2	3643-0	28	1,283.90	1,283.90	1,412.29	50.44
120 CHENAWA EST #1	5480-0	30	1,509.15	1,509.15	1,660.06	55.34
122 SIX SUBDIV	3691-0	21	475.63	475.63	523.19	24.91
126 MCLEOD ESTATES	3647-0	74	3,233.90	3,233.90	3,557.29	48.07
128 CHEHALIS SUB	3607-0	16	375.55	375.55	413.11	25.82
130 CRESTWOOD VILLAGE	3609-0	12	431.19	431.19	474.31	39.53
131 CHENAWA EST #2	5482-0	34	1,724.75	1,724.75	1,897.23	55.80
146 TERRACE GLEN	3693-0	16	686.69	686.69	755.36	47.21
147 WEDGEWOOD ESTATES	3705-0	32	701.05	701.05	771.15	24.10
148 JULIE ESTATES	5711-0	20	1,293.57	1,293.57	1,422.93	71.15
150 KEPHART ESTATES	5715-0	41	862.37	1,371.17	1,508.29	36.79
159 JOHNISEE ADDN	5700-0	13	280.42	280.42	308.46	23.73
161 WALENWOOD SUB	3722-0	9	140.21	140.21	154.23	17.14
162 WARNER PARK	3721-0	10	140.21	140.21	154.23	15.42
163 SPRINGTIME PK SUB	3725-0	15	646.78	646.78	711.46	47.43
164 STONEHEDGE ESTATES	3731-0	100	4,958.65	4,958.65	5,454.52	54.55
181 TIMBERVIEW SUBDIV	3741-0	141	5,389.84	5,389.84	5,928.82	42.05
182 VISTA VIEW EST #2	3735-0	60	1,682.51	1,682.51	1,850.76	30.85
183 NORTHDRIDGE PARK	3702-0	32	756.05	756.05	831.65	25.99
185 KEIZER HTS	3742-0	65	2,733.34	2,733.34	3,006.67	46.26
191 CLARK ST NE	3757-0	29	410.29	410.29	451.32	15.56
192 FRIENDSHIP ADD	3753-0	11	254.28	254.28	279.71	25.43
193 TEN AT MCNARY	3755-0	15	947.66	947.66	1,042.43	69.50
194 WADSWORTH ADDITION	3711-0	21	351.97	351.97	387.17	18.44
195 WADSWORTH ADDITION	3720-0	6	234.65	234.65	258.12	43.02
209 COUNTRY CLUB EST	3761-0	29	942.90	942.90	1,037.19	35.77
212 LAWDALE I SUB-P 2	3774-0	39	1,525.69	1,525.69	1,678.26	43.03
213 STONEHEDGE EST II	3778-0	90	3,240.40	3,240.40	3,564.44	39.60

NEW DISTRICTS.
SEE ATTACHED FOR
TAX ACCOUNT NUMBERS

PGE SUB-TOTAL

111,055.70 112,842.50 124,126.75

1991-92 LIGHTING DISTRICTS

M/C CODE TAX ACCT FRONT FOOT ASSESSMENT

86 HICKS-JONES LIGHTING DISTRICT

53711000	100.00	\$26.30
53717000	110.00	\$28.93
53722000	73.67	\$19.37
53726000	162.57	\$42.76
53734000	105.00	\$27.61
53736000	20.00	\$5.26
53739000	385.00	\$101.25
53746000	33.01	\$8.68
53747000	33.91	\$8.92
53752000	225.00	\$59.17
53758000	115.00	\$30.24
53764000	105.00	\$27.61
70315000	84.11	\$22.12
70315030	80.00	\$21.04
71064001	94.33	\$24.81
71064041	103.14	\$27.13
71670010	93.22	\$24.52
71670040	83.86	\$22.05
71670050	85.00	\$22.35
71670060	85.00	\$22.35
71670070	85.00	\$22.35
71670080	85.00	\$22.35
71670090	85.00	\$22.35
71670100	85.00	\$22.35
71670120	85.00	\$22.35
71680000	80.00	\$21.04
71680010	80.00	\$21.04
71680020	115.00	\$30.24
71680030	115.00	\$30.24
71680040	80.00	\$21.04
71680050	80.00	\$21.04
71680060	79.86	\$21.00
71680061	107.18	\$28.19
71680070	65.00	\$17.09
71680080	80.00	\$21.04
71680090	80.00	\$21.04
71680100	103.04	\$27.10
71680110	115.00	\$30.24
71680120	80.00	\$21.04
71680130	80.00	\$21.04
71680140	80.00	\$21.04
71680150	80.00	\$21.04
71680160	115.00	\$30.24
71700000	66.70	\$17.54
71700010	70.00	\$18.41
71700020	83.96	\$22.08
71700030	48.68	\$12.80
71700040	40.85	\$10.74
71700050	40.00	\$10.52
71700060	42.12	\$11.08
71700070	87.00	\$22.88
71700080	72.78	\$19.14

82257430	63.86	\$16.79
82257440	196.18	\$51.59
82257450	61.18	\$16.09
82257460	35.84	\$9.43
82257468	18.82	\$4.95
82257470	144.99	\$38.13
82257650	430.00	\$113.09
82257730	108.81	\$28.62
82257740	90.50	\$23.80
82257750	101.55	\$26.71
82257760	75.50	\$19.86
82257770	85.00	\$22.35
82257780	85.00	\$22.35
82257790	100.00	\$26.30
82257807	64.73	\$17.02
82257810	70.00	\$18.41
82257820	150.95	\$39.70
82257830	194.74	\$51.22
82257850	110.09	\$28.95
82257860	84.61	\$22.25
82257900	79.00	\$20.78
82257920	79.65	\$20.95
82257930	100.00	\$26.30
82257941	70.00	\$18.41
82257950	96.21	\$25.30
82257960	101.00	\$26.56
82257970	65.00	\$17.09
82257990	78.00	\$20.51
82258000	144.33	\$37.96
82258010	35.00	\$9.20
82258020	81.00	\$21.30
82258030	105.00	\$27.61
82258040	130.00	\$34.19
82258050	75.00	\$19.72
82258060	75.00	\$19.72
82258090	80.00	\$21.04
82258100	114.00	\$29.98
82258110	97.00	\$25.51
82258130	96.50	\$25.38
82258150	193.60	\$50.92
82258160	87.60	\$23.04
82258170	6.00	\$1.58
82258180	100.00	\$26.30
82258190	95.00	\$24.98
82258200	82.71	\$21.75
82258210	30.00	\$7.89
82258220	87.89	\$23.11
82258230	87.89	\$23.11
82258240	76.05	\$20.00
82258250	76.00	\$19.99
82258260	82.00	\$21.57
82258270	76.00	\$19.99
82258280	87.20	\$22.93
82258300	70.00	\$18.41
82258310	67.81	\$17.83
82258320	67.81	\$17.83

34 GREENWOOD DRIVE LIGHTING DISTRICT

53137000	100.61	\$25.94
53138000	101.00	\$26.04
53139000	101.00	\$26.04
53142000	122.32	\$31.53
53143000	122.00	\$31.45
53146000	100.00	\$25.78
53242000	100.00	\$25.78
53243000	100.00	\$25.78
53244000	100.00	\$25.78
53245000	100.00	\$25.78
53249000	100.00	\$25.78
53251000	100.00	\$25.78
53252000	100.00	\$25.78
53253000	100.00	\$25.78
53254000	100.00	\$25.78
73290001	110.00	\$28.36
73290010	100.00	\$25.78
73290020	100.00	\$25.78
73290030	100.00	\$25.78
73290040	200.00	\$51.56
73290050	100.00	\$25.78
73290060	100.00	\$25.78
73290070	100.00	\$25.78
73290080	100.00	\$25.78
73290090	120.00	\$30.94
73290100	165.42	\$42.65
73290110	104.00	\$26.81
73290120	104.00	\$26.81
73290130	104.00	\$26.81
73290140	104.00	\$26.81
73290160	104.00	\$26.81
73290170	105.00	\$27.07
73290180	104.00	\$26.81
73290190	104.00	\$26.81
73290200	110.00	\$28.36

3,785.35

975.88

26 SHADY LANE LIGHTING DISTRICT

53684000	\$16.47
53831000	\$16.47
53832000	\$16.47
75080000	\$16.47
75080020	\$16.47
75080030	\$16.47
75080040	\$16.47
75080050	\$16.47
75080060	\$16.47
75080070	\$16.47
75080080	\$16.47
75080090	\$16.47
75080100	\$16.47
75080110	\$16.47

82257170	64.53	\$12.84
82257180	64.53	\$12.84
82257190	64.53	\$12.84
82257200	64.53	\$12.84
82257210	64.53	\$12.84
82257220	193.60	\$38.52
82257230	20.00	\$3.98
82257236	76.80	\$15.28
82257240	20.00	\$3.98
82257250	76.80	\$15.28
82257260	96.80	\$19.26
82257270	96.30	\$19.16
82257280	60.00	\$11.94
82257290	210.63	\$41.91
82257300	54.75	\$10.89
82257320	64.30	\$12.79
82257330	120.00	\$23.88
82257350	89.00	\$17.71
82257360	100.00	\$19.90
82257480	116.67	\$23.21
82257490	100.00	\$19.90
82257500	100.00	\$19.90
82257510	118.00	\$23.48
82257520	64.69	\$12.87
82257530	64.46	\$12.83
82257540	64.54	\$12.84
82257550	193.60	\$38.52
82257560	96.80	\$19.26
82257570	96.80	\$19.26
82257580	96.80	\$19.26
82257590	96.80	\$19.26
82257600	125.00	\$24.87
82257630	100.87	\$20.07
82257660	67.00	\$13.33
82257670	67.00	\$13.33
82257680	67.00	\$13.33
82257690	67.00	\$13.33
82257710	77.00	\$15.32

5,538.81 \$1,777.52

NEW: Willow Lake Estates

AT01 MARION COUNTY SD97851 DIRECTORY

ROLL ACCT NO	LOT	BLK	SITUS ADDRESS		PROPERTY LOCATOR
1 75747-001	1		5214	BOBBIE	C 063W-34CD-03723
1 75747-011	2		5224	BOBBIE	C 063W-34CD-03722
1 75747-021	3		5234	BOBBIE	C 063W-34CD-03721
1 75747-031	4		5244	BOBBIE	C 063W-34CD-03720
1 75747-041	5		5254	BOBBIE	C 063W-34CD-03719
1 75747-051	6		5264	BOBBIE	C 063W-34CD-03718
1 75747-061	7		5274	BOBBIE	C 063W-34CD-03717
1 75747-081	9		5275	BOBBIE	C 063W-34CD-03715
1 75747-091	10		5265	BOBBIE	C 063W-34CD-03714
1 75747-101	11		5255	BOBBIE	C 063W-34CD-03713
1 75747-111	12		5245	BOBBIE	C 063W-34CD-03712
1 75747-121	13		5235	BOBBIE	C 063W-34CD-03711
1 75747-131	14		5225	BOBBIE	C 063W-34CD-03710
1 75747-141	15		5215	BOBBIE	C 063W-34CD-03709
1 75747-151	16		5216	TODD	C 063W-34CD-03708
1 75747-161	17		5226	TODD	C 063W-34CD-03707
1 75747-171	18		5236	TODD	C 063W-34CD-03706
1 75747-181	19		5246	TODD	C 063W-34CD-03705
1 75747-191	20		5256	TODD	C 063W-34CD-03704
1 75747-201	21		5266	TODD	C 063W-34CD-03703

ENTER: ROLL ACCT SEG YR CODEAREA TYPE SEQ

AT01 MARION COUNTY SD97851 DIRECTORY

ROLL ACCT NO	LOT	BLK	SITUS ADDRESS		PROPERTY LOCATOR
1 75747-211	22		5276	TODD	C 063W-34CD-03702
1 75747-221	23		5287	TODD	C 063W-34CD-03701
1 75747-231	24		5277	TODD	C 063W-34CD-00300
1 75747-241	25		5267	TODD	C 063W-34CD-00400
1 75747-251	26		5257	TODD	C 063W-34CD-00500
1 75747-261	27		5247	TODD	C 063W-34CD-00600
1 75747-271	28		5237	TODD	C 063W-34CD-00700
1 75747-281	29		5227	TODD	C 063W-34CD-00800
1 75747-291	30		5217	TODD	C 063W-34CD-00900
1 75747-301	31		***** ACCOUNT SITUS RECORD MISSING		C 063W-34CD-01000
1 75747-311	32		5228	LACEY	C 063W-34CD-01100
1 75747-321	33		5238	LACEY	C 063W-34CD-01200
1 75747-331	34		5248	LACEY	C 063W-34CD-01300
1 75747-341	35		5258	LACEY	C 063W-34CD-01400
1 75747-351	36		5268	LACEY	C 063W-34CD-01500
1 75747-361	37		5278	LACEY	C 063W-34CD-01600
1 75747-371	38		5288	LACEY	C 063W-34CD-01700
1 75747-381	39		5289	LACEY	C 063W-34CD-01800
1 75747-391	40		5279	LACEY	C 063W-34CD-01900
1 75747-401	41		5269	LACEY	C 063W-34CD-02000

ENTER: ROLL ACCT SEG YR CODEAREA TYPE SEQ

AT01 MARION COUNTY SD97851 DIRECTORY

ROLL ACCT NO	LOT	BLK	SITUS ADDRESS		PROPERTY LOCATOR
1 75747-411	42		5259	LACEY	C 063W-34CD-02100
1 75747-421	43		5249	LACEY	C 063W-34CD-02200
1 75747-431	44		5239	LACEY	C 063W-34CD-02300
1 75747-441	45		5229	LACEY	C 063W-34CD-02400
1 75747-451	46		5219	LACEY	C 063W-34CD-02500
1 75747-071	8		5284	BOBBIE	C 063W-34CD-03716

ENTER: ROLL ACCT SEG YR CODEAREA TYPE SEQ

END OF INDEX FOR REQUEST PARAMETERS

Stonehedge III

NEW: Stonehedge III

AT01	ACCT NO	LOT	BLK	SITUS ADDRESS	PROPERTY LOCATOR
	74743-321			***** ACCOUNT SITUS RECORD MISSING	063W-25CC-13900
1	74743-001	1	12	2030	STONEHEDGE D 063W-25CC-13000
1	74743-011	2	12	2060	STONEHEDGE D 063W-25CC-13100
1	74743-021	3	12	2090	STONEHEDGE D 063W-25CC-13200
1	74743-031	4	12	2120	STONEHEDGE D 063W-25CC-13300
1	74743-041	5	12	2150	STONEHEDGE D 063W-25CC-13400
1	74743-051	6	12	2180	STONEHEDGE D 063W-25CC-13500
1	74743-061	7	12	2220	STONEHEDGE D 063W-25CC-13600
1	74743-071	8	12	2250	STONEHEDGE D 063W-25CC-13700
1	74743-081	9	12	2280	STONEHEDGE D 063W-25CC-13800
1	74743-091	1	13	2031	STONEHEDGE D 063W-25CC-12900
1	74743-101	2	13	2061	STONEHEDGE D 063W-25CC-12800
1	74743-111	3	13	2091	STONEHEDGE D 063W-25CC-12700
1	74743-121	4	13	2131	STONEHEDGE D 063W-25CC-12600
1	74743-131	5	13	2161	STONEHEDGE D 063W-25CC-12500
1	74743-141	6	13	2201	STONEHEDGE D 063W-25CC-12400
1	74743-151	7	13	2194	HEATHER STONE C 063W-25CC-12300
1	74743-161	8	13	2164	HEATHER STONE C 063W-25CC-12200
1	74743-171	9	13	2134	HEATHERSTONE C 063W-25CC-12100
1	74743-181	10	13	2094	HEATHERSTONE C 063W-25CC-12000

ENTER: ROLL	ACCT	SEG	YR	CODEAREA	TYPE	SEQ
AT01				MARION COUNTY SD86440 DIRECTORY		
ROLL	ACCT NO	LOT	BLK	SITUS ADDRESS	PROPERTY LOCATOR	
1	74743-191	11	13	2064	HEATHERSTONE C 063W-25CC-11900	
1	74743-201	12	13	2034	HEATHERSTONE C 063W-25CC-11800	
1	74743-211	13	13	2005	HEATHERSTONE C 063W-25CC-11700	
1	74743-221	14	13	2035	HEATHER STONE C 063W-25CC-11600	
1	74743-231	15	13	2065	HEATHERSTONE C 063W-25CC-11500	
1	74743-241	16	13	2095	HEATHER STONE C 063W-25CC-11400	
1	74743-251	17	13	2135	HEATHERSTONE C 063W-25CC-11300	
1	74743-261	18	13	2165	HEATHERSTONE C 063W-25CC-11200	
1	74743-271	19	13	2195	HEATHER STONE C 063W-25CC-11100	
1	74743-281	1	14	6558	STONE MASON L 063W-25CC-14000	
1	74743-291	2	14	6578	STONE MASON L 063W-25CC-14100	
1	74743-301	3	14	6598	STONE MASON L 063W-25CC-14200	
1	74743-311	4	14	6608	STONE MASON L 063W-25CC-14300	

ENTER: ROLL ACCT SEG YR CODEAREA TYPE SEQ
END OF INDEX FOR REQUEST PARAMETERS

New: Four winds Addition, Phase III

ATO	ROLL NO	LOT	BLK	SITUS ADDRESS		PROPERTY LOCATOR
1	71375-001	1	1056	LEEWARD	C	073W-03BA-08421
1	71375-011	2	1046	LEEWARD	C	073W-03BA-08420
1	71375-021	3	1036	LEEWARD	C	073W-03BA-08419
1	71375-031	4	1026	LEEWARD	C	073W-03BA-08418
1	71375-041	5	1016	LEEWARD	C	073W-03BA-08417
1	71375-051	6	996	LEEWARD	C	073W-03BA-08416
1	71375-061	7	986	LEEWARD	C	073W-03BA-08415
1	71375-071	8	976	LEEWARD	C	073W-03BA-08414
1	71375-081	9	4969	SHORELINE	D	073W-03BA-08413
1	71375-091	10	979	LEEWARD	C	073W-03BA-08412
1	71375-101	11	969	LEEWARD	C	073W-03BA-08411
1	71375-111	12	999	LEEWARD	C	073W-03BA-08410
1	71375-121	13	1019	LEEWARD	C	073W-03BA-08409
1	71375-131	14	1029	LEEWARD	C	073W-03BA-08408
1	71375-141	15	1039	LEEWARD	C	073W-03BA-08407
1	71375-151	16	1049	LEEWARD	C	073W-03BA-08406
1	71375-161	17	1057	LEEWARD	C	073W-03BA-08405
1	71375-171	18	4992	FOUR WINDS	D	073W-03BA-08404
1	71375-181	19	4973	FOUR WINDS	C	073W-03BA-08403
1	71375-191	20	4983	FOUR WINDS	C	073W-03BA-08402

ENTER: ROLL ACCT SES YR CODEAREA TYPE SEQ

ATO1 MARION COUNTY SD30246 DIRECTORY

ROLL	ACCT NO	LOT	BLK	SITUS ADDRESS		PROPERTY LOCATOR
1	71375-201	21	4993	FOUR WINDS	C	073W-03BA-08403

EN ROLL ACCT SES YR CODEAREA TYPE SEQ

EN INDEX FOR REQUEST PARAMETERS

Whiteaker Heights

NEW: Whiteaker Heights

AT01 MARION COUNTY SD96316 DIRECTORY

ROLL	ACCT NO	LOT	BLK	SITUS ADDRESS		PROPERTY LOCATOR
1	75485-001	1		6159	MCLEDD	L 063W-36BC-07601
1	75485-011	2		1925	ZACHRIS	C 063W-36BC-07602
1	75485-021	3		1895	ZACHRIS	C 063W-36BC-07603
1	75485-031	4		1875	ZACHRIS	C 063W-36BC-07604
1	75485-041	5		1855	ZACHRIS	C 063W-36BC-07605
1	75485-051	6		1835	ZACHRIS	C 063W-36BC-07606
1	75485-061	7		1815	ZACHRIS	C 063W-36BC-07607
1	75485-071	8		1795	ZACHRIS	C 063W-36BC-07608
1	75485-081	9		1765	ZACHRIS	C 063W-36BC-07609
1	75485-091	10		1744	ZACHRIS	C 063W-36BC-07610
1	75485-101	11		1784	ZACHRIS	C 063W-36BC-07611
1	75485-111	12		1824	ZACHRIS	C 063W-36BC-07612
1	75485-121	13		1844	ZACHRIS	C 063W-36BC-07613
1	75485-131	14		1864	ZACHRIS	C 063W-36BC-07614
1	75485-141	15		1884	ZACHRIS	C 063W-36BC-07615
1	75485-151	16		1953	JENTIF	C 063W-36BC-07616
1	75485-161	17		1893	JENTIF	C 063W-36BC-07617
1	75485-171	18		1863	JENTIF	C 063W-36BC-07618
1	75485-181	19		1843	JENTIF	C 063W-36BC-07619
1	75485-191	20		1823	JENTIF	C 063W-36BC-07620

ENTER: ROLL ACCT SEG YR CODEAREA TYPE SEQ

AT01 MARION COUNTY SD96316 DIRECTORY

ROLL	ACCT NO	LOT	BLK	SITUS ADDRESS		PROPERTY LOCATOR
1	75485-201	21		1783	JENTIF	C 063W-36BC-07621
1	75485-211	22		1763	JENTIF	C 063W-36BC-07622
1	75485-221	23		1762	JENTIF	C 063W-36BC-07623
1	75485-231	24		1782	JENTIF	C 063W-36BC-07624
1	75485-241	25		1822	JENTIF	C 063W-36BC-07625
1	75485-251	26		1842	JENTIF	C 063W-36BC-07626
1	75485-261	27		1862	JENTIF	C 063W-36BC-07627
1	75485-271	28		1882	JENTIF	C 063W-36BC-07628
1	75485-281	29		1912	JENTIF	C 063W-36BC-07629
1	75485-291	30		1932	JENTIF	C 063W-36BC-07630
1	75485-301	31		1952	JENTIF	C 063W-36BC-07631
1	75485-311	32		1972	JENTIF	C 063W-36BC-07632
1	75485-321	33		1982	JENTIF	C 063W-36BC-07633
1	75485-331	34		1994	ZACHRIS	C 063W-36BC-07634

ENTER: ROLL ACCT SEG YR CODEAREA TYPE SEQ

END OF INDEX FOR REQUEST PARAMETERS

Stonhedge Estates 750

NEW: Stonhedge Estates 495

AT01 MARION COUNTY SDB6441 DIRECTORY

ROLL	ACCT NO	LOT	BLK	SITUS ADDRESS	PROPERTY LOCATOR
1	74744-001	20	13	2186 WALTMAN	C 063W-25CC-14900
1	74744-011	21	13	2156 WALTMAN CT	C 063W-25CC-15000
1	74744-021	22	13	2126 WALTMAN	C 063W-25CC-15100
1	74744-031	23	13	2096 WALTMAN	C 063W-25CC-15200
1	74744-041	24	13	2066 WALTMAN	C 063W-25CC-15300
1	74744-051	25	13	2036 WALTMAN	C 063W-25CC-15400
1	74744-061	26	13	2006 WALTMAN	C 063W-25CC-15500
1	74744-071	27	13	2037 WALTMAN	C 063W-25CC-15600
1	74744-082	28	13	***** ACCOUNT SITUS RECORD MISSING	C 063W-25CC-15701
1	74744-091	29	13	2097 WALTMAN	C 063W-25CC-15800
1	74744-101	30	13	2127 WALTMAN	C 063W-25CC-15900
1	74744-111	31	13	2157 WALTMAN	C 063W-25CC-16000
1	74744-121	32	13	2187 WALTMAN	C 063W-25CC-16100
1	74744-131	5	14	6618 STONE MASON	L 063W-25CC-16200
1	74744-141	6	14	6628 STONE MASON	L 063W-25CC-16300
1	74744-151	7	14	6638 STONE MASON	L 063W-25CC-16400

ENTER: ROLL ACCT SEG YR CODEAREA TYPE SEQ

END OF INDEX FOR REQUEST PARAMETERS

AT01 MARION COUNTY SDB6442 DIRECTORY

ROLL	ACCT NO	LOT	BLK	SITUS ADDRESS	PROPERTY LOCATOR
1	74745-031	33	13	2188 FLAG STONE	C 063W-25CC-16800
1	74745-041	34	13	2158 FLAG STONE	C 063W-25CC-16900
1	74745-051	35	13	2128 FLAG STONE	C 063W-25CC-17000
1	74745-061	36	13	2098 FLAG STONE	C 063W-25CC-17100
1	74745-071	37	13	2068 FLAG STONE	C 063W-25CC-17200
1	74745-081	38	13	2038 FLAG STONE	C 063W-25CC-17300
1	74745-091	39	13	2009 FLAG STONE	C 063W-25CC-17400
1	74745-101	40	13	2039 FLAGSTONE	C 063W-25CC-17500
1	74745-111	41	13	2069 FLAG STONE	C 063W-25CC-17600
1	74745-121	42	13	2099 FLAG STONE	C 063W-25CC-17700
1	74745-131	43	13	2129 FLAG STONE	C 063W-25CC-17800
1	74745-141	44	13	2159 FLAG STONE	C 063W-25CC-17900
1	74745-151	45	13	6697 STONE MASON	L 063W-25CC-18000
1	74745-001	8	14	6648 STONE MASON	L 063W-25CC-16500
1	74745-011	9	14	6668 STONE MASON	L 063W-25CC-16600
1	74745-021	10	14	6688 STONE MASON	L 063W-25CC-16700

ENTER: ROLL ACCT SEG YR CODEAREA TYPE SEQ

END OF INDEX FOR REQUEST PARAMETERS

11K 11/1/85

NEW: The Meadows

MARION COUNTY SD58282 DIRECTORY				PROPERTY LOCATOR	
ROLL	ACCT NO	LOT	BLK	SITUS ADDRESS	
1	73267-001	94		7287	PARK TERRACE D 063W-26AC-06900
1	73267-011	95		7267	PARK TERRACE D 063W-26AC-06800
1	73267-021	96		7257	PARK TERRACE D 063W-26AC-06700
1	73267-031	97		7247	PARK TERRACE D 063W-26AC-06600
1	73267-041	98		7227	PARK TERRACE D 063W-26AC-06500
1	73267-051	99		7207	PARK TERRACE D 063W-26AC-06400
1	73267-061	100		***** ACCOUNT SITUS RECORD MISSING	063W-26AC-06300
1	73267-071	101		***** ACCOUNT SITUS RECORD MISSING	063W-26AC-06200
1	73267-081	102		7147	PARK TERRACE D 063W-26AC-06100
1	73267-091	103		7127	PARK TERRACE D 063W-26AC-06000
1	73267-101	104		7107	PARK TERRACE D 063W-26AC-05900
1	73267-111	105		7128	PARK TERRACE D 063W-26AC-07900
1	73267-121	106		7148	PARK TERRACE D 063W-26AC-07800
1	73267-131	107		7168	PARK TERRACE D 063W-26AC-07700
1	73267-141	108		7178	PARK TERRACE D 063W-26AC-07600
1	73267-151	109		7188	PARK TERRACE D 063W-26AC-07500
1	73267-161	110		7208	PARK TERRACE D 063W-26AC-07400
1	73267-171	111		7228	PARK TERRACE D 063W-26AC-07300
1	73267-181	112		***** ACCOUNT SITUS RECORD MISSING	063W-26AC-07200
1	73267-191	113		1326	PARKVIEW C 063W-26AD-00800

ENTER: ROLL ACCT SEG YR CODEAREA TYPE SEQ

MARION COUNTY SD58282 DIRECTORY				PROPERTY LOCATOR	
ROLL	ACCT NO	LOT	BLK	SITUS ADDRESS	
1	73267-201	114		1346	PARKVIEW C 063W-26AD-00900
1	73267-211	115		1356	PARKVIEW C 063W-26AD-01000
1	73267-221	116		1366	PARKVIEW C 063W-26AD-01100
1	73267-231	117		1376	PARKVIEW C 063W-26AD-01200
1	73267-241	118		1386	PARKVIEW C 063W-26AD-01300
1	73267-251	119		1396	PARKVIEW C 063W-26AD-01400
1	73267-261	120		1397	PARKVIEW C 063W-26AD-00100
1	73267-271	121		1387	PARKVIEW C 063W-26AD-00200
1	73267-281	122		1377	PARKVIEW C 063W-26AD-00300
1	73267-291	123		1367	PARKVIEW C 063W-26AD-00400
1	73267-301	124		1357	PARKVIEW C 063W-26AD-00500
1	73267-311	125		1347	PARKVIEW C 063W-26AD-00600
1	73267-321	126		1327	PARKVIEW C 063W-26AD-00700
1	73267-331	127			PARK TERRACE 063W-26AC-07100
1	73267-341	128		7288	PARK TERRACE C 063W-26AC-07000
1	73267-351	129		***** ACCOUNT SITUS RECORD MISSING	063W-26AD-01500

ENTER: ROLL ACCT SEG YR CODEAREA TYPE SEQ

END OF INDEX FOR REQUEST PARAMETERS

36

75080120		\$16.47
75080130		\$16.47
75080140		\$16.47
75080150		\$16.47
75080160		\$16.47
75080200		\$16.47
75080210		\$16.47
75080220		\$16.47
75080230		\$16.47
75080240		\$16.47
75080251		\$16.47
75080270		\$16.47
75080280		\$16.47
75080290		\$16.47
75080300		\$16.47
75080310		\$16.47
75080320		\$16.47
75080330		\$16.47
75080340		\$16.47
75080350		\$16.47
75080370		\$16.47
75080380		\$16.47
75080390		\$16.47
75080400		\$16.47
75080410		\$16.47
75080420		\$16.47
75080430		\$16.47
80120170	163.02	\$32.44
80120180	76.98	\$15.32
80120190	80.00	\$15.92
80120200	80.00	\$15.92
80120480	50.00	\$9.95
80120500	100.00	\$19.90
80120510	100.00	\$19.90
80120520	100.00	\$19.90
82256160	75.00	\$14.92
82256170	30.00	\$5.97
82256180	50.00	\$9.95
82256190	50.00	\$9.95
82256200	74.00	\$14.72
82256210	60.00	\$11.94
82256220	15.00	\$2.98
82256230	75.00	\$14.92
82256241	75.00	\$14.92
82256250	75.00	\$14.92
82256260	75.00	\$14.92
82256270	75.00	\$14.92
82256275	75.00	\$14.92
82256280	75.00	\$14.92
82257100	136.92	\$27.24
82257110	73.09	\$14.54
82257120	60.00	\$11.94
82257130	67.00	\$13.33
82257140	63.00	\$12.54
82257150	68.14	\$13.56
82257160	60.00	\$11.94

82258330	50.00	\$13.15
82258340	50.00	\$13.15
82258350	50.00	\$13.15
82258360	50.00	\$13.15
82258370	65.78	\$17.30
82258380	70.00	\$18.41
82258420	91.19	\$23.98
82258430	109.00	\$28.67
82258440	80.20	\$21.09
82258450	60.00	\$15.78
82258460	126.70	\$33.32
82258470	75.00	\$19.72
82258480	72.00	\$18.94
82258490	73.50	\$19.33
82258500	64.66	\$17.01
82258510	70.16	\$18.45
82258520	140.00	\$36.82
82258540	20.00	\$5.26
82258550	70.00	\$18.41
82258560	80.00	\$21.04
82258580	115.00	\$30.24
82258590	83.79	\$22.04
82258600	82.00	\$21.57
82258610	100.00	\$26.30
82258630	162.33	\$42.69
82258650	21.00	\$5.52
82258660	62.02	\$16.31
82258662	17.72	\$4.66
82258663	70.26	\$18.48
82258673	70.00	\$18.41
82258680	75.00	\$19.72
82258690	14.00	\$3.68
82258700	116.00	\$30.51
82258705	51.00	\$13.41
82258710	65.00	\$17.09
82258720	67.62	\$17.78
82258730	50.00	\$13.15
82258740	78.00	\$20.51
82258750	66.00	\$17.36
82258758	66.00	\$17.36
82258760	20.00	\$5.26
82258770	62.00	\$16.31
82258780	100.00	\$26.30
82258790	62.00	\$16.31
82258800	101.54	\$26.70
82258810	75.57	\$19.87
82258820	75.00	\$19.72
82258830	106.55	\$28.02
82258840	75.00	\$19.72
82258850	81.41	\$21.41
82258870	74.93	\$19.71
82258890	73.75	\$19.40
82258900	63.71	\$16.76

19,053.99

5,011.12

71990020	70.00	\$18.41
71990030	77.00	\$20.25
71990090	70.00	\$18.41
75090000	116.90	\$30.74
75090010	80.00	\$21.04
75090020	80.00	\$21.04
75090030	70.00	\$18.41
75090040	41.62	\$10.95
75090050	66.10	\$17.38
75090060	85.00	\$22.35
75090070	85.00	\$22.35
75090080	98.32	\$25.86
75090090	80.00	\$21.04
75090100	85.00	\$22.35
75090110	80.00	\$21.04
75090120	90.00	\$23.67
75090130	107.72	\$28.33
80120000	59.98	\$15.77
80120008	83.50	\$21.96
80120010	99.98	\$26.29
80120020	194.90	\$51.26
80120030	104.00	\$27.35
80120210	260.00	\$68.38
80120220	150.00	\$39.45
80130000	50.71	\$13.34
80130720	70.00	\$18.41
80130910	70.00	\$18.41
80130920	70.00	\$18.41
80130930	60.00	\$15.78
81756001	100.00	\$26.30
81756361	100.00	\$26.30
81756371	62.50	\$16.44
81756381	62.50	\$16.44
81756391	62.50	\$16.44
81756401	62.50	\$16.44
81756411	107.00	\$28.14
81756461	107.40	\$28.25
82256000	68.00	\$17.88
82256010	68.00	\$17.88
82256020	68.00	\$17.88
82256030	68.00	\$17.88
82256048	138.13	\$36.33
82256051	75.72	\$19.91
82256060	75.72	\$19.91
82256066	75.72	\$19.91
82256075	75.72	\$19.91
82256120	90.00	\$23.67
82256130	103.60	\$27.25
82256140	96.80	\$25.46
82256150	96.80	\$25.46
82257370	129.07	\$33.94
82257380	61.07	\$16.06
82257390	68.00	\$17.88
82257400	129.07	\$33.94
82257410	193.60	\$50.92
82257420	63.86	\$16.79

LIGHTING DISTRICTS 1990/1991

PAGE 2 OF 2

SALEN ELECTRIC:	ACCOUNT #	# OF LOTS	TOTALS	PLUS 10%	PER LOT
MAL LIN	009257-01		234.00	SEE PAGE 1	
KEPHART	010338-01		508.80	SEE PAGE 1	
ARNOLD ST #2	012518-01	19	261.00	287.10	15.11
FOUR WINDS II	012446-01	20	333.72	367.09	18.35
GREENWAY	012430-01	20	444.96	489.46	24.47
NOON AV	012548-01	32	667.44	734.18	22.94
FOUR WINDS III	013344-01	16	47.45	52.20	
MARDELL	010315-01		435.00	SEE PAGE 1	
NORTHVIEW	010337-01		609.00	SEE PAGE 1	
015 APPLEBLOSSOM	007711-01	89	1,794.00	1,973.40	22.17
017 RIVERCREST	008843-01	324	7,410.36	8,151.40	25.16
018 IVY WAY	010026-01	120	2,258.40	2,484.24	20.70
019 ARNOLD WAY	007445-01	40	435.00	478.50	11.96
025 MENLO	008739-01	27	718.80	790.68	29.28
026 SHADY LANE	007175-01	X	1,615.93	1,777.52	ERR SEE ATTACHED
034 GREENWOOD	009925-01	X	887.16	975.88	ERR SEE ATTACHED
047 HILLIGOS	009096-01	14	381.60	419.76	29.98
080 GLYNBROOK	007864-01	42	1,498.20	1,648.02	39.24
083 PALMA CIEA 5	008946-01	22	544.80	599.28	27.24
086 HICKS JONES	007303-01	X	4,555.56	5,011.12	ERR SEE ATTACHED
094 WILL. MANOR 4	008482-01	23	817.20	898.92	39.08
129 DENNIS LANE N	006081-01	45	1,104.00	1214.4	26.99
132 CHARLOTTE	010250-01	45	953.40	1048.74	23.31
141 PALMA CIEA	008947-01	446	10,481.52	11529.672	25.85
142 RIVERVIEW N	008981-01	29	636.00	699.60	24.12
143 MEADOWBROOK	010027-01	9	266.35	292.99	32.55
144 JUNIPER	009212-01	20	508.80	559.68	27.98
165 RIVERVIEW N #2	008927-01	28	636.00	699.60	24.99
184 JUNIPER #2 SUB	009148-01	22	787.80	866.58	39.39
205 GLYNBROOK II N	011736-01	44	1,973.40	2,170.74	49.34
206 FOUR WINDS ADD N	011727-01	134	3,180.00	3,498.00	26.10
207 FERNBROOK	011723-01	39	910.80	1,001.88	25.69
208 EDEM ESTATES	011747-01	43	1,821.60	2,003.76	46.60
215 GARY ST	012269-01	37	546.00	600.60	16.23

SALEN ELECTRIC SUB-TOTAL

50,264.05

TOTAL LIGHTING DISTRICTS

161,319.75

\$13.26

160.00

ERR

NEW DISTRICT - SEE
ATTACHED FOR TAX
ACCOUNT NUMBERS

ERR SEE ATTACHED

ERR SEE ATTACHED

ERR SEE ATTACHED

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R91- _____

CERTIFICATION OF LIGHTING DISTRICT ACCOUNTS

BE IT RESOLVED by the City Council of the City of Keizer that Keizer has determined and computed the amount of money necessary to be raised by assessment to operate and maintain certain street lighting facilities within Keizer, including administrative costs and estimated delinquencies on assessments in the amount of \$177,452.74; and

BE IT FURTHER RESOLVED that Keizer certifies that Exhibit "A", attached hereto, is a true and correct list of the properties within the various lighting assessment districts in Keizer giving the proper assessment and apportionment of costs and expenses to be assessed against the respective properties for installation, operation and maintenance of street lighting facilities for the ensuing year; and

BE IT FURTHER RESOLVED that Exhibit "A", attached hereto, is certified to the County Assessor to be added to the appropriate tax accounts for the respective properties indicated.

PASSED this _____ day of _____, 1991.

SIGNED this _____ day of _____, 1991.

Mayor

City Recorder