MINUTES

KEIZER CITY COUNCIL
Monday, August 20, 2001
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

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

Present:
Lore Christopher, Mayor
Ray Kelly, Councilor
Jerry McGee, Councilor
Jacque Moir, Council President
Judy K. Smith, Councilor
Richard Walsh, Councilor

Absent:
Charles E. Lee, Councilor

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

PUBLIC TESTIMONY

None

COMMITTEE REPORTS

a. State of the Council of Governments Address- Dave Galati, Executive Director

Mr. Galati supplied a history of the Council of Governments. He indicated that COG was not a regional government but a collaborative effort between cities and counties that participate. Mr. Galati summarized member services for participating cities, COG basic information and the highlights from COG during the past year and upcoming issues they would be dealing with.

Mr. Galati answered questions from the Council and Mayor Christopher thanked him for his presentation.

b. Council Liaison Reports

- **Bikeways Committee**-Councilor Smith reported that the Safety Fair would take place on September 23rd at

FMAGIC

Day Spring Church from 3:00 - 6:00 p.m.

- **Traffic Safety Commission**-Councilor Smith reported that the Commission forwarded their motion to Council to recommend that a warrant study take place between Lockhaven and 14th to determine if a pedestrian crosswalk would be feasible in this area.

  Councilor Smith requested consensus from the Council for the warrant study.

  The Council discussed this and it was the consensus of the Council to have staff obtain information on costs for the study before proceeding.

- **Salem-Keizer Area Transportation Systems**-Councilor Smith reported that on October 19th from 9-3 a forum would take place for elected officials and staff pertaining to land use and transportation. She indicated that she would provide more information as it became available.

- **Mid Willamette Valley Area Transportation Systems**-Councilor Smith noted software detailing the I-5 corridor in Oregon and offered to supply it to anyone who was interested in previewing.

  Councilor Smith shared that the group was still reviewing criteria for ODOT funds.

- **Library Task Force**-Councilor Walsh reported that the Task Force met on August 6th and was working on issues discussed by the Council. He indicated that the history of the CCRLS basic foundations was being researched. He noted that their next meeting would take place on September 20th at 7:00 p.m.

- **Keizer Urban Renewal Board**-No report was provided.

- **Salem Futures Committee**-Councilor Walsh offered to supply copies of the meetings minutes to those interested.

- **Chamber of Commerce Government Affairs**-Councilor Walsh reported that discussions were taking place whether to make the representation more regional rather than occupationally based. Urban growth boundaries and the UNOCAL property were discussed.

- **Willamette River Initiative**-Councilor Walsh noted a wide range of entities showed their interest in this initiative during the last meeting, which took place on August 3rd.

- **Planning Commission**-Council President Moir reported that the next meeting for the Commission would take place on September 12th.

- **Emergency Management Committee**-a report was not provided

- **Claggett Creek Watershed Council**-Council President Moir indicated that minutes from their last meeting were distributed.

- **Salem Wastewater Task Force**-Council President Moir reported that the process of the wetland near the Wastewater Treatment Plant was underway.

- **Parks Advisory Board**-Mayor Christopher reported that the Parks Tour took place during the last meeting but that a tour of the new bathroom facility at Keizer Little League was overlooked. She asked that the Council set up a brief tour to review the new facilities.

- **Community Policing**-a report was not provided.

- **South East Keizer Neighborhood Assoc. Response Council**-Councilor Lee was not in attendance so no report was submitted.

- **Oregon Mayor's Association Conference**-Mayor Christopher reported that she attended this meeting and the major discussions that took place, were Qwest and House Bill 2142.

- **Bikeways Committee**-Councilor Smith reported that the first diversion program to address the helmet ordinance would take place on September 22nd and she answered questions from the Council pertaining to the educational value of this program.

OTHER BUSINESS

a. New Business
Council President Moir noted Mayor Christopher's recent accomplishment in the completion of her Master's Degree in Public Administration.

Councilor McGee moved to suspend the rules for the purpose of proposing an action motion regarding the UNOCAL property. Councilor Smith seconded the motion.

The motion passed as follows:

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

Councilor McGee moved a motion to refer to the Urban Renewal Agency a design concept for a City Focal/Identity Monument to be located at the UNOCAL lot. The design is included in the motion by reference. Council President Moir seconded the motion.

Councilor McGee noted the design concept would include the following:

1. A replication of the gateway monument located at River Road and Broadway.
2. The "new" monument would not have trees in the center of the circle, but rather three lighted flagpoles of proportional height.
3. Across the top of the ramparts would be a "ring nozzle" water feature.
4. The brick used should be similar to that used by Shari's, Walgreens and the School House Square.
5. The slant of the apron of the monument would be the same as the Broadway monument.
6. The flower strips would be proportionate to the size of the monument.
7. A public process would determine the wording on the plaques.
8. The lot would be bordered on both street sides by gentle rolling berms (similar to Shari's)
9. There would be appropriate trees separating the lot from the neighbor to the west.
10. The remainder of the lot would be lawn.

Responding to questions, Councilor McGee indicated when this goes before the Agency he would move to direct the staff to proceed with the engineering and design details for the monument.

Councilor Kelly expressed concern that this motion by default would be indicating that the UNOCAL property would not be sold.

Councilor McGee felt it was important to move the issue forward and that the Urban Renewal Board would attempt to revisit the issue during their September meeting. He noted support from some of the members of the Chamber of Commerce and the business closest to the property.

The motion passed as follows:

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

This item would be addressed during the next Agency meeting on September 4th at 6:00 p.m. The Keizer Urban Renewal Board would be invited to attend this meeting.

Police Department Update
Chief Adams reported that National Night Out was a success. He also indicated that there was on opening for a recruitment officer and that a recent recruit, Erica Grissom had graduated from the Police Academy.

Chief Adams shared that he had been chosen as a Board member of the Citizen Ambassador to Public School Program. Also that the Police Department had been awarded a computer system from the National Center for Missing Children that included software to track leads and print out posters.

Public Works Update
Public Works Director, Rob Kissler suggested that the City apply for a Transportation Enhancement Act Grant to replace the Dearborn bridge.

Mr. Kissler indicated that he was working with PGE and Salem Electric to enhance the lighting on Verda south of Dearborn.

City Manager Update
Mr. Eppley indicated he would be meeting with the owner of Taco Bell on September 7th to discuss issues addressed at the previous Council meeting.

PUBLIC HEARINGS

a. Infill Master and

Planning Director, Maria Meier summarized the study and

Redevelopment Plan (continued from August 6, 2001)

the process of the project. Staff recommended that Council accept additional testimony on the Infill Master Plan, close the public hearing and begin deliberations.

Mayor Christopher opened the public hearing.

Public Testimony:

Bob Ohrn, 7950 Timothy Lane NE, Keizer- felt the issues being addressed for infill should apply for all development in the city. He asked that the Council consider what may be appropriate for the city as a whole rather than just infill parcels.

Bill Wolf, 6629 Jacobe Street, Keizer-noted his history in working on the infill plan. Mr. Wolf expressed his support of the submitted plan. He urged the Council to seek incentives, which would encourage people to make their infill development meet connectivity standards.

Mr. Wolf answered questions from the Council and reiterated his support of the infill plan.

Ms. Meier addressed questions regarding the constrained access requirements.

Mayor Christopher thanked Mr. Wolf for his testimony.

Joan Allen, Chehalis Court, Keizer-noted that Crater Street was behind them and indicated that they would not want a house five feet from their fence. She asked how close a home could be built to their fence and spoke in opposition to multiple homes being built on the lot behind her home.

Ms. Meier indicated that this would be a difficult to relate without her reviewing a map, but noted that the standard setbacks for a single story dwelling was 14 feet and 20 feet for a two-story dwelling for the rear yard.

Mayor Christopher thanked Ms. Allen for her testimony.

Joel Stein, Keizer Fire District, 661 Chemawa Road, Keizer- spoke as a member of the staff advisory committee of the Infill Board. He indicated contrary to comments made by a neighborhood association representative that a Fire Department Representative had attended all the meetings and was able to provide input towards the process. He noted the key points that the fire department stressed as part of the plan to include the ability to locate an address, adequate street widths and turnarounds for emergency vehicles and an adequate water supply.

Responding to questions Fire Marshall Stein indicated that he was in agreement with the general concept of the plan. He noted discussions regarding the constrained access and the self-policing issues that were outlined. He agreed with Council President Moir's comment that public street widths would be more suitable to meet the Fire Department's needs, but he was more than willing to work with the plan with the option to make changes to the plan in the future if needed. Fire Marshall Stein also noted that the plan met state fire codes.

Mayor Christopher commented that she would like to direct staff to come back with proposals for incentives to encourage connectivity and asked about continuing the public hearing.

Council and staff discussed the process. City Attorney, Shannon Johnson noted that since it was a legislative hearing that it would need to be continued to a date certain that could allow staff adequate time to address the request.

Council President Moir also felt it was important to have the financial ramifications of an incentive program outlined prior to its inception.

Councilor McGee expressed his uneasiness with the suggested task for staff.

City Manager Eppley indicated staff could develop a list that would include the pros and cons for the incentive plan.

Planning Director Maria Meier stressed that the recommendation in the plan did include a concept street incentive program for reimbursement. She encouraged the Council not to delay adoption of the plan due to this one issue as it had been addressed.

Mayor Christopher indicated she would like Council to have more time to review the document.

Councilor McGee emphasized the need to approach the process in a logical fashion to adhere that the document was thoroughly reviewed.

Ms. Meier shared her agreement with Councilor McGee's comments, noting either special work sessions or allotted times during Council Meetings for these discussions. She asked that staff have 30-days to prepare an outline for Council's review.

Responding to questions Ms. Meier indicated she felt that it would be more appropriate for Council to address the topic during a special session specific to the Infill Master Plan. Ms. Meier reported that she would need to request another extension for the completion of the Infill Master Plan Document and that Mr. Egner had been placed under contract with the city which would incur additional costs.

Councilor Kelly suggested in an effort to save time during the discussion of this issue that Council liaison reports be removed from the agenda.

It was the consensus of the Council to continue the public hearing until September 17, 2001 and to allot up two hours towards the discussion of this topic.

Ms. Meier noted that the school district public hearing would also take place on September 17th. At the suggestion of the City Manager Ms. Meier agreed to develop a work schedule for items that would be discussed during the September 17th meeting.

Mayor Christopher recessed the meeting at 9:10 p.m. and reconvened the meeting at 9:25 p.m.

b. Legislative Amendment to Redesignate Chalmers Jones Park and Clarify boundaries (continued from July 16, 2001)

Mayor Christopher reopened the public hearing.

City Manager Eppley reported that staff had presented several options to the Parks Advisory Board for the delineation of Chalmers Jones Park. As of the Parks Board's last meeting the Board and staff were unclear as to the direction to proceed, thus the park boundary was not delineated.

Staff recommended that Council continue the public hearing until September 17th, 2001 to allow the Parks Board to review the options during their next meeting on September 11, 2001.

Mayor Christopher indicated that in discussions she had with the Parks Board Chair it was felt that the Board had made a recommendation for delineation at their last meeting by making the recommended change to the Comprehensive Plan.

Planning Director Maria Meier addressed the Comprehensive Plan noting that the issue of building a Civic Center on this property would be more of a perception issue and under the Development Code a Civic Center could be developed anywhere on the property.

After further discussion City Attorney Shannon Johnson felt it would be important to define the park boundaries for future expenditures of SDC funds.

Mr. Eppley noted that staff had provided the Parks Board with clarifying information pertaining zoning and comprehensive plan designation. He felt the Board needed to make a decision from this information at their next meeting.

Councilor Kelly felt that the Parks Board had failed to act on the charge which they were given and urged the Board to follow through with the duty of which they were assigned.

With no one wishing to testify Mayor Christopher continued the public hearing until September 17, 2001.

ADMINISTRATIVE ACTION

a. ORDINANCE-Zone change Case No. 01-20-River Road/Maine Avenue

Planning Director Maria Meier reported that at the City Council meeting on August 6, 2001, Council directed staff to prepare an ordinance opportunity that requested additional changes, which were attached.

Ms. Meier went on to share that a traffic study was done in May 1993 when discussions of the development of Taco Bell and Pizza Hut took place. She indicated that she reviewed this study with the traffic engineer who felt that it did not have any bearing on the subject property.

Responding to questions City Manager Eppley indicated that the circumstances and population when the study took place were very different and did not correlate to the subject property.

Council President Moir moved to adopt a Bill for an Ordinance in the Matter of the Application of Eric Pittsley for a Zone Change from Commercial Office (CO) to Commercial Mixed (CM) for Property Located at 4630 River Road North, Keizer Oregon (River Road and Maine Avenue) Zone Change Case 01-20. Councilor Kelly seconded the motion.

Councilor Walsh abstained from the vote inasmuch as he was not in attendance during the public hearing.

The motion passed as follows:

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

b. ORDINANCE- Establishing Keizer Park Regulations (Repealing Ordinance Nos. 93-266 and 2001-455) (Second Reading)

City Attorney, Shannon Johnson reported that the requested changes were added to the Ordinance. He offered to answer questions from the Council.

Councilor Kelly moved an Ordinance Establishing Park Regulations; Repealing Ordinance Nos. 93-266 and 2001-455 with an amendment to Page One Line ten that the Park hours are set from 6:00 a.m. to 9:00 p.m. Councilor McGee seconded the motion.

Mayor Christopher suggested a friendly amendment that the park times be from 6:00 a.m. to 6:00 p.m. Standard Time and 6:00 a.m. to 9:00 p.m. during Daylight Savings Time. Councilor Kelly accepted the friendly amendment.

Council President Moir proposed a friendly amendment to Page One, line 21 to read that dogs must be on a leash and in control of their owners at all times. All other pets must be controlled by their owners at all times.

Councilor Kelly did not accept the friendly amendment.

Council President Moir moved a motion that dogs must be on a leash and in control by their owners at all times, all other pets must be in control of their owners at all times. Councilor Smith seconded the motion.

Council President Moir noted due to enforcement issues, which were addressed she felt it was important for this portion of the ordinance to be included.

Chief Adams indicated it would be difficult to prove whether a dog was under control or not if the animal was not on a leash.

City Attorney Johnson felt this was a policy question for the Council to address.

Councilor Kelly spoke against the amendment stating that he felt the amendment gives citizens a false sense of security.

Councilor Walsh suggested that the ordinance be passed as it was written and to supply information to the public that a leash law was going to be discussed at future meetings.

Councilor McGee agreed with Councilor Walsh's suggestion, but felt a leash law should envelop the entire city and not just the parks.

Council President Moir clarified that the Parks Board's request was for the original writing of the ordinance to be passed as it was written and that the leash aspect for dogs was in the original ordinance.

Council debated this issue and a vote was called for on the motion with the amendment.

<u>The amendment passed as follows:</u>

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

The Council addressed the motion with the friendly amendment and the vote was as follows:

<u>The motion with the friendly amendment passed as follows:</u>

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

c. <u>RESOLUTION-</u> Establishing Volunteer Coordinating Committee

City Manager Eppley reported that on Monday, July 9, 2001 the Council met to discuss the Committee Appointment Process. Changes to the process were suggested and the Council reviewed a draft of the

Ordinance on July 16, 2001. Issues were raised by staff of which language was added.

Staff recommended that the Council review the changes and make a motion to adopt the Resolution.

Council President Moir moved a Resolution Establishing a Volunteer Coordinating Committee (Repealing Resolution 95-617). Councilor McGee seconded the motion.

The motion passed as follows:

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

d. RESOLUTION- Authorizing City Manager to Purchase Property on Bair Road (Reitz)

Public Works Director Rob Kissler reported on February 2, 1998 that Council authorized the City Manager to acquire land from the Bair family located on Bair Road. Mr. Kissler indicated that the two most westerly properties had an opening to allow placement of the Water Tank without disrupting significant trees that could be used to screen the facility. He noted that a typical size pump station was 20' X 40' and that an additional building 30' X 50' might be necessary to provide water filtering, depending upon the water quality which could require the disruption of trees in the area.

Mr. Kissler reported that the property located at 1065 Bair Road was adjacent to city owned property and was of an adequate size to accommodate the well and filtering building which in turn would save significant trees and allow a larger green space in Bair Park.

Mr. Kissler indicated that funds for the purchase of the property would be available after December 1, 2001 in the Water Facility Fund CIP Well Improvement Line Item.

Public Works Staff recommended adoption of the resolution and Mr. Kissler requested consensus from the Council to name the Pump Station after Mr. Reitz who had owned the property since 1954.

Council President Moir moved a Resolution Ratifying and Authorizing the City Manager to Enter into an Agreement to Purchase property Located at 1065 Bair Road Northeast, Keizer, and Marion County, Oregon (Edward

Reitz and Patricia J. Reitz). Councilor Smith seconded the motion.

Responding to concerns Mr. Kissler noted that the only thing that would be relocated would be the municipal well.

Councilor McGee complimented Mr. Kissler for his work on this project.

Mr. Kissler and Mr. Eppley addressed additional questions from the Council and the following vote on the motion was as follows.

The motion passed as follows:

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

CONSENT CALENDAR

a. **Approval of July 23, 2001 Work Session Minutes**
b. **Approval of August 6, 2001 Regular Session Minutes**
c. **Approval of August 8, 2001 Special Session Minutes**
d. **Approval of August 13, 2001 Work Session Minutes**

Council President Moir pulled item "b" from the Consent Calendar.

Council President Moir moved for approval of items "a", "c" and "d" of the Consent Calendar. Councilor Smith seconded the motion.

Item "a" Approval of the July 23, 2001 Work Session Minutes

The motion passed as follows:

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

Item "c" Approval of August 8, 2001 Special Session Minutes

NAYS: None (0)
ABSTENTIONS: Walsh (1)
ABSENT: Lee (1)

Item "d" Approval of August 13, 2001 Work Session Minutes.

The motion passed as follows:

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

WRITTEN COMMUNICATIONS

City Manager Eppley noted an invitation by Salem Futures to attend a seminar pertaining to planning successful communities. He urged the Council to attend.

Mr. Eppley noted information received from the Clearlake Neighborhood regarding the placement of the new school. He indicated that staff did respond to the letter.

Mayor Christopher requested clarification as to the retroactive date of Mr. Eppley's salary. She indicated that the intention was that the retroactive date be June 1, 2001 with the COLA increase effective July 1, 2001. The council confirmed this action.

Councilor Smith noted that the Bikeways Committee had received over $900 in donations for the purchase of bike helmets.

AGENDA INPUT

September 4, 2001 (Tuesday)
7:00 p.m. City Council Regular Session
- Amendments to Committee Appointment Process and Operating Guidelines
- Awarding of Bid for Alder Drive Improvements

September 10, 2001
5:30 p.m. City Council Work Session
- Infill Master Plan

September 17, 2001
7:00 p.m. City Council Regular Session
- Infill Public Hearing
- Chalmers Jones Public Hearing

Mayor Christopher noted the agenda items.

ADJOURNMENT Mayor Christopher adjourned the meeting at 10:28 p.m.

Cindy Perry

Cindy Perry
Recording Secretary

APPROVED:
MAYOR:

L Christopher

Lore Christopher

COUNCIL MEMBERS:

Judy K Smith

Councilor #1 - Judy K. Smith

Jacque Moir

Councilor #4 - Jacque Moir

Raymond J Kelly

Councilor #2 - Ray Kelly

Councilor #5 - Richard Walsh

ABSENT

Councilor #3 - Charles E. Lee

Jerry McGee

Councilor #6 - Jerry McGee

Minutes approved:

September 4, 2001