MINUTES

KEIZER CITY COUNCIL
Monday, August 19, 2002
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Christopher called the regular meeting to order at 7:02 p.m. Roll Call was taken as follows:

Present:
Lore Christopher, Mayor
Michel Gaynor, Councilor
Charles E. Lee, Councilor
Jerry McGee, Councilor
Judy K. Smith, Councilor
Richard Walsh, Councilor

Absent:
Jacque Moir, Council President (excused)

Staff:
Chris Eppley, City Manager
Rob Kissler, Public Works Director
Maria Meier, Senior Planner
Shannon Johnson, City Attorney
Kent Barker, Captain
Keith Liden, Consultant
Tracy L. Davis, City Recorder

PUBLIC TESTIMONY

None

COMMITTEE REPORTS

None

OTHER BUSINESS

a. New Business

Thank You
Councilor Smith expressed her thanks for the cards and flowers received due to a death in her family.

45th Parallel Focal Point
Councilor Walsh reported that the Chamber Visitor's Association would be pursuing the possibility of this focal point.

Standing Committee
Councilor McGee noted that in the near future he would be proposing a standing committee to address significant sites in the city.

b. Old Business
   - All Terrain Vehicles Dust/Noise Issue-Kinglet Way

Planning Director Maria Meier reported on July 15, 2002 staff was directed to research existing Ordinances and determine applicability of adopted ordinances that relate to noise and dust from All Terrain Vehicles. Mrs. Meier indicated that there were no Ordinances that applied to the impact of dust onto one's property, but that Ordinance 93-269 addressed noise issues. Noted were discussions with DEQ's Quality Manager and the likelihood that this would not be considered a priority due to staff availability.

City Manager Eppley indicated that Neighborhood to Neighbor Mediation could be one option for the area to consider. Also the option of forwarding this issue to C.O.P.S was addressed.

Mayor Christopher moved a motion for the issue to be presented to the Community Orientated Policing Committee (C.O.P.S) for review and a recommendation. Councilor Gaynor seconded the motion.

The motion passed as follows:

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

Keizer Explorer Post
City Manager Eppley reported that the 20th Birthday Celebration committee had donated $922 to the Explorer Post.

PUBLIC HEARINGS

a. Gubser Neighborhood

City Manager Eppley provided a brief history regarding

Traffic Management Plan

the development of a traffic management plan by the Traffic Safety Commission.

City Manager Eppley requested that the topic be postponed until September 3rd to give staff the opportunity to discuss the details of the plan with the Commission.

Mayor Christopher opened the public hearing.

Public Testimony:

Tony Moore, 1226 Harmony Drive, Keizer-provided a brief history of the traffic problems along Harmony. Mr. Moore shared his active participation at the Traffic Safety Commission meetings to provide input regarding the plan. He stressed his support of closing Trail Avenue at Manzanita to eliminate cut-through traffic to the area.

Mayor Christopher thanked Mr. Moore for his testimony.

With no additional testimony Mayor Christopher continued the public hearing until September 3, 2002.

b. La Poblanita Liquor License Application

City Manager Eppley reported on July 24, 2002 Bartolo and Bernarda Gutierrez submitted an application for an Off Premises Sales liquor license for the La Poblanta Store located at 3443 River Road North, Keizer, Oregon.

As required by City Ordinance 95-318 a public hearing was scheduled and notice of the hearing was posted as required, as well as a notice being sent to property owners within 200 feet of the establishment. It was noted that one letter of opposition was received.

Staff recommended that the public hearing be conducted with the Council recommending approval of the application to the Oregon Liquor Control Commission.

Mayor Christopher opened the public hearing.

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

Councilor Smith moved a motion that the Council not to forward a recommendation to OLCC. Councilor McGee seconded the motion.

Councilor Smith indicated that in light of the owner of the building speaking against the application she believed it was important for the Council to remain neutral.

Councilor McGee agreed with Councilor Smith's recommendation.

Responding to questions City Attorney Johnson indicated that the Council did have the ability to issue a "No recommendation" to OLCC.

The motion passed as follows:

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

c. RESOLUTION- Designating Portion of Alder Drive as No Parking Area

Public Works Director Rob Kissler reported since the Alder improvement that vehicles in the area were parking in existing right-of-way creating vision hazards for pedestrians, bicyclists and vehicles.

Staff recommended a "no parking" zone in this area to alleviate this issue, as well as to stop the damage taking place to the city's drainage system. It was indicated that the Southeast Keizer Neighborhood Association supported a "no parking" zone along Alder. Mr. Kissler indicated that residents were contacted by letter regarding the recommendation.

Responding to questions regarding the current lack of parking space Mr. Kissler indicated that the over flow parking were coming from the apartment complex. He noted that there was an adjacent parcel to the complex, which might be used for parking purposes if the owner of the complex wished to review this alternative.

Mr. Kissler indicated that he would notify the apartment complex owner of the city's intention.

Councilor Walsh moved a motion Designating a "No Parking" Zone Along Alder Drive NE From Cherry Avenue to Pleasantview Avenue and Approximately 200 Feet North on Filbert Avenue NE. Councilor Smith seconded the motion.

The motion passed as follows:

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

ADMINISTRATIVE ACTION

a. Deliberation-Chemawa Activity Center/Keizer Station Plan-Text Amendment/Comprehensive Plan Change/Zone Change Case no. 01-50

Planning Director Maria Meier reported that staff had prepared a checklist as a guideline for deliberation for the Amendment to the Chemawa Activity Center Plan for the proposed Keizer Station Plan. She summarized the checklist, which included issues for the Council to consider.

Mayor Christopher outlined the idea of a Keizer Commerce Corridor in an effort to bring the two primary commercial developments in Keizer together. She asked the Council to keep this information in mind as the plan was addressed.

Councilor McGee moved a motion that there was a need to change the 1997 Chemawa Activity Center Plan. Councilor Walsh seconded the motion.

The motion passed as follows:

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

Councilor Lee asked if it was possible to move some of the special sessions pertaining to this topic to afternoon meetings.

Councilor McGee expressed his optimism that a great deal of the process could be reviewed this evening.

Mayor Christopher asked if there were any questions regarding the fundamental understanding of the different comprehensive plan designations and zones.

Councilor McGee moved to accept the guidelines currently in place by City, State and Federal ordinances/regulations on noise, noxious emissions, hazardous materials, street construction standards, traffic mitigation, etc to understand what protections and regulations already exist. Councilor Smith seconded the motion.

Councilor McGee believed the guidelines in place met the needs of the City and he urged the Council to vote for the motion.

Councilor Walsh acknowledged the issues under city, state and federal law and the reliance upon staff to provide the Council with information pertaining to these issues.

Responding to questions City Manager Eppley indicated the intent of the information was to inform the Council of the rules and regulations already in place to protect the city from issues such as emissions and noise and clean water standards.

City Manager Eppley answered questions pertaining to noise restrictions with industrial versus residential.

City Attorney Johnson noted that there was no decibel limit from industrial to industrial.

The motion passed as follows:

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

Mayor Christopher requested consensus from the Council to remain with the designations of the areas within the Keizer Station Plan as areas A,B,C and D. It was the consensus of the Council to do this.

Mayor Christopher read from Exhibit 108, *Transportation Review Procedures.* Current language was noted on second paragraph; page II-11 stating, "*The transportation requirements of the Keizer Station Plan include an underpass of Chemawa Road. The underpass is an important element of the overall transportation system needed to provide safe access to and from the developing areas of the Keizer Station Plan. Provisions for construction of that underpass shall also be in place so as not to allow the intersection of Radiant Drive with Chemawa Road to fall below a volume to capacity ratio of 0.87 as calculated by the critical movement analysis methodology as development occurs.*"

Staff proposed the language to read as follows: "*The transportation requirements of the Keizer Station Plan may include an underpass of Chemawa Road. The underpass is one of several optional elements of the overall transportation system needed to provide safe access to and from the developing areas of the Keizer Station Plan/Chemawa Activity Center. Provisions for construction of the underpass and/or other improvements shall be in place so as not to allow the intersection of Radiant Drive with Chemawa Road to fall below a volume to capacity (VC ratio) of 0.87 as calculated by the critical movement analysis methodology as development occurs.*"

Mayor Christopher moved a motion to replace the first paragraph read with the second paragraph. Councilor McGee seconded the motion.

The motion passed as follows:

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

Mayor Christopher noted Exhibit A107 pertaining to

Comprehensive Map Designations. She indicated that there was no designation for an EG zone and this motion would direct staff to draft language for this zone to be added to the plan.

Mayor Christopher moved a motion to direct staff to draft language for the new Comprehensive Plan Map Designation of an EG Zone. Councilor McGee seconded the motion.

Planning Director Maria Meier noted that the motion would pertain to Exhibit A-107 as language proposed by staff. Mayor Christopher read this memo into the record.

Mrs. Meier advised in addition to the Comprehensive Plan Text proposed that the remaining part of the memo described the text amendments necessary in the Development Code.

The motion passed as follows:

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

The Council worked towards determining a designation zone for each sub-area within in the plan and the specific desired uses allowed within each sub-area.

Area A was addressed with a Special Planning District and a proposed zone designation of EG (Employment General).

Councilor McGee moved a motion to accept the Village Center/Area A with the 25/75 designation.

Due to the lack of a second the motion died.

Mayor Christopher moved a motion to accept the EG (Employment General) Zone as recommended by the Planning Commission as the zoning designation for Area A, the Village Center portion. Councilor McGee seconded the motion.

Councilor Smith suggested a friendly amendment to add the *Potential Uses to Eliminate from EG Zone* as listed on page 2 of the Keizer Station Deliberation Checklist. Mayor Christopher accepted the friendly amendment.

Councilor McGee recommended that the list of plastic products be left on the list at this time. He also questioned why timber products were being included on this list.

Responding to these questions City Manager Eppley indicated that staff's recommendations followed along the lines of taking the particular uses that combined raw materials through a process to create something else.

Councilor Smith noted her amendment was the list not including timber products.

For the benefit of the Council Mayor Christopher read the elements for elimination as referred to by Councilor Smith's friendly amendment. This included:

For Environmental/Health Purposes:

- *Manufacturing of Grain Mill Products (SIC 204)*
- *Manufacturing of Biological Products, Except Diagnostic Substances (SIC 2836)*
- *Soaps, detergents, and cleaning preparations, perfumes, cosmetics and other toilet preparations (SIC 284)*

For Transportation Impact Purposes:

- *Motor Freight Transportation and Warehousing (SIC 42)*

Mayor Christopher reiterated her motion including some additions.

Mayor Christopher moved her motion with the friendly amendment to accept the EG zone for Area A in the Village Center portion less the five exceptions listed, less the ten percent limitation on attachment A of the Planning Commission alternative, adding back items J (Retail Trade), L (Services), M (Transit Stop Shelters) and N (Flexible Spaces Uses). Councilor McGee agreed with the friendly amendment.

City Manager Eppley reminded the Council that the intent of the EG zone was to create a mix of uses that included industrial and retail types of uses. He urged the Council not to review this section as IBP and Commercial but rather as the EG zone as itself with components as outlined.

Mayor Christopher read the components of the EG zone and urged the Council to vote accordingly.

Councilor's Smith, McGee and Walsh spoke in favor of the motion with the friendly amendments.

Responding to questions City Attorney Shannon Johnson indicated that these amendments were within the purview of the Council but noted the issue of SKAPAC should be analyzed.

Mr. Johnson also questioned Mayor Christopher if in Section N sub II if she wanted these limitations as part of the motion. She agreed that she wished these limitations to be part of the motion.

The motion passed as follows:

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

Council addressed Area A-Entertainment and Sports Center

Councilor McGee moved a motion to change what is currently zoned Public (P) to Industrial Business Park (IBP) and to eliminate the five uses as listed. Councilor Smith seconded the motion.

Councilor Walsh suggested a friendly amendment that in the IG zone paper mills be an excluded activity. Councilor McGee accepted the friendly amendment.

Councilor Walsh suggested an additional friendly amendment to eliminate the IG zone. Councilor McGee did not accept this amendment.

The motion passed as follows:

AYES: Christopher, Gaynor, McGee and Smith (4)
NAYS: Lee and Walsh (2)
ABSTENTIONS: None (0)
ABSENT: Moir (1)

City Manager Eppley suggested that the Council consider adding the use of RV Parks into the IBP portion of Area A.

Councilor Walsh moved a motion to add RV Parks into the IBP designation for Area A-Entertainment and Sports Center. Mayor Christopher seconded the motion.

The motion passed as follows:

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

Retail Service Center-Area B

Councilor McGee moved a motion to accept the CM-LU zone as proposed by the Planning Commission recommendation. Mayor Christopher seconded the motion.

For the benefit of the Council, Planning Director Maria Meier outlined the Planning Commission's recommendation pertaining to this zone.

The motion passed as follows:

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

Area C

Councilor McGee moved to accept the MU Zone in Area C as recommended by the Planning Commission. Mayor Christopher seconded the motion.

The motion passed as follows:

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

Area D

Councilor McGee moved to accept the IBP zone as recommended by the Planning Commission. Mayor Christopher seconded the motion.

Planning Director Maria Meier noted in Area C that there was 1.5 acres and in Area B 1.1 acres proposed to be commercial retail. She requested that the Council address these issues under separate motion.

The motion passed as follows:

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

Area B

Mayor Christopher moved a motion to change the 1.1 acres currently listed as Commercial Office (CO) to Single Family Residential-Low Family Residential. Councilor McGee seconded the motion.

The motion passed as follows:

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

Area C

Mayor Christopher moved a motion to change the 1.5 acres currently zoned Mixed Use (MU) to Commercial Retail (CR). Councilor McGee seconded the motion.

The motion passed as follows:

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

Mrs. Meier noted the memo from the Tribes (Exhibit A-88) which included recommendations to the IBP zone. The following changes were recommended by the Tribes:

- Adding to Section 2.113.02N1 the use of general merchandise stores.
- Delete Section 2.113.02N2 of the following three restrictions; No single building shall be more than 25, 000 square feet in area with no more than 10,000 square feet to be utilized for any individual use in subsection I-I(5).
- Adding to Section 2.113.02L Services to allow Gasoline Service Stations.

Councilor discussed the Tribes requests. Planning Director Maria Meier noted that a traffic impact analysis would be required to determine if transportation considerations were required for these uses in this area.

Mayor Christopher moved a motion to allow in Area D-IBP Zone the addition of General Merchandise Stores and Gasoline Service Stations after a traffic impact analysis. Councilor McGee seconded the motion.

The motion passed as follows:

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

Mayor Christopher recessed the meeting at 8:35 p.m., reconvening at 8:45 p.m.

Design Guidelines for Each Sub-Area

Mayor Christopher read from the Keizer Station Deliberation Checklist the documents containing the detailed information regarding design and master plan review requirements.

Councilor McGee moved a motion for *Pedestrian Orientated Development, Crime Prevention & Security Through Design, Transit Oriented Development and Human Scale Design* is addressed during the Master Planning Process. Councilor Walsh seconded the motion.

Responding to questions Councilor McGee indicated that his intent was that the development includes those four items.

For clarification purposes Planning Director Maria Meier indicated that the proposal was attachment C (memo dated June 26, 2002), which includes additional language to be added to the master plan portion of the Keizer Station Plan Master Plan review.

Mayor Christopher suggested a friendly amendment to attachment C, page four; item C (1)(a) Pedestrian Access Safety and Comfort to eliminate the language "*within 20-feet of the primary entrance*". Councilor McGee accepted this as a friendly amendment.

Mayor Christopher suggested an additional friendly amendment that Crime Prevention and Security Items A-E be eliminated, substituting with Adequate Crime Prevention and Security.

Council and staff discussed the friendly amendments.

City Attorney Shannon Johnson answered questions from the Council pertaining to standards.

Councilor Walsh urged a motion containing a more general response from staff that would allow more flexibility.

Councilor Smith believed it was important to set standards and guidelines prior to the master planning process.

Councilor Lee concluded that discussions regarding design standards, at this stage, would be preliminary and not an effective use of the Council's time.

Mayor Christopher addressed item three under Crime Prevention and Security. She suggested that the fifth bullet stating, "*The proposal contains an equally good or superior way to achieve the above criteria and guidelines,*" be added to each section as an "escape valve".

Councilor Walsh suggested the wording, "*to meet the general intent,*" as part of Mayor Christopher's suggestion.

City Manager Eppley reminded the Council that the proposed standards would allow the development to look more like Orenco Station as opposed to Jantzen Beach. He urged the Council to include the proposed standards.

<u>Mayor Christopher addressed item three under Crime Prevention and Security. She suggested a friendly amendment to the fifth bullet stating, "*The proposal contains an equally good or superior way to achieve the above criteria and guidelines,*" Councilor McGee accepted the friendly amendment.</u>

At the request of Counsel Mayor Christopher restated the complete motion as follows:

<u>To accept the first four Pedestrian Oriented Development, Crime Prevention and Security through design, Transit Oriented Development and Human</u>

Scale Design, eliminating the language, *"Within 20-feet of the primary entrance"*, from C (1)(a), adding to every section, *"The proposal contains an equally good or superior way to achieve the intent of the above criterion and guidelines."*

Councilor Smith spoke against the use of the word "intent" in the motion. Council debated and discussed this issue further.

City Attorney Johnson clarified that the motion included Sections C1, C3, and C6.

The motion passed as follows:

AYES: Christopher, Gaynor, McGee and Walsh (4)
NAYS: Lee and Smith (2)
ABSTENTIONS: None (0)
ABSENT: Moir (1)

Mayor Christopher addressed the memo dated June 26, 2002, page four, item two-Vehicular Movement. She read this portion of the memo which read as follows, *"Encourage a traffic design to loop or turn around at the north end of Radiant Drive to encourage traffic to return south to interchange access rather than through Tepper Lane"*. She suggested the addition of language, *"The proposal contains an equally good or superior way to achieve the intent of the above criterion and guidelines."*

Mayor Christopher moved a motion to accept the above language as part of the Master Plan Process. Councilor Smith seconded the motion.

After a brief discussion City Manager Eppley suggested language for the motion to read, *"To encourage traffic to exit the development rather than through Tepper Lane."*

Mayor Christopher and Councilor Smith accepted this suggestion as part of the motion.

The motion passed as follows:

AYES: Christopher, Gaynor, Lee, McGee, Smith and Walsh (6)
NAYS: None (0)

ABSTENTIONS: None (0)
ABSENT: Moir (1)

Mayor Christopher read the guidelines pertaining to reduced parking. It was listed as follows: "*Reduce or waive minimum off-street parking standards. The applicant may request a reduction to, or waiver of parking standards based on a parking impact study. The study allows the applicant to propose a reduced parking standard based on estimated peak use. Reductions due to easy pedestrian accessibility, availability of transit service and likelihood of car-pool use and adjacent on-street parking. The parking study is subject to review and approval or modification by the city and the proposal contains a equally good or superior way to achieve the intent of the criterion or guidelines.*"

Mayor Christopher moved a motion to accept the above language, including the language, "*The proposal contains an equally good or superior way to achieve the intent of the above criterion and guidelines.*" Councilor Smith seconded the motion.

Responding to questions City Manager Eppley indicated that the intent of the language was to encourage potentially alternative modes of transportation, thus allowing for the possibility of a reduction of parking lot size.

The Council discussed this standard and its intent.

The motion passed as follows:

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

Mayor Christopher read the standard pertaining to Creating and Protecting Public Spaces it read as follows. "*The development provides at least 20 square feet of public space in addition to the required sidewalks, in addition to the required sidewalks for every ten (10) off-street surface parking spaces, or 1,000 square feet of floor space, whichever is greater. (B) Public space may be landscaped open-spaced or plaza with pedestrian amenities as approved by the City*

Council." Mayor Christopher also suggested adding the language, *"The proposal contains and equally good or superior way to achieve the intent of the above criterion or guidelines."*

City Attorney Johnson recommended that the final sentence not be added to the motion. He indicated this could cause the standard to become too subjective.

The restrictive nature of this standard was discussed.

Consultant Keith Liden indicated that the standard was generally establishing ratios.

Councilor Smith spoke in favor of the standard and she made the following motion.

Councilor Smith moved a motion to accept Section Five, Creating and Protecting Public Spaces.

Due to the lack of a second the motion died.

The Council briefly discussed the Planning Commission's recommendation and the following motion was made.

Mayor Christopher moved a motion to accept the Planning Commission's recommendation of staff's alternative Keizer Station Plan. Councilor McGee seconded the motion.

Planning Director Maria Meier briefly addressed the two components of the Planning Commission's recommendation.

The Council discussed the recommendation of the name of the development and further issues that needed to be addressed. The majority of the Council agreed that this issue should be brought back during the next Council meeting.

Councilor Gaynor believed it would be appropriate to change the name of the development and he made the following motion.

Councilor Gaynor moved a motion to call the development the Keizer Station Plan. Councilor Smith seconded the motion.

Councilor McGee requested that staff be directed to readdress the decisions made by the Council

Mayor Christopher withdrew her motion. Councilor McGee withdrew his second.

Councilor Gaynor withdrew his motion. Councilor Smith withdrew her second.

Councilor Smith believed that the Council had already moved a motion to approve the use of the staff alternative Keizer Station Plan and name.

After a brief debate staff agreed to review this for discussion during the next meeting.

It was the consensus of the Council to conduct business pertaining to this plan at the next regularly scheduled Council meeting.

Mayor Christopher expressed appreciation of the work done by staff.

b. RESOLUTION-Placing Ballot Measure on November 5, 2002 Election- Charter Amendment/Parks Tax

City Attorney John Lien reported that the recommended changes had been made to the proposal for the Council's review.

Responding to questions, Counselor Lien indicated the more limitation placed in the Charter Amendment that the more restrictive the ordinance would be.

Councilor Lee believed it would be appropriate to outline in the amendment whether apartment dwellers would be affected by this amendment.

Councilor Walsh and McGee agreed with Councilor Lee's comments.

City Attorney Lien indicated that the Measure Five tax limitations may or may not apply depending upon how "dwelling" was defined. He indicated to avoid the limitations that there would be a need to refer to the issue as a "fee" opposed to a "tax".

City Manager Eppley urged the Council to discuss whether they wished to limit the specific use tax to residential rather than commercial and/or industrial.

City Attorney Lien indicated if the Council made the decision to include other areas beside residential that the use of the word "dwelling unit" would need to be refined. He outlined that the adoption of a general charter amendment with details being formed within the Ordinance scheduled for adoption after the election.

The Council debated the issue of whether to include businesses as part of this tax and how a definition of "occupied" could raise a number of issues. Also the collection of this tax from apartment dwellers was raised.

Councilor Walsh moved a motion that the City of Keizer refer a city charter amendment as set fourth in Exhibit A attached hereto by this reference incorporated herein to be filed with City's Election Officer to be referred to a vote of the people by placing the city charter amendment on the ballot at the next available election date, in accordance with the law. Be it resolved that the City Council of the City of Keizer that the Keizer City Charter amendment as set fourth in Exhibit "A", attached hereto and by this reference incorporated herein, be filed with the City Elections Officer to be referred to a vote of the people by placing the Keizer City Charter amendment on the ballot at the next available election date in accordance with Oregon Law. Be it further resolved that the City Council of the City of Keizer that the Ballot Title set forth in Exhibit "B", attached hereto and by this reference incorporated herein, be filed with the City Elections Officer. Be it further resolved by the City Council of the City of Keizer that the explanatory statement set forth in Exhibit "C", attached hereto and by this reference incorporated herein be filed with the city elections officer for use in the Voter's Pamphlet. Also adding the following amendments; under Exhibits "A", "B" and "C" to include the language *"per dwelling or commercial unit"*.

The motion passed as follows:

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

CONSENT CALENDAR

a. RESOLUTION-Certification of Street Lighting District Assessments

b. RESOLUTION-Authorizing City Manager to Enter Agreement for Community Development Code Enforcement Vehicle

Councilor Walsh moved to approve the Consent Calendar. Councilor McGee seconded the motion.

The motion passed as follows:

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

WRITTEN COMMUNICATIONS

None

AGENDA INPUT

August 26, 2002
6:00 p.m. City Council Special Session
- Chemawa Activity Center/Keizer Station Plan-Text Amendment/Comp Plan Change/Zone Change Case No. 01-50

September 3, 2002 (Tuesday)
7:00 p.m. city Council Meeting
- Air Quality Final Report
- Text Amendment Case No. 02-21 Public Hearing-Private Streets
- Gubser Neighborhood Traffic Management Plan

September 9, 2002
6:00 p.m. City Council Special Session
- Chemawa Activity Center/Keizer Station Plan-Text Amendment/Comp Plan Change/Zone Change Case No. 01-50

September 16, 2002
7:00 p.m. City Council Meeting

- Water Task Force Final Report and Recommendation

September 23, 2002
6:00 p.m. City Council Special Session

- Chemawa Activity Center/Keizer Station Plan-Text Amendment/Comp Plan Change/Zone Change Case No. 01-50

Mayor Christopher noted that the City Council meeting of August 26th had been cancelled. The remainder of the agenda items was noted.

ADJOURNMENT

Mayor Christopher adjourned the meeting at 10:41 p.m.

Cindy Perry

Cindy Perry
Recording Secretary

APPROVED:
MAYOR:

Lore Christopher
Lore Christopher

COUNCIL MEMBERS:

Judy K. Smith
Councilor #1 - Judy K. Smith

Michel G. Gaynor
Councilor #2 - Michel Gaynor

Charles E. Lee
Councilor #3 - Charles E. Lee

ABSENT
Councilor #4 - Jacque Moir

Councilor #5 - Richard Walsh

Jerry McGee
Councilor #6 - Jerry McGee

Minutes approved:

September 16, 2002