MINUTES
KEIZER CITY COUNCIL
Monday, August 16, 2004
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

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

Present:
Lore Christopher, Mayor
Jacque Moir, Council President
Richard Walsh, Councilor
Chuck Lee, Councilor
Michel Gaynor, Councilor
Jim Taylor, Councilor
Judy K. Smith, Councilor
Delilah Calhoun, Youth Councilor

Staff:
Chris Eppley, City Manager
Shannon Johnson, City Attorney
Nate Brown, Community Development Director
Susan Gahlsdorf, Director of Finance
Chief Marc Adams, Police Department
Debbie Lockhart, Recording Secretary

FLAG SALUTE

Councilor Lee led the pledge of allegiance.

PUBLIC TESTIMONY

Jerry McGee, 1030 Ridgepoint NE, Keizer – addressed Council regarding the Salem Sewer Surcharge. Mr. McGee suggested that the city collect the 7.5% surcharge but instead of remitting it to the City of Salem place it in an escrow account. If Salem sues Keizer for the funds, they would lose. If they choose not to sue and instead to drop the surcharge, the funds could be returned to the citizens of Keizer.

Mayor Christopher agreed that the surcharge is an arbitrary charge based on false assumptions and noted that Mayor Taylor of Salem had indicated a willingness to work with the City of Keizer towards eliminating the surcharge. The hope is to accomplish this within the next 24 months.

Terry Kephart, 4350 Verda Lane, Keizer, requested that City Council lower the speed limit on the east end of Verda Lane. He gave a brief overview of the street, pointing out that it is a narrow street with no sidewalks and a great deal of pedestrian traffic. He suggested safety improvements such as sidewalks and good lighting.

Jim Cathey, 1834 Jonathan Court N, Keizer spoke to Council on the same issue echoing Mr. Kephart's comments and adding that the portion of Verda that is now 35 mph is only .7 mile long but has had 8 accidents in the past year. He concluded that he hoped that action would be taken to lower the speed limit before the start of the school year.

With consensus of Council, Mayor Christopher referred the issue of safety improvements to Verda Lane to City staff for research and recommendation. She added that ODOT is the governing authority on all streets, even those located within city limits.

Cyndi Astley, 2475 Center Street NE, Salem, program director for Community Action Drug Prevention Network updated Council on the POWER after school program. She gave a brief overview of the schools served by the program as well as the program itself adding that she would come before Council once a quarter with an update. She concluded that October 14 is "Lights on After School" - a national celebration of after-school programs promoting the critical importance of quality after-school programs in the lives of children, families and communities. She requested a city proclamation in recognition of the two middle schools and the programs they provide on October 4 adding that she would bring principals from the two schools to the meeting to accept the proclamation and highlight activities planned for the school year.

Marsha Clark, 3788 Third Avenue N, Keizer, a member of the Parks and Recreation Advisory Board, addressed Council regarding the upcoming "5th Year Grind" youth skate event at Carlson Skate Park on Saturday, August 21 from 11 am to 7 pm. She pointed out that Sasia Culbertson, a student volunteer, had been very energetic in helping her organize this event and concluded by inviting Councilors to attend the event and speak at the opening ceremony between 11:30 and noon.

Councilor Moir added that the Parks Board had requested the change of Pleasantview Park to "Ben Miller Family Park" rather than the adopted name of "Ben Miller Park". In lieu of this Councilor Smith moved to reconsider the naming of Ben Miller Park to insert the word "Family". Councilor Lee seconded.

Motion passed unanimously as follows:

AYES: Christopher, Moir, Walsh, Taylor, Gaynor, Smith, and Lee (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

Councilor Smith moved to add the word "Family" to Ben Miller Park making it "Ben Miller Family Park". Councilor Lee seconded.

Motion passed unanimously as follows:

AYES: Christopher, Moir, Walsh, Taylor, Gaynor, Smith, and Lee (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

Councilor Moir added that the parks tour would be held on Monday, August 30 at 5:30 beginning at Chalmers-Jones Park and continuing on to Country Glen, Bair, Ben Miller Family Park and River's Edge.

PUBLIC HEARINGS
a. River Road Speed Reduction

City Manager, Chris Eppley, reviewed the past events relating to the speed limit on River Road.

Mayor Christopher read correspondence received from Greg McLeod who supported keeping the speed limit on River Road at 45 mph and Al and Dorothy Lamer and Markey Humberstad who encouraged Council to lower the speed limit to 35 mph or at least 40 mph.

Mayor Christopher opened the Public Hearing.

Art Bobrowitz, 7315 Wheatland Road N, Keizer offered his support of lowering the speed limit on River Road to 35 mph adding that this speed limit should be from border to border. He explained that he felt reduction of the speed limit would automatically reduce the chances of accidents.

Joleen Voland, 6390 River Road NE, Keizer encouraged Council to lower the speed limit to 40 mph and explained difficulties she has had in the past due to higher traffic volume and speed. She added that this was a safety issue affecting all users of the road, not just those driving automobiles.

Susan Keen, 7448 Kayla Shae Loop, Keizer voiced her opinion that the speed limit should be lowered to 35 mph. She pointed out that when drivers travel at a lower speed limit they are more relaxed so a lower speed limit would improve the livability of the community.

Charlene Weathers, 1023 Meadowridge Street, Keizer noted that traffic had been slowed considerably since the installation of the Swingwood and McNary Estates Drive traffic lights not being synchronized. She voiced her hope those could be synchronized and added that many people drive under the speed limit in the 35 mph zone, impeding traffic. She concluded that she supported the 40 mph speed limit reduction on River Road north of Wheatland to the city limit.

With no others wishing to testify Mayor Christopher closed the Public Hearing.

Responding to inquiry from Mayor Christopher regarding the possibility of getting approval from ODOT for 35 mph speed limit on River Road, City Manager Chris Eppley explained that it could be presented to ODOT along with supporting data if Council so directs. City Attorney Shannon Johnson explained that Council could table this issue and start over with the process with ODOT focusing on reduction to 35 mph.

Councilor Smith made a motion to reduce the speed limit on River Road from the existing 45 mph to 40 mph from Lockhaven to the City limits. Councilor Moir seconded.

Councilor Smith noted that the 35 mph reduction might be a possibility in the future but at the present time there was probably not enough data to support the reduction. She concluded that she was in favor of lowering the speed limit to 40 mph. Councilor Lee, Mayor Christopher and Councilor Moir added their support.

Councilor Gaynor noted that he was not opposed to slowing traffic on River Road, but he felt that the 5 mph reduction was not enough. He would not vote against lowering the speed limit to 40 mph but preferred lowering it to 35 mph.

Councilor Taylor agreed that the 5 mph reduction was insignificant and concluded that because he preferred the significant reduction to 35 mph, he would vote against the reduction to 40 mph.

Councilor Walsh noted that he did not support any reduction because it would cause congestion. He encouraged Council to wait for direction of the River Road Renaissance before moving on any reduction of the speed limit on River Road.

Councilor Smith called for the question.
Motion passed as follows:

AYES: Christopher, Moir, Gaynor, Smith, and Lee (5)
NAYS: Walsh and Taylor (2)
ABSTENTIONS: None (0)
ABSENT: None (0)

b. RESOLUTION – Certification of Street Lighting District Assessments

Finance Director Susan Gahlsdorf explained that this is the second part of a three-year plan to increase the working capital of the Street Lighting District Fund. It is estimated that approximately $170,000 is needed. Last year 1/3 of that amount was raised and this year the proposal is to raise another 1/3 of the $170,000.

Mayor Christopher opened the public hearing.

Hearing no testimony, Mayor Christopher closed the public hearing.

Councilor Moir moved to Adopt Resolution R2004, Certification of Lighting District Accounts. Councilor Gaynor seconded.

Motion passed unanimously as follows:

AYES: Christopher, Moir, Walsh, Taylor, Gaynor, Smith, and Lee (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

c. ORDINANCE – Setting Water Rates (2004); Repealing Ordinance 2002-473; Declaring an Emergency

Finance Director Susan Gahlsdorf gave background on the water rates over the past two years. Karyn Johnson then gave a power point presentation on a two-user group (commercial and residential) system compared to the City's existing three-tier system (single-family, multi-family and commercial).

Mayor Christopher opened the public hearing.

Harvey Price, 5013 through 5019 10th Avenue, Keizer reviewed the history of his apartment complex stating that although it was run down and 50% vacant when he purchased it in 2003, it has now been landscaped and rehabbed and is fully rented. The proposed increase in water rates will be a strain. He questioned the fairness of this policy and suggested pro-rating the increase over a period of years.

Mayor Christopher explained that the Water Master Plan was adopted to build up capacity, build reservoirs and increase pipe size and all citizens are paying the added rates.

Robert Bergstrom, 6111 Lakeshore Court N., Keizer, Treasurer of an 18-unit condominium association at McNary Estates, calculated that the combined effect of the proposed water rates will increase the annual water cost by 47% or $1,000 per year. This $1,000 spread out among 18 apartments will amount to $5 per month per apartment which is not a large amount, but is unfair nonetheless.

Judith DeSpain, 896 Appleblossom Avenue NE, Keizer voiced her support of the proposed rate structure and encouraged Council to pass it.

Lynn DeSpain, 896 Appleblossom Avenue NE, Keizer commended Karyn Johnson on her presentation, voiced his sympathy for citizens who will be paying more and suggested that the increase be spread out over a period of years.

John LaPray, 848-898 Lockhaven Drive NE, Keizer (Fern Villa Apartments) stated that he liked what had been presented and encouraged pro-rating the increase over a couple of years. He also suggested that a letter be sent out to the consumers whose rates are going up that would explain the system so that feelings of resentment could be avoided.

With no others wishing to testify, Mayor Christopher closed the Public Hearing.

Councilor Moir moved a Bill for an Ordinance Setting Rates (2004); Repealing Ordinance 2002-473; Declaring an Emergency. Councilor Smith seconded.

Councilor Moir explained that she had voted against this in the past but stated that after listening to the explanation presented by Ms. Johnson, she was in favor of this plan. She added that she was against any phasing of the implementation because it is a long-range plan and phasing will create a need for adjustment later.

Responding to questioning from Councilor Gaynor, Ms. Johnson explained that the 47% increase would amount to approximately $3.66 per apartment per month for the typical average multi-family customer.

Councilor Taylor stated that because his constituency supports this plan, he would be voting in favor of it. Councilor Walsh, Mayor Christopher, Councilor Smith and Councilor Lee also offered their support of this plan.

Motion passed unanimously as follows:

AYES: Christopher, Moir, Walsh, Taylor, Gaynor, Smith, and Lee (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

COMMITTEE REPORTS

a. Loren Calkins from Keizer United – Presentation of Funds for Peer Court

Loren Calkins from Keizer United presented a check for $5,675,00 and added that Keizer United was able to match funds from the private sector and that the organization will continue to seek funds. He noted that Keizer United is part of the community progress team with the Marion County Children and Families Commission and committed to this effort to work with City Councilors and Police Officers to bring the Peer Court back. It is hoped that this program will bring about positive healthy resolutions in minor crimes and offenses and invite people back to a healthy relationship with their community.

b. Establishing Transportation System Development Charge Task Force

Community Development Director, Nate Brown, reported that a consultant has begun work on the methodology necessary to establish a Transportation System Development Charge in the city of Keizer. Staff is recommending that Council establish a task force to ensure that work done at staff level is in touch with the community. The recommended membership would consist of representatives from the homebuilders industry, Chamber of Commerce, Bikeways Committee, Northwest National LLC, Chemawa LLC, two citizens at large and two City Council members. It is anticipated that the Task Force would be short in duration: no more than 3 meetings of 2-hour blocks.

Councilor Moir moved to appoint the Transportation System Development Charge Task Force including Mike Smith representing the Building Industry Association, Rich Duncan representing the Chamber of Commerce, Hersch Sangster representing Bikeways, Karen Trucke and Ufemia Castaneda representing Citizens-at-large, Don Jenson representing Northwest National LLC, Eric Scott representing Chemawa LLC, and Judy Smith and Jacque Moir representing the City Council. Councilor Taylor seconded.

Motion passed unanimously as follows:

AYES: Christopher, Moir, Walsh, Taylor, Gaynor, Smith, and Lee (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

OTHER BUSINESS

➢ Old Business

Councilor Moir reported that EVAK (Emergency Volunteers Assisting Keizer) has a "New Volunteer Orientation" scheduled for September 9

➢ **New Business**

at 7 p.m. On Saturday, September 25 at 10 a.m. in the auditorium Dave Lamb will present a training session on "Volunteers Manning Road Blocks in Emergency". On Saturday, October 23 at 9:30 a.m. in the auditorium Larry Morgan will conduct the second training over "Damage Assessment During and After Emergencies". And KARE (Keizer Animal Rescue in an Emergency) is planning an exercise tentatively for mid September. Also there are more than 20 vehicles for use during an emergency to help with evacuation.

Councilor Taylor reported that Keizer Points of Interest Committee would like to put up signage saying "Keizer, the Iris Capital" around the city. Mayor Christopher encouraged the committee to present a formal presentation which would include the number of signs and location.

Councilor Walsh reported that the RIVERR Task Force would be meeting on Wednesday. The presentation to Oregon State Parks went well. There is $1.5 million to give away and $4.3 million worth of applicants. The City is asking for $500,000.

Councilor Smith reported that

- The city has signed a contract with Cari Emery for Peer Court so that program is on its way.
- Planning Commission was cancelled this month.
- Volunteer Coordinating Committee is looking for volunteers for Traffic Safety Commission, Budget Committee, Planning Commission and Bikeways.

Mayor Christopher reported that SEDCOR has requested that she serve on their Board. The consensus of the council was to make said recommendation to SEDCOR.

Civic Center Recommendation Update

City Manager, Chris Eppley, reported that a review had been done of potential properties around town as possible Civic Center complex locations. He noted that Mr. Epping's property price is $4.50 per square foot which is significantly higher than the estimated value of the current location property. Given the close proximity of Ms. Roso's property Mr. Eppley suggested that the price would likely be the same. Councilor Moir spoke to Mr. Earl who is not interested in selling. Councilor Lee has indicated that the Archdiocese is not in a position to discuss the sale of their property.

In conclusion, Mr. Eppley recommended that Council receive the information and wait until current property has been appraised before making a determination on the best course of action.

Chief Adams reported that the detective unit and crew have been working on the recent murder and attempted murder investigations and this is causing a backup in other cases. He added that there have been three floods at the Police Department in the past week:

1. A waterline broke in the wall which has now been repaired. The plumbing is now outside of the ceiling and walls.
2. The air conditioning unit flooded the sergeant's area and was repaired on Friday.
3. The air conditioning unit flooded again on Monday morning.

Chief Adams reported that Captain Kuhns has been invited to attend the FBI National Academy in January. This is a command college that less than 2% of the police officers in the nation and friendly countries working with the U.S. get invited to attend so it is a real honor. It is an 11 week program paid for by the FBI.

ADMINISTRATIVE ACTION
a. Towing RFP

City Manager Chris Eppley explained the past procedure for towing and the difficulties encountered. The proposed RFP authorizes selection of 3 companies with specific terms. City Attorney Shannon Johnson pointed out a change on page 17: changing thirty (30) to fourteen (14) in section 3.23. Discussion followed regarding the 5 mile/within the UGB requirement.

Councilor Walsh suggested changing the wording throughout the document to read "within 5 miles **or** within the UGB".

Councilor Lee moved that Council Authorize City Staff to Proceed with the attached Request for Proposal working out the "5 mile/within the UGB" issue. Councilor Moir seconded.

Councilor Smith offered a friendly amendment that the verbiage say only "within 5 miles of the city limits". Councilor Lee and Moir accepted the friendly amendment.

Motion passed unanimously as follows:

AYES: Christopher, Moir, Walsh, Taylor, Gaynor, Smith, and Lee (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

CONSENT CALENDAR

A. RESOLUTION – Budget Adjustment to Street Fund
B. Approving August 2, 2004 Regular Session Minutes

Councilor Moir moved to approve Consent Calendar item A. Councilor Lee seconded.

Motion passed unanimously as follows:

AYES: Christopher, Moir, Walsh, Taylor, Gaynor, Smith, and Lee (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

Councilor Smith moved to approve Consent Calendar item B. Councilor Gaynor seconded.

Motion passed as follows:

AYES: Christopher, Gaynor, Taylor, Lee and Smith (5)
NAYS: None (0)
ABSTENTIONS: Moir and Walsh (2)
ABSENT: None (0)

WRITTEN COMMUNICATIONS

None

AGENDA INPUT

August 30, 2004
- 5:30 p.m. City Council Work Session
  - Parks Tour – Beginning at Chalmers-Jones Park

September 7, 2004 (Tuesday)
- 7:00 p.m. City Council Regular Session
  - ORDINANCE – Disposition of Supplemental Property
  - RESOLUTION – Allowing City Manager to Sign Contract for Slurry Seals

September 13, 2004
- 5:30 p.m. City Council Work Session
  - Community Oriented Policing Committee Joint Work Session

ADJOURNMENT

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

APPROVED:

MAYOR: Lore Christopher

Lore Christopher

Debbie Lockhart

Debbie Lockhart, Recording Secretary

COUNCIL MEMBERS

Judy K. Smith

Councilor #1 – Judy K. Smith

Jacque Moir

Councilor #4 – Jacque Moir

Councilor #2 – Michel Gaynor

Councilor #5 – Richard Walsh

Councilor #3 – Charles E. Lee

Councilor #6 – James Taylor

Minutes approved:

September 7, 2004