MINUTES
KEIZER CITY COUNCIL
Monday, August 16,1999
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Newton called the regular meeting to order at 7:09 p.m. Roll Call was taken as follows:

Present:
Bob Newton, Mayor
Craig Campbell, Councilor
Lore Christopher, Councilor
Jim Keller, Councilor
Jerry McGee, Councilor
Jacque Moir, Councilor
Garry Whalen, Council President

Staff:
Wally Mull, City Manager
Dianne Hunt, Human Resources Officer
Susan Gahlsdorf, Finance Director
Rob Kissler, Director of Public Works
Kent Barker, Keizer Police Lieutenant
Shannon Johnson, City Attorney
Tracy Davis, City Recorder

PUBLIC TESTIMONY

Linda Bishop, 6131 Bingtree, Keizer- addressed the Council in regards to her interpretation of the Ordinance pertaining to the City's collection of past due water accounts which are owed by former property owners. The present process is to collect these outstanding bills from the new property owner. Ms. Bishop related this practice to that of paying for a meal in a restaurant of a previous guest. She requested that the Council review how the Ordinance was being interpreted.

City Manager Mull indicated he would review this portion of the Ordinance and report back at a future date.

There was no further public testimony to come before the Council.

COMMITTEE REPORTS

Dave Galati – Executive Director of the Mid-Willamette Valley Council of Governments thanked the Council for the opportunity to review the previous activities of the past year. He reviewed the six philosophical principals that

FMAGIC

undergirded the organization. They include:

- Council of Governments existence to promote collaboration and cooperation among members;
- Council of Governments is a voluntary association of local units of government;
- Council of Governments operates on the basis of neutral forum. All board members have one vote and are equal;
- Council of Governments contains a broad focus and is not a special interest group;
- Council of Governments is nonpartisan;
- Council of Governments membership is ownership of all members and is dependent upon the commitment of Council of Governments to serve the members.

Mr. Galati pointed out some of the workshops and seminars that Council of Governments had hosted over the past year. He also shared three public policy forums that would be taking place in the near future. These included a forum on Salmon Restoration, October 15, 1999 and in December a workshop on water availability. In May 2000 the Council of Governments would be hosting a public policy forum on hazard mitigation awareness.

Mr. Galiti shared some of the regional programs that the Council of Governments is involved in and stressed that their organization has demonstrated that monies received from the Federal Government have been invested wisely and efficiently and are working in Keizer.

Mr. Galati explained how Council of Governments worked with Salem and Keizer to coordinate a wetland inventory project that saved approximately $90,000 in engineering fees with the collaboration of the two cities through Council of Governments. He supplied how Council of Governments writes grants for it's members and has produced seven local transportation plans including one for the City of Keizer.

Councilor McGee expressed his concern that some of the training the Council Governments was offering was a duplicate training from the League of Oregon Cities. He questioned the reasoning for this.

Responding to Councilor McGee's concerns Mr. Galati explained the benefits of belonging to both organizations.

Mayor Newton thanked Mr. Galati for his presentation.

Volunteer Coordinating Committee Appointments-Positions #2 and #3

City Manager Mull reported in July, 1991 the City Council created the Volunteer Coordinating Committee to handle volunteer recruitment, work coordination and recognition of City volunteers. He indicated that the Council further defined the charge of this Committee to make recommendations for volunteer appointments to commissions, committees and task forces. These recommendations are then forwarded to the Mayor and/or City Council. Mr. Mull noted that the Committee consisted of seven members, each who are appointed by an individual member of the Council.

City Manager Mull explained Wayne Thackery serves as Councilor Christopher's (position #2) appointment and Norm Cobb serves as Councilor Keller's (position #3) appointment on the Volunteer Coordinating Committee. Each of their terms will expire on August 31, 1999. Both gentlemen have expressed their desire to be reappointed for an additional three-year term on the Committee.

Councilor Keller moved to reappoint Wayne Thackery and Norm Cobb to the Volunteer Coordinating Committee. Councilor Christopher seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Campbell, Keller, McGee, Moir, Newton, Whalen (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

OTHER BUSINESS

a. New Business

Council President Whalen reported he attended the Waste Water Treatment Task Force Meeting and wanted to share some items of interest of the meeting. This included the COSTA (Cost of Service Analysis) of which a preliminary draft of that data will be completed and reviewed by the committee in November. He explained the plans for a test area for a natural treatment system and indicated if this test was to prove successful siting would be a significant issue.

Council President Whalen shared information from an EPA conference noting they would be taking a zero tolerance to leaky sewage. He shared that the committee would be addressing this issue in an attempt to make the owner of the property responsible.

Mayor Newton expressed his concern with the possible conflict between the salmon restoration program and the sewage treatment plant. He requested that the City Manager arrange a presentation to bring the Council to allow them further information regarding this issue.

Councilor Moir noted that the Emergency Management Committee might be approaching the Council to request funds for a generator which were identified on a previous request list presented during budget preparations.

Mayor Newton distributed a handout regarding the status of the process for the proposed regional library district. He raised the issue of placing a non-binding referendum on the November ballot to allow the citizens of Keizer to voice their support for an election to determine the future of a regional library district. The cost of the election would be approximately $13,000, however this could be a shared cost if other issues were on the ballot.

Councilor Campbell expressed his concern that the proposed language would not indicate the possibility of Keizer voting against the tax and it still being enacted by a majority vote of the entire district.

Councilor McGee agreed that the ramifications of the vote would need to be spelled out to avoid any confusion and expressed his feeling that citizens of Salem would not vote a tax increase to support a library in Keizer. He emphasized that he would not support placing the issue on the ballot as it was currently being addressed.

Mayor Newton indicated the timeline is very short in order to place this on the ballot for November. He noted he would have additional information from the Library Task Force soon.

Council President Whalen indicated there was not enough information at this time to make a decision on placing an issue on the ballot. He believed this may jeopardize the credibility of the Council to pursue this issue at this time.

Councilor Keller voiced his concern that this is a critical issue and the Council should have all the facts prior to presenting it to the voters.

There was a discussion regarding Keizer enacting it's own library at potentially the same cost as being part of the regional library district. Councilor McGee suggested that a research be done to determine what the costs to the citizens of Keizer would be for their own library.

The Council agreed the issue is not ready to be presented to public at an election with the number of unanswered questions.

Mayor Newton thanked the Council for their input and asked them to keep in mind what the citizens might want.

Dianne Hunt announced a new **Police Support Specialist, Ronna Price** began her tenure with the City on August 9, 1999

Dianne Hunt gave a brief **Y2K update** noting that September 1, 1999 was the city's deadline to assure that critical operations were compliant. She indicated that the new finance system had been installed and is in the testing stages now. A full report will be submitted to the Council in September, 1999.

Responding to questions Ms. Hunt shared that the Municipal Court software had been updated and was in the testing stages and that the 911phone system is Y2K compliant, but the radio portion was still being tested. To this date she had not received any written confirmation from the RAIN System.

Mr. Mull included that the City of Salem had tested their sewer and water system and are Y2K compliant.

b. Old Business

Shannon Johnson, City Attorney distributed a copy of Exhibit E from the Viesko decision made by the Council at the last meeting. He noted there was some confusion regarding Number 5 on the decision and the applicant was requesting more lead way in the use of Willow Lake Road and wanted the word "primarily" used in this section of exhibit E. He shared that the language adopted was without any amendments and wished to confirm due to the conversation that took place at the Council Meeting.

Councilor Christopher moved for reconsideration of the motion approving the Order for the Viesko Haul Road approved at the August 2, 1999 meeting. Councilor Campbell seconded the motion.

Reviewing the process for a vote of reconsideration, Mr. Johnson noted that the only meeting which had taken place since the August 2, 1999 Council Meeting was the Work Session - Parks Tour, which was not a regular session. Therefore, any reconsideration of the vote is appropriate at this meeting.

Councilor McGee noted that in his vote he understood that they would be restricting all commercial and heavy hauling to the haul road.

Councilor Keller requested to review the minutes from the August 2, 1999 meeting.

Councilor Moir felt that the Council was offering the applicant limited use of the Willow Lake Road for unique circumstances.

Council President Whalen felt that the Council wanted to specify that anyone conducting business with Viesko and heavy vehicles would use the haul road and felt this was the reason for the use of the wording "shall use" as to "primarily".

Mayor Newton referred to Page 10 of the August 2, 1999 Council Meeting. He felt that the issue was covered in the minutes. However, he indicated the public hearing was held on July 20, 1999 in which more details were discussed.

Mr. Johnson noted in the motion the current language in the order adopted read "*that all truck making commercial retail deliveries of Viesko Quality Concrete Products shall use the new haul road*". Mr. Johnson went on to explain Mr. Erickson's reasoning for requesting the use of the word "primarily" being used in the order.

The motion to reconsider failed as follows:

AYES: Christopher, Moir and Newton (3)
NAYS: Campbell, Keller, McGee and Whalen (4)
ABSTENTIONS: None (0)
ABSENT: None (0)

Councilor McGee noted as the chairman of various committees he will be bringing forward to the Council a draft form of Council Procedures in the near future. The changes include the Council appointment process, voter election ties, and proclamation procedures. Councilor McGee noted the Council process used to break ties in the appointment or election process would be the drawing a name from the official Keizer bucket. This process was used during the appointment of Councilor Christopher approximately one year ago. Councilor McGee noted a draft of the revised procedures would be distributed by the City Recorder and placed on a future agenda for consideration and approval.

ADMINISTRATIVE ACTION

a. <u>ORDER</u>-**Amendment to Subdivision/PUD/Variance Case No. 96-04 (Wittenberg)**

Shannon Johnson, City Attorney reported the order before the Council in this matter includes a proposal of 301 total parking spaces, 264 of those to be placed in the main parking lot. He noted in Exhibit "E" that the condition required that the 264 spaces be completed before the banquet facility is able to open. Mr. Johnson explained Page 3 of Exhibit "E" pertaining to overflow and employing parking. Mr. Johnson also pointed out the sound wall issue had been investigated by the Planning Department and reviewed with Mary Blankenship of the Claggett Creek neighborhood.

Mr. Mull noted that the applicant was proposing a sound wall constructed of horizontal tongue and groove fence along 7th Street. Along the applicants side of the fence will contain 1x6 vertical cedar with caps on all the posts. He noted the Oregon Department of Transportation considers this type of fence to work as well as a concrete fence. The order also indicated that the applicant would be responsible for maintenance of both sides of the fence.

Responding to questions Mr. Mull pointed out staff is proposing 14 marked parking spots along Claggett Street.

<u>Councilor Keller moved an Order in the Matter of the Application of Paul Wittenberg/Team Management Co for an Amendment and Replat of Subdivision/Planned Unit Development (subdivision/PUD Case No. 99-44. Council President Whalen seconded the motion.</u>

Responding to questions Mr. Mull indicated that as part of the Order, signage will be placed to encourage drivers to make a left hand turn on Claggett Street when exiting. This will eliminate some of the potential traffic from going through the neighborhood.

The motion passed unanimously as follows:

AYES: Christopher, Campbell, Keller, McGee, Moir, Newton, Whalen (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

CONSENT CALENDAR

a. RESOLUTION-Initiate The Highlands North Street Lighting District

b. RESOLUTION-Certifying Delinquent Sewer Accounts

c. RESOLUTION-Certification of Street Lighting Districts Assessments

d. Approval of August 2, 1999 Regular Session Minutes

e. Approval of August 9, 1999 Work Session Minutes

Mayor Newton requested that item "b" be removed from the consent calendar.

Councilor Keller moved for approval of the remaining items (a,c,d,e) from the consent calendar. Councilor Campbell seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Campbell, Keller, McGee, Moir, Newton, Whalen (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

ITEM "B"

Responding to questions Ms. Gahlsdorf indicated that the accounts in question were sewer accounts only and did not relate to the earlier public testimony regarding past due accounts being paid by previous property owners.

Mayor Newton moved for adoption of a Resolution Certifying Delinquent Sewer Accounts. Council President Whalen seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Campbell, Keller, McGee, Moir, Newton, Whalen (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

WRITTEN COMMUNICATIONS

Mayor Newton shared a letter he had received from the Intel Corporation selected Allison Whitey from McNary High School the recipient of an undergraduate scholarship in the amount of $2500 per year.

AGENDA INPUT

August 18,1999 (Wednesday) Work Session
5:30 p.m. City Council/Keizer Urban Renewal Board/Planning Commission
- Prudential Real Estate Presentation-Chemawa Activity Center

August 25, 1999 (Wednesday) Work Session
5:30 p.m. City Council/Keizer Urban Renewal Board/Planning Commission
- Urban Renewal Strategic Plan

September 7, 1999 (Tuesday)
7:00 p.m. City Council Meeting
- Sanitary Sewer Reimbursement Agreement –The Highlands
- Harmony Drive Appeal
- Executive Session ORS 192.660 (1) (d)-Labor Negotiations
- Adoption of the City Council Goals

September 20, 1999
7:00 p.m. City Council Meeting

It was noted that Councilor Campbell and Mayor Newton would not be in attendance at the August 25, 1999 meeting.

Mayor Newton and Councilor Christopher also noted they would not be in attendance at the September 7, 1999 City Council Meeting.

Councilor Keller encouraged the Council to get back with him on their feedback for the Urban Renewal Projects.

ADJOURNMENT Mayor Newton adjourned the meeting at 8:39 p.m.

Tracy L. Davis

Tracy L. Davis, CMC
City Recorder

APPROVED:

Bob Newton
Mayor

COUNCIL MEMBERS:

Garry Whalen
Councilor President - Garry Whalen

Jacque Moir
Councilor #4 - Jacque Moir

Councilor #2 - Lore Christopher

Craig Campbell
Councilor #5 - Craig Campbell

Councilor #3 - Jim Keller

Jerry McGee
Councilor #6 - Jerry McGee

Minutes approved:

September 7, 1999