MINUTES
KEIZER CITY COUNCIL
Monday, August 15, 2016
Keizer Civic Center, Council Chambers
Keizer, Oregon

CALL TO ORDER Mayor Clark called the meeting to order at 7:00 pm. Roll Call was taken as follows:

Present:
Cathy Clark, Mayor
Marlene Parsons, Councilor
Kim Freeman, Councilor
Roland Herrera, Councilor
Bruce Anderson, Councilor
Mark Caillier, Councilor

Absent:
Amy Ryan, Councilor

Staff:
Chris Eppley, City Manager
Shannon Johnson, City Attorney
Nate Brown, Community Development Director
Tim Wood, Finance Director
John Teague, Police Chief
Tracy Davis, City Recorder

FLAG SALUTE Mayor Clark led the pledge of allegiance.

SPECIAL ORDERS OF BUSINESS None

COMMITTEE REPORTS

Matt Lawyer, Keizer, provided an update of Parks Board actions including receiving a suggestion from Allen Barker for a fundraising event and choosing the parks for the annual parks tour. He added that the Board has been considering possible funding options for the parks through a citizen survey which will be offered for council review. City Manager Chris Eppley suggested the Board consider separating out the two components of Capital Assets and Maintenance so that residents can see that once the Master Plan is completed, the fee would be reduced to the level needed for maintenance only.

PUBLIC TESTIMONY

Rich Ford, Keizer, representing the Keizer Parks Foundation, passed out information regarding fundraising planned for the Solar Eclipse Event including sale of eclipse viewing glasses. Concerts, games and activities for children, eclipse education, food carts, security, safety, overnight accommodations, are all being planned. Additional information regarding the eclipse is available at http://keizereclipse.weebly.com/.

Donna Bradley, Keizer, added that the Foundation is looking for partnerships to help financially or with volunteers and that contact has been made with astronomers in the valley.

PUBLIC HEARINGS

a. Solid Waste and Recycling Services and Rates

Mayor Clark opened the Public Hearing.

Chris Eppley explained that the waste haulers are requesting a rate increase in response to a significant increase in tipping fee at the Covanta waste burner plant. Options have been provided for Council review.

John Sullivan, General Manager of Loren's Sanitation and *Todd Irvine*, General Manager of Mid-Valley Haulers, reviewed the options provided.

(1) 7% increase for residential, commercial and extra pickup rates, with yard debris only rates increased by a lesser amount

(2) 4% increase to residential and multi-family cart rates, 7% increase for commercial and extra pickup rates, with yard debris only rates increased by a lesser amount

(3) 5% increase to residential, multi-family cart and commercial rates, 7% increase for extra pickup rates, with yard debris only rates increased by a lesser amount

Mr. Irvine provided supplemental information. Discussion followed regarding the need for recycling, monitoring of debris, and the recycling market.

Sam Brentano, Marion County Commissioner, provided historical information about the burn facility. He explained that the price for electricity has dropped so the county, instead of getting about $6 million per year gets $1.5 million. He explained efforts being made to increase the amount.

Pat Fisher, Keizer, stated that it was not so much the percentage increase that she was opposed to, but the relative pay structure between the cart sizes. She read the three options and noted that option 3 was the most equitable but none provide enough incentive to recycle. She suggested that households that make the effort to recycle and therefore use the smaller waste receptacle should pay a lower rate per gallon, but currently they pay twice as much per volume than households who generate more household waste. If a household generates three times more garbage than others, it should pay three times as much. She distributed a handout showing rates, averages, and possible charges using the philosophy of charging per gallon.

Mr. Eppley stated that he really liked this concept and suggested that, if Council so directed, the haulers consider this approach and come up with a model that includes it with their next request. Councilors all thanked Ms. Fisher and commended her concept. Discussion followed regarding educating the public on proper recycling and placement of the cans.

With no further testimony, Mayor Clark closed the Public Hearing.

Councilor Parsons moved to direct staff to prepare an Order including Option 2 to bring back at the first City Council meeting in September

authorizing the rate increase as allowed for within the applicable solid waste hauler franchise agreements. Councilor Freeman seconded.

Councilor Caillier offered a friendly amendment to use Option 3 which works towards a non-subsidized approach. Councilors Parsons and Freeman accepted the amendment.

Council informally urged that the concepts presented by Ms. Fisher be considered by the haulers and included in their next rate request and that public education about proper recycling and receptacle placement be pursued.

Motion passed as follows:

AYES: Clark, Caillier, Parsons, Freeman, Herrera and Anderson (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Ryan (1)

ADMINISTRATIVE ACTION

a. Newberg Drive Neighborhood and McNary High School

Chief Teague reminded Council of friction existing between neighbors in the Newberg Drive area and McNary students related to traffic and parking. He noted that although many problems have been mitigated, the parking problem remains but it cannot be resolved by the Police Department alone. He referred Council to the staff report discussion points.

Mr. Eppley added that he had asked Public Works to look at options for creating no parking zones around the gate and they have provided three. He added that, if a no parking zone was going to be established, he would recommend option 3 as a pilot project for a 6-month period to see if it works. This will effect area residents but because of staffing limitations a parking permit is not possible. He also recommended against placement of speed bumps on Newberg.

All councilors recommended painting the area around the fire hydrant red, to refrain from discussing the gate on Sandy Drive, and to postpone discussion on MacArthur street gate.

Discussion took place regarding property lines vs. right of way, improving the area by adding sidewalks and curbs, sidewalk improvement districts, working with the school district, and parking limitations.

Mayor Clark summed up the recommendations:

- Paint curb around fire hydrant
- Talk to neighbors about physical conditions on MacArthur (right of way) and possible sidewalk improvements through formation of a Local Improvement District which could possibly be a partnership with the school district.
- Engage school district in a conversation regarding educating students about where they can park

b. ORDINANCE – Amending Keizer Development Code Regarding Section 1.200, Section 2.110, Section 2.308, Section 2.407, and Section 2.434; Amending Ordinance 98-389

Mr. Johnson reminded Council that they had addressed this matter at a previous meeting and directed staff to prepare an Ordinance and Resolution for fees. They are being offered for approval at this time.

Community Development Director Nate Brown handed out a revision to a sentence in Section 2.434(f): 'Adequate vehicle movement and parking shall be provided and shall demonstrate compliance with the intent of the parking standards in 2.303 and the Public Works Street Standards.'

Councilor Parsons moved that the Keizer City Council adopt a Bill for an Ordinance Amending Keizer Development Code Regarding Section 1.200 (Definitions), Section 2.110 (Commercial Mixed Use), Section 2.308 (Signs), Section 2.407 (Home Occupations), and Section 2.434 (Mobile Food Vendors); Amending Ordinance 98-389, as amended. Councilor Freeman seconded. Motion passed as follows:

AYES: Clark, Caillier, Parsons, Freeman, Herrera and Anderson (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Ryan (1)

RESOLUTION – Amending Land Use and Sign Permit Fees Unrelated to Partitions and Subdivisions; Amending R2016-2679

Mayor Clark asked if there was anyone wishing to speak to this issue. There was no response.

Councilor Parsons moved that the Keizer City Council adopt a Resolution Amending Land Use and Sign Permit Fees Unrelated to Partitions and Subdivisions; Amending R2016-2679. Councilor Freeman seconded. Motion passed as follows:

AYES: Clark, Caillier, Parsons, Freeman, Herrera and Anderson (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Ryan (1)

c. Marijuana Distancing Requirements

Shannon Johnson reminded Council that they had been asked to re-open the discussion on distancing requirements and state requirements for locations of marijuana. He reviewed the state and Keizer regulations and compared Keizer's regulations to Portland and Bend. He noted that Salem has a registration requirement only.

Deanna Hart, Independence, co-owner of Starr Sisters, asked Council to reconsider the 1,000 foot distance requirement noting that the adopted Oregon rules no longer require that.

Cyndi Michael, Keizer, co-owner of Starr Sisters, echoed Ms. Hart's request and explained that when she applied for her license with the OLCC there were no other retailers within 1,000 feet of her establishment but the Oregon Health Authority licensed a medical marijuana dispensary 700 feet from her facility. She provided support to her request noting that zoning restrictions prevent an overabundance of establishments, a

greater number of retailers will mean more money for the city, and more viable businesses are good for the community because they generate growth and provide employment.

Duane Zitek, Salem, speaking in support of the Starr Sisters explained that Ms. Michael has worked hard to keep Keizer Nursery open. He predicted that the marijuana industry is going to grow and requested that Council let the market determine spacing instead of regulations.

Discussion followed regarding impact on police workload, distances, state statutes, the intent of the 1,000 foot rule, Salem's registration method, and supporting area businesses.

Councilors agreed that they were not interested in making any changes at the present time.

d. Lighting of Additional Fields at the Keizer Little League Complex

Mr. Eppley explained that there is nothing in the Parks Regulations and the Management Agreement for the Keizer Little League complex to prohibit additional lighting of the fields. The underground work done in the past envisioned additional lighting so it is up to Council to approve or deny the request.

Discussion took place regarding the involvement of the Parks Department in the project, building permit and inspection program, types of lights, and the need for this improvement.

Mayor Clark verified that Council supported the project as long as the City provides oversight to assure compliance and directed volunteers to proceed with the project starting with fundraising.

e. Appointment to Keizer Little League Management Selection Committee

Mayor Clark asked Councilor Caillier if he would be willing to serve in this capacity based on his experience with the Big Toy and in assessing projects, and because he is somewhat distant from the KLL Park operations and can be objective in the assessment.

Councilor Caillier agreed to serve in this position.

CONSENT CALENDAR

A. RESOLUTION – Authorizing the City Manager to Sign Keizer Station Area C Petition to Form Local Improvement District for Street Lighting.

Councilor Parsons moved for approval of the Consent Calendar. Councilor Freeman seconded. Motion passed as follows:

AYES: Clark, Caillier, Parsons, Freeman, Herrera and Anderson (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Ryan (1)

COUNCIL LIAISON REPORTS

Councilor Caillier announced that Joe Egli consented to continue filling Position #1 on the Volunteer Coordinating Committee.

Councilor Herrera reported on the Parks Advisory Board, announced he had attended the County Commissioners breakfast, and asked for someone to take his place at the KPIC tour. Councilor Caillier volunteered.

Councilor Parsons had nothing to report.

Councilor Anderson extended appreciation to Chief Teague and Councilor Herrera for a job well done at the Bridging the Gap event. He reported on the Chamber Board and the Salem Water Wastewater Task Force meetings.

Councilor Freeman thanked everyone who had been recruiting volunteers noting that there were several to be interviewed at the next Volunteer Coordinating Committee meeting. She reported on National Night Out, Bridging the Gap, and Traffic/Bikeways/Pedestrian Committee.

Mayor Clark thanked Officer Copeland for escorting her on National Night Out, and provided details about the Bridging the Gap event. She announced Back to School Night at the Keizer Heritage Center, the Keizer Rotary Amphitheater concerts, McNary Blue Day and the Town & Country Mural Dedication.

OTHER BUSINESS

a. Surplus Property Report Fiscal Year 2015-2016

Finance Director Tim Wood explained that this is the annual report that the City is required to give Council. No further action is necessary.

Nate Brown announced that the City has been awarded the Transportation and Growth Management Grant to revisit activity center plans and update the Renaissance Plan, etc. He also clarified the Herber property hearing record deadlines.

Mr. Eppley provided a brief update regarding the chemical spill at the Wyatt Apartments: the spill was on private property, has been cleaned up, and there was no impact to the city's systems.

WRITTEN COMMUNICATIONS

None

AGENDA INPUT

September 6, 2016 (Tuesday)
7:00 p.m. – City Council Regular Session
September 12, 2016
5:45 p.m. – City Council Work Session
- Annual Keizer Parks Tour

September 19, 2016
7:00 p.m. – City Council Regular Session

ADJOURNMENT Mayor Clark adjourned the meeting at 10:20 pm.

MAYOR: APPROVED:

Cathy Clark — Debbie Lockhart, Deputy City Recorder

COUNCIL MEMBERS

Councilor #1 – Mark Caillier — Councilor #4 – Roland Herrera

Councilor #2 – Kim Freeman — ~ Absent ~ Councilor #5 – Amy Ryan

Councilor #3 – Marlene Parsons — Councilor #6 – Bruce Anderson

Minutes approved: September 6, 2016