



MINUTES
KEIZER CITY COUNCIL
Monday, August 7, 2017
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
Roland Herrera, Councilor
Bruce Anderson, Councilor
Kim Freeman, Councilor
Amy Ryan, Councilor

Absent:

Laura Reid, Councilor

Staff:

Chris Eppley, City Manager
Shannon Johnson, City Attorney
Nate Brown, Community Development
Bill Lawyer, Public Works Director
John Teague, Police Chief
Tim Wood, Finance Director
Machell DePina, Human Resources
Tracy Davis, City Recorder

FLAG SALUTE

Mayor Clark led the pledge of allegiance.

SPECIAL ORDERS OF BUSINESS None

COMMITTEE REPORTS

**a. Volunteer
Coordinating
Committee
Recommendation
s for
Appointment to
Keizer Points of
Interest
Committee**

City Manager, Chris Eppley, reported that following publication of notice of a vacancy on the Keizer Points of Interest Committee and acceptance of testimony from the applicant, the Volunteer Coordinating Committee recommended Carla Schultheis to fill the vacancy.

Councilor Parsons moved that the Keizer City Council accept the Volunteer Coordinating Committee recommended appointment. Councilor Freeman seconded. Motion passed as follows:

AYES: Clark, Parsons, Ryan, Freeman, Herrera and Anderson (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Reid (1)

**PUBLIC
TESTIMONY**

Charles Anderson, Keizer, requested that a sign be put up on the gate in his neighborhood (Newberg Drive) and the gate be locked to remedy issues related to students parking in his neighborhood.

Judy DeSpain, Keizer, expressed opposition to the recently adopted Parks and Public Safety Fees which she said were illegal because the City Charter states that the water or sewer bills cannot be added to or taken away from without a vote of the people. Mayor Clark noted that Ms. DeSpain's testimony was also published as a letter to the editor.

Carol Doerfler, Keizer, speaking as a citizen and as a member of the Inclusivity Resolution group, thanked Eric Howald for his article in the Keizertimes.

Cindy Swaney, Keizer, also thanked Eric Howald for his article and questioned when the second work session would be scheduled. Mayor Clark thanked Eric Howald and noted that the work session had not been scheduled yet but it was not forgotten.

Wayne Frey, Keizer, asked permission to create and maintain a soccer field at Country Glen Park. This project would be done at no cost to the city and he would be responsible for maintaining it. There is room for 17 cars on the park side of the roadway with more on the residence side. Additional parking may be available .3 mile away at Gubser. This would be a community practice field, first-come-first-served, not reservable, and geared mostly to neighborhood games. Public Works Director Bill Lawyer noted that a multi-use field is in the Country Glen Master Plan so there would be no need for an amendment. Mayor Clark urged that a long-term maintenance plan be part of the project.

Jeff Weekly, Keizer, stated that residents of Newberg Drive north of McArthur gave up property for the entrance off Lockhaven with the understanding that the gate was to remain locked except for Friday night football and the City has violated those rights by not keeping the gate locked. He urged that City staff force the school board to lock the gate except for Friday night football games. City Manager Chris Eppley urged that Mr. Weekly attend the McNary High School neighborhood/community outreach forum on this issue on October 12 at 6:00 pm.

PUBLIC HEARINGS *Mayor Clark opened the Public Hearing.*

a. Pat's 1 Cig Liquor License Application – Change of Ownership

City Manager Chris Eppley reported that an application was submitted for a Change of Ownership for Pat's 1 Cig, Keizer, Oregon. A background check was done and calls for service are within the City recommended standards. Staff recommends that Council review the application and forward a recommendation to the OLCC for approval.

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

Councilor Parsons moved that the Keizer City Council approve the application for a Change of Ownership for Pat's 1 Cig under the guidelines established by ORS 471.178 and the Ordinances of the City of Keizer and forward this recommendation to the Oregon Liquor Control Commission for final approval. Councilor Freeman seconded. Motion

passed as follows:

AYES: Clark, Parsons, Ryan, Freeman, Herrera and Anderson (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Reid (1)

**b. Keizer
Development
Code Text
Amendment –
Section 2.303
(Off-Street
Parking and
Loading)**

Mayor Clark opened the Public Hearing.

Community Development Director Nate Brown explained that The Keizer Planning Commission unanimously recommended that Council adopt the proposed amendment. Changes are minor, were triggered by work related to the proposed theater, and are proposed to make the Code more understandable and environmentally responsible. Discussion followed regarding RV parking.

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

Councilor Parsons moved to direct staff to prepare an ordinance with findings to adopt the proposed revisions. Councilor Freeman seconded.

Mayor Clark offered a friendly amendment to remove the line at the end of paragraph F "All vehicle storage areas must be served by a driveway."

Councilors Parsons and Freeman accepted the amendment. Motion passed as follows:

AYES: Clark, Parsons, Ryan, Freeman, Herrera and Anderson (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Reid (1)

**ADMINISTRATIVE
ACTION**

**a. Keizer
Chamber of
Commerce
Request for
Community
Center Rental
Fee Waiver**

City Manager Chris Eppley reminded Council that the Keizer Chamber of Commerce had requested that some Community Center room fees be waived for four 'Community Conversations' and the annual First Citizens banquet. Additionally they are asking for a fee reduction for their monthly luncheons. He added that the Chamber qualifies for a 25% discount because it is a non-profit. This request is in addition to that. He directed attention to the breakdown of costs for each event.

Discussion followed regarding the various events. Councilor Ryan noted that she had been unable to find any other cities that support their Chamber of Commerce in this way so she would not support this request.

Councilor Parsons moved that the Keizer City Council waive the room rental fee for the Keizer Chamber of Commerce First Citizens Banquet but charge \$625 for the staffing and security costs. Councilor Freeman seconded. Motion passed as follows:

AYES: Parsons, Freeman, Herrera and Anderson (4)

NAYS: Clark and Ryan (2)

ABSTENTIONS: None (0)

ABSENT: Reid (1)

Councilor Parsons moved that the Keizer City Council waive the room rental fee for the Keizer Chamber of Commerce Community Conversations but charge \$40 for the staffing costs. Councilor Freeman seconded. Motion passed as follows:

AYES: Clark, Parsons, Ryan, Freeman, Herrera and Anderson (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Reid (1)

Councilor Parsons moved that the Keizer City Council deny the request for a complete rental fee waiver for the Keizer Chamber of Commerce Luncheon Forums. Motion passed as follows:

AYES: Clark, Parsons, Ryan, Freeman, Herrera and Anderson (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Reid (1)

b. RESOLUTION – Authorizing City Manager to Enter Into Agreement for Management of Events Rental Room/Gazebo at Keizer Heritage Foundation - Postponed

c. ORDINANCE – *Taken out of Order.*

**Amending
Ordinance
Adopting the
Keizer Medical
Marijuana
Facility Permit
Process;
Amendment of
Ordinance No.
2014-702**

City Attorney Shannon Johnson reminded Council that this matter had come before them at the last meeting when they directed staff to look into changing the hours for marijuana retailers. State regulations allow the proposed hours for retailers. There are no such regulations for medical marijuana. Staff recommends keeping them both the same.

David Gor, Salem, a business owner in Keizer, renewed his request to expand operating hours of marijuana dispensaries in Keizer.

Laura Viegas, Salem, thanked Council for taking time to review this matter and urged approval of the expanded hours.

Councilor Parsons moved that the Keizer City Council adopt a Bill for an Ordinance Amending Ordinance Adopting the Keizer Medical Marijuana Facility Permit Process; Amendment of Ordinance No. 2014-702. Councilor Freeman seconded. Motion passed as follows:

**ORDINANCE –
Amending
Ordinance
Adopting the
Keizer
Marijuana
Retailer Permit**

AYES: Clark, Parsons, Ryan, Freeman, Herrera and Anderson (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Reid (1)

Councilor Parsons moved that the Keizer City Council adopt a Bill for an Ordinance Amending Ordinance Adopting the Keizer Marijuana Retailer Permit Process; Amendment of Ordinance No. 2016-743. Councilor

- Process;** Freeman seconded. Motion passed as follows:
Amendment of Ordinance No. 2016-743 AYES: Clark, Parsons, Ryan, Freeman, Herrera and Anderson (6)
 NAYS: None (0)
 ABSTENTIONS: None (0)
 ABSENT: Reid (1)
- d. RESOLUTION – Approving 2017 Salary Survey and Implementing Changes** Human Resources Director Machell DePina provided background information about the salary survey process and the impact of implementation.
Councilor Parsons moved that the Keizer City Council adopt a Resolution Approving 2017 Salary Survey and Implementing Changes. Councilor Freeman seconded.
 Discussion followed regarding the in-house survey cost savings and the importance of making sure employees are paid equitably regardless of affiliation to a union.
Motion passed as follows:
 AYES: Clark, Parsons, Freeman, Herrera and Anderson (5)
 NAYS: Ryan (1)
 ABSTENTIONS: None (0)
 ABSENT: Reid (1)
- e. RESOLUTION – Authorization for Supplemental Budget – 2017 Salary Survey and Parks Matching Grant** Finance Director Tim Wood explained that the first item is to make the adjustments necessary to implement the changes related to the Salary Survey. The impact will be absorbed through additional working capital revenues primarily from liquor tax and franchise fees. The second item is a carryover from 2016-17 moving unused appropriations to cover the cost of the covered shelter at the sand volleyball courts.
Councilor Parsons moved that the Keizer City Council adopt a Resolution Authorization for Supplemental Budget – 2017 Salary Survey and Parks Matching Grant. Councilor Freeman seconded. Motion passed as follows:
 AYES: Clark, Parsons, Freeman, Herrera and Anderson (5)
 NAYS: Ryan (1)
 ABSTENTIONS: None (0)
 ABSENT: Reid (1)
- f. RESOLUTION – Establishing the Amount of the Sewer System Development Charge for Wastewater** City Attorney Shannon Johnson explained that this is a housekeeping measure. The charge is essentially a pass-through to Salem and that amount is being increased. Because this is a fee increase it is appropriate to ask for public comment with regard to these fees. Mayor Clark asked if anyone in the audience wished to comment and received no response.
Councilor Parsons moved that the Keizer City Council adopt a Resolution Establishing the Amount of the Sewer System Development Charge for Wastewater Treatment Facilities; Repealing R2016-2701. Councilor

**Treatment
Facilities;
Repealing
R2016-2701**

Freeman seconded. Motion passed as follows:

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

**CONSENT
CALENDAR**

- a. RESOLUTION – Regarding Evaluation of City Attorney
- b. RESOLUTION – Regarding Evaluation of City Manager
- c. RESOLUTION – Authorizing Disposition of Surplus Property (Police Department)

Councilor Parsons moved for approval of the Consent Calendar.

Councilor Freeman seconded. Motion passed as follows:

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

**COUNCIL
LIAISON
REPORTS**

Councilor Anderson had nothing to report.

Councilor Herrera reported that he attended the Marion County Public Safety Coordinating Council meeting and the Kurt Schrader Town Hall. He also announced upcoming meetings and events.

Councilor Parsons reported on National Night Out and the Personnel Policy Committee meeting and provided information regarding the upcoming Eclipse event noting the need for volunteers and water donations. She showed the tee-shirts that are available for sale and announced upcoming meetings and events.

Councilor Freeman reported on National Night Out and Personnel Policy Committee. She praised the new bike repair station at City Hall and announced upcoming meetings.

Councilor Ryan reported on National Night Out.

Mayor Clark reported on National Night Out, the Oregon Mayors' Association, upcoming transportation issues and the Eclipse. She praised the Keizer Points of Interest Committee Flood History pole and signs recently installed by volunteers and praised Officer Kevin Renfro who was very professional, polite, and thorough when assisting a citizen involved in an accident.

**OTHER
BUSINESS**

Public Works Director Bill Lawyer reported that Lockhaven is being paved at night, stripping will follow; new pathways at Keizer Rapids Park are being paved tomorrow. A preconstruction meeting with the fall surface contractor is scheduled for August 28. Big Toy will close September 9 for the fall surface installation and reopen October 15.

Community Development Director Nate Brown brought attention to the new art display in the Community Center.

WRITTEN COMMUNICATIONS

Mayor Clark read letters as follows:

- o From Oregon Restaurant and Lodging Association regarding Air B & B and the collection of lodging taxes that are owed to cities.
- o From an anonymous author regarding the need to restrict the use of fireworks and the damage that they cause. Chief Teague responded that the department responded to calls all night long. It is a problem across the state.

Mayor Clark commended Nate Brown for the conscientious manner in which he worked with one of the neighbors regarding the Area B Master Plan amendment. When he found out she had not received a notification, he hand delivered the notice and had a conversation with her.

AGENDA INPUT

August 14, 2017

- 5:30 p.m. - City Council Work Session
- Tour of Keizer Community Food Bank

August 21, 2017

7:00 p.m. – City Council Regular Session

September 5, 2017 (Tuesday)

7:00 p.m. City Council Regular Session

ADJOURNMENT

Mayor Clark adjourned the meeting at 9:17 p.m.

MAYOR:

APPROVED:


Cathy Clark

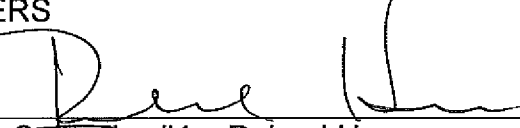

Debbie Lockhart, Deputy City Recorder

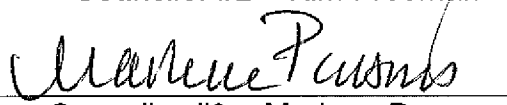
COUNCIL MEMBERS

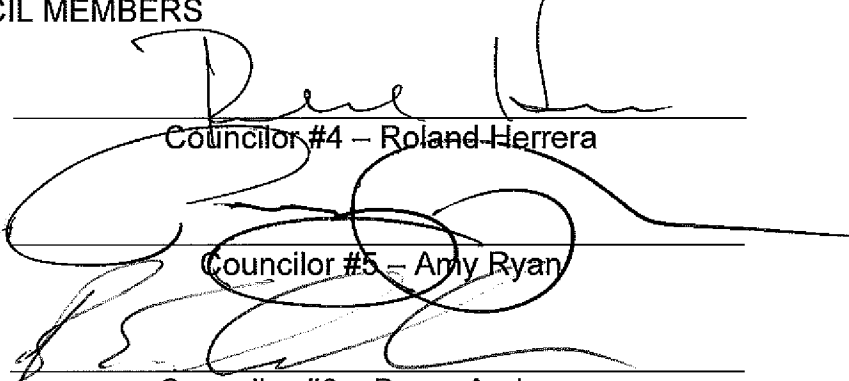
~ Absent ~

Councilor #1 – Laura Reid


Councilor #2 – Kim Freeman


Councilor #4 – Roland Herrera


Councilor #3 – Marlene Parsons


Councilor #5 – Amy Ryan


Councilor #6 – Bruce Anderson

Minutes approved: Sept 5, 2017