



MINUTES
KEIZER CITY COUNCIL
Monday, August 6, 2018
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
Kim Freeman, Councilor
Laura Reid, Councilor
Bruce Anderson, Councilor
Roland Herrera, Councilor

Staff:

Chris Eppley, City Manager
Shannon Johnson, City Attorney
Nate Brown, Community Development
John Teague, Police Chief
Machell DePina, Human Resources
Tracy Davis, City Recorder

Absent:

Marlene Parsons, Councilor
Amy Ryan, Councilor

FLAG SALUTE

Mayor Clark led the pledge of allegiance.

**SPECIAL ORDERS
OF BUSINESS**

None

**COMMITTEE
REPORTS**

Meredith Mooney, Keizer, explained the focus and purpose of the organization and provided information related to the \$2,000 request that Keizer United made of the Budget Committee.

**PUBLIC
TESTIMONY**

Brandon Smith, Salem, and *Rodney Gardner*, Keizer, representing Willamette Valley Victory Riders, shared information about the club and the 2018 Poker Run proceeds benefitting children of the community. Several police officers accepted the donated "Go Bags" for children.

Shirley DeShon, Keizer, invited Council to the Sunset and Rivercrest National Night Out event.

Danielle Bethel, Keizer Chamber, introduced *Dave Walery* and *Bob Shackelford* and explained that funds from the Iris Festival benefit the community and that this year \$1000 would be donated to BLAST Camp. Lt. Andrew Copeland explained that BLAST Camp stands for "Bringing Law Enforcement and Students Together". This year registrations were filled in 8 hours. It is free and held at Claggett Creek Middle School. He added that donations like this are welcomed and the money would be put to good use.

Regarding the following testimony related to the Sign Code, City Attorney Shannon Johnson explained that the Public Hearing was closed but because it is a legislative issue and not quasi-judicial, and there is no strict rule about testimony after the public hearing for legislative matters, the testimony could be heard but it is awkward because someone who attended the public hearing wouldn't be here to hear the additional testimony. He urged Council to keep that in mind.

Jonathan Thompson, Keizer, Chair of Chamber Government Affairs Committee, provided background regarding the work done with staff over the past year to bring the sign code in compliance with a recent US Supreme Court decision as well as other sections of the Code. He specifically criticized the way staff handled issues related to real estate signage and permitting of larger signs and requested a change to the ordinance being considered for adoption at this meeting. He requested that the allowance for portable signs be changed from 6 square feet to 16 square feet which would be the same as that allowed for feather flags in the new proposal and negate the need for permitting.

Danielle Bethel, Keizer Chamber, added that she had sent emails that were not answered due to technical difficulties with the new spam filter at the City. She urged transparency.

Mayor Clark clarified that the Planning Commission adopted language was 6 square feet and real estate signs are generally 16 square feet. The request of the Chamber is that commercial real estate signs be allowed to be 16 square feet. However, the rule cannot be content-based so further discussion will be necessary.

Carol Doerfler, Keizer, thanked Mayor Clark, Council, and City Attorney for their efforts in assisting the West Keizer Neighborhood Association to resolve the shooting issue across the river. She urged that everyone continue to put pressure on Polk County and the owner of the property.

Rhonda Rich, Keizer, questioned when Polk County could be expected to take action noting that gun shots are still being heard. She explained that the neighborhood will continue to put pressure on Polk County. She also noted that since the city limits go to the middle of the river, Keizer would be responsible for any injuries that occurred due to the shooting. Chief Teague interjected that Polk County handles river calls, and injuries go to the Salem Fire Department because they do water rescue. Additional dialog took place with Ms. Rich, Ms. Doerfler and Ms. DeShon regarding jurisdiction, notifying park users of shooting dangers, putting warning signs up in the park, and reduced property values.

Representative Bill Post, Keizer, explained that at this point there is no legislation planned to prohibit shooting from one county to another. He expressed disappointment at the lack of action from the Polk County State Representative in spite of his frequent efforts to make contact. He urged Keizer citizens to contact the representative for District 20 themselves and

demand action.

Matt Lawyer and Dan Kohler, Keizer, addressed Council regarding school safety. Mr. Kohler provided a brief history of shootings in Oregon schools. Matt Lawyer shared information on work that has been done to provide a solution for this problem including a survey. The results of the survey and additional information were reviewed in detail and included in the handout with details provided by Mr. Lawyer and Mr. Kohler.

Discussion followed regarding the respondents, school district involvement, and funding of School Resource Officers. Chief Teague noted that the Police interest in the school is to see the law enforced less and instead to develop relationships, taking care of problems early and diverting children out of the justice system. If increased security is the goal, then civilian armed security should be hired.

Additional discussion took place regarding the number of survey responses received, adding this topic to a 'Community Conversation', giving the survey data to the school board, school security, joining forces with the school district to combine this concept with the recently explored school district police force, and getting input from students.

PUBLIC HEARINGS *Mayor Clark opened the Public Hearing.*

- a. Keizer Development Code Text Amendment (Keizer Station Master Plan Review)** Community Development Director Nate Brown summarized his staff report noting that this would apply to all master plans, not just Keizer Station.

Hearing no testimony, Mayor Clark closed the Public Hearing.

Councilor Freeman moved that the Keizer City Council direct staff to prepare an ordinance with findings to adopt the proposed revisions. Councilor Anderson seconded. Motion passed as follows:

AYES: Clark, Reid, Freeman, Herrera and Anderson (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Parsons and Ryan (2)

ADMINISTRATIVE ACTION City Manager, Chris Eppley summarized his staff report.

- a. Keizer United Disbursement Request** Meredith Mooney fielded questions from Council regarding how the proposed funding would be spent.

Mayor Clark moved that the Keizer City Council approve allocation of \$1000 for Keizer United with a requirement for reporting back on how the expenditures were utilized. Councilor Herrera seconded.

Discussion followed regarding the appropriateness of spending City funds on lunches for committee members and allocating funds towards programs.

Mayor Clark amended her motion to clarify that the funds will be used for programmatic purposes and not lunches. Amendment was accepted by Councilor Herrera.

Motion passed as follows:

AYES: Clark, Reid, Freeman, Herrera and Anderson (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Parsons and Ryan (2)

**b. Waiver of
Community
Center Fees –
Keizer
Chamber of
Commerce**

City Manager Chris Eppley summarized his staff report reviewing each of the possible options. Danielle Bethel added that last year the Chamber didn't pay for staffing costs or receive any bills, but Chamber is willing to pay for the cost of staffing the events.

For Keizer Chamber of Commerce First Citizen Banquet: Councilor Freeman moved that the Keizer City Council waive the room rental fee and security/cleaning deposit but charge \$625 for the staffing and security costs which are the out of pocket expenses for the City. Councilor Anderson seconded. Motion passed as follows:

AYES: Clark, Reid, Freeman, Herrera and Anderson (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Parsons and Ryan (2)

Discussion took place regarding the feasibility of fitting 6 Community Conversations into the fiscal year.

For Keizer Chamber of Commerce Community Conversations: Councilor Freeman moved that the Keizer City Council waive all fees for the community conversation events but limit the number to 4 for the current fiscal year. Councilor Anderson seconded. Motion passed as follows:

AYES: Clark, Reid, Freeman, Herrera and Anderson (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Parsons and Ryan (2)

Additional dialog followed regarding including a greater number of the community in the Community Conversations, reaching out to everyone, communicating through social networking and schools and sharing ideas with the Chamber Council Liaison, Councilor Anderson.

**c. RESOLUTION –
Authorizing the
City Manager to
Sign First**

City Attorney Shannon Johnson summarized his staff report noting that the amendment has been signed by Keizer Little League.

Councilor Freeman moved that the Keizer City Council adopt a Resolution Authorizing the City Manager to Sign First Amendment to Park

**Amendment to
Park
Management
Agreement with
Keizer Little
League, Inc.**

Management Agreement with Keizer Little League, Inc. Councilor Herrera seconded. Motion passed as follows:

AYES: Clark, Reid, Freeman and Herrera (4)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Anderson (absent at time of vote), Parsons and Ryan (3)

**d. ORDINANCE –
Adopting the
Keizer
Marijuana
Retailer Permit
Process;
Repeal of
related
Ordinances**

Mr. Johnson summarized his staff report noting that a public hearing is not required but since this involves an adoption of fees, there needs to be an opportunity for public comment.

Councilor Freeman moved that the Keizer City Council adopt Bill for an Ordinance Adopting the Keizer Marijuana Retailer Permit Process; Repeal of Ordinance Nos. 2014-702, 2014-704, 2015-725, 2015-731, 2015-733, 2016-743, 2016-746, 2016-747, 2016-764, 2016-765, 2017-777, 2017-778, 2017-787, and 2017-788. Councilor Anderson seconded. Motion passed as follows:

AYES: Clark, Reid, Freeman, Herrera and Anderson (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Parsons and Ryan (2)

**RESOLUTION –
Relating to
Marijuana
Retailer Permit
Application
Fee; Repeal of
R2014-2497 and
R2016-2647**

Councilor Freeman moved that the Keizer adopt a Resolution Relating to Marijuana Retailer Permit Application Fee; Repeal of R2014-2497 and R2016-2647. Councilor Anderson seconded. Motion passed as follows:

AYES: Clark, Reid, Freeman, Herrera and Anderson (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Parsons and Ryan (2)

**e. ORDINANCE –
Amending
Keizer
Development
Code
Regarding
Section 2.308
(Signs) and
Section 3.103
(Conditional
Use Permits);
Amending
Ordinance No.**

Mr. Johnson reviewed his staff report. Addressing the issue the Chamber brought up, he explained that the main driver behind these changes was to get as 'content neutral' as possible, i.e. regulating solely on size, location, vision clearance, etc. The primary issue with the real estate signs is the large sized commercial signs, but regulating them, would be regulating a sign by its content and not allowed. He provided clarification to sections relating to permitting larger signs noting that the Planning Commission had approved that language. He recommended that if Council wanted to make large substantive changes, they re-open the public hearing. Lengthy discussion followed.

Councilor Freeman moved that the Keizer City Council adopt a Bill for an Ordinance Amending Keizer Development Code Regarding Section 2.308 (Signs) and Section 3.103 (Conditional Use Permits); Amending Ordinance No. 98-389, and increase the 120 days to 180 days in Section

98-389

2.308.08E2b. Councilor Anderson seconded.

Councilor Anderson voiced concern regarding the sign permitting fee and suggested that a provision be made to allow for the standard 16 square foot real estate sign without having to pay a fee. Following discussion regarding limiting the number of large signs; enforcement, tracking and monitoring signage, and allowing portable signs generally, Council directed staff to explore allowing large portable signs if placed by a property owner or by a real estate agent working for a property owner, or options that other jurisdictions may be using.

Councilor Freeman withdrew her motion; Councilor Anderson agreed.

Mr. Johnson noted that the changes would be substantive changes so the public hearing should be reopened. Staff will schedule this. Council supported this.

**f. ORDINANCE –
Amending
Keizer
Development
Code
Regarding
Sections 1.200,
2.123, 2.127,
2.408, 2.431,
2.432, 3.101,
3.112, 3.202;
Amending
Ordinance Nos.
98-389 and 87-
077**

Mr. Johnson explained that this ordinance was being offered for approval as a result of Council direction to staff.

Councilor Freeman moved that Keizer City Council adopt a Bill for an Ordinance Amending Keizer Development Code Regarding Section 1.200 (Definitions), Section 2.123 (Greenway Management Overlay Zone (GMO)), Section 2.127 (Historic Resources), Section 2.408 (Bed and Breakfast Establishment), Section 2.431 (Nursing and Personal Care Facilities), Section 2.432 (Cottage Cluster Development), Section 3.101 (Summary of Application Types), Section 3.112 (Annexations), Section 3.202 (General Procedures – Types I, II, and III Actions); Amending Ordinance No. 98-389, and Amending Ordinance No. 87-077 (The Keizer Comprehensive Plan); Amending Ordinance No. 87-077. Councilor Anderson seconded. Motion passed as follows:

AYES: Clark, Reid, Freeman, Herrera and Anderson (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Parsons and Ryan (2)

g. RESOLUTION – Adopting Land Use and Sign Permit Fees Unrelated to Partitions and Subdivisions; Repealing R2016-2679 and R2016-2712

Postponed pending adoption of Ordinance related to 2.308 and 3.103.

**CONSENT
CALENDAR**

- a. RESOLUTION – Authorizing City Manager and Public Works Director to Sign 2018-2021 Collective Bargaining Agreement with Laborers International Union of North America, Oregon Southern Idaho District Council Local 737
- b. RESOLUTION – Approving City Engineer's Report; Declaring the City's Intent to Form Summerview Estates Street Lighting Local Improvement District; Providing Notice and Setting Hearing
- c. RESOLUTION – Authorizing Public Works Director to Sign Marc Nelson Oil Products, Inc. Purchasing Documents for Cardlock Fuel

Cards

d. Approval of July 2, 2018 City Council Regular Session Minutes

Councilor Freeman moved for approval of the Consent Calendar.

Councilor Anderson seconded. Motion passed as follows:

AYES: Clark, Freeman, Anderson, Herrera and Reid (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Parsons and Ryan (2)

COUNCIL LIAISON REPORTS

Councilor Reid reported on the Willamette Locks forum, the community dinner, Salem Leadership Foundation, Southeast Keizer Neighborhood Association meeting and the Bair Park cleanup event. She also extended an invitation to the Bridge Builder event on September 16.

Mayor Clark noted that Keizer Homegrown Theater just finished their production and 3 of Councilor Reid's family members were involved.

Councilor Freeman announced volunteer openings, National Night Out, and Stormwater, Personnel Policy, Traffic Safety, Volunteer Coordinating Committee and Planning Commission meetings.

Councilor Herrera announced that he had attended the Wally Mull Celebration of Life and the Mano a Mano Board meeting; he will be working with the Little League World Series and hoped to participate in National Night Out.

Councilor Anderson voiced appreciation city staff and announced McNary Blue Day and the Keizer Chamber lunch recognizing educators in Keizer.

Mayor Clark thanked Councilor Parsons for covering for her while she was out of town, congratulated Clint Holland and Keizer Rotary amphitheater for the successful concert series, and thanked the City of Florence for hosting the Oregon Mayor's Association conference. She reported on the Oregon Municipal Planning Organization Consortium meeting, announced the Commissioners Breakfast, Coffee with Cathy, Heritage Foundation Board meeting, National Health Center Week activities fair and 'All About Kids' health fair at the KROC center.

OTHER BUSINESS

Chief Teague announced National Night Out.

Community Development Director Nate Brown announced that the gap analysis on revitalization had been received. It will be the subject of the work session on August 27.

Mayor Clark noted the importance of the Keizer Little League facility adding that it is well maintained at the present time due to efforts of dedicated volunteers. She urged that long range planning take place to preserve the park and suggested that a Long Range Planning Task Force be initiated. She appointed herself, Councilor Parsons, (Council) Matt Lawyer (Parks Board), Keizer Little League and McNary Youth Baseball

presidents plus one member each to be appointed by their boards, Dan Kohler (community), and James Hutches (Chamber). The intent would be to have panels with:

- o Participants that would share the history of the park
- o Sponsors, in-kind donors, and baseball professionals
- o Representative of the youth who play or have played
- o Interested and/or involved community members

Its purpose would be to develop a long term plan for the facility. This will be considered at the next Council meeting.

WRITTEN COMMUNICATIONS

Mayor Clark read a letter from Mayor Bennet of Salem thanking Keizer for their assistance during the recent water crisis.

AGENDA INPUT

August 13, 2018: 5:45 p.m. – City Council Work Session - Cancelled

August 20, 2018: 7:00 p.m. City Council Regular Session

August 27, 2018: 7:00 p.m. City Council/Planning Commission Joint Work Session

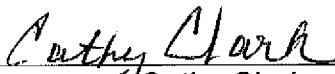
September 4, 2018 (Tuesday): 7:00 p.m. City Council Regular Session

ADJOURNMENT

Mayor Clark adjourned the meeting at 10:30 p.m.

MAYOR:

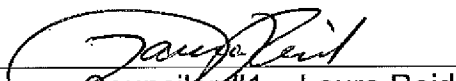
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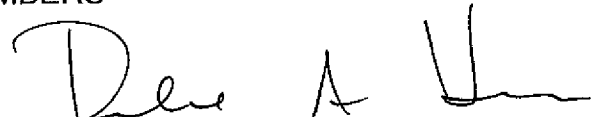

Cathy Clark



Debbie Lockhart, Deputy City Recorder

COUNCIL MEMBERS


Councilor #1 – Laura Reid


Councilor #4 – Roland Herrera

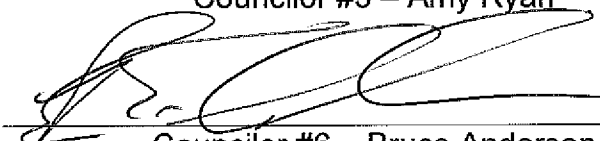

Councilor #2 – Kim Freeman

~ Absent ~

Councilor #5 – Amy Ryan

~ Absent ~

Councilor #3 – Marlene Parsons


Councilor #6 – Bruce Anderson

Minutes approved: September 4, 2018