



**MINUTES
KEIZER CITY COUNCIL**

Monday, August 6, 2007

Keizer City Hall

**Robert L. Simon Council Chambers
Keizer, Oregon**

**CALL TO
ORDER**

Council President Walsh called the regular meeting to order at 7:00 pm.
Roll Call was taken as follows:

Present:

Richard Walsh, Council President
Jim Taylor, Councilor
Jacque Moir, Councilor
Cathy Clark, Councilor
David McKane, Councilor

Staff:

Chris Eppley, City Manager
Shannon Johnson, City Attorney
Nate Brown, Community
Development
Rob Kissler, Public Works
Marc Adams, Chief of Police
Tracy Davis, City Recorder

Absent:

Mayor Lore Christopher
Troy Nichols, Councilor

FLAG SALUTE

Council President Walsh led the pledge of allegiance.

**PUBLIC
TESTIMONY**

Garry Whalen, Keizer, reminded everyone of the Showdown in K-Town featuring a Bike Safety Rodeo and a skateboard and BMX bike competition/exhibition sponsored by the Boys & Girls Club and encouraged everyone to attend. He also commended the three candidates recommended to fill the vacancies on the Parks Board.

Christine Dieker, Keizer, Executive Director of the Keizer Chamber of Commerce, explained the Keizer Map project which will be used as a potential fundraiser and promotion piece for the City.

Trish Crenshaw, Keizer, a member of the Volunteer Coordinating Committee, expressed concern regarding the potential appointment of Jerry Nuttbrock to the Keizer Parks Advisory Board stating that she felt the appointment would be inappropriate because Mr. Nuttbrock owns property next to Keizer Rapids Park.

PUBLIC HEARING

None

**ADMINISTRATIVE
ACTION**

a. RESOLUTION ~

Public Works Director, Rob Kissler, explained the Oregon Water/Wastewater Agency Response Network Mutual Aid program and the benefits of membership. He explained that the city currently has mutual aid agreements with the Oregon Department of Transportation and

Authorizing the City Manager to Sign the Oregon Water/Wastewater Agency Response Network Mutual Aid Agreement

County agencies and fielded questions adding that damage done from a natural disaster would be the responsibility of the city and that the storm water utility would be covered under this mutual aid agreement as well.

Councilor Taylor moved to adopt Resolution R2007 Authorizing the City Manager to Enter into the Mutual Aid and Assistance Agreement for Provision of Emergency Services Related to Water and Wastewater Utilities. Councilor Moir seconded. Motion passed as follows:

AYES: Walsh, McKane, Moir, Clark and Taylor (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Nichols and Christopher (2)

b. RESOLUTION ~ Authorizing the City Manager to Enter Agreement with Ruth Metz Associates for Library Study

City Attorney, Shannon Johnson, reminded Councilors of the grant received to hire a consultant for a library services study and survey and fielded questions from Councilors regarding the city's expense for this contract and possible increases.

Councilor Taylor moved to adopt Resolution R2007 Authorizing City Manager to Enter Into Professional Services Agreement with Ruth Metz Associates (Library Consultant Contract). Councilor Clark seconded.

Councilor Taylor pointed out that this survey will give a final answer to the library question. Councilor McKane voiced concern about accuracy of the survey.

Motion passed as follows:

AYES: Walsh, Moir, Clark and Taylor (4)

NAYS: McKane (1)

ABSTENTIONS: None (0)

ABSENT: Nichols and Christopher (2)

c. RESOLUTION ~ Authorizing the City Manager to Sign the First Amendment to Street Sweeping Agreement

Rob Kissler explained that WTS had requested an increase for November operations due to fuel costs, leaf removal and disposal adding that the requested amount is still well below the second low bid received in 2004 and that funding is available for this increase. He concluded that staff recommends the increase for November not to exceed \$10,093 and fielded questions regarding additional equipment, scheduling and notification of residents.

Councilor Taylor moved to adopt Resolution R-2007 Authorizing the City Manager to Sign the First Amendment to Street Sweeping Contract. Councilor McKane seconded. Motion passed as follows:

AYES: Walsh, McKane, Moir, Clark and Taylor (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Nichols and Christopher (2)

**d. RESOLUTION ~
Amending the
Storm Water
Management
Program –
Willamette
River TMDL
Amendment**

Public Works Director, Rob Kissler, explained that the City's Storm Water Management Program needed to be updated to include the Willamette River Total Maximum Daily Load (TMDL) as outlined in the issued NPDES permit from Oregon DEQ. This resolution incorporates the resultant additional sections for Council approval. Mr. Kissler then fielded questions regarding increased fees.

Councilor Taylor moved to adopt Resolution R-2007 Amending the National Pollutant Discharge and Elimination System Municipal Separate Storm Sewer System (NPDES MS4) Phase II Storm Water Management Program for the City of Keizer Oregon, Amending Resolution R2004-1463. Councilor Clark seconded. Motion passed as follows:

AYES: Walsh, McKane, Moir, Clark and Taylor (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Nichols and Christopher (2)

**e. Keizer
Chamber of
Commerce –
Request for
Fee Waiver for
City Map
Information**

City Manager Chris Eppley explained that the Keizer Chamber of Commerce had requested assistance in providing an electronic pdf file for the City of Keizer and possibly Marion County and requested a waiver of the \$220 fee. He noted that this has been done for the Chamber in the past but this would formalize the action. Shelly King with the Chamber responded affirmatively to a request from Mr. Eppley to have the City's logo placed on the map.

Councilor Taylor moved to waive the fees for providing mapping information for the Chamber of Commerce. Councilor McKane seconded. Motion passed as follows:

AYES: Walsh, McKane, Moir, Clark and Taylor (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Nichols and Christopher (2)

**CONSENT
CALENDAR**

- A. RESOLUTION – Approving Engineer Report for Wheatland Meadows Street Lighting District
- B. Approval of July 2, 2007 Regular Session Minutes
- C. Approval of July 9, 2007 Work Session Minutes
- D. Approval of July 16, 2007 Regular Session Minutes
- E. Approval of July 18, 2007 City Council/Civic Center Task Force Work Session Minutes

Councilor Walsh pulled Item C.

Councilor Taylor moved for approval of Items A, B, D and E. Councilor McKane seconded. Motion passed as follows:

AYES: Walsh, McKane, Moir, Clark and Taylor (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Nichols and Christopher (2)

Councilor Taylor moved to approve Item C on the Consent Calendar.
Councilor McKane seconded. Motion passed as follows:

AYES: McKane, Moir, Clark and Taylor (4)

NAYS: None (0)

ABSTENTIONS: Walsh (1)

ABSENT: Nichols and Christopher (2)

COMMITTEE REPORTS

a. EVAK Activity Report

(Taken out of order) Mary Nathe, Salem, explained that EVAK (Emergency Volunteers Assisting Keizer) is made up of Keizer residents who volunteer to assist the community in case of an emergency, through planning, preparation and training and reported on activities of the organization in 2007. Councilors Moir, Clark and Walsh and Captain Teague (via letter) applauded Ms. Nathe for her dedication and urged citizens to get involved with this organization and attend the September training.

b. Appointments to the Keizer Parks and Recreation Advisory Board

City Manager, Chris Eppley, reported that two positions had been added to the Parks & Recreation Advisory Board and that a vacancy was created when Bill Riesland passed away. Notice of the vacancies was published and Christine Dieker was recommended to fill Position 9 (term ending December 30, 2009), Jerry Nuttbrock and Marlene Quinn were recommended to fill Positions 2 and 3 respectively (terms ending December 30, 2007). Staff recommends acceptance of these appointments. Councilor Moir requested that appointments be addressed individually.

Councilor Taylor moved to appoint Christine Dieker to Position 9.
Councilor Moir seconded. Motion passed as follows:

AYES: Walsh, McKane, Moir, Clark and Taylor (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Nichols and Christopher (2)

Councilor Taylor moved to appoint Marlene Quinn to Position 2. Councilor Moir seconded. Motion passed as follows:

AYES: Walsh, McKane, Moir, Clark and Taylor (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Nichols and Christopher (2)

Councilor Taylor moved to appoint Jerry Nuttbrock to Position 3.
Councilor McKane seconded.

Councilors Moir, Taylor, Walsh and Clark stated that they would vote against this appointment because of concerns about potential conflict of interest and the fact that he would have to abstain from decisions on a park that represents over half of the park property in the city. Councilors

each encouraged Mr. Nuttbrock to serve on other volunteer committees. Councilor McKane voiced strong disagreement with these Councilors noting that there is a process in place to deal with conflicts of interest and there are 16 parks in the city and this is only one park. He concluded that Mr. Nuttbrock had a lot of experience, had given a lot to the city and deserved to be on the Board; he urged Councilors to reconsider.

City Attorney Shannon Johnson explained examples of conflict of interest, actual vs. potential and actions of the Ethics committee. Prolonged discussion took place.

Motion failed as follows:

AYES: McKane (1)

NAYS: Moir, Walsh, Clark and Taylor (4)

ABSTENTIONS: ~~Walsh (1)~~ *corrected 8-20-07* *none (0)*

ABSENT: Nichols and Christopher (2)

Additional discussion then took place regarding the process for filling the remaining vacancy.

Councilor Taylor moved to send the remaining applicants to the Volunteer Coordinating Committee for the August 16 meeting and for the Committee to give Council a recommendation at the August 20 Council meeting.
Councilor Moir seconded.

Councilor Clark noted that she would vote against this motion because the process is an open process and this would not be consistent. Councilor McKane noted that he would support the motion but would rather see Mr. Nuttbrock on the Board.

Motion passed as follows:

AYES: Walsh, McKane, Moir and Taylor (4)

NAYS: Clark (1)

ABSTENTIONS: None (0)

ABSENT: Nichols and Christopher (2)

**c. Other
Committee
Reports**

Councilor McKane reported that

- Parks Board will meet on Tuesday, August 14 at 6 pm
- Traffic Safety has been meeting but there was nothing to report
- Claggett Creek Watershed Council has not met during the summer but meetings will resume in the fall.

Councilor Moir reported that Planning Commission will not meet until September 12.

Councilor Taylor reported that

- Keizer Points of Interest has requested that River's Edge Park be renamed to Wallace House Park. Shannon Johnson responded that he would check into the process for putting it on the next agenda.

- Bikeways Committee will meet on August 8
- Something Special Task Force meeting was postponed to August 29 at 6 p.m.

Councilor Clark reported that

- She attended the EVAK meeting but Mary Nathe already gave the report.
- Technical Advisory Committee for the Transportation System Plan Update (TAC) has met. The next meeting date will be posted on the website.
- The Bridge Environmental Impact Study meeting took place with the old I-305 concept coming up and being updated to take into account environmental and traffic issues. There are now 20 concepts but only 4 or 5 will be considered in the study. Additional information is available at www.salemrivercrossing.org. Open houses are planned for November.
- Mid-Willamette Advisory Commission on Transportation (MWACT) met and discussed strategy for developing large projects that affect the region as well as the Sublimity interchange on Highway 22.
- She, Jacque Moir and Shelly King welcomed representatives from the Ukraine for the League of Women Voters. She explained this program in detail.

Councilor Walsh reported that

- He attended the Mayors conference (Lore Christopher, President)
- The New RIVERR Task Force Work Groups will meet on August 15. He encouraged any interested citizens to attend.
- August 9 is the Commissioners breakfast
- He has met with the tribes to work on ideas for the water tower, but there is nothing to report at this time.
- Keizer Knights, a Midget American Baseball Team, was named Midget American State Champions with 33 wins and 5 losses. July 22nd was proclaimed Keizer Knights Day.

OTHER BUSINESS

- a. **New Business**
- b. **Old Business**

Chief Adams reported that

- The Police Department had received 2 resignations, one from a recruit and another from a veteran who is going to work for the District Attorney's office, so there are two vacancies. Two candidates from the last recruitment will be offered these positions.
- National Night Out is August 7

Chief Adams commended his officers for good police work on the bomb making students adding that he hoped everyone understands that this is a small group of students from a great school with great students.

Public Works Director, Rob Kissler updated Council on Chemawa bridge construction (3 weeks ahead of schedule) and the Tepper crossing.

Community Development Director, Nate Brown, reported that Keizer Rapids Park opened on July 26 with a grand party. He commended Public Works staff for their efforts.

City Attorney, Shannon Johnson, explained the timeline for the acceptance of the resignation of Councilor Nichols and reviewed procedures, noting that the deadline for letters of interest to fill the vacancy will be September 21 at 5 p.m. with candidate presentations and Council vote taking place at the October 1 meeting. He added that this was informational only and would be formalized in a resolution at the next meeting. Discussion followed regarding the process.

WRITTEN COMMUNICATIONS

None

AGENDA INPUT

August 20, 2007

7:00 p.m. City Council Regular Session

August 27, 2007

5:45 P.m. City Council Work Session

➤ City of Keizer Salary Study

September 4, 2007 (Tuesday)

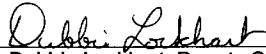
7:00 p.m. City Council Regular Session

ADJOURNMENT

Council President Walsh adjourned the meeting at 9:02 p.m.

MAYOR:

APPROVED:



Debbie Lockhart, Deputy City Recorder

~ Absent ~

Lore Christopher

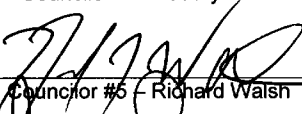
COUNCIL MEMBERS

Councilor #1 – David McKane

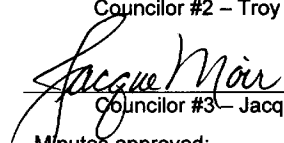


Councilor #4 – Cathy Clark

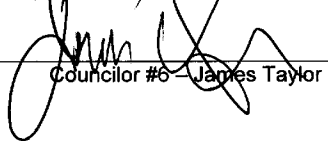
~Absent~
Councilor #2 – Troy Nichols



Councilor #5 – Richard Walsh



Councilor #3 – Jacques Moir



Councilor #6 – James Taylor

Minutes approved:

August 20, 2007