

SEPARATE CURS

8/5/91

CITY COUNCIL

CITY Hall

TIME: 7:30

[illegible]

AUGUST
1991

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1) Masonics (old) 7p	2)	3) AA (old) 8:45-11:45am
4)	5) City Council (new) 7:30pm	6)	7) Muni Ct (new) 8-12 K. Tomorrow (new) 7p Wtr Dept Interviews (new) Bam-noon	8) Muni Ct (new) 5p Wtr Dept Interviews (new) Bam-noon	9)	10) AA "
11)	12) Muni Ct (new) 5p	13) Child Abuse Sem (Aud) 8am-5pm (Bowe)	14) Muni Ct (new) 8-12 Plan Comm (new) 7:30p Child Abuse Seminar (Aud) 8am-5pm (Bowe)	15) Employee staff mtg (old) 10am	16)	17) AA "
18)	19) City Council (new) 7:30pm Keizer R/C Assn (old) 7-10pm PAID	20) Parks Bd (old) 7:30pm	21) Muni Ct (new) 8-12 K Tomorrow (new) 7pm Gov't Affairs (new) 4p	22) Muni Ct (new) 5p	23)	24) AA "
25)	26) Muni Ct (new) 5p	27)	Library 2-4pm 28) Muni Ct (new) 8-11p	29)	30)	31)
			Library 2-4pm			

CITY OF KEIZER MISSION STATEMENT

KEEP CITY GOVERNMENT COSTS AND SERVICES TO A MINIMUM BY
PROVIDING BASIC CITY SERVICES TO THE COMMUNITY IN A
COORDINATED, EFFICIENT AND LEAST COST FASHION.

A G E N D A

KEIZER CITY COUNCIL
Monday, August 5, 1991
7:30 p.m.

Robert L. Simon Council Chambers

1. CALL TO ORDER
2. ROLL CALL
3. PUBLIC TESTIMONY - This time is provided for citizens to address the Council on matters not on the agenda.
4. COMMITTEE REPORTS
 - a. Certificate of Appreciation - Parks Committee
5. PUBLIC HEARINGS
 - a. McNary Activity Center Plan (continued).
 - b. Liquor License Application , Izzy's Pizza Restaurant - 3400 River Road North - New Outlet Application for a Restaurant Liquor License
 - c. Liquor License Application, Alpen Haus Restaurant - 4140 River Road North - New Outlet Application for a Restaurant Liquor License
 - d. Liquor License Application, The Stadium Grill & Sports Pub - 4820 River Road North - New Outlet Application for a ~~Retail Malt Beverage~~ RESTAURANT Liquor License
6. DELIBERATION - McNary Activity Center Plan
7. DELIBERATION - Izzy's Pizza Liquor License Application
8. DELIBERATION - Alpen Haus Liquor License Application
9. DELIBERATION - The Stadium Grill & Sports Pub Liquor License Application

10. CONSENT CALENDAR

- a. Urban Renewal Financial Statement
- b. Bid Award - Water Department Dump Truck
- c. Bid Award - Wheatland Road Bike Path
- d. July 15, 1991 City Council Regular Session Minutes

11. OTHER BUSINESS - This time is provided to allow Council members the opportunity to bring matters before the Council which are not on tonight's agenda.

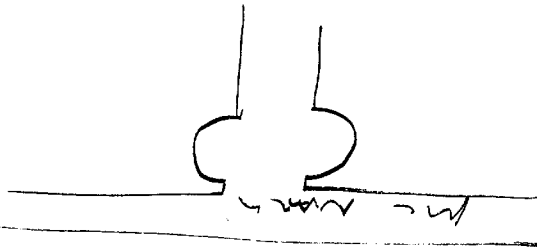
12. WRITTEN COMMUNICATIONS - To inform the Council of significant written communications and petitions.

13. AGENDA INPUT - August 19, 1991

* Temporary Business Ordinance

14. ADJOURN

f:\admin\agenda.8-5

A handwritten signature, possibly "M. M. M.", is written over a horizontal line. Above the signature, there are two vertical lines and some additional scribbles.



City of Keizer

Administration

930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

COUNCIL MEETING: August 5, 1991
AGENDA ITEM NO: 4a

TO: MAYOR and CITY COUNCIL
FROM: KEVIN WICKMAN, PARKS DIRECTOR *KW*
THRU: DON OTTERMAN, CITY MANAGER
SUBJECT: COMMUNITY SERVICE AWARD

BACKGROUND

On Saturday July 20, a local Cub Scout group lead by Keizer resident Dan King spent the day cleaning up Willamette Manor Park on 5th avenue. The scouts not only bettered themselves by donating their energy to spruce up this Park, but all who use this Park will benefit from the job well done. Some of what they did was; limb pick up, litter pick up and sweeping of the tennis court.

RECOMMENDATION

Presentation of City of Keizer Community Service Award to Dan King as Cub Scout Leader coordinating park clean up.



City of Keizer

Administration

930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

COUNCIL MEETING: August 5, 1991
AGENDA ITEM NO: 4a

TO: MAYOR and CITY COUNCIL
FROM: KEVIN WICKMAN, PARKS DIRECTOR
THRU: DON OTTERMAN, CITY MANAGER
SUBJECT: COMMUNITY SERVICE AWARD

Kevin

BACKGROUND

The L.D.S. Church on Lockhaven held a youth convention this month, July 10-13. The group, coordinated by Rudy Carlos, was about 65 kids strong and wanted to spend a day doing needed Park clean up chores. I gave Mr. Carlos a list of some ideas which he agreed to that included the following:

- . Claggett Park, litter clean up & flower bed weeding.
- . Wilark Park, litter clean up & weeding throughout.

* * 35 yard bags full between parks.

RECOMMENDATION

Presentation of City of Keizer Community Service Award to Rudy Carlos for his Youth Convention coordinating efforts.



City of Keizer

Administration
930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

CITY COUNCIL MEETING: August 5, 1991

AGENDA ITEM NUMBER: 5a

TO: MAYOR AND CITY COUNCIL
THROUGH: DONALD H. OTTERMAN M.S.P.A.,
CITY MANAGER
FROM: JOHN N. MORGAN, AICP
COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: McNary Activity Center Plan - Continued Public Hearing

DISCUSSION:

Council held its public hearing on the McNary Activity Center Plan draft on July 1, 1991. The hearing was held over until this meeting so that Staff could respond to the testimony and to allow for additional comments from the public.

Attached to this report is an analysis of the testimony received. It is sorted by topic areas and by speaker and offers a summary of each speaker's testimony. The summaries are followed by a Staff response. As part of several responses recommendations are made for changes to the Plan draft and related documents.

Also attached are two pieces of written testimony received since July 1. These include material submitted by Ken Sherman on behalf of the Staats Corporation consisting of several letters from people knowledgeable about the development process analyzing the Plan draft. Also included is a petition signed by many residents of McNary Estates asking that an alternative be found to the planned extension of McClure Street to a new de-sac north of McNary Estates Drive.

RECOMMENDATION:

It is recommended Council:

1. Continue receiving public comments followed by closing the hearing;

"Pride, Spirit and Volunteerism"

City Council
August 5, 1991

2. Deliberate on proposed draft including the points raised in the testimony and in this Staff Report;
3. Direct staff to prepare the final order and findings, including changes agreed to during deliberations, and to return them to Council at the first meeting in September for adoption.

ATTACHMENTS:

Summary of Testimony and Staff Response
Letter from Ken Sherman, Jr. and attachments
Petition from residents within McNary Estates

Circulation	Speaker
* McNary Estates homeowners may not allow access to McNary Estate Drive.	.Cockrell, Jim
* Staats Lake and McNary Estates should connect. City can use eminent domain to force connection.	.Cockrell, Jim
* Staats Lake project will create traffic congestion and air pollution.	.Cunningham, J
* McClure Street extension is necessary. Change Page 9 to indicate McClure and extension of McNary Estates Drive will not be through streets.	.Grenz, Mark
* Petition received from McNary Estates homeowners asking that McClure not be extended as planned.	.ME Homeowner
* Do not require continuous internal street in Staats property. No traffic reason to require this street. Neighborhood can be integrated through pedestrian links. Land used for street will reduce developable property. Through traffic from McNary Estates will go through Staats property.	.Sherman, Ken
.	
* <u>STAFF RESPONSE</u>	
<i>There is no plan to connect to McNary Estates Drive except for the extension of McClure. This will provide the needed interconnect between these two neighborhood areas.</i>	
<i>While the Staats Lake project will increase traffic on the surrounding streets, the development of the property is in keeping with the Comprehensive Plan. The SKATS Transportation Plan was developed based on the land use plan for the area and anticipates the traffic that will be generated. The traffic impacts from specific development proposals will be evaluated and needed improvements, such as signals, will be required where warranted by a project.</i>	
<i>The SKATS Transportation Plan was amended in early July, 1991 to eliminate the extension of McNary Estates Drive to Windsor Island Road as a planned collector street. Therefore, while McClure is still designated as a collector, there is no through traffic pattern planned for this area.</i>	

Circulation

Speaker

suggested:

Land around Staats Lake shall be served with a public or private street or pedestrian/bicycle system that allows access to all parts of the property without having to use Lockhaven Drive or North River Road.

Environmental

Speaker

The first point created a great deal of testimony. Many residents of the area surrounding Staats Lake called for protection of the geese. The Planning Commission, after much discussion, recommended to Council a policy requiring an agreement on a strategy to "maximize retention of geese..."

On the other hand, Staats Corporation argued the geese population should not be an issue. The lake is in reality a gravel pit dug by Staats. The geese would not be on the property if the pit had not been dug. It is not a natural situation. Maximizing retention of the geese may result in a substantial curtailment of the development potential of the property. Inside an urban growth boundary where urban development is supposed to occur it may not be appropriate to restrict development for factors not specifically called out in law, such as wetlands or floodplains.

The Staff reports to the Planning Commission argued for having no policy. The reports stated a belief the geese will remain on the lake regardless of the development, and may even increase in number due to an increase in the food supply.

The Commission's initial drafts of the Plan called for the developer having a professionally prepared wildlife preservation plan. The recommended policy lowers the requirement to having the city, developer, and Oregon Department of Fish and Wildlife agree to a strategy to "maximize retention" of wildlife. Staats questioned what "maximize retention" means. Staff agrees with Staats that this phrase may be so restrictive in nature that it can result in interpretations that severely restrict development potential on the property.

If the Council chooses to keep the policy, it is suggested the wording be changed as follows:

The developer shall reach agreement with the City of Keizer and the Oregon Department of Fish and Wildlife on a plan to retain geese and other wildlife as part of any development proposal.

General	Speaker
* Owners of Staats property should be held to a high level of performance. City should take serious steps to assure project is an enhancement to community.	.Cockrell, Jim
* Developer does not have track record. May not have capacity to carry out project.	.Cockrell, Jim
* The community has a legitimate interest in this project.	.Cockrell, Jim
* Do not give the developer total control of the project.	.Cockrell, Jim
* Move ahead with Staats development	.Lambert, Al
* Plan should not say Staats Lake is a "public asset" or the public has a "great stake."	.Sherman, Ken
.	
*_STAFF RESPONSE	

The purpose of creating the McNary Activity Center Plan is to provide a "neighborhood plan" that will guide specific development proposals in the future. It sets through policy the community's general expectations of future projects.

By creating this Plan, the process may be shortened for some development proposals as many of the major issues will have been resolved "up-front." This will streamline the development process. However, all projects will still be subject to the particular requirements of the zoning and subdivision ordinances.

The Activity Center Overlay Zone requires all development to be processed as a conditional use. This layer of public scrutiny will assure conformance with the Activity Center Plan, as well as deal with site-specific issues.

Mixed Use

Speaker

Staats Corporation questioned the amount of parking lot landscaping and the requirement for staggered setbacks. These provisions were included by the Commission in order to help assure these developments were "special" places. They are intended to be visually more aesthetically appealing than conventional development, and they are intended to respect the inclusion of dwellings as part of overall projects.

Staats questioned the restriction on ground floor residential use. This point was discussed by the Commission several times and it was decided this would help encourage mixing. Staff questioned this during the Commission's deliberations, and would have no objection to removing the provision. There does not appear to be any reason to believe this restriction would encourage mixing and it may inhibit a developer's creativity in designing a project.

Staats pointed out that "personal care facilities" are specifically excluded from land zoned MU according to the draft. Section (1)(c)(xxx) states: "Health services except hospitals and nursing and personal care facilities." This was not the Commission's intent. In fact, such facilities were discussed by the Commission as a desirable land use for these areas. This section should be amended to read: "Health services except hospitals."

Park	Speaker
* Park north of school has limited parking. Adding facilities will compound problem.	.Cockrell, Jim
* \$100 per lot is not adequate to build park. The fee should be raised.	.Cockrell, Jim
* Claggett Creek, as a park, should not be developed at the expense of the development of the park adjacent to Keizer School.	.Cockrell, Jim
* Is the City able to fund development and maintenance of parkland it already has? How much will it cost to develop and operate this 2 acre park. There isn't enough money to improve park.	.Sherman, Ken
* This isn't best location for park. One is not needed in this part of City. Building it west of school is better than north of school.	.Sherman, Ken

* STAFF RESPONSE

Neighborhood parks often provide no or minimal parking since they are intended to be within walking distance of the population they serve. In this area they are often combined with schools. This allows joint use of the school parking. Staff is not aware of any parking problems with the 12 school/park developments located within Salem.

The Council will be considering a new Park System Development Charge after completion of the Parks Master Plan this winter. The \$100 per lot fee may be adjusted to more accurately reflect the cost of providing parks to new development.

Park development in Keizer lags somewhat behind the City's capacity to acquire park land. A case in point is the park land donated by Reimann Corporation as part of the Meadows development. The park property has not yet been developed but will be in the near future. The City is applying for a park development grant to match the Revenue Sharing money already intended for this park. Revenue Sharing is the City's biggest source of park development funds and is received every year.

Process	Speaker
* Move ahead with Staats development	.Lambert, Al
* Staats property should be processed through PUD. Don't give a blank check.	.Nissan, Don
* The city should not use the activity center approach in dealing with this property. It is not necessary as there is no interest in developing a "civic center" as part of project, and the Staats and McNary Estates properties will not be integrated together.	.Sherman, Ken
* Anticipate "fine-tuning" Activity Center Plan and implementing tools as development proposals are made.	.Sherman, Ken
* Staats property should not have to develop as a Planned Unit Development. This locks developer into dealing with the property as a whole and into only one available planning process.	.Sherman, Ken
.	
* <u>STAFF RESPONSE</u>	

The Plan draft sets basic guidelines for development and allows developers to put together creative projects meeting the guidelines and responding to the market. The Staff and Planning Commission both believe this is the best direction for the City to take.

The Activity Center Overlay Zone requires all development to be processed as a conditional use. This process assures the proposed development meets the intent and policies of the Activity Center Plan.

Staats Corporation objected to the requirement that the Staats property be developed through the Planned Unit Development process. The Plan is specific on this point for two reasons.

First, the Staats property is unique in Kelzer because of the lake and the extraordinary development possibilities it presents. A piece-meal approach to developing this property may result in effectively "wasting" the tremendous opportunity it presents to create a single, integrated, dynamic new neighborhood.

Site Development

Speaker

-
- | | |
|--|---------------|
| * Questions about pedestrian/bicycle links throughout Activity Center. Define in more detail what "key component" means. | .Sherman, Ken |
| * Remove requirement for maximum density along north shore in order to create more flexibility. Clarify definition of north shore. | .Sherman, Ken |
| * Anticipate "fine-tuning" Activity Center Plan and implementing tools as development proposals are made. | .Sherman, Ken |

* STAFF RESPONSE

As was stated in "Circulation" above, the Commission in creating this neighborhood plan wanted to assure it did not become an area with several closed pockets of residential use with little capability to move by whatever means through the area. Therefore, the pedestrian policy calls for linking key components. This means that from any portion of the Activity Center, one should be able to travel to any other on a system of sidewalks, crosswalks and pedestrian/bicycle paths. The intent is that these paths should be fairly convenient. The specifics of where these facilities will be will be determined as individual development plans are reviewed.

In responding to the concerns of citizens within McNary Estates, the Commission created the policy limiting density along the northern edge of the Staats property. The policy states that for the lots abutting the north property line, density shall be limited to no more than eight dwelling units per acre. The policy is clear on where it applies by being specific that it covers lots abutting the northern property line.

Zoning	Speaker
* Descriptions of MDR (Medium Density Residential) and MU (Mixed Use) should be included in Comprehensive Plan. However, there may be no need to create these new designations as the existing zoning and the new mixed use zone can fit into existing Comprehensive Plan designations.	.Sherman, Ken
* Staats property should not be rezoned UT (Urban Transition) from its existing mix of RS and RM zones. Rezone entire property as RL now which will cover all planned land uses.	.Sherman, Ken
.	
* <u>STAFF RESPONSE</u>	
<i>Staff agrees with Mr. Sherman that there needs to be descriptions of the Mixed Use and Medium Density Residential plan designations within the Comprehensive Plan. Staff disagrees that these designations also may not be necessary. The Activity Center Plan specifically calls for certain types of land use in certain locations. Just zoning the property for these land uses is not adequate to see that they occur as zoning can be relatively easy to change. The Comprehensive Plan, of which the Activity Center Plan is part, is much more difficult to change.</i>	
<i>The following descriptions of the two land uses are recommended for inclusion in Chapter III, Section d.2. of the Comprehensive Plan. The numbering of other sections should adjust accordingly.</i>	
c. Medium Density Residential	
1. Allow a mix of housing type in this category at a density of six to ten dwelling units per gross acre.	
2. Allow detached, attached, duplex and multiple housing in this category along with neighborhood oriented commercial uses.	
e. Mixed Use	
1. Mixed Use areas promote development that combines commercial and residential uses in a single building or complex. These areas allow increased development on busier streets without	

LAW OFFICES OF
SHERMAN, BRYAN, SHERMAN & MURCH

687 Court Street N.E.

Post Office Box 2247

SALEM, OREGON 97308-2247

KENNETH SHERMAN

JOHN A. BRYAN

KENNETH SHERMAN, JR.

JAMES L. MURCH

July 29, 1991

RECEIVED JUNE (503) 364-2281
FAX (503) 370-4308

91 JUL 31 AM 9 27

Mayor and Common Council
City of Keizer
930 Chemawa Road, NE
Post Office Box 21000
Keizer, Oregon 97307-1000

CITY OF KEIZER
OREGON 97303

RE: DRAFT McNARY ACTIVITY CENTER PLAN

Dear Mayor and Councilors:

On behalf of our client Staats Corporation, we appreciate the opportunity to supplement the public hearing record on the draft McNary Activity Center plan.

The comments we offered during the hearing on July 1 reflected concerns arising out of our own review of the draft, as well as comments offered by a number of other knowledgeable and highly experienced individuals to whom the Staats have looked for counsel in this matter. At the time of the July 1 hearing, some of these individuals had not yet had an opportunity to complete their individual reviews of the draft and to offer comments thereon; and, at our request, you held the record open so that we could complete the process of receiving, reviewing and assimilating for your use all of these comments.

Attached hereto please find letters or memoranda from each of the following individuals:

GLEN REA--REA CONSTRUCTION, INC.
EDWARD E. DAVIS--POTTS, DAVIS & CO.
CLIFFORD CURRY--CURRY BRANDAW ARCHITECTS
ROBERT BOLDT--BOLDT, CARLISLE & SMITH, CPAs
ERIC MEURER--SALEM HOME BUILDERS ASSOCIATION
JOHN SPENCER--SPENCER & KUPPER
MARTIN G. BOATWRIGHT--BOATWRIGHT ENGINEERING INC.

While some of these individuals have been retained by the Staats Corporation to assist with various aspects of the proposed development, others (such as Rea, Davis, Boldt and Meurer) have no financial, contractual or other relationship to the Staats Corporation, its property or its proposed development.

Virtually without exception, the comments of these

- Eliminate the ceiling on maximum commercial space within a single "development."
- Permit the development of "personal care facilities" in the zone.
- Eliminate the ban on ground floor residential development in the MU zone.
- Reduce to not more than 2,000 square feet the minimum size for commercial condominium development within the zone.
- Eliminate the requirement for staggered setbacks in the zone.
- Moderate the landscaping requirement for parking lots in the zone.

We very much appreciate the commitment of the Council to the wise use of the properties within the area now known as the McNary Activity Center. The Staats Corporation continues to have a high level of enthusiasm for the development possibilities inherent in this property, and we look forward to working with the city to bring about development of the Staats Lake property.

Very truly yours,

SHERMAN, BRYAN, SHERMAN & MURCH

By

Kenneth Sherman, Jr.
Kenneth Sherman, Jr.

KSj/cd
Enclosures

July 15, 1991

MEMORANDUM

Sandy Staats
Staats Corporation
1950 Turner Road S.E.
P.O. Box 2261
Salem, OR 97308

Re: Comments on the June 17th Draft McNary Activity Center Plan

The community vision and expectations for Staats Lake outlined in the McNary Activity Center Design Plan seem like good ideas. However, this developmental vision presents new, pioneering real estate development options to the Keizer marketplace. Ultimately consumer acceptance of this vision will determine if and when it can be implemented. While many plans assume that the consumer will learn to accept and pay for a new vision, we could find many examples of pioneering developments that were not accepted in their markets and are now insolvent. Each market has unique characteristics and the best development plans are flexible enough to adjust to realistic consumer needs and values.

Comprehensive Plan Amendments.

- The actual market for office and/or retail development on Staats Lake could be for less than 5 acres. How are the 20 to 50 acres of commercially zoned properties allocated in the activity center plan? Will residential development in the MU zone contribute to this goal?
- Residential Development: John Spencer assures me that the overall minimum density requirements are flexible enough to be marketable. I did not check this out but I would be very cautious on the market acceptance for multi-family development above 15 units per acre.
- The required lower densities along the north property line will protect McNary residents. However, this requirement does not consider the potential for houseboat development along that side of the property. Care should be utilized, in plan, to allow for higher density townhouse and/or houseboat development at water level...the landscaped embankment along the north property line should be enough visual protection for the McNary development.
- Internal Circulation: Is a road along the north property line necessary?
- Access: ODOT standards for a pedestrian/bicycle pathway network seem excessive, considering the private status of the development.



POTTS, DAVIS & CO.
INSURANCE

July 15, 1991

Sandra Lynn Staats, President
Staats Corp.
P. O. Box 2261
Salem, Oregon 97308

Re: McNary Activity Center Plan/Staats Lake Property

Dear Sandy:

As you requested, I've reviewed the Public Review Draft of the McNary Activity Center Design Plan, with particular attention to areas involving insurance or public liability considerations.

The introduction states that "Staats Lake, while privately owned, [is] a community asset which should be developed in a manner that provides the public an opportunity to enjoy its open space and scenic value."

Under "Parks, Recreation, and Environment" on page 10, the draft indicates that acquisition of a lake front park is not included in the plan because "it would create liability and suitability situations due to the 'gravel pit' nature of the lake with its steep banks and deep waters." Under the same heading, however, the plan proposes to "set standards for public access as part of the private development." Specifically, the plan requires development of a promenade "along the entire frontage of commercial development . . . for walking, sitting, eating, and viewing the lake. . . open to the public during regular business hours."

As we've discussed previously, any public access creates potential liability exposures; a lake with steep banks and deep waters compounds them. In order to obtain liability insurance at rates that are not excessive, you will be required to provide adequate physical protection in all public access areas, especially those alongside the lake. Normal safeguards for any public area will include smooth but not slippery walking surfaces, well marked stairs with proper handrails, adequate lighting, etc. Proximity to the lake, however, will require additional measures, such as railings designed to allow viewing while still preventing people, especially small children, from falling into the lake. Obviously there is a price tag associated with these required improvements.

CORPORATE HEADQUARTERS:
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PORTLAND (503) 224-1972
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PORTLAND OFFICE:
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16016 SW BOONES FERRY RD.
P.O. BOX 1625
LAKE OSWEGO, OR 97031
(503) 635-9811 FAX (503) 635-9813
TOLL FREE (800) 800-2342

Curry Brandaw Architects

July 15, 1991

Sandy Staats
Sandra Lynn Corporation
P.O. Box 2261
Salem, Oregon 97308

Re: Staats Lake

Dear Sandy:

I have prepared the following comments for your use. Please share them with the city council if you wish.

As we have previously discussed, I do not personally believe designating this land as an activity center is still appropriate. Since the comprehensive plan was written, the following factors have changed:

- A. The city decided when they approved McNary Estates that the neighborhood will not be integrated. McNary Estates Drive borders the property without connecting, leaving an odd street arrangement, and the golf course is separated.
- B. This land will not be the government center, thus eliminating one of the primary reasons for the activity center designation.
- C. The market studies have indicated this will not be a retail center and only secondary commercial activities will likely be developed.

I believe that it is very important that the changes to the comprehensive plan be made in a way that will work for you for the long term. As you have experienced, it is very difficult and time consuming to make changes to this plan. From John's presentation, I was able to identify a few areas where I believe you should be concerned.

There is no significant traffic engineering reason to have a thru street within the development. There will not be any substantial traffic changes to Lockhaven or River Road resulting from short streets within our development.

It is incorrect to believe that a local thru street will integrate the neighborhood. People do not get to know their neighbors while driving. A good development will occur when there are a series of smaller mini neighborhoods, each with its own identity. These will be integrated by virtue of being oriented to the common lake amenity and the placement of a pedestrian and open space system, where people will meet their neighbors. A thru street will be disruptive to good planning.

The large numbers of geese you have could be a detriment to living along the lake. I do not believe there should be any comprehensive plan requirements pertaining to the geese.

I believe the city's comprehensive plan efforts have kept most of the plan you have worked so hard to develop. I wish you success, and I'm sure the city will be proud of your endeavors.

Sincerely,

A handwritten signature in black ink, appearing to be "Clifford Curry", written over a horizontal line.

Clifford Curry

CC/jae

d:\or\sts\stscorr

BOLDT,

CARLISLE

& SMITH

July 16, 1991

**Sandra Lynn Staats, President
STAATS CORPORATION
P. O. Box 2261
Salem, OR 97308**

Dear Sandy:

In re McNary Activity Center Plan/Staats Lake Property

You have requested that I review the proposed McNary Activity Center Plan and provide you with comments as to how it would effect the development of Staats Lake Property. Having reviewed the McNary Activity Center, Public Review Draft, I would offer the following comments:

- 1. I believe that the requirement that the developer build a street system which would allow access to all parts of the property without using Lockhaven or North River Road would be too restrictive, in that too much of the land would be lost to streets. It appears to me from the materials you have submitted that a continuous street is not necessitated by traffic engineering considerations, and this design element should be left up to the developer or developers who actually carry out the project.**
- 2. I have the same reaction to the requirement for a pedestrian/bicycle pathway. If the intention of the plan is that such a pathway must run continuously throughout development, I am concerned that this, together with the required setbacks, would take too much land out of development. Those who ultimately develop this property will find it in their interest to provide for imaginative linkages between the various parts of the development, and this should be left up to the developer.**

Sandra Lynn Staats, President 2
STAATS CORPORATION
Salem, OR 97308

July 16, 1991

8. The proposed MU zone is an experiment, and as such it should be fairly flexible and nonrestrictive. In general, the western lifestyle does not involve living in loft-type dwellings over commercial activities, and you should have maximum flexibility to explore the possibilities of mixed use development.
9. Restriction on commercial building sizes to 10,000 square feet to ground floor will not allow some businesses to locate on the property as it would not be cost effective for them. I do not think the MU zone would be economically feasible for the developer with this restriction.

I hope the foregoing is of some assistance to you in your efforts to obtain approval for the development of this property. It appears to me that a number of substantial changes will have to be made in the plan in order for it to be cost effective to a developer.

Very truly yours,

BOLDT, CARLISLE & SMITH



Robert L. Boldt, CPA

rg



SALEM HOME BUILDERS ASSOCIATION

Serving The Mid-Willamette Valley

549 Union NE
Salem, Oregon 97301
399-1500

President
Ken Nolan
Vice President
Paul Wulf
Treasurer
Ken Hannegan
Secretary
Mike Smith
Associate Vice President
Steve Eichelberger

Directors
Clay Allen
Karin Cavanaugh
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Dennis Downey
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Gary Kaufman
Terry Morrison
Chris Neel
Tim Nissen
Jerry Page
Jack Stewart

Immediate Past Pres.
Mike Mcaghers
Former Past Pres.
Eddie Wilson
Women's Council Pres.
Diane Bachmeier
Polk County Chapter Pres.
Jeff Friesen

Executive Officer
Eric L. Meurer

July 19, 1991

Sandra Lynn Staats
President
Staats Corporation
POB 2261
Salem, OR 97308

RE: MCNARY ACTIVITY CENTER PLAN/STAATS LAKE
PROPERTY

Dear Sandy,

I have now had an opportunity to review the proposed master plan for the McNary Activity Center as it would apply to your Staats Lake property.

In general, I believe that the safest and most predictable route for you to follow is to develop a high quality, single family project with a small amount of commercial development, comprised of offices, a restaurant and other mixed commercial uses. Such commercial development might also include a retirement center.

If you wish a larger commercial center, then steps should be taken to separate it from the housing area, lest the commercial development negatively impact the housing portion.

I believe the best approach is to keep the lake as the "property" of the housing portion of the development. Access to the lake from the restaurant and other commercial uses should be kept to a minimum. This will minimize developer/owner liability with respect to the lake and should also reduce the potential for conflicts between the residential development and the commercial area.

These comments are obviously very general, but I hope that you find them to be helpful. Please let me know if you have any questions.

Very truly yours,

Eric L. Meurer
Salem Home Builders Association

ELM/jm
"Building a Better Community - For Today and Tomorrow."

15 July, 1991

Sandy Staats
Staats Corporation
P.O. Box 2261
Salem, OR 97308

Re: Comments on the June 17th Draft McNary Activity Center Plan and MU Zone

Dear Sandy:

As you have requested, I have reviewed the June 17th Draft McNary Activity Center Plan, draft MU Zone, draft changes to the Keizer Comprehensive Plan and draft changes to the zoning ordinance. My comments on the Draft Activity Center Plan and Draft MU Zone follow.

Except for a few issues discussed below, it appears to me that this plan gives the Staats family the flexibility it needs to develop the Staats Lake property along the lines that we have been discussing for the past year and a half.

I recommend that you support the overall intent of the plan and the mixed use zone, but request that several changes be made in order to realistically address the market for potential uses of the property, and the physical constraints presented by the site. The issues which I believe require changes in the draft plan and ordinance are:

A. Draft McNary Activity Center Plan

1. *Access to Arterial, policy 5, page 10: requires a ped/bike pathway to ODOT standards linking key components of the Activity Center.*

There needs to be more flexibility in the design of a ped/bike path. In the areas north or south of the like, a private street and a bike/ped path to ODOT standards would take much of the land needed for development. Why can't a bicyclist use a private street which is designed for local traffic only? The phrase "meeting Oregon Department of Transportation design and construction standards" should be deleted from this policy.

ENCER & KUPPER

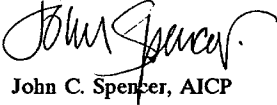
Comments on Draft Plan and Ordinance
Page 3

2. *Uses, (4) Floor Area Ratio, page 3: restricts non-residential uses to less than 50% of the floor area.*

The way this policy is written, all individual developments will have to include residential uses. While I think we all agree that this type of development is very desirable, requiring a specific development type for all projects in the zone places severe limitations which may discourage desirable development. Given the untested market for mixed-use buildings in Keizer, or even in downtown Salem, this requirement would be very difficult to meet. Even if the market was strong, there are very few developers who are interested in or capable of building and managing mixed-use developments. This requirement should be deleted.

Please let me know if you would like additional comments on any of these points.

Best regards,



John C. Spencer, AICP



Boatwright Engineering Inc.

2613 12th ST SE, SALEM, OREGON 97302
civil engineers • land surveyors

(503) 363-9225 (FAX) 363-1051

July 1, 1991

Staats Corporation
P.O. Box 2261
Salem, Oregon 97308

ATTENTION: Ms. Sandy Staats, President

RE: CITY OF KEIZER, HEARING ON McNARY ACTIVITY CENTER

Dear Sandy:

I feel it is best that I outline my understanding of the McNary Pit Property, prior actions by Staats Corporation, unique features of the site, Staats development intent and the perceived public and City of Keizer prospective on development on the property.

The Staats family or Corporation has been a land owner of various parcels making up the McNary Pit properties back into the 1950's. Over a 20 to 30 year period of time the 8 or so parcels were acquired making up the 150 to 160 acres owned as a continuous parcel.

The sand and gravel mining and processing was initiated on site prior to the initial land acquisition by Staats, etc.

Staats earlier deeded some 6 acres of right of way for Lockhaven at no cost to the public, the only section of Lockhaven deeded to the public as the balance was acquired with public funds.

The School District owned a 10 acre parcel west of McClure extended adjacent to the south line of McNary Estate with access via an easement to Winsor Island Road which they declared surplus lands and sold to Staats some 8 to 10 years ago. The School District later purchased the acreage, adjacent to the parcel declared as surplus, without access to any public streets or roads.

In 1983-84 McNary Estates wanted to develop so the City of Keizer developed a plan to provide sewer service to McNary Estates and eliminate the pump station at North River Road and Wheatland Road with reserve capacity to lands along Labish Ditch on the north. A temporary 21" sanitary sewer was proposed to cross Staats property from Lockhaven to the south line of McNary Estates approximately along the alignment of McClure. This line takes off the City 75" trunk in Lockhaven and terminates in a 36" line along the south line of McNary Estates. Staats granted an easement to the City and was assessed \$105,000 for 70 acres of benefiting developable land at \$1500 per acre, which has been paid in full. The \$105,000 and the loss of income represents

I just don't see how there is viable development potential with the lands taken for public use, shared for public use without any share of the liability carried by the public.

I am not an attorney, but I feel that the uses being proposed adjacent to a man-made water system carries a greater liability than development around a natural occurring water system, a fact you should discuss with your attorney.

I trust you can understand the demands and impacts suggested by the Keizer Planning Commission that your property is to bear. No other land development anywhere in Oregon has been singled out for the burden proposed for this property to my knowledge. I don't feel the typical person is ready for the density and sharing of the area by the public at large at this time.

Give me a call if you have any questions.

Yours truly;

A handwritten signature in dark ink, appearing to read "M G Boatwright", with a long horizontal flourish extending to the right.

Martin G. Boatwright, P.E.

CC: Ken Sherman, Attorney

MGB/kv

July 22, 1991

To: Hillman Properties
Keizer City Council
Keizer Planning Commission
E. Fish Properties

RECEIVED

JUL 24 PM 3 10

Subject: Proposed Turn-around into McNary Estates

We, the signers of this petition, are not opposed to a second entrance.

However, we feel it is an invasion of privacy to allow public access across McNary Estates Drive, which is privately maintained, into the proposed turn-around.

We are concerned about security, loitering and unauthorized easy access to the golf course.

The development was offered as being private and we wish it to remain as such.

We request an alternative be found and a satisfactory solution be proposed for a second entrance.

Respectfully submitted,

To: Hillman Properties
Keizer City Planning
Keizer City Council
Mr. Ernest Fish

Subject: Proposed gates and turn around re: Future
development of Staats Lake property.

We the undersigned property owners of McNary Estates homes have signed this petition protesting the proposed gated area and turn around crossing McNary Estates Drive North between lots 212 and 213 in Phase #9.

Our concerns:

- 1) Vehicles entering and crossing a private street, McNary Estates Dr., thus encouraging traffic into a private development.
- 2) The inconvenience of McNary Estates owners being forced to go through two gates, 100 feet apart, in order to enter or leave Crampton Dr. and Cambridge Greens; and delay of entrance of fire, police and other emergency vehicles.
- 3) The lack of information that has been given to homeowners concerning such an important issue.
- 4) The two lots #212 and #213 of Phase #9 are both placed in jeopardy and will suffer probable financial losses. *214-215* *Plus the whole 4th Tee Corridor*
- 5) The noise and pollution that will occur from the continual use of the turn around by the residence of Staats Lake.
- 6) The compromising of security afforded to those people who own homes in McNary Estates.
- 7) The noise and the distraction to the golfers attempting to tee off on #4. This tee block is approximately 100 feet from the turn around,

We respectfully request your consideration and an alternative solution be found for this second entrance of McNary Estates development. One that will not cause such an extreme inconvenience to the majority of homeowners or cause those homeowners abutting the turn around to face probable future financial losses.

Petition re: McNary Estates turn around

Name:

Address

Max L. Neubauer 449 Palmer Dr. N.

Blanche Bonfig 439 Palmer Dr. N. Kensington

539 Palmer Dr. N. Kings

Jose Kueper, 230 Broad Dr N, Kiefer

John L. Fisher 229 W^o 7th St. Do not

Gilbert A. Dishman 779 McFarlane Estates Dr N.

↑ on a. *Chen* 579 M=HARX

Rocky floor 579 m - 76 cm

Petition re: McNary Estates turn around

Name:	Address
Ray Kerr	452 Fountain Ct. N.
Marguerite Kerr	452 Fountain Ct. N.
Martin Hagdon	468 Fountain Ct. N.
Elaine L. Hagdon	468 Fountain Ct. N.
Robert M. Hagdon	522 Fountain Ct. N.
John Little	482 Fountain Ct. N.
John Fehr	473 Fountain Ct. N.
Kilisk Van	472 Fountain Ct. N.
Martha H. Van	472 Fountain Ct. N.
Dale V. Hella	492 Fountain Ct. N.
Rosemarie Fairly	502 Fountain Ct. N.
Carl Fairly	" "
John Fairly	533 Fountain Ct. N.
Norma Jean Fairly	542 Fountain Ct. N.
Virginia F. Butler	562 Fountain Ct. N.
Donald C. Kipp	583 Fountain Ct. N.
James L. Barlin	567 Fountain Ct. N.
Thelma Barlin	567 Fountain Ct. N.
Leopold L. Kipp	583 Fountain Ct. N.
Thomas Arnold	563 Fountain Ct. N.
George Vanilov	533 Fountain Ct. N.
Roger A. Fox	473 Fountain Court

Petition re: McNary Estates turn around

Name:

Address

(2019)

R.E.	Green B. Gaughtup	6279 Crampton Dr. N.	393-7511
	Marian Gilmore	6339 Crampton Dr. N.	393-4889
	Janice J. Smith	6228 Crampton Dr. N.	393-4555
	Robert L. Smith	6228 Crampton Dr. N.	393-4555
	Betty Lewis	549 McNary Est. Dr. N.	390-1850
	James F. Lewis	549 McNary Est. Dr. N.	

Petition re: McNary Estates turn around

Name;

Address[illegible]

Petition re: McNary Estates turn around

Name:

Address

John Keegan 6117 Hogan Dr N Keegan
Lori Keegan 6117 Hogan Dr N. Keegan



City of Keizer

Administration
930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

COUNCIL MEETING: AUGUST 5, 1991

AGENDA ITEM NO.: 5b

TO: MAYOR AND CITY COUNCIL

FROM: DONALD H. OTTERMAN M.S.P.A, CITY MANAGER *DHO*

SUBJECT: LIQUOR LICENSE APPLICATION, IZZY'S PIZZA RESTAURANT
3400 RIVER ROAD NORTH - NEW OUTLET APPLICATION FOR
A RESTAURANT LIQUOR LICENSE

ISSUE

Shall the Keizer City Council recommend to the OLCC that a Restaurant liquor license be granted to Izzy's Pizza Restaurant, located at 3400 River Road North?

BACKGROUND

At its October 15, ¹⁹⁸⁵~~1991~~ meeting, the Keizer City Council adopted a procedure which required a public hearing on all new liquor license outlet applications.

A public hearing notice regarding the subject application was published in the Keizertimes on August 1, 1991 and mailed to the applicant, Ray Chesley.

A Restaurant liquor license does not permit the sale of distilled spirit drinks. Malt beverages, of 8% or less alcohol, and wine, of 21% or less alcohol, can be sold for consumption on the premises. This license allows patrons to remove from the premises a container of wine, the contents of which have been only partially consumed. Hours of sale and consumption are 7:00 a.m. to 2:30 a.m. The facility is located at the site of the former Wallery's Pizza Restaurant which served alcohol with a Restaurant liquor license.

The Keizer Police Department has conducted background checks on the applicant, Ray Chesley. The check indicates there is no history which would preclude issuance of the license.

Marion County Planning finds Izzy's Pizza Restaurant to be located in a CR (Commercial Retail) zone. Pursuant to Section 28.01(9) of the Keizer Zoning Ordinance, "Eating and Drinking Places", the serving/selling of alcohol is an allowed use in this zone. Staff, therefore, concludes the Restaurant is a permitted use in this zone.

REQUEST FOR COMMENTS

APPLICATION FOR NEW LIQUOR LICENSE OUTLET

TO: Ship DATE: 7-8-91
MARION COUNTY PLANNING

APPLICANT ADDRESS: 3400 River Road (formerly Halling's)
FROM: CITY OF KEIZER CONTACT PERSON: Chris

The City of Keizer requests your comments regarding the above new liquor license outlet application:

PROPERTY IS ZONED CR (COMMERCIAL RETAIL).

SECTION 28.01(9) OF THE KEIZER ZONING
ORDINANCE PERMITS "EATING & DRINKING
PLACES" IN THE CR ZONE.

STAFF CONCLUDES THE RESTAURANT IS A
PERMITTED USE IN THE ZONE.

DATE RESPONSE PREPARED: 7/10/91
PERSON COMMENTING : W. J. [signature] CITY PLANNER

APPLICATION

STATE OF OREGON
OREGON LIQUOR CONTROL COMMISSION

RECEIVED JUN 07 1991

Return To:

GENERAL INFORMATION

A non-refundable processing fee is assessed when you submit this completed form to the Commission (except for Druggist and Health Care Facility Licenses). The filing of this application does not commit the Commission to the granting of the license for which you are applying nor does it permit you to operate the business named below.

(THIS SPACE IS FOR OLCC OFFICE USE)	(THIS SPACE IS FOR CITY OR COUNTY USE)
Application is being made for: ☐ DISPENSER, CLASS A ☐ DISPENSER, CLASS B ☐ DISPENSER, CLASS C ☐ PACKAGE STORE ☒ RESTAURANT ☐ RETAIL MALT BEVERAGE ☐ SEASONAL DISPENSER ☐ WHOLESALE MALT BEVERAGE & WINE ☐ WINERY OTHER: _____ 7249 52.60	NOTICE TO CITIES AND COUNTIES: Do not consider this application unless it has been stamped and signed at the left by an OLCC representative. THE CITY COUNCIL, COUNTY COMMISSION, OR COUNTY COURT OF _____ (Name of City or County) RECOMMENDS THAT THIS LICENSE BE: GRANTED _____ DENIED _____ DATE _____ BY _____ (Signature) TITLE _____

CAUTION: If your operation of this business depends on your receiving a liquor license, OLCC cautions you not to purchase, remodel, or start construction until your license is granted.

1. Name of Corporation, Partnership, or Individual Applicants:

- 1) Covalt Enterprises, Inc., an Oregon corp. 2) _____
 3) _____ 4) _____
 5) _____ 6) _____

(EACH PERSON LISTED ABOVE MUST FILE AN INDIVIDUAL HISTORY AND A FINANCIAL STATEMENT)

2. Present Trade Name Izzy's Pizza Restaurant3. New Trade Name _____ Year filed 1970
with Corporation Commissioner4. Premises address 3400 River Road, No., Marion, Keizer OR 97303
(Number, Street, Rural Route) (City) (County) (State) (Zip)5. Business mailing address 110 Third Avenue SE, Albany OR 97321
(P.O. Box, Number, Street, Rural Route) (City) (State) (Zip)6. Was premises previously licensed by OLCC? Yes X No _____ Year ??7. If yes, to whom: Wallery's Type of license: _____8. Will you have a manager: Yes X No _____ Name Clare Mangis
(Manager must fill out Individual History)9. Will anyone else not signing this application share in the ownership or receive a percentage of profits or bonus from the business? Yes _____ No X10. What is the local governing body where your premises is located? City of Keizer, County of Marion
(Name of City or County)11. OLCC representative making investigation may contact: Ray Chesley B/D 12-22-54 S42-72-2449
(Name)
110 Third Avenue SE, Albany OR 97321 926-8693
 (Address) (Tel. No. — home, business, message)

CAUTION: The Administrator of the Oregon Liquor Control Commission must be notified if you are contacted by anybody offering to influence the Commission on your behalf.

 Applicant(s) Signature
 (In case of corporation, duly
 authorized officer thereof)

- 1) D. Fred Jansen, President
 2) _____
 3) _____
 4) _____
 5) _____

DATE May 22, 1991



City of Keizer

Administration
930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

COUNCIL MEETING: AUGUST 5, 1991

AGENDA ITEM NO.: 5C

TO: MAYOR AND CITY COUNCIL

FROM: DONALD H. OTTERMAN M.S.P.A, CITY MANAGER *DHO*

SUBJECT: LIQUOR LICENSE APPLICATION, ALPEN HAUS RESTAURANT
4140 RIVER ROAD NORTH - NEW OUTLET APPLICATION FOR
A RESTAURANT LIQUOR LICENSE

ISSUE

Shall the Keizer City Council recommend to the OLCC that a Restaurant liquor license be granted to Alpen Haus Restaurant, located at 4140 River Road North?

BACKGROUND

At its October 15, ~~1991~~ meeting, the Keizer City Council adopted a procedure which required a public hearing on all new liquor license outlet applications.

A public hearing notice regarding the subject application was published in the Keizertimes on August 1, 1991 and mailed to the applicant, Johan A. Van Der Linden.

A Restaurant liquor license does not permit the sale of distilled spirit drinks. Malt beverages, of 8% or less alcohol, and wine, of 21% or less alcohol, can be sold for consumption on the premises. This license allows patrons to remove from the premises a container of wine, the contents of which have been only partially consumed. Hours of sale and consumption are 7:00 a.m. to 2:30 a.m. The facility is located at the site of the former Fuji Japanese restaurant, which served alcohol with a Restaurant liquor license.

The Keizer Police Department has conducted background checks on the applicants, Johan and Celina Van Der Linden. The check indicates there is no history which would preclude issuance of the license.

Marion County Planning finds Alpen Haus Restaurant to be located in a CR (Commercial Retail) zone. Pursuant to Section 28.01(9) of the Keizer Zoning Ordinance, "Eating and Drinking Places", the serving/selling of alcohol is an allowed use in this zone.

RECEIVED

JUL 5 1991

RECEIVED

'91 JUL 11 AM 8 03

MARION COUNTY PLANNING

REQUEST FOR COMMENTS

CITY OF KEIZER
OREGON 97111

APPLICATION FOR NEW LIQUOR LICENSE OUTLET

TO: Skip
MARION COUNTY PLANNING

DATE: 7-3-91

APPLICANT ADDRESS:

4140 River Road North (formerly Fuji Japanese Restaurant)

FROM: CITY OF KEIZER CONTACT PERSON:

Chris

The City of Keizer requests your comments regarding the above new liquor license outlet application:

PROPERTY IS ZONED CR (COMMERCIAL RETAIL)

PURSUANT TO SECTION 28.01(9), KEIZER ZONING

ORDINANCE, "EATING & DRINKING PLACES" ARE

A PERMITTED USE IN THE ZONE.

DATE RESPONSE PREPARED:

7/9/91

PERSON COMMENTING :

W. K. Lawli CITY PLANNER

Page -1- Comments Re: New Liquor License Application

f:\admin\com.aga

City of Keizer

930 Chemawa Rd. N.E. • P.O. Box 8900, Sp. 292
Keizer, Oregon 97303-0890 • (503) 390-3700

DATE: 7-3-91

NAME OF BUSINESS:

Alpenhaus

LICENSE FEE RECEIVED: \$ 70.⁰⁰

ON 7-3-91 RECEIPT # 5183

BY SS

ADDRESS OF BUSINESS:

4140 River Road No.

KEIZER, OREGON

NAME(S) OF PROPRIETOR:

JOHAN A. VAN DER LINDEN

CELINA VAN DER LINDEN

BIRTH DATE

8-8-30

8-12-31

SOCIAL
SECURITY #

328-
38-4916

806-
68-1367

TYPE OF LICENSE: Restaurant (Former Fuji Japanese)

☐ RENEWAL

☒ NEW OUTLET

☐ NEW LOCATION

I have received the application for a liquor license for the above outlet and find no past criminal history which would suggest DENIAL of the license.

Charles R. Stull
Charles R. Stull, Chief of Police
Keizer Police Department 7-3-91

CRS/clm

"Pride, Spirit and Volunteerism"



City of Keizer

Administration
930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

COUNCIL MEETING: AUGUST 5, 1991

AGENDA ITEM NO.: 5d

TO: MAYOR AND CITY COUNCIL

FROM: DONALD H. OTTERMAN M.S.PA, CITY MANAGER

SUBJECT: LIQUOR LICENSE APPLICATION, THE STADIUM GRILL & SPORTS PUB, 4820 RIVER ROAD NORTH - NEW OUTLET APPLICATION FOR A ~~RETAIL MALT BEVERAGE~~ LIQUOR LICENSE RESTAURANT

ISSUE

Shall the Keizer City Council recommend to the OLCC that a ~~Retail Malt Beverage~~ liquor license be granted to The Stadium Grill & Sports Pub, located at 4820 River Road North?

BACKGROUND

At its October 15, ¹⁹⁸⁵~~1991~~ meeting, the Keizer City Council adopted a procedure which required a public hearing on all new liquor license outlet applications.

A public hearing notice regarding the subject application was published in the Keizertimes on August 1, 1991 and mailed to the applicants Janice Fifer and Susan Brander.

A Retail Malt Beverage license does not permit the sale of distilled spirit drinks. Beer and wine can be sold for consumption on or off the premises. Hours of sale and consumption are 7:00 a.m. to 2:30 a.m. The facility is located at the site of the former Plaid Pantry which carried a Retail Malt Beverage liquor license.

The Keizer Police Department has conducted background checks on the applicants, Janice Fifer and Susan Brander. The check indicates there is no history which would preclude issuance of the license.

Marion County Planning finds The Stadium Grill & Sports Pub, located at 4820 River Road North, to be zoned CR (Commercial Retail). Pursuant to the Keizer Zoning Ordinance, "Eating & Drinking Places", this site is identified as a permitted use within the CR zone. Staff, therefore, concludes the Retail Malt Beverage is a permitted use in this zone.

There are no known zoning violations on the property.

"Pride, Spirit and Volunteerism"



City of Keizer

930 Chemawa Rd. N.E. • P.O. Box 8900, Sp. 292
Keizer, Oregon 97303-0890 • (503) 390-3700

DATE: 7-17-91

NAME OF BUSINESS:

The Stadium Grill &
Sports Pub

LICENSE FEE RECEIVED: \$ 70.00

ON 7-17-91 RECEIPT # 26614

ADDRESS OF BUSINESS:

BY cm

4820 River Road

KEIZER, OREGON

NAME(S) OF PROPRIETOR:

Fifer, Janice Fern

Brander, Susan Marie

BIRTH DATE

2/20/60

12/14/52

SOCIAL
SECURITY #
540-66-
1320

554-70-
6511

TYPE OF LICENSE: Retail Malt Beverage

☐ RENEWAL

☒ NEW OUTLET

☐ NEW LOCATION

I have received the application for a liquor license for the above outlet and find no past criminal history which would suggest DENIAL of the license.

Charles R. Stull, Chief of Police
Keizer Police Department

CRS/clm

----- "Pride, Spirit and Volunteerism" -----

REQUEST FOR COMMENTS
APPLICATION FOR NEW LIQUOR LICENSE OUTLET

TO: Miss
MARION COUNTY PLANNING

DATE: 7-17-91

APPLICANT ADDRESS: 4820 River Road (formerly Plaid Pantry)
FROM: CITY OF KEIZER CONTACT PERSON: Chris

The City of Keizer requests your comments regarding the above new liquor license outlet application:

THE SUBJECT PROPERTY IS ZONED CR (COMMERCIAL
RETAIL). PURSUANT TO SECTION 20.01 (F) OF
THE KEIZER ZONING ORDINANCE, "EATING &
DRINKING PLACES" ARE IDENTIFIED AS PERMITTED
USES WITHIN THE CR ZONE.

DATE RESPONSE PREPARED: 7/26/91

PERSON COMMENTING : WJ Woodford City Planner

FISCAL IMPACT

None. The granting of a liquor license of this nature at this location should not require any increased demand on existing city services.

RECOMMENDATION

The City Manager recommends that the City Council pass a motion recommending the Restaurant liquor license for The Stadium Grill & Sports Pub be GRANTED by OLCC.

DHO:clm

f:\admin\alpen.adg

APPLICATION

OREGON LIQUOR CONTROL COMMISSION

GENERAL INFORMATION

non-refundable processing fee is assessed when you submit this completed form to the Commission (except for Druglist and Health Care Facility licenses). The filing of this application does not commit the Commission to the granting of the license for which you are applying nor does it permit you to operate the business named below.

(THIS SPACE IS FOR OLCC OFFICE USE)	(THIS SPACE IS FOR CITY OR COUNTY USE)
Application is being made for: DISPENSER, CLASS A ☐ Add Partner DISPENSER, CLASS B ☐ Additional Privilege DISPENSER, CLASS C ☐ Change Location PACKAGE STORE ☐ Change Ownership RESTAURANT ☐ Change of Privilege RETAIL MALT BEVERAGE ☐ Greater Privilege SEASONAL DISPENSER ☐ Lesser Privilege WHOLESALE MALT BEVERAGE & WINE ☒ New Outlet WINERY ☐ Other	NOTICE TO CITIES AND COUNTIES: Do not consider this application unless it has been stamped and signed at the left by an OLCC representative. THE CITY COUNCIL, COUNTY COMMISSION, OR COUNTY COURT OF _____ (Name of City or County) RECOMMENDS THAT THIS LICENSE BE: GRANTED _____ DENIED _____ DATE _____ BY _____ (Signature) TITLE _____

CAUTION: If your operation of this business depends on your receiving a liquor license, OLCC cautions you not to purchase, remodel, or start construction until your license is granted.

Name of Corporation, Partnership, or Individual Applicants:

1) JOHAN H VAN DER LINDEN 2) CELINA VAN DER LINDEN
 3) 8-8-30 SS 328-28-7716 4) 2-12-31
 5) _____ 6) _____
 (EACH PERSON LISTED ABOVE MUST FILE AN INDIVIDUAL HISTORY AND A FINANCIAL STATEMENT)

Present Trade Name ALPEN HERB

New Trade Name SAME Year filed 1990
 with Corporation Commissioner

Premises address 4140 RIVER RD KEIZER MARION (City) (County) (State) (Zip)
ORE 97303

Business mailing address 2690 E ELLENDALE DALLAS POLK (P.O. Box, Number, Street, Rural Route) (City) (State) (Zip)
97338

Was premises previously licensed by OLCC? Yes ☒ No _____ Year 1990-91

If yes, to whom: FUJI JAPANESE INC Type of license: R

Will you have a manager: Yes ☒ No 1 Name PILAR
 (Manager must fill out Individual History)

Will anyone else not signing this application share in the ownership or receive a percentage of profits or bonus from the business? Yes _____ No ☒

What is the local governing body where your premises is located? KEIZER
 (Name of City or County)

OLCC representative making investigation may contact: JOHAN H VANDERLINDEN
 (Name)

2690 E ELLENDALE DALLAS 623-2690
 (Address) (Tel. No. — home, business, message)

CAUTION: The Administrator of the Oregon Liquor Control Commission must be notified if you are contacted by anybody offering to influence the Commission on your behalf.

DATE G-C-91

Applicant(s) Signature
 (In case of corporation, duly authorized officer thereof)

1) JOHAN H VAN DER LINDEN
 2) CELINA VAN DER LINDEN
 3) _____
 4) _____
 5) _____
 6) _____

GENERAL INFORMATION

*Soliciting representing fee is assessed when you submit this completed form to the Commission (except for Doughty and Health Care Facility use). The filing of this application does not commit the Commission to the granting of the license for which you are applying nor does it permit you to sell the business named below.

(THIS SPACE IS FOR OLC OFFICE USE)		(THIS SPACE IS FOR CITY OR COUNTY USE)	
Is/are in being work for: ☐ Add Partner ☐ Dispenser, Class A ☐ Dispenser, Class B ☐ Dispenser, Class C ☐ Package Store ☐ Restaurant ☐ Retail Malt Beverage ☐ Seasonal Dispenser ☐ Beer & Wine ☐ Winery IER: <u>02-60</u>		NOTICE TO CITIES AND COUNTIES: Do not consider this application until it has been stamped and signed at the will by an OLC representative. THE CITY COUNCIL, COUNTY COMMISSION, OR COUNTY COURT OF _____ (Name of City or County) RECOMMENDS THAT THIS LICENSE BE: GRANTED _____ DENIED _____ DATE _____ BY _____ TITLE _____ (Signature)	
RECEIVED JUL 6 1991 OLC OFFICE			

NOTE: If your operation of this business depends on your receiving a liquor license, OLC cautions you not to purchase, remodel, or start construction until your license is granted.

Name of Corporation, Partnership, or Individual Applicant:

1) JOHN H VAN DER LINDEN 8-12-91
8830 SS 35838-91 4) _____

5) (EACH PERSON LISTED ABOVE MUST FILE AN INDIVIDUAL HISTORY AND A FINANCIAL STATEMENT)

Present Trade Name BLISS HAUS

New Trade Name SAME Year filed 1990-9

Permittee address 4140 RIVER RD KEIZER OR 97303
 (City) (State) (Zip)

Business mailing address 2090 F ELLENDALE DALLAS TX 75218
 (City) (State) (Zip)

Was premises previously licensed by OLC? Yes ✓ No _____ Year 1990-91

If yes, to whom: BUT JAPANESE INC Type of license: R

Will you have a manager: Yes ✓ No ✓ Name PILAR (Manager must fill out individual history)

Will anyone else not signing this application share in the ownership or receive a percentage of profits or bonus from the business? Yes _____ No ✓

What is the local governing body where your premises is located? KEIZER (Name of City or County)

OLC representative making investigation may contact: JOHN H VAN DER LINDEN (Name)

2090 F ELLENDALE DALLAS TX 75218 (Address)

(For No. - home, business, message)

NOTE: The Administrator of the Oregon Liquor Control Commission must be notified if you are contacted by anybody offering to influence the Commission on your behalf.

DATE 6-6-91

1) John H van der Linden

2) Bliss Haus

3) _____

4) _____

5) _____

Administrative Signature _____

(Name of Commissioner or authorized officer thereof)

There are no known zoning violations on the property.

FISCAL IMPACT

None. The granting of a liquor license of this nature at this location should not require any increased demand on existing city services.

RECOMMENDATION

The City Manager recommends that the City Council pass a motion recommending the Restaurant liquor license for Alpen Haus be GRANTED by OLCC.

DHO:clm

f:\admin\alpen.adg



City of Keizer

930 Chemawa Rd. N.E. • P.O. Box 8900, Sp. 292
Keizer, Oregon 97303-0890 • (503) 390-3700

DATE: 7-8-91

NAME OF BUSINESS:

Izzz's Pizza Restaurant

LICENSE FEE RECEIVED: \$ 70.00

ON 7-11-91 RECEIPT # 26607

BY PF

ADDRESS OF BUSINESS:

3400 River Road No.

KEIZER, OREGON

NAME(S) OF PROPRIETOR:

Ray Chesley

BIRTH DATE

12-22-54

SOCIAL
SECURITY #
542-72-
2449

TYPE OF LICENSE: Restaurant

☐ RENEWAL

☒ NEW OUTLET

☐ NEW LOCATION

I have received the application for a liquor license for the above outlet and find no past criminal history which would suggest DENIAL of the license.

Charles R. Stull

Charles R. Stull, Chief of Police
Keizer Police Department 7-12-91

CRS/clm

There are no known zoning violations on the property.

FISCAL IMPACT

None. The granting of a liquor license of this nature at this location should not require any increased demand on existing city services.

RECOMMENDATION

The City Manager recommends that the City Council pass a motion recommending the Restaurant liquor license for Izzy's Pizza Restaurant be GRANTED by OLCC.

DHO:clm

f:\admin\alpen.adg

Petition re: McNary Estates turn around

Name:

Address

James B. Helle	6162 Trevino Ct. N. Keizer, Or.	
James P. Preece	6172 Trevino Ct. N. Keizer, Or.	
Glenn H. Hill	6162 Trevino Ct. N. Keizer, Or.	
James P. Bates	6193 Trevino Ct. N. Keizer, Or.	
Jeannette B. Bates	6193 Trevino Ct. N. " "	
Robert E. Fagan	6173 Trevino Ct. N. Keizer, Or.	97303
Don T. Tregan	6173 Trevino Ct. N. Keizer, Or.	97303
Robert M. Mendenhall	6163 Trevino Ct. N. Keizer, Or.	97303
Marion G. Chandler	6163 Trevino Ct. N. Keizer, Or.	97303
Frank E. Porter	6108 Trevino Ct. N. Keizer, Or.	97303
Darlene Gilles	6103 Trevino Ct. N. Keizer, Or.	97303
John T. Kellita	6153 Trevino Ct. N. " "	-
John T. Kellita	6153 Trevino Ct. N. " "	-
James J. Pollock	6172 Trevino Ct. N. Keizer, Or.	97303
James E. Blot	6133 Trevino Ct. N. Keizer, Or.	
George Jensen	6113 Trevino Ct. N. Keizer, Or.	
Marvin E. Brown	6113 Trevino Ct. N. Keizer, Or.	97303
Wesley E. Blot	6122 Trevino Ct. N. Keizer, Or.	97303
Allen D. Blot	6122 Trevino Ct. N. Keizer, Or.	97303
Kenneth P. Gibson	6112 Trevino Ct. N. Keizer, Or.	97303
Sharon B. Gibson	6112 Trevino Ct. N. Keizer, Or.	97303
Donald D. Blot	6108 Trevino Ct. Keizer, Or.	97303
Samuel E. Blot	6132 Trevino Ct. Keizer, Or.	97303

Continued
next page!

new
Ramp

Petition re: McNary Estates turn around

Name:

Address

A. L. Martin	6509 Little Dr. N.
Janet Burton	6439 Crampton Dr. N.
Walter Duggan	6449 Crampton Dr. N.
Marilee M. Duggan	6489 Crampton Dr. N.
Mary T. Duggan	6489 Crampton Dr. N.
Jane Phillips	6469 Crampton Dr. N.
Norla Phillips	6469 Crampton Dr. N.
Mary Gene Stwood	6439 Crampton Dr. N.
Virginia Wilson	6399 Crampton Dr. N.
Ken Wilson	6399 Crampton Dr. N.
Robert S. Sneed	565 Sneed Dr. N.
Jonell Washburn	560 Sneed Dr. N.
Lafayette Johnson	550 Sneed Dr. N.
Orville Johnson	550 Sneed Dr. N.
Harold Jones	545 Sneed Dr. N.
Elizabeth K. Jones	545 Sneed Dr. N.
Ernest J. Bell	565 Sneed Dr. N.
Paul White	540 SNEAD DR. N.
Patty White	540 SNEAD DR. N.
Nancy Long	585 SNEAD DR. N.
Amel A. Schuchert	610 SNEAD DR. N.
Eugene H. Schuchert	610 SNEAD DR. N.
David J. Schuchert	620 SNEAD DR. N.

27

Petition re: McNary Estates turn around

Name:

Address

Robert E. Eber	475 Sneed Dr N.
Patricia Eber	" " " "
Julia Sutherland	470 Sneed Dr. N
Marion Sutherland	470 Sneed Dr N
Harold G. Shepherd	455 Sneed Drive North
Theresa J. Thompson	435 Sneed Dr North
Theresa J. Thompson	" " " "
William L. Felt	425 Sneed Dr. North
Robert W. Felt	365 SNEED DR. N.
Robert W. Felt	428 Palmer Drive N.
John L. Felt	428 Palmer Drive N.
William Sutherland	458 Palmer Drive N.
Barbara D. Grayson	468 Palmer Dr. N.
Joan Moberg	329 McNary Est. Dr N
Russ E. Cox	478 Palmer Dr. N.
John C. Cox	478 Palmer Dr.
Wesley S. Smith	488 Palmer Dr.
Pauline H. Smith	478 Palmer Dr.
James H. Smith	538 Palmer Dr N
Michael R. Nalk	568 Palmer Dr N.
Barth Nichols	568 Palmer Dr. N.
Ed. Smith	559 Palmer Dr N.
George H. Remann	6423 Casper Dr N
Barbara Remann	6423 Casper Dr N.

Petition re: McNary Estates turn around

Name:	Address
Joe Haverland	290 Sneed Dr.
Frank A. Taylor	615 Sneed Dr.
Dora J. Taylor	615 Sneed Dr.
William K. Moore	635 Sneed Dr.
Cherie Marcus	635 Sneed Dr.
Albert & Thelma Paul	6137 Hogan Dr. N.
Barlen Johnson	6087 Hogan Dr. N.
William Johnson	6087 Hogan Dr. N.
D. J. Johnson	6067 Hogan Dr. N.
Debbie Shaw	6259 Crampton W.
Barb Ingalls	6259 Crampton W.
Johnnie Vincent	6067 Hogan Dr. N.
Robert Vincent	6424 Crampton Dr.
Martha Raffanti	" " "
B. J. Guthrie	6438 Crampton Dr.
Joe Guthrie	6438 Crampton Dr.
Mah Spinger	465 Sneed Dr. N.
Jim White	769 McNary Estate
Don M. White	769 McNary Estate
James L. Kopp	6428 Crampton Dr. N. #1, KEIZER
Don Kopp	6428 Crampton Dr. N. #2

SCALE 1" = 20'



CRAMPTON DRIVE

214.
EXISTING McNARY ESTATES
PHASE 9

PROPOSED LOCATION
OF LOT 9

213

212

EXISTING McNARY ESTATES
PHASE 9

McNARY ESTATES DRIVE

SECURITY GATE

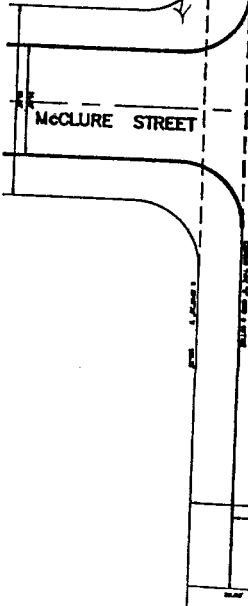
SECURITY GATE

SECURITY GATE

SECURITY GATE

McCLURE STREET

Suggest +
Gate Here in Parkway Area



some \$200,000 of Staats monies. Staats hasn't had any possible benefit to date of this expenditure, because you cannot develop your land until we get through the current set of land use hearings. After these hearings you must develop an actual site plan for approval prior to development under the activity center overlay zone.

The City and School District contacted Staats for access to the purchased site. A 1 1/2 to 2 acre parcel was donated to the City for access at no cost of land with the understanding among the School District, the City and the Staats family that this road (McClure Street) would be dead end and not a through street. Based on this provision of access to a school, the federal funding via grants for Lockhaven construction were obtained.

With the school built now the City wants to extend McClure on through the Staats parcel and it would also like an additional two acres for park land adjacent to the school site, a total of 3 to 3 1/2 acres of land in addition to the 6 acres for Lockhaven and 1 1/2 to 2 acres already donated for McClure access to the school site.

The Salem-Keizer School District has a school siting policy of not locating grade schools on collector or arterials because of risk of traffic to the children. With McClure being developed as a through collector street this school site will be located contrary to School District Siting Policy.

The City wants to limit the use of McClure and Lockhaven by residents of the Staats Development via the development of an interior street system within the McNary Lake Properties even when these right of way has been donated by the subject property developer.

The City wants to use a significant portion of the balance of the property for public use by requiring development of a promenade in the commercial development area, and a bike-walkway linking "key components" within the Activity Center. When the City staff reviewed a public park adjacent to the lake at an earlier Planning Commission Hearing a chain link fence was deemed necessary by City Staff to separate a public park from the lake. Now with private development, the City wants public access via bikes and pedestrian trails.

I don't see how a development can occur on the site when no control of the public access is proposed. The lake has vertical drop offs 6' below the waters edge. The lake is subject to seasonal fluctuations, the City is the largest user of ground water causing these fluctuations. The increased density suggested and public use of the property will tend to make the property less livable.

I guess the real killer is after all this public use and benefits from over 50% of the total land area the City has set up their Urban Renewal Program to develop 60 to 70% of the value for tax increment finance from development that will occur on this parcel.

2. *Public Relationship to Staats Lake, policy 1, page 10: describes a promenade along the lake adjacent to commercial development.*

I think the first two sentences describe the type of promenade we have discussed as desirable. The last sentence should be deleted from the policy. Hours of operation should not be set as a comprehensive plan policy. It is more appropriate to address this type of requirement as part of a conditional use approval.

3. *Environmental, policy 1, page 11: requires a plan to maximize the retention of geese.*

As long as applicable laws and regulations addressed in policy 2 are met, the only way I can think of to maximize retention is to reduce development density near the lake. This entire activity center is within the city and the urban growth boundary. It is committed to urban uses. Maximizing the preservation of wildlife should not be a policy. I recommend that the policy be deleted from the plan.

4. *Development Process, policy 1, page 12: requires that the Staats Lake property be developed through a planned development process.*

The Staats may want to use the PD process, but I disagree that the comprehensive plan should require this approach for a specific parcel of property. The policy should be deleted. The purpose of this design plan is to identify and resolve the major issues, which I think it has. Further requiring a planned development approval places unnecessary burdens on this site. Additionally, the last sentence penalizes the Staats if the portion of the property west of McClure Street is not included in the PD. At the very minimum, this sentence should be deleted. No other property in the activity center has similar requirements.

B. Draft Mixed Use Zone

1. *Uses, page 1: commercial uses permitted.*

Add "mixed-use structures".

Sandra Lynn Staats, President 2
STAATS CORPORATION
Salem, OR 97308

July 16, 1991

3. I think the draft plan is wrong in its suggestion that the community has some interest in this property, or that you "owe" the public some sort of access to the lake. If the public is to have any access to the lake, the city should be prepared to assume any resulting liability. If you have commercial development along the south or east shores of the lake, you may very well want, or need to provide, the public with some sort of walkway or other visual access to the lake, but this should be within the purview of the developer.
4. It is not clear to me why it is necessary or appropriate for the city to require two potential parksites from your property. If the Claggett area is undevelopable and is to be used for a public park, I see no reason why the city should also take two acres out of your property for another park north of the school.
5. The requirement that all parts of your property (except that west of McClure) be developed as a single PUD is to confining. It may be that various parts of your property will be developed at different times by different people, responding to different market conditions.
6. A required extension of McClure northward to connect with McNary Estates Drive will result in your property being divided by a collector street, with substantial adverse impacts on your total development. It seems to me that this should be particularly aggravating to you given the fact that the McClure, as extended, would provide little, if any, benefits to your own property, because residents of your development would have no legal right to go northward from McClure onto McNary Estates Drive and through the McNary development.
7. I do not understand how you will be able to offer a wildlife management plan which will maximize retention of wildlife. The city cannot have it both ways, either this property will be developed, with the resulting decline or elimination in wildlife habitat; or maximization of wildlife retention can be pursued, in which case the property should be acquired by and at the expense of the city as a park or wildlife refuge.

I fail to see the public purpose to be gained, since there is no shortage of geese stopping areas in the Valley.

The proposed mixed use zone is interesting and with some changes could be very appropriate. The following comments cover some specific sections where changes could be appropriate:

Code Section

Comment

- | | |
|-------|--|
| XX.OO | In practice the zone may not promote residential and commercial uses in one building. Most developers prefer either residential or commercial, not a combination. The mix could occur with the specific site planning. |
| XX.01 | Architects' offices are not listed. More importantly, personal care facilities are not allowed. This use is very similar to Hidden Lakes and Keizer Retirement. It should be allowed, as it would fit in well and would be an appropriate use. |
| (3) | If a building has both residential and commercial uses, why not allow the residential user to use part of the ground floor? I do not see a difficult design problem, in fact there are some marketing advantages for units with ground level access. |
| (4) | I'm not sure what constitutes a single development. But I can imagine your selling a parcel to someone who finances, builds, and operates a restaurant on an individual lot. He would also have to have apartments above his restaurant. This may make your land undesirable. |
| XX.12 | |
| (3) | Commercial condominium lots should not have 4500 square foot minimums. The overall plan should be reasonable and not limited in this way, i.e. a possibility could be a 2500 square foot store lot with parking that is not directly connected and is common to a group of stores. |
| XX.13 | |
| (2) | What is the purpose of this section? It will not stop a boring design, if that is the intent. It seems to just add complexity. |
| XX.20 | |
| (4) | This is a very heavy landscape requirement. I have never seen one this large. It requires the equivalent of a parking space for every five spaces. The net effect will be to make the parking lot appear larger. It will not add to usable open space. |



Sandra Lynn Staats
July 15, 1991
Page 2

Obviously the City recognizes the potential liability associated with the lake, and isn't willing to assume any of the risk. I understand you've offered to deed over a portion of the property to the City as a lakeside public park, and they're not willing to accept that risk, even when the property is provided at no cost. It's difficult for me to understand how they can demand public access to privately owned property, yet be unwilling to share any of the potential liability created by that access.

We've also discussed a possible public bike or walking path through the development. As I've mentioned earlier, any public access will undoubtedly require some kind of physical protection, such as a fence or other physical barrier between the path and the lake itself.

You should avoid demands or requirements that will burden the project with excessive costs to provide adequate protection for the public or force unreasonable insurance costs on the property owners and businesses who are part of the development.

Obviously this response is very general in nature. Please let me know how we can be of further help.

Sincerely,

EDWARD E. DAVIS

EED:e

- The requirements for a promenade along the entire frontage of commercial development is questionable given the residential focus of the mixed use zone. It would be more appropriate to encourage a promenade to link commercial uses in place of the entire frontage, especially when the north end of this zone is under consideration for houseboat development.
- Environmental: Either delete this section or define this consideration as a floating island that will be maintained for geese...your goose condominium concept expanded. Do not leave this section undefined.
- Zone: Because retail business is so access dependant, it would be helpful to move the MU zone southwest along Olson Street to allow office and retail development on both sides of the first access point from North River Road.

Activity Center Plan

- It is unlikely that the Keizer market would support a speciality center development the size or character of a River Place or Sunriver. The plan should allow retail development, that would be unique to Keizer, even if it is more strip center like (it has better visibility and accessibility) then either example.

MU Zone

- Uses: add Senior Center and a 25 to 30 unit Assisted Living Facility.
- No dwelling units on the ground floor* should be removed as it would restrict ground level senior or handicap housing and their direct access to activities.
- Forcing a minimum residential use in office or retail development is not appropriate for Keizer. That requirement could kill any commercial development for Staats Lake. It is enough to allow and encourage mixed residential uses, but until that market is established, residential use of any size should not be a forced condition of retail or office development.

While the Activity Center concept is unique to Keizer, you have a unique property. The concept will be difficult to implement but the higher density requirements could generate a greater value and income for the Staats Corporation.

Sincerely,

Glen Rea

Consultant to Staats Lake Project

individuals, enumerated in the attached letters, voice the same concerns that we raised at the July 1 hearing:

- ♦ That the city should recognize that the rationale for treating these 28 disparate properties as a single "Activity Center" no longer exists. The city should dispense with the activity center concept for this property, and permit it to develop under traditional procedures.
- ♦ That the plan should not identify Staats Lake as a "public asset," and that the developer should be very leery of any development requirements or restrictions which mandate any form of public access to the lake.
- ♦ That a continuous, internal street is not required for adequate traffic engineering and would take too much otherwise developable land and divide, rather than unite, the neighborhood.
- ♦ That the plan should not impose any requirements with regard to geese or other wildlife.
- ♦ That the requirement for a public park north of the school should be reexamined, especially in light of the agreed-upon appropriateness of placing the Claggett Creek wetlands in public ownership as a park.
- ♦ That a requirement for a pedestrian/bike pathway linking "key components" throughout the activity center should not be frozen into the comprehensive plan; leaving developers with appropriate flexibility.
- ♦ That requiring conditional use permits for every use on the property may lead to mortgage difficulties, with lenders reluctant to loan with the knowledge that each change in use would require a new approval.
- ♦ That any northerly extension of McClure must be accomplished in a way that minimizes adverse impacts on the Staats property, equitably shares costs in relation to benefits and is otherwise fair to all interested parties, taking into consideration the past concessions of the Staats in providing land for the school site, existing McClure Street and the widening of Lockhaven.
- ♦ That the Mixed Use (MU) Zone should be revised to:

Zoning

Speaker

fostering a strip commercial appearance. The designation encourages the formation of neighborhood "nodes" of activity where residential and commercial uses mix in a harmonious manner. This development type will support transit use, provide a buffer between busy streets and residential neighborhoods, and provide new housing opportunities in the City. The emphasis of the nonresidential uses is primarily on locally-oriented retail, service, and office uses. Commercial development will consist primarily of businesses on the ground floor with housing on upper stories. Clusters of residential and commercial uses around landscaping features or parking areas will also occur. Development is intended to be pedestrian-oriented with buildings close to and oriented to the sidewalk. Parking may be shared between residential and commercial uses.

Staff agrees with Mr. Sherman that it would be best to zone the Medium Density Residential portion of the Staats property RL rather than UT. The RL designation best conforms with the planned land uses, while the UT zone is better suited for areas on the border of the developed community that are still in agricultural use and that will be developed only as single family subdivisions. It is recommended the Proposed Zoning Map be amended to reflect this change.

Values

Speaker

- * Property east of River Road is too valuable for Mixed Use zone. .Cockrell, Jim

.

- * **_STAFF RESPONSE**

The mixed use zone allows a broad variety of uses so developers can best respond to market demands. Land values will be determined by these demands.

Process

Speaker

Second, only through review of an overall development plan can the City determine if the various policies and density provisions of the Activity Center Plan have been met.

Staats objected to developing an overall master plan as portions of the property may be sold to different developers. This is all the more reason to have a master plan. The City's Planned Development process requires approval of a preliminary plan, which can be considered a master plan, followed by approval of detailed plans. Staats Corporation could create the preliminary plan setting the general pattern of land uses and circulation, and then sell individual portions. Subsequent developers will provide the detailed plan showing how their individual projects conform to the overall master plan.

The process does become cumbersome with the Plan requiring the planned development process for the Staats property and the Activity Center Overlay Zone requiring the conditional use process for all development. One development should not have to go through both processes. Therefore, the following change is proposed for the Activity Center Overlay Zone:

Add a new Subsection (c) to Section 46.03 as follows:

(c) In lieu of using the conditional use process, a developer may elect or may be required to use the Planned Development process. In these cases, the provisions of (a) and (c) shall also apply.

Park

Speaker

The park north of Keizer School will probably be developed in a similar manner. It will remain as a grass field until funds are available for development. It will be a priority to seek these funds for development of the new park and the lag between acquisition of the land and park development should be no more than a few years. An increase in Parks SDC fees will help provide the development funds.

The Planning Commission spent a great deal of time on park location. The two acres north of the school was chosen for several reasons including:

- 1. This is a good location for a park to serve the northwest portion of the city as it is centrally located to the area and has direct access from a collector street.*
- 2. It is best to integrate city park development with school ground development, as has been so successfully shown in Salem. This practice greatly leverages each jurisdiction's capability to provide recreational and open space. Developing in conjunction with Keizer School is a major factor in the planned park location.*
- 3. Developing north of the school places the park where it is closer to the population it serves; where it has direct access to the school parking without creating any new driveways or parking areas; and where it can be more readily observed from the school building. Placing the park west of the school property would make it farther from those it serves; would require driveways and parking; would remove it from easy observation from the school; and would require removal of the filbert grove.*

Notice

Speaker

- Inadequate notice was given to the Public

.Cunningham,

- STAFF RESPONSE

Development and adoption of comprehensive plan amendments that impact multiple properties are legislative changes rather than quasi-judicial. Therefore, there is no requirement that any property owners either inside or adjacent to the plan area receive individual notice. The only required notice is the legal notice in the newspaper. Despite the minimal legal requirements, the Staff has a mailing list of owners within the Activity Center and has provided notices and materials to them on a regular basis. In addition, Hillman Properties and a representative of the homeowners association within McNary Estates are also on the list.

Mixed Use	Speaker
* Oppose mixed use	.Cunningham, J
* Mixed Use zone will work for McNary Estates frontage area.	.Grenz, Mark
* Too much interior parking-lot landscaping required.	.Sherman, Ken
* Requiring staggered setbacks is too much control.	.Sherman, Ken
* Developer should have the option to create mixed use, rather than be required to create mixed use.	.Sherman, Ken
* The Mixed Use zone requires "no more than 50% of a single development shall be non-residential. There needs to be a better definition of "single-development" and if it is limited to a single building, this is unworkable.	.Sherman, Ken
* Mixed Use zone should allow ground-floor residential use.	.Sherman, Ken
* Mixed Use zone would prohibit "personal care facilities."	.Sherman, Ken

* STAFF RESPONSE

The Planning Commission wrestled with writing a zone that "allowed" mixed-use or writing a zone that "required" mixed use. In the long run, it was decided if the intent of the Activity Center Plan to create a new neighborhood marked by a mix of activities was to be achieved, the zone should require mixing.

Therefore, the provision is included stating: "In a single development no more than 50 percent of the floor area shall be in non-residential use."

Staats Corporation questioned what "single development" means. In order to assure understanding of the intent, the following wording change is proposed:

"...no more than 50% of a single development shall be non-residential. Single development is defined as a complex of one or more buildings within the MU zone developed as a single project with one or more phases, having an overall development plan, and sharing parking and access."

Financial

Speaker

-
- * Fiscal impact analysis should be required of developers. .Cunningham, J
 - * Staats Lake developer's financial strength should be known. .Cunningham, J
 - .

* STAFF RESPONSE

When discussing fiscal impacts, the Planning Commission decided fiscal impact analysis should not be required exclusively within the McNary Activity Center. Rather, consideration should be made of requiring such analysis throughout the City.

Statements of fiscal responsibility are not required with any development process in Keizer. For the construction of public improvements, financial security is required. But, there is no requirement to show financial strength in relation to capability to get a project completed.

Environmental

Speaker

-
- | | |
|---|----------------|
| * Run-off will impact ground water which may be needed for entire community in the future. | .Cockrell, Jim |
| * Wetlands and Wildlife are concern. | .Cockrell, Jim |
| * Potential pollution of Staats Lake. | .Cockrell, Jim |
| * Staats Lake project will create traffic congestion and air pollution. | .Cunningham, J |
| * McNary Estates developer does not want access through Claggett Creek wetlands on their property. Would put people in golf course. | .Grenz, Mark |
| * Language concerning geese will preclude development of Staats property. "Maximize preservation..." means it will be a wildlife preserve. Land should be used efficiently which means geese yield to houses. Inside UGB, preservation of wildlife has never been an issue. | .Sherman, Ken |

* **STAFF RESPONSE**

Air Pollution is not considered to be a factor in the development of Staats Lake. Traffic should be managed adequately within and adjacent to the project to assure pollution from traffic congestion will not occur.

The wetlands concerns are addressed through the policies which call for the preservation of wetlands. This targets the Claggett Creek corridor and anticipates the portion of the corridor passing through the Staats property may come into public ownership.

The only significant potential source of pollution of Staats Lake with the surrounding area being developed would be from lawn fertilization. This has not been considered to be a problem.

The biggest environmental issue deals with geese. There is wide divergence of opinion on two points: Should geese even be an issue the Plan addresses, and if so, what direction should be Plan take?

Circulation

Speaker

One of the Planning Commission's major purposes for the McNary Activity Center Plan is to develop guidelines for creating a cohesive, integrated neighborhood on either side of River Road north of Lockhaven Drive. Small, individual residential developments, primarily on the Staats Corporation property, will not be conducive to the creation of this future neighborhood. The requirement for requiring an internal street system is intended to see that residents from all parts of the Staats portion of this neighborhood will be able to easily and conveniently move throughout its area.

The internal street requirement is also directed to a safety and convenience issue. As Keizer continues to develop, Lockhaven Drive will have major increases in traffic volumes. This will be particularly true if Lockhaven is extended to West Salem on a new bridge. The SKATS Year 2005 Transportation Plan calls for Lockhaven to be widened to five lanes. With these circumstances and without an internal street system, a resident of the western portion of the Staats development who wished to go to the eastern portion where the commercial uses will be located will be required to make a left turn onto Lockhaven and then a left turn off of Lockhaven. Both of these movements will be impaired by Lockhaven's traffic volumes leading to safety and congestion concerns. Also, forcing residents of the area to leave the project in order to go to another part of it is counter to the effort to create an integrated neighborhood.

Staats argues the internal street will take up too much land. However the preliminary development plans submitted to the Planning Commission by Staats last fall show a street system based on cul-de-sacs that readily lends itself to being converted to a continuous system with what would probably be no or a minimal loss of lots.

Staats also argues that the continuous system would lead to neighborhood infiltration from residents of McNary Estates. This may be true, but it is an issue that can be addressed through careful design and the use of inhibitors to through traffic such as ninety degree turns and traffic circles.

If the Council chooses to amend this policy, the following wording is

APPLICATION

STATE OF OREGON
OREGON LIQUOR CONTROL COMMISSION

Return To:

GENERAL INFORMATION

non-refundable processing fee is assessed when you submit this completed form to the Commission (except for Druglist and Health Care Facility). The filing of this application does not commit the Commission to the granting of the license for which you are applying nor does it permit you to operate the business named below.

(THIS SPACE IS FOR OLCC OFFICE USE)

Application is being made for:

- ☐ DISPENSER, CLASS A
☐ DISPENSER, CLASS B
☐ DISPENSER, CLASS C
☐ PACKAGE STORE
☐ RESTAURANT
☐ RETAIL MALT BEVERAGE
☐ SEASONAL DISPENSER
☐ WHOLESALE MALT BEVERAGE & WINE
☐ WINERY

- ☐ Add Partner
☐ Additional Privilege
☐ Change Location
☐ Change Ownership
☐ Change of Privilege
☐ Greater Privilege
☐ Lesser Privilege
☒ New Outlet
☐ Other

OTHER: 7343
52.60

(THIS SPACE IS FOR CITY OR COUNTY USE)

NOTICE TO CITIES AND COUNTIES: Do not consider this application unless it has been stamped and signed at the left by an OLCC representative.

THE CITY COUNCIL, COUNTY COMMISSION, OR COUNTY

COURT OF _____
(Name of City or County)

RECOMMENDS THAT THIS LICENSE BE: GRANTED _____

DATE _____ DENIED _____

BY _____
(Signature)

TITLE _____

CAUTION: If your operation of this business depends on your receiving a liquor license, OLCC cautions you not to purchase, remodel, or start construction until your license is granted.

Name of Corporation, Partnership, or Individual Applicants:

- 1) James Fifer 2) _____
 3) Susan Bender 4) _____
 5) FIFER Int. Ltd. 6) _____

(EACH PERSON LISTED ABOVE MUST FILE AN INDIVIDUAL HISTORY AND A FINANCIAL STATEMENT)

Trade Name

New Trade Name The Stadium Grill & Sports Pub

Year filed 1991
with Corporation Commissioner
Dr. 97303
 (State) (Zip)

Premises address 4820 RIVER RD. KEIZER MARION
 (Number, Street, Rural Route) (City) (County) (State) (Zip)

Business mailing address SAME
 (P.O. Box, Number, Street, Rural Route) (City) (State) (Zip)

Was premises previously licensed by OLCC? Yes X No _____ Year 1989

If yes, to whom: PLaid Pantry Type of license: Retail

Will you have a manager: Yes X No _____ Name DAVID A. FIFER
 (Manager must fill out Individual History)

Will anyone else not signing this application share in the ownership or receive a percentage of profits or bonus from the business? Yes _____ No X

What is the local governing body where your premises is located? KEIZER / MARION
 (Name of City or County)

OLCC representative making investigation may contact: DAVID A. FIFER
 (Name)

8340 Oak Grove Rd. Rickreall 97371 835-3313 Hm. 857-1894 Bus.
 (Address) (Tel. No. — home, business, message)

CAUTION: The Administrator of the Oregon Liquor Control Commission must be notified if you are contacted by anybody offering to influence the Commission on your behalf.

Applicant(s) Signature
 (In case of corporation, duly
 authorized officer thereof)

- 1) James Fifer DATE 7-9-91
 2) James Fifer Chairman
 3) _____
 4) _____
 5) _____
 6) _____



Keizer Police Department

930 Chemawa Rd. N.E. • P.O. Box 21060
Keizer, Oregon 97307-1060 • 390-3713/390-2000

Charles R. Stull
Chief of Police

TO: Chief Stull
FROM: Records
SUBJECT: Business Application Record Check

A criminal history check has been completed on the attached business application. The results of this inquiry are;



NO CRIMINAL HISTORY RECORD ON FILE



CRIMINAL HISTORY ATTACHED FOR YOUR REVIEW

OPERATOR: Beverly Binn

DATE: 07-17-91



City of Keizer - Public Works Department

930 Chemawa Rd. N.E. • P.O. Box 21030 • Keizer, Oregon 97307-1030

Phone: 390-3700 • 393-1608

COUNCIL MEETING: AUGUST 5, 1991

AGENDA ITEM NO.: 10b

TO: MAYOR AND CITY COUNCIL
THROUGH: DONALD H. OTTERMAN M.S.P.A, CITY MANAGER
FROM: WILLY MULL, PUBLIC WORKS DIRECTOR
SUBJECT: BID AWARD - WATER DEPARTMENT DUMP TRUCK

The 1991-92 Water Department budget contains \$65,000 to purchase a new 10 yard dump truck that would replace a used 1968 5 yard dump truck.

Bids for the purchase of the new truck were opened on July 19, 1991, with the following dealers submitting bids:

Northside Ford Truck	\$59,936.00
Brattain International	\$60,512.00
White GMC	\$69,447.00
Bruce Chevrolet	\$59,952.00

The bids of Northside Ford Truck and Bruce Chevrolet were rejected because the engine size and wheel base did not meet City of Keizer specifications

RECOMMENDATION

It is staff's recommendation that the Keizer City Council ACCEPT the bid of Brattain International for \$60,512.00 for a new 10 yard dump truck.

WM:clm

f:\admin\truck.adg



City of Keizer - Public Works Department

Phone: 390-3700 • 393-1608

930 Chemawa Rd. N.E. • P.O. Box 21030 • Keizer, Oregon 97307-1030

COUNCIL MEETING: AUGUST 5, 1991

AGENDA ITEM NO.: 10c

TO: MAYOR AND CITY COUNCIL
THROUGH: DONALD H. OTTERMAN M.S.PA, CITY MANAGER
FROM: WALLY MULL, PUBLIC WORKS DIRECTOR
SUBJECT: WHEATLAND ROAD BIKE PATH

In the City of Keizer 1991-92 budget, \$75,000 was appropriated for bike path construction; an additional \$50,000 in an ODOT/Bike Path grant was awarded to the city for bike paths on Wheatland Road. With the \$125,000, bike paths can be constructed on both sides of Wheatland Road from Mistletoe Loop to approximately the south property line of the Par 3 golf course.

Bids were opened on August 17, 1991, with the following companies submitting bids:

D & D Paving	\$116,092.35
Morse Brothers	\$114,625.25
Flintstone Construction	\$139,449.25
North Santiam Paving	\$133,079.75
Salem Road & Driveway	\$113,665.67

RECOMMENDATION

Staff recommends that the City Council ACCEPT the low bid of \$113,665.67 submitted by Salem Road and Driveway for the construction of bike paths on Wheatland Road.

WM:clm

f:\admin\bike.adg

MINUTES

KEIZER CITY COUNCIL

Monday, July 15, 1991

Robert L. Simon Council Chambers
Keizer City Hall

CALL TO ORDER

Mayor Orcutt called the regular session to order at 7:32 p.m. Roll call was taken as follows:

Present

Andrew J. Orcutt, Mayor
Mike Hart, Councilor
Dennis Koho, Councilor
Jerry McGee, Councilor
Al Miller, Councilor
Bob Newton, Councilor
Joe Van Meter, Councilor

Staff

Donald H. Otterman, City Manager
John Morgan, Community Development Director
Wally Mull, Public Works Director
John Lien, City Attorney
Shannon Johnson, City Attorney
Susan Darby, City Recorder

PUBLIC TESTIMONY Cummings Disabled Parking

Tom Tyler, Principal of Cummings Elementary School, solicited the City's assistance in placing disabled parking spaces at the school. He stated that there are two children who attend Cummings, and two parents, who need this type of access. Mr. Tyler hoped that this could be accomplished through a joint City-School District endeavor. Mr. Tyler explained that the area to be paved is 24 feet by 10 feet. He asked that the City excavate this area to a depth of 3 inches. The School District will pave the strip, and the City would stripe and provide signage. Mr. Tyler stated that the parking for Cummings Elementary School, including the subject strip, is within the City right-of-way. Mr. Tyler said that the School District is asking for this assistance because it does not have the necessary backhoe equipment although it does have the dump truck, roller and access to the blacktop material. The blacktop material, however, is only available through July 17.

expertise would be helpful in the upcoming issues to be addressed by the Commission, including the zone code revision. Mr. Grenz said that he has made it clear that should the Commission become involved in land use actions, that it would be inappropriate for him to serve in his position because of his representation of private developers through his business. Mr. Grenz commented that while he does not intend to step down from the Planning Commission at this point in time, he did not wish to create a problem for the City. He said he would need to consider any potential problems that may arise from his service on the Commission. Mr. Grenz assured the Council that he did not make any mistakes and has been very careful to avoid any misconduct in performing his duties as a Commissioner. He does not want the Council to lose its confidence in the Planning Commission, in him, or in the actions taken by the Commission.

Councilor Newton thanked Mr. Grenz for being here tonight as well as for his service to the community as a volunteer. He believed that the city is an open government and while the potential for impropriety was present, it was not created by those here tonight. Councilor Newton stated that he would defend Mr. Grenz' performance and that he looks forward to him continuing on the Planning Commission. Councilor Miller echoed Councilor Newton's comments.

Councilor McGee stated that the potential conflict of interest was discussed at the time of Mr. Grenz' appointment. Mr. Grenz pledged to announce any conflicts of interest which he has done. Councilor McGee said that misconduct in itself is a non-issue. Non performance also is not an issue since abstaining from discussion is performing. He noted Mr. Grenz' nearly perfect attendance record at the Commission meetings, and that Mr. Grenz' background is needed on the Commission. He stated that the City will continue to monitor Mr. Grenz' performance as will the entire community, as well as the Council's own performance.

Councilor Koho said that he has been convinced by people he has talked with that Mr. Grenz' does provide a valuable service to the community and that Councilor Koho has no desire to pursue this issue. However, he asked Mr. Grenz to be mindful of the kinds of things that might come up in the future where a potential conflict may be present.

Councilor Hart indicated that, as liaison to the Commission, he has had the opportunity to witness the performance of the Commission members. The only issue Mr. Grenz has withdrawn from is the McNary Activity Center and this is only because of Mr. Grenz' representation of McNary Estates development. However, Mr. Grenz has participated in some of the discussion, including the mixed use zone provision.

Mayor Orcutt indicated that he liked Mr. Redburn's and Mr. Hershey's proposals the best. While Mr. Ho has wonderful references, he does not address the type of system he would be utilizing.

Mayor Orcutt moved to contract with the firm of Bittinger & Redburn for the Council team building session on a Saturday as soon as possible. Councilor Hart seconded the motion. The motion passed unanimously by the following vote:

AYES: Orcutt, Hart, Koho, McGee, Miller, Newton, Van Meter (7)

NAYS: None (0)

CUMMINGS SCHOOL DISABILITY ACCESS

Mr. Mull reviewed the staff report regarding a request from the School District to install disabled parking spaces next to Cummings School.

Councilor ^{KPHO}Miller suggested that the entire strip along Delight Street be improved. Mr. Mull indicated that the proposed disabled parking strip is 24 feet long. The School District apparently installed the rock in this location at some earlier time. If the District's request is approved, the City would pay for the striping and signs.

Councilor Miller told Mr. Tyler that he was concerned with what the City had been told that the District has provided this type of parking for all of the other schools. He questioned why the District wishes Keizer to participate in this project. Mr. Tyler explained that the disabled parking for all of the other District schools is on District property. The parking for Cummings School is on City owned right-of-way, which Mr. Mull verified.

Councilor Miller asked whether the LSAC has been asked to participate in the costs. Mr. Tyler explained that the LSAC does not have any money. The money used to blacktop by the school gymnasium is from the Parent-Teacher Club. He did not believe the LSAC has spoken to the Parent-Teacher Club about this project.

In response to a question from Councilor Newton, Mr. Mull stated that Clearlake School is probably in a similar situation with parking on City right-of-way.

Councilor Van Meter asked whether there is any State or Federal formula for determining the required number of disabled parking spaces proportionate to the building occupancy. Mr. Mull was not aware of any; this request came from the School District.

Councilor McGee stated that accessibility will be provided as required by Federal law. He indicated that the cost to the City to participate in the project

partnerships, impact fees on new development, highway toll district and road bonds. Of these alternatives, the committee is recommending that the regional fuels tax be considered. A poll, conducted in Marion County, indicated that the majority of people recognize the need for increased street maintenance and funding. The majority responded favorably to whether they would support a fuels tax. They did not support a vehicle registration fee. The policy committee established a subcommittee and that group is proposing a three cent tax on all types of motor vehicle fuel. However, to make it as simple as possible, those uses which are exempt from the State fuel tax would also be exempt from the regional fuels tax. The funds generated from the fuels tax would be split between Marion and Polk counties. The regional plan was considered so that people do not jump cities to buy gas where the tax is not charged.

Mr. Schmid stated that the proposal is the result of the Transportation Funding Needs Committee study and is being circulated to involved jurisdictions. An informational meeting has been scheduled in about two weeks to get the reaction from all of the cities. However, because Keizer would be a major player in Marion County, they believed it was appropriate to discuss this with the city individually. Mr. Schmid commented on how Keizer's streets are maintained in a better condition than those in Salem, although Keizer still has its needs.

Mr. Schmid estimated that Keizer would receive about \$349,000 with a three cent fuels tax. The State fuel tax generates about \$87,000 for Keizer. He noted that the money collected through the regional fuels tax would stay in the local area.

Mr. Schmid noted that they are still gathering information and plan to take this to the voters if the cities agree with the need for additional funding. Although Marion County has the power to impose the tax, the Board of Commissioners has indicated that it will not do so. Before putting this to a vote of the people, however, the Board will require the support of the cities.

Responding to a question from Councilor Koho, Mr. Schmid stated that Woodburn has a local one cent fuel tax and is supporting this proposal, as is the city of Salem and Polk County.

Councilor Newton asked whether there is any possibility that the State would revamp its distribution formula to distribute more State gas monies to remove areas should this proposal pass. Mr. Schmid responded that the State is considering a new distribution formula but it would be restricted to new taxes rather than existing gas taxes.

Councilor McGee said that while more Federal taxes are collected than are spent locally, had the recent earthquake been 60 miles east, Federal money would

The main motion passed unanimously by the following vote:

AYES: Orcutt, Hart, Koho, McGee, Miller, Newton, Van Meter (7)

NAYS: None (0)

**VOLUNTEER COORDINATING
COMMITTEE**

Mr. Otterman proposed that the City Council establish a Volunteer Coordinating Committee to handle the recruitment, work coordination and recognition of City volunteers. He noted that there have been volunteers for the past two years who have not been recognized by the City. He put together a type of job description for the Council's consideration.

Councilor Newton stated that he was on the original volunteer committee when the city was first formed. The committee received a large number of applications, interviewed the individuals and recommended their placement. That committee was eventually abolished when the majority of their work was completed. Councilor Newton believed this would be a good proposal especially to establish a volunteer recognition program.

Councilor Newton moved to authorize the Mayor to appoint a Volunteer Coordinating Committee. Councilor Van Meter seconded the motion.

Councilor McGee believed it would be appropriate to include a sunset clause for all volunteer committees. Otherwise, there could be a great proliferation of committees.

Councilor Van Meter indicated that he especially likes the volunteer recognition program that could be put together by the committee. He noted that there was some nice recognition for one of the Parks volunteers recently, and there are other long term volunteers who deserve recognition.

The motion passed unanimously by the following vote:

AYES: Orcutt, Hart, Koho, McGee, Miller, Newton, Van Meter (7)

NAYS: None (0)

CONSENT CALENDAR

The Consent Calendar consisted of:

- a. June 17, 1991 Regular Session Minutes
- b. June 28, 1991 Special Session Minutes
- c. July 1, 1991 Regular Session Minutes
- d. Resolution - Approval of an Intergovernmental Agreement with Marion County regarding dispersal of civilly forfeited assets
- e. Resolution - Mid-Willamette Valley Police Mutual Aid Agreement

Keizer Tomorrow

Mr. Morgan informed the Council that he placed invitations to the Keizer Tomorrow Committee meeting in the Council members' boxes. The meeting, to be held on Wednesday, July 17, is being held to finalize the draft vision and presentation method to the community. He encouraged the attendance of the Council members at 7 p.m.

**Joint City/School
District Meetings**

Mr. Otterman proposed that the City contact School District 24J about holding periodic meetings to discuss matters of mutual concern. He recommended that Dave Bauer, Dave Guile, Mayor Orcutt and he meet on a routine basis to exchange ideas, discuss problems, etc.. He also proposed that the full Council meet with the full School Board. Both agencies could prepare their own agendas of what they would like to discuss, including growth issues. He will bring both of these issues back to the Council at its August 5 meeting.

Team Building Date

Responding to a question from Councilor Miller, Mr. Otterman stated that he plans to hold the City Council's team building session during July or August.

Kershaw Personnel Matter

In response to a question from Councilor Newton, Mr. Otterman stated that former Police Sgt. Kershaw has appealed his disciplinary action and that Mr. Otterman needs to talk with Akin Blitz about the process to be used. He indicated that he plans to set a 5 p.m. meeting sometime next week. He explained that he needs to discuss with Mr. Blitz exactly how the process will be handled since it is a different due process procedure with department heads as it is with other employees. He indicated he would call all of the Council members to set up the meeting.

AGENDA INPUT

There were no additional agenda items added to the August 5 schedule.

ADJOURNMENT

The meeting adjourned at 9:12 p.m.

Susan Biasi Darby
City Recorder

APPROVED:

CITY COUNCIL MINUTES
July 15, 1991

Catherine Thibault
4994 13th AVE NE
Kenner, OR 97303

July 26, 1991

Dear Kenner City Council:

I am concerned with various problems the residents of our neighborhood are having with CLAGGETT CREEK PARK. As our homes adjoin the park, we feel has gone on far too long without calling them to the attention of the City Council and local residents.

First, there is a severe problem with noise from beer parking lots involving loud music, verbal profanity, vandalism, and general traffic at various hours of the day and evening. Although there are signs posted, they are too general to be specific; are without consequence; and aren't posted in a way to draw public attention.

There are noise ordinances prohibiting excessive noise in public/private areas. These ordinances are not being enforced. It has taken up to 4 hours for police intervention.

The park is supposed to be closed from dusk until dawn as stated by posting. However, there is traffic of various degrees all night on going

I would like to see CLAGGETT CREEK PARK
be a place where my child can play safely
as an asset to this community. Beautification
on an external basis has begun, but the
inner workings have a long way to go before
a resolution of years of problems are overcome. The
Parks Director for the City of Keizer wants to
resolve the situation and is willing to work
with the community to do so. I ask that you
would consider the alternatives to allowing
these problems to escalate until we, as a
community, no longer have control of, or a say in,
its fate.

Sincerely,

Catherine Thiebold



KEIZER HERITAGE FOUNDATION, INC.

P.O. BOX 8900-263
KEIZER, OR 97303

July 25, 1991

Mr. John Morgan
Community Development Director
City of Keizer, Oregon

Dear Mr. Morgan,

Re: Fernwood Park disposition

It has come to our attention that the City of Keizer is in the process of deciding the fate of Fernwood Park. As you know, Keizer City Council, in 1988 allocated a place on the park land to set the building known as the Old Keizer Schoolhouse. From that time it has been the hope of Keizer Heritage Foundation, Inc. (KHF) to seek a lease or deed to all of the park property in order to improve the park surrounding and adjacent to, the old school building.

We, of the Board of Directors of Keizer Heritage Foundation, would like to respectfully suggest that should the land be vacated as a park and deeded to KHF it could possibly solve some problems for the City.

1. The land would be improved, within the next five years, as a public park but under the direction of the Foundation (carefully watched over by the City)

While the City has on several occasions stated it had no plans to improve Fernwood Park, it has always been the aim and desire of KHF to improve the park as a public area with the previously pledged help of several local garden clubs.

2. KHF could be completed (one floor at a time) within a short time, giving Keizer a Cultural Center and museum and a permanent place for the Reading Connection as well as an activity center for other wholesome youth activities. We also have two paying tenants awaiting completion to set up their places of business in the lower sections. (Keizer Art Association, 2100 square feet, and Mother Hubbards Craft Shop, 750 square feet. The building has a total of 8000 square feet.)



KEIZER HERITAGE FOUNDATION, INC.

P.O. BOX 8900-263
KEIZER, OR 97303

July 31, 1991

John Morgan,
Community Development Director
Keizer, Oregon

Dear Mr. Morgan

Re: Fernwood Park & Keizer Heritage

It has been pointed out to me that I inadvertantly implied that we had commitments from the two banks mentioned in my original letter (July 22, 1991, concerning Keizer Heritage's desire for the property known as Fernwood Park.) That, in fact, is not correct. What I intended to say rather than that "they had agreed to loan money," was that each bank had shown interest in the project and with proper credentials and paper work showing pay back abilities, either would accept application for such a loan.

I apologies for the enthusiasum which lead me to incorrectly convey the stated intent of the two banks.

Sincerely,

Erin Erickson
President, Keizer Heritage Foundation, Inc.



KEIZER HERITAGE FOUNDATION, INC.

P.O. BOX 8900-263
KEIZER, OR 97303

July 31, 1991

John Morgan,
Community Development Director
Keizer, Oregon

Dear Mr. Morgan

Re: Fernwood Park & Keizer Heritage

It has been pointed out to me that I inadvertently implied that we had commitments from the two banks mentioned in my original letter (July 22, 1991, concerning Keizer Heritage's desire for the property known as Fernwood Park.) That, in fact, is not correct. What I intended to say rather than that "they had agreed to loan money," was that each bank had shown interest in the project and with proper credentials and paper work showing pay back abilities, either would accept application for such a loan.

I apologize for the enthusiasm which lead me to incorrectly convey the stated intent of the two banks.

Sincerely,

Nancy Erickson
President, Keizer Heritage Foundation, Inc.

3. It might be advantages to the City if KHF were to negotiate the lease of land to the Learning Tree Center.

Recently we have found that to obtain a loan to complete the restoration of the building we must either obtain the City backing as co-signer or obtain a deed to the park land where the building sits, as collateral.

Both Keizer Branch of The Commercial Bank and Bank of Salem have agreed to loan money to this project if KHF were to obtain title to the property, or co-signers.

The rough estimate for restoration is \$240,00.00. To date more than \$60,000.00 has been spent. This amount includes discounts and in-kind donations of time, and materials. Another \$60,000.00 is needed to complete the lower floor for occupancy, and replace the Ell removed from the building in 1949. We would then have an income from rents to repay the loan as well as begin working toward final completion of the upper portion.

With the upper floor finished we can open the museum, as originally requested by the City. We have received some items and pledges for additional items for this museum.

We are working closely with Elizabeth Potter, State Historical Director, to make sure that we remain within the needed guide lines to obtain Historical status with both State and Federal designations. Such designation would put Keizer on the National Historical Registry and Maps.

We are working on Grant writing and seeking further, donations, having already received donations from a hundred or more individuals and businesses, and organizations. Our engraved brick promotion has reached over 400 bricks sold, engraved and ready for placement around the building. We have a long way to go, but as you can see we are working hard to make the Old Keizer School a vibrant part of our community.

Thank you for your consideration of this matter.

Sincerely,

Holly Erickson, president

Keizer Heritage Foundation is a 501 (c)(3) organization with the Internal Revenue Service and as such all donations are tax deductible by both State and Federal law.

cc: Kevin Wickman

People Congregate after dark at this park and use it as a meeting place. Use of alcohol and drugs is a common sight, often by minors, even though it is a misdemeanor to even be in the park after closure. Obviously signs posted need to be specific stating that the park is to remain unoccupied before dawn or 6 AM and after dusk or 9 PM. We deserve quiet evenings at home. Also, the parking lots should be cordoned off to discourage cars from entering the parking lots after closure and lessen loitering after this time.

CLAGGETT CREEK PARK has a high incidence of vandalism because there are no set standards of behavior, with little consequence. People need to be aware of the fact that there are people who live next door to the park and should be given consideration. We need to realize that it's a privilege to have use of this facility. Large groups of 15 or more should have permits issued through the Parks department and rules for usage should apply. There should be disbarment for groups not complying to these requirements. Various groups use the park without permission especially during soccer season making it impossible for my family to enjoy week-ends.

Councilor Hart asked that the Police Mutual Aid Agreement be pulled off the Consent Calendar.

Councilor Koho moved for approval of the remainder of the Consent Calendar. Councilor Van Meter seconded the motion.

Councilor Hart asked that the June 17 minutes reflect his attendance on the first page. Councilor McGee indicated he did not make the comment on the bottom of Page 4, last sentence, regarding the outline of the Parks Committee involvement. In addition, on Page 5, he indicated he did not agree with Councilor Koho that the Police Advisory Committee should be on an ad hoc basis. Councilor Koho indicated that he did not state this with respect to the ad hoc committee.

The motion passed unanimously by the following vote:

AYES: Orcutt, Hart, Koho, McGee, Miller, Newton, Van Meter (7)

NAYS: None (0)

Police Mutual Aid
Agreement

The Council discussed whether the Police Mutual Aid Agreement contains an expiration clause. It was determined that there will be an annual review of the agreement rather than an expiration date.

Councilor Newton questioned the amount of mutual aid given to Salem in the past for parades. Mr. Otterman indicated that he was not aware of any mutual aid. Councilor Koho believed the Iris Festival which begins at Fred Meyer North and proceeds into Keizer may be the only instance.

Councilor Koho moved for adoption of a resolution approving the Mid-Willamette Valley Police Mutual Aid Agreement and Repealing Resolution R88-337. Councilor Newton seconded the motion. The motion passed unanimously by the following vote:

AYES: Orcutt, Hart, Koho, McGee, Miller, Newton, Van Meter (7)

NAYS: None (0)

OTHER BUSINESS
Triangle

Councilor Koho brought up the topic of the triangle. Mr. Otterman indicated that he has spoken to Mr. Morgan about this matter and will put something together.

Fir Cone Drive

Councilor Miller indicated there have been some additional accidents at the intersection of River Road and Fir Cone Drive since this issue was last discussed by the Council. Mr. Mull indicated that he has contacted a traffic engineer to look at the intersection. Councilor Hart noted that the speed sign is missing as well as the curve sign on River Road.

have been used to rebuild the infrastructure. He noted that everyone will be taking overhead off of the regional fuels tax. He asked whether dealers will be compensated as adjunct tax collectors. Mr. Schmid responded that dealers will be required to become licensed as motor vehicle dealers and the license fee would be based on how many gallons they sell.

Councilor McGee asked what would happen if other cities agreed to the proposal but Keizer does not. Mr. Schmid indicated that if all other cities supported the proposal, it would go on the ballot area-wide. Councilor McGee indicated that the greatest need is in other nearby cities, and that those cities can outvote Keizer.

Councilor Van Meter stated that while he supports better streets, he believes the timing of this proposal is bad. He indicated he would not support such an increase in fuels tax.

Councilor Hart moved for no support for the regional fuels tax from the City of Keizer. Councilor McGee seconded the motion.

Mayor Orcutt stated that transportation funding is needed in other areas more than in Keizer. With the passage of Ballot Measure 5, Mayor Orcutt indicated that the City has shown fiscal responsibility by not levying the full amount of taxes it was authorized by the voters. To support the regional fuels tax now would destroy that credibility.

Councilor Newton indicated that he would like to hear the officials' briefing on this matter before a decision is made. He cautioned that the City should not be short-sighted in this issue. Councilor Newton disagreed with Councilor Van Meter regarding the timing of this proposal; he believed there is no good time to propose a new tax. Councilor Newton stated that while Keizer's streets may be in better repair than its neighbor's, Keizer is also falling behind in its transportation needs and resurfacing program.

Mayor Orcutt asked whether this briefing will be similar to the one he attended a year or so ago in Woodburn where the Board of Commissioners declared the need for improvements but would not stick its neck out unless the cities supported the proposal. Mr. Schmid indicated there will be some additional numbers and facts beyond what he has provided the Council tonight.

Councilor McGee moved to table this matter. Councilor Newton seconded the motion. The motion failed by the following vote:

AYES: Hart, Newton, McGee (3)

NAYS: Orcutt, Koho, Miller, Van Meter (4)

would become a moot point because it would probably cost \$1,000 to negotiate the issue with the School District. In addition, such an improvement would beautify the corner as well as making it much safer.

Councilor McGee moved to accept the Keizer-Salem School District proposal and proceed at once with the necessary blacktopping to make the handicapped access. Councilor Newton seconded the motion.

MILLER

Responding to a question from Councilor Koho, Mr. Mull did not believe that the Lowthers were informed of the Council's discussion on this matter tonight. He also noted, in response to Councilor ~~Miller's~~ earlier comment, that to pave the entire stretch would involve about 200 feet. **KOH0**

Councilor Hart favored the project, but staying with it as originally proposed rather than paving the entire length. An additional 200 feet could make the project ten times more expensive, and the project needs to be completed in two days. In addition, expanding the scope of the project would commit the School District to an additional expense it may not be willing to meet. Councilor McGee did not believe the project should be expanded in scope.

Mr. Mull noted that the excavation work will either be contracted out by the City or will be performed by the Water crews. Mr. Tyler indicated that it would be sufficient if the City could excavate by Wednesday. Mr. Mull explained that if Water crews perform the work, the Street Fund will reimburse the Water fund for the costs. Whether it is contracted out or the Water crews do the work, the Street Fund will pay the cost.

The motion passed unanimously by the following vote:

AYES: Orcutt, Hart, Koho, McGee, Miller, Newton, Van Meter (7)

NAYS: None (0)

REGIONAL FUELS TAX

Mr. Morgan introduced Richard Schmid, Transportation Coordinator for the Salem-Keizer Area Transportation Study. Mr. Morgan distributed informational sheets to the Council showing the purpose and financial impact of the proposed regional fuels tax.

Mr. Schmid indicated that SKATS is a group of elected officials representing various area jurisdictions. Councilor Koho is the current representative for the City of Keizer on this group. The SKATS group has identified the need for street improvements versus the available funding over the next 15 to 20 years. The SKATS group then formed the Transportation Funding Needs Committee to review available options for addressing those transportation needs. Six alternative methods for financing improvement projects in use around the area and other States include fuels taxes, vehicle registration fees, public/private

Councilor Hart moved to not pursue this issue any further. Councilor McGee seconded the motion. The motion passed unanimously by the following vote:

AYES: Orcutt, Hart, Koho, McGee, Miller, Newton, Van Meter (7)

NAYS: None (0)

Mayor Orcutt reiterated that it has been the public view or perception that the Council is dealing with. Mr. Grenz commented that he did not take the issue personally and that he understands Councilor Koho's intent. He also noted that it may not be as clear cut as he sees the situation.

KEIZER PARKS APPOINTMENT

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TEAM BUILDING FACILITATOR SELECTION

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The one committee report was taken up following the next agenda item.

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PERFORMANCE

Mr. Morgan stated that the question of potential conflict for Planning Commissioner Mark Grenz was brought up by Councilor Koho with respect to possible conflicts of interest in performing his Planning Commission duties. The Council has received a memorandum from Mr. Johnson citing the applicable statute regarding removal of a Planning Commissioner from his position. In addition, Mr. Morgan distributed a memorandum outlining the responsibilities of the Planning Commission, including Ordinance No. 83-006 which established the Commission. Mr. Morgan explained that the Planning Commission generally does not handle the current planning, such as zone changes, subdivisions, etc. These cases are handled by staff or by the Hearings Officer. The Planning Commission generally performs long range planning, along with the preparation and updating of planning related ordinances such as the zoning ordinance. The Planning Commission, however, has expressed an interest in becoming more involved in the current planning arena for Keizer.

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CITY COUNCIL MINUTES

July 15, 1991



1982

City of Keizer

930 Chemawa Rd. N.E. • P.O. Box 8900, Sp. 292
Keizer, Oregon 97303-0890 • (503) 390-3700

DATE: 7-17-91

NAME OF BUSINESS:

The Stadium Grill &
Sports Pub

LICENSE FEE RECEIVED: \$ 70.00

ON 7-17-91 RECEIPT # 26614

ADDRESS OF BUSINESS:

BY cm

4820 River Road

KEIZER, OREGON

NAME(S) OF PROPRIETOR:

BIRTH DATE

SOCIAL
SECURITY #
540-66-
1320

Fifer, Janice Fern

2/20/60

Brander, Susan Marie

12/14/52

554-70-
6511

TYPE OF LICENSE: Retail Malt Beverage

☐ RENEWAL

☒ NEW OUTLET

☐ NEW LOCATION

I have received the application for a liquor license for the above outlet and find no past criminal history which would suggest DENIAL of the license.

Charles R. Stull, Chief of Police
Keizer Police Department

CRS/clm

"Pride, Spirit and Volunteerism"

MINUTES

KEIZER CITY COUNCIL

Monday, July 15, 1991

Robert L. Simon Council Chambers
Keizer City Hall

CALL TO ORDER

Mayor Orcutt called the regular session to order at 7:32 p.m. Roll call was taken as follows:

Present

Andrew J. Orcutt, Mayor
Mike Hart, Councilor
Dennis Koho, Councilor
Jerry McGee, Councilor
Al Miller, Councilor
Bob Newton, Councilor
Joe Van Meter, Councilor

Staff

Donald H. Otterman, City Manager
John Morgan, Community Development Director
Wally Mull, Public Works Director
John Lien, City Attorney
Shannon Johnson, City Attorney
Susan Darby, City Recorder

PUBLIC TESTIMONY Cummings Disabled Parking

Tom Tyler, Principal of Cummings Elementary School, solicited the City's assistance in placing disabled parking spaces at the school. He stated that there are two children who attend Cummings, and two parents, who need this type of access. Mr. Tyler hoped that this could be accomplished through a joint City-School District endeavor. Mr. Tyler explained that the area to be paved is 24 feet by 10 feet. He asked that the City excavate this area to a depth of 3 inches. The School District will pave the strip, and the City would stripe and provide signage. Mr. Tyler stated that the parking for Cummings Elementary School, including the subject strip, is within the City right-of-way. Mr. Tyler said that the School District is asking for this assistance because it does not have the necessary backhoe equipment although it does have the dump truck, roller and access to the blacktop material. The blacktop material, however, is only available through July 17.

expertise would be helpful in the upcoming issues to be addressed by the Commission, including the zone code revision. Mr. Grenz said that he has made it clear that should the Commission become involved in land use actions, that it would be inappropriate for him to serve in his position because of his representation of private developers through his business. Mr. Grenz commented that while he does not intend to step down from the Planning Commission at this point in time, he did not wish to create a problem for the City. He said he would need to consider any potential problems that may arise from his service on the Commission. Mr. Grenz assured the Council that he did not make any mistakes and has been very careful to avoid any misconduct in performing his duties as a Commissioner. He does not want the Council to lose its confidence in the Planning Commission, in him, or in the actions taken by the Commission.

Councilor Newton thanked Mr. Grenz for being here tonight as well as for his service to the community as a volunteer. He believed that the city is an open government and while the potential for impropriety was present, it was not created by those here tonight. Councilor Newton stated that he would defend Mr. Grenz' performance and that he looks forward to him continuing on the Planning Commission. Councilor Miller echoed Councilor Newton's comments.

Councilor McGee stated that the potential conflict of interest was discussed at the time of Mr. Grenz' appointment. Mr. Grenz pledged to announce any conflicts of interest which he has done. Councilor McGee said that misconduct in itself is a non-issue. Non performance also is not an issue since abstaining from discussion is performing. He noted Mr. Grenz' nearly perfect attendance record at the Commission meetings, and that Mr. Grenz' background is needed on the Commission. He stated that the City will continue to monitor Mr. Grenz' performance as will the entire community, as well as the Council's own performance.

Councilor Koho said that he has been convinced by people he has talked with that Mr. Grenz' does provide a valuable service to the community and that Councilor Koho has no desire to pursue this issue. However, he asked Mr. Grenz to be mindful of the kinds of things that might come up in the future where a potential conflict may be present.

Councilor Hart indicated that, as liaison to the Commission, he has had the opportunity to witness the performance of the Commission members. The only issue Mr. Grenz has withdrawn from is the McNary Activity Center and this is only because of Mr. Grenz' representation of McNary Estates development. However, Mr. Grenz has participated in some of the discussion, including the mixed use zone provision.

Mayor Orcutt indicated that he liked Mr. Redburn's and Mr. Hershey's proposals the best. While Mr. Ho has wonderful references, he does not address the type of system he would be utilizing.

Mayor Orcutt moved to contract with the firm of Bittinger & Redburn for the Council team building session on a Saturday as soon as possible. Councilor Hart seconded the motion. The motion passed unanimously by the following vote:

AYES: Orcutt, Hart, Koho, McGee, Miller, Newton, Van Meter (7)

NAYS: None (0)

CUMMINGS SCHOOL

DISABILITY ACCESS

Mr. Mull reviewed the staff report regarding a request from the School District to install disabled parking spaces next to Cummings School.

^{Koho}
Councilor Miller suggested that the entire strip along Delight Street be improved. Mr. Mull indicated that the proposed disabled parking strip is 24 feet long. The School District apparently installed the rock in this location at some earlier time. If the District's request is approved, the City would pay for the striping and signs.

Councilor Miller told Mr. Tyler that he was concerned with what the City had been told that the District has provided this type of parking for all of the other schools. He questioned why the District wishes Keizer to participate in this project. Mr. Tyler explained that the disabled parking for all of the other District schools is on District property. The parking for Cummings School is on City owned right-of-way, which Mr. Mull verified.

Councilor Miller asked whether the LSAC has been asked to participate in the costs. Mr. Tyler explained that the LSAC does not have any money. The money used to blacktop by the school gymnasium is from the Parent-Teacher Club. He did not believe the LSAC has spoken to the Parent-Teacher Club about this project.

In response to a question from Councilor Newton, Mr. Mull stated that Clearlake School is probably in a similar situation with parking on City right-of-way.

Councilor Van Meter asked whether there is any State or Federal formula for determining the required number of disabled parking spaces proportionate to the building occupancy. Mr. Mull was not aware of any; this request came from the School District.

Councilor McGee stated that accessibility will be provided as required by Federal law. He indicated that the cost to the City to participate in the project

partnerships, impact fees on new development, highway toll district and road bonds. Of these alternatives, the committee is recommending that the regional fuels tax be considered. A poll, conducted in Marion County, indicated that the majority of people recognize the need for increased street maintenance and funding. The majority responded favorably to whether they would support a fuels tax. They did not support a vehicle registration fee. The policy committee established a subcommittee and that group is proposing a three cent tax on all types of motor vehicle fuel. However, to make it as simple as possible, those uses which are exempt from the State fuel tax would also be exempt from the regional fuels tax. The funds generated from the fuels tax would be split between Marion and Polk counties. The regional plan was considered so that people do not jump cities to buy gas where the tax is not charged.

Mr. Schmid stated that the proposal is the result of the Transportation Funding Needs Committee study and is being circulated to involved jurisdictions. An informational meeting has been scheduled in about two weeks to get the reaction from all of the cities. However, because Keizer would be a major player in Marion County, they believed it was appropriate to discuss this with the city individually. Mr. Schmid commented on how Keizer's streets are maintained in a better condition than those in Salem, although Keizer still has its needs.

Mr. Schmid estimated that Keizer would receive about \$349,000 with a three cent fuels tax. The State fuel tax generates about \$87,000 for Keizer. He noted that the money collected through the regional fuels tax would stay in the local area.

Mr. Schmid noted that they are still gathering information and plan to take this to the voters if the cities agree with the need for additional funding. Although Marion County has the power to impose the tax, the Board of Commissioners has indicated that it will not do so. Before putting this to a vote of the people, however, the Board will require the support of the cities.

Responding to a question from Councilor Koho, Mr. Schmid stated that Woodburn has a local one cent fuel tax and is supporting this proposal, as is the city of Salem and Polk County.

Councilor Newton asked whether there is any possibility that the State would revamp its distribution formula to distribute more State gas monies to remove areas should this proposal pass. Mr. Schmid responded that the State is considering a new distribution formula but it would be restricted to new taxes rather than existing gas taxes.

Councilor McGee said that while more Federal taxes are collected than are spent locally, had the recent earthquake been 60 miles east, Federal money would

The main motion passed unanimously by the following vote:

AYES: Orcutt, Hart, Koho, McGee, Miller, Newton, Van Meter (7)

NAYS: None (0)

**VOLUNTEER COORDINATING
COMMITTEE**

Mr. Otterman proposed that the City Council establish a Volunteer Coordinating Committee to handle the recruitment, work coordination and recognition of City volunteers. He noted that there have been volunteers for the past two years who have not been recognized by the City. He put together a type of job description for the Council's consideration.

Councilor Newton stated that he was on the original volunteer committee when the city was first formed. The committee received a large number of applications, interviewed the individuals and recommended their placement. That committee was eventually abolished when the majority of their work was completed. Councilor Newton believed this would be a good proposal especially to establish a volunteer recognition program.

Councilor Newton moved to authorize the Mayor to appoint a Volunteer Coordinating Committee. Councilor Van Meter seconded the motion.

Councilor McGee believed it would be appropriate to include a sunset clause for all volunteer committees. Otherwise, there could be a great proliferation of committees.

Councilor Van Meter indicated that he especially likes the volunteer recognition program that could be put together by the committee. He noted that there was some nice recognition for one of the Parks volunteers recently, and there are other long term volunteers who deserve recognition.

The motion passed unanimously by the following vote:

AYES: Orcutt, Hart, Koho, McGee, Miller, Newton, Van Meter (7)

NAYS: None (0)

CONSENT CALENDAR

The Consent Calendar consisted of:

- a. June 17, 1991 Regular Session Minutes
- b. June 28, 1991 Special Session Minutes
- c. July 1, 1991 Regular Session Minutes
- d. Resolution - Approval of an Intergovernmental Agreement with Marion County regarding dispersal of civilly forfeited assets
- e. Resolution - Mid-Willamette Valley Police Mutual Aid Agreement

Keizer Tomorrow

Mr. Morgan informed the Council that he placed invitations to the Keizer Tomorrow Committee meeting in the Council members' boxes. The meeting, to be held on Wednesday, July 17, is being held to finalize the draft vision and presentation method to the community. He encouraged the attendance of the Council members at 7 p.m.

**Joint City/School
District Meetings**

Mr. Otterman proposed that the City contact School District 24J about holding periodic meetings to discuss matters of mutual concern. He recommended that Dave Bauer, Dave Guile, Mayor Orcutt and he meet on a routine basis to exchange ideas, discuss problems, etc.. He also proposed that the full Council meet with the full School Board. Both agencies could prepare their own agendas of what they would like to discuss, including growth issues. He will bring both of these issues back to the Council at its August 5 meeting.

Team Building Date

Responding to a question from Councilor Miller, Mr. Otterman stated that he plans to hold the City Council's team building session during July or August.

Kershaw Personnel Matter

In response to a question from Councilor Newton, Mr. Otterman stated that former Police Sgt. Kershaw has appealed his disciplinary action and that Mr. Otterman needs to talk with Akin Blitz about the process to be used. He indicated that he plans to set a 5 p.m. meeting sometime next week. He explained that he needs to discuss with Mr. Blitz exactly how the process will be handled since it is a different due process procedure with department heads as it is with other employees. He indicated he would call all of the Council members to set up the meeting.

AGENDA INPUT

There were no additional agenda items added to the August 5 schedule.

ADJOURNMENT

The meeting adjourned at 9:12 p.m.

Susan Biasi Darby
City Recorder

APPROVED:

CITY COUNCIL MINUTES
July 15, 1991

Councilor Hart asked that the Police Mutual Aid Agreement be pulled off the Consent Calendar.

Councilor Koho moved for approval of the remainder of the Consent Calendar. Councilor Van Meter seconded the motion.

Councilor Hart asked that the June 17 minutes reflect his attendance on the first page. Councilor McGee indicated he did not make the comment on the bottom of Page 4, last sentence, regarding the outline of the Parks Committee involvement. In addition, on Page 5, he indicated he did not agree with Councilor Koho that the Police Advisory Committee should be on an ad hoc basis. Councilor Koho indicated that he did not state this with respect to the ad hoc committee.

The motion passed unanimously by the following vote:

AYES: Orcutt, Hart, Koho, McGee, Miller, Newton, Van Meter (7)

NAYS: None (0)

Police Mutual Aid Agreement

The Council discussed whether the Police Mutual Aid Agreement contains an expiration clause. It was determined that there will be an annual review of the agreement rather than an expiration date.

Councilor Newton questioned the amount of mutual aid given to Salem in the past for parades. Mr. Otterman indicated that he was not aware of any mutual aid. Councilor Koho believed the Iris Festival which begins at Fred Meyer North and proceeds into Keizer may be the only instance.

Councilor Koho moved for adoption of a resolution approving the Mid-Willamette Valley Police Mutual Aid Agreement and Repealing Resolution R88-337. Councilor Newton seconded the motion. The motion passed unanimously by the following vote:

AYES: Orcutt, Hart, Koho, McGee, Miller, Newton, Van Meter (7)

NAYS: None (0)

OTHER BUSINESS Triangle

Councilor Koho brought up the topic of the triangle. Mr. Otterman indicated that he has spoken to Mr. Morgan about this matter and will put something together.

Fir Cone Drive

Councilor Miller indicated there have been some additional accidents at the intersection of River Road and Fir Cone Drive since this issue was last discussed by the Council. Mr. Mull indicated that he has contacted a traffic engineer to look at the intersection. Councilor Hart noted that the speed sign is missing as well as the curve sign on River Road.

have been used to rebuild the infrastructure. He noted that everyone will be taking overhead off of the regional fuels tax. He asked whether dealers will be compensated as adjunct tax collectors. Mr. Schmid responded that dealers will be required to become licensed as motor vehicle dealers and the license fee would be based on how many gallons they sell.

Councilor McGee asked what would happen if other cities agreed to the proposal but Keizer does not. Mr. Schmid indicated that if all other cities supported the proposal, it would go on the ballot area-wide. Councilor McGee indicated that the greatest need is in other nearby cities, and that those cities can outvote Keizer.

Councilor Van Meter stated that while he supports better streets, he believes the timing of this proposal is bad. He indicated he would not support such an increase in fuels tax.

Councilor Hart moved for no support for the regional fuels tax from the City of Keizer. Councilor McGee seconded the motion.

Mayor Orcutt stated that transportation funding is needed in other areas more than in Keizer. With the passage of Ballot Measure 5, Mayor Orcutt indicated that the City has shown fiscal responsibility by not levying the full amount of taxes it was authorized by the voters. To support the regional fuels tax now would destroy that credibility.

Councilor Newton indicated that he would like to hear the officials' briefing on this matter before a decision is made. He cautioned that the City should not be short-sighted in this issue. Councilor Newton disagreed with Councilor Van Meter regarding the timing of this proposal; he believed there is no good time to propose a new tax. Councilor Newton stated that while Keizer's streets may be in better repair than its neighbor's, Keizer is also falling behind in its transportation needs and resurfacing program.

Mayor Orcutt asked whether this briefing will be similar to the one he attended a year or so ago in Woodburn where the Board of Commissioners declared the need for improvements but would not stick its neck out unless the cities supported the proposal. Mr. Schmid indicated there will be some additional numbers and facts beyond what he has provided the Council tonight.

Councilor McGee moved to table this matter. Councilor Newton seconded the motion. The motion failed by the following vote:

AYES: Hart, Newton, McGee (3)

NAYS: Orcutt, Koho, Miller, Van Meter (4)

would become a moot point because it would probably cost \$1,000 to negotiate the issue with the School District. In addition, such an improvement would beautify the corner as well as making it much safer.

Councilor McGee moved to accept the Keizer-Salem School District proposal and proceed at once with the necessary blacktopping to make the handicapped access. Councilor Newton seconded the motion.

Miller
Responding to a question from Councilor Koho, Mr. Mull did not believe that the Lowthers were informed of the Council's discussion on this matter tonight. He also noted, in response to Councilor ~~Miller~~ ^{Koho's} earlier comment, that to pave the entire stretch would involve about 200 feet.

Councilor Hart favored the project, but staying with it as originally proposed rather than paving the entire length. An additional 200 feet could make the project ten times more expensive, and the project needs to be completed in two days. In addition, expanding the scope of the project would commit the School District to an additional expense it may not be willing to meet. Councilor McGee did not believe the project should be expanded in scope.

Mr. Mull noted that the excavation work will either be contracted out by the City or will be performed by the Water crews. Mr. Tyler indicated that it would be sufficient if the City could excavate by Wednesday. Mr. Mull explained that if Water crews perform the work, the Street Fund will reimburse the Water fund for the costs. Whether it is contracted out or the Water crews do the work, the Street Fund will pay the cost.

The motion passed unanimously by the following vote:

AYES: Orcutt, Hart, Koho, McGee, Miller, Newton, Van Meter (7)

NAYS: None (0)

REGIONAL FUELS TAX

Mr. Morgan introduced Richard Schmid, Transportation Coordinator for the Salem-Keizer Area Transportation Study. Mr. Morgan distributed informational sheets to the Council showing the purpose and financial impact of the proposed regional fuels tax.

Mr. Schmid indicated that SKATS is a group of elected officials representing various area jurisdictions. Councilor Koho is the current representative for the City of Keizer on this group. The SKATS group has identified the need for street improvements versus the available funding over the next 15 to 20 years. The SKATS group then formed the Transportation Funding Needs Committee to review available options for addressing those transportation needs. Six alternative methods for financing improvement projects in use around the area and other States include fuels taxes, vehicle registration fees, public/private

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