



**MINUTES
KEIZER CITY COUNCIL**

Monday, August 2, 2004

Keizer City Hall

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

CALL TO ORDER Mayor Christopher called the regular meeting to order at 7:07 pm.
Roll Call was taken as follows:

Present:

Lore Christopher, Mayor
Chuck Lee, Councilor
Michel Gaynor, Councilor
Jim Taylor, Councilor (Left at 8:20pm)
Judy K. Smith, Councilor
Crisel Perez, Youth Councilor (Outgoing)
Delilah Calhoun, Youth Councilor (Incoming)

Absent:

Jacque Moir, Council President
Richard Walsh, Councilor

Staff:

Chris Eppley, City Manager
Shannon Johnson, City Attorney
Rob Kissler, Public Works
Dianne Hunt, Human Resources Director
Nate Brown, Community Development Director
Chief Marc Adams, Police Department
Debbie Lockhart, Recording Secretary

FLAG SALUTE

Councilor Lee introduced Captain Kuhns, a long-time resident of Keizer and an asset to the Keizer Police Department, to lead the pledge of allegiance.

**PUBLIC
TESTIMONY**

David McKane, 674 Fall Creek Drive NE, Keizer, addressed Council regarding the proposed Noise Ordinance. He distributed two documents about "dynamic engine brakes" and explained that the offensive noise that is attributed to the use of these brakes is actually caused not by the brakes, but by a faulty muffler. He suggested rewording the ordinance to limit use of "unmuffled" engine brakes, or to delete the reference because it is addressed in the State of Oregon laws.

PUBLIC HEARINGS

**a. RESOLUTION –
Renaming
Pleasantview
Park**

Public Works Director, Rob Kissler, explained that at the June 8, 2004, Parks Board meeting a motion was passed recommending City Council hold a Public Hearing to change the name of Pleasantview Park to Ben Miller Park. He explained that Mr. Miller had been instrumental in developing the park as it is today. There are funds available to change signage if desired. Property owners within 250 feet of the park were notified and a sign was placed in the park indicating the proposed change. Staff recommends a Public Hearing be held to hear testimony and Council deliberate the issue.

Mayor Christopher opened the Public Hearing.

Ken Gierloff, 4035 Arnold Street NE, addressed Council regarding the proposed name change. He reviewed the history of Pleasantview Park explaining that Ben Miller had been a generous, dedicated volunteer, always unwilling to be in the spotlight or be recognized for his contribution. He concluded that the renaming of the park is a long overdue honor.

Mayor Christopher closed the Public Hearing.

Councilor Taylor moved to adopt Resolution R2004 Establishing the Name of "Ben Miller Park" for Pleasantview Park. Councilor Smith seconded.

Councilor Gaynor voiced his support of the name change adding that he was pleased to have the opportunity to vote on this issue.

Motion passed unanimously as follows:

AYES: Christopher, Gaynor, Taylor, Smith, and Lee (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Moir and Walsh (2)

**b. RESOLUTION –
Forming Hunter
Addition Street
Lighting District**

City Manager, Chris Eppley, provided a history of the formation of a Street Lighting Local Improvement District and noted that the Public Hearing was to consider remonstrances to the project and objections to proposed assessments. Staff recommendation is that City Council open a Public Hearing to consider oral objections and written remonstrances to the formation of Hunter Addition Street Lighting Local Improvement District and if there are no objections, close the public hearing and consider adoption of the resolution forming the district and the proposed assessment ordinance.

Mayor Christopher opened the Public Hearing.

Hearing no testimony, Mayor Christopher closed the Public Hearing.

Councilor Smith moved to adopt Resolution R2004 Forming Hunter Addition Street Lighting Local Improvement District. Councilor Lee seconded.

Motion passed unanimously as follows:

AYES: Christopher, Gaynor, Taylor, Smith, and Lee (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Moir and Walsh (2)

Councilor Smith moved to adopt a Bill for an Ordinance Spreading Assessments to Hunter Addition Street Lighting Local Improvement District. Councilor Lee seconded.

Motion passed unanimously as follows:

AYES: Christopher, Gaynor, Taylor, Smith, and Lee (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Moir and Walsh (2)

ORDINANCE –

**Spreading
Assessments to
Hunter Addition
Street Lighting
District**

COMMITTEE REPORTS

a. Recognition of Crisel Perez, Youth Councilor and Welcome to Delilah Calhoun

Mayor Christopher reviewed Crisel's term as Youth Councilor, adding that she had been an outstanding Youth Councilor, participating not only in the Council meetings, but in many outside activities, task force and committee meetings. She explained that the Youth Councilor Program was put together by Salem/Keizer Chamber of Commerce as a mentorship program. Mayor Christopher read a Proclamation for Crisel, presented her with a plaque and gift and offered her "Goodbye Cake". Crisel thanked Council adding that everyone had been very helpful during her term.

Mayor Christopher then introduced the new Youth Councilor, Delilah Calhoun who has lived in Keizer since 1989, is employed at Coldstone Creamery and is entering her senior year at McNary.

b. Swearing In of Keizer Police Officer Ben Humphrey

Chief Marc Adams introduced Officer Ben Humphrey, reviewing his history and qualifications. He explained that he had graduated with honors from Western Oregon University receiving a degree in Criminal Justice. City Attorney, Shannon Johnson, issued the Oath of Office.

c. Community Oriented Policing Committee

Mayor Christopher explained that members of the committee were requesting direction from Council. She added that there are no pressing neighborhood issues for the committee to rally around because the Keizer PD is doing such an effective job. Discussion followed regarding changing meeting frequency, retaining volunteers

and keeping the committee together.

Chief Adams agreed that the committee had been experiencing difficulty in getting a quorum together and pointed out that the community policing philosophy had been around for over 10 years, so the general public talks to the Police force much more frequently lessening the need for a committee.

Councilor Lee suggested that this committee could become affiliated with the "Meth, Not in My Neighborhood" program. City Manager Chris Eppley voiced his support of this idea stating that by getting involved with issues that already have strong leaders they can act as a clearing house of information. Captain Kuhns noted that this subject had been addressed at the last meeting. He added that he also attends most of the "Meth, Not in My Neighborhood" meetings and right now the issue of identity theft is being addressed because it is directly related to meth use. He concluded that the Community Oriented Policing Committee is very interested in contributing to this effort, but they also want direction beyond this.

Council agreed to schedule a joint work session with Community Oriented Policing Committee and City Council at 5:30 pm on, Monday, September 13.

OTHER BUSINESS

- **Old Business**
- **New Business**

KEIZER PEER COURT – Captain Kuhns noted that Cari Emery, the coordinator of the Stayton-Sublimity Peer Court, was at the meeting tonight to answer questions. He explained that Keizer PD wants to follow the example of the Stayton-Sublimity Peer Court and that enough funding has been secured to run the program for the remainder of this fiscal year. Committee members consisting of Councilor Smith, Captain Kuhns, Keizer United, Salem/Keizer School District, Salem/Keizer Together, and Marion County Children and Families Commission have been working together on the details of this project. The Keizer PD wholeheartedly supports the program and is hoping Council will allow Captain Kuhns to sign a contract and get a coordinator to get the program up and running this fall. Captain Kuhns and Cari Emery fielded questions from Council.

City Manager Chris Eppley noted that the Keizer Rotary Board of Directors submitted to their foundation a recommendation for a \$500 donation to this program and Rick Day with Advantage Pre-Cast has submitted another \$500. Additional donations have come from Bank of the West, Tribes of Grand Ronde, and Superintendent Kay Baker from 24J.

Ms. Emery explained that the recidivism rate is less than 10% in communities that have this program in place. The program is focused

on educating the youth of the community about the law. Captain Kuhns added that many offenses which will come before Peer Court are offenses with no sanctions in Marion County Juvenile Department other than a letter to the parents. The program will provide a consequence where one is not already in place.

Councilor Smith moved to Authorize the City Manager and Captain Kuhns to Enter Into a Contract with Cari Emery as Peer Court Coordinator for the Remainder of the Fiscal Year. Councilor Lee seconded.

Motion passed unanimously as follows:

AYES: Christopher, Gaynor, Taylor, Smith, and Lee (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Moir and Walsh (2)

Councilor Taylor left the meeting.

Councilor Smith reported that the Volunteer Coordinating Committee will be meeting Thursday, August 5. A position is open on the Traffic Safety Committee.

Councilor Gaynor invited everyone to the Concert in the Park at Chalmers-Jones Park on Wednesday night. Mayor Christopher added that this Wednesday would be the final concert of the season featuring the National Guard Jazz Band.

Mayor Christopher read an e-mail from Clark Williams regarding asking staff to pursue the potential of purchasing 6 to 10 acres for a west Keizer park. This is an effort to pursue the plan for a park in southwest Keizer. The direction would be to complete research and be prepared to defend the final location selected for the southwest Keizer park.

Councilor Smith encouraged staff to look into all options, but felt the Ericson property is not a feasible option.

Mayor Christopher moved to suspend the rules. Councilor Lee seconded.

Motion passed unanimously as follows:

AYES: Christopher, Gaynor, Smith, and Lee (4)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Moir, Walsh and Taylor (3)

Mayor Christopher moved to direct staff to research properties available, make initial contacts and report back to Council on viable parks land options. Councilor Gaynor seconded.

Motion passed unanimously as follows:

AYES: Christopher, Gaynor, Smith, and Lee (4)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Moir, Walsh and Taylor (3)

Chief Adams reported that

- Tuesday, August 3 is National Night Out. Those wishing to ride in a police car should meet at the Police Auditorium at 5:30 pm.
- The "snapshot of selected calls for service for June" which he had distributed gives an idea of a typical month in the world of crime. Councilor Smith requested a comparison of month to month and year to year and Councilor Lee asked if it was possible to show which arrests were meth-related. Chief Adams stated he would look into that.
- Pig Bowl was on Saturday night with a victory of 25 to 12 for the third year in a row over Washington County. Keizer had 5 people on the team and only one injury.

Dianne Hunt reported that

- Municipal Court Clerk position closed on Friday with almost 200 applications.
- Currently there is an opening for the Police Administrative Assistant position. That recruitment will close August 13.
- Staff is reviewing Ordinance 2000-427 relating to the disposition of surplus property in order to examine alternatives which they will present to Council in the near future.
- Based on comments on the City's website, a group is working on upgrading the site and hopes to have it complete in 30 days.
- Personnel Policy Committee is meeting Wednesday at noon.

Rob Kissler, Public Works Director reported:

- Regarding Chemawa Road Improvements there has been lively discussion with Rainbow Gardens voicing concerns about access. July 29 Public Works held an open house at City Hall inviting all residents along Chemawa Road. Residents noted that mail boxes are currently located on one side of the road. In order to avoid crossing the wider road, the City will be working with the US Postal Service to try to get mail delivered to both sides of the street.
- The city had the second largest July in water capacity in City and

District history at 217 million gallons.

Nate Brown reported that

- The joint application with Marion County had been submitted for the OPRD Property Acquisition Grant. He added that it was a very strong application and should receive a lot of consideration.
- Lowe's agreed that the building will not be tilt-up construction but masonry. Additional tweaking will need to be done on the Master Plan regarding building heights and that will be presented to Council in the near future.
- The first meeting with the consultant on the Transportation System Development Charges (TSDC's) has taken place. The objective is to have the TSDC's in place by January 1.

**ADMINISTRATIVE
ACTION**

**a. ORDINANCE –
Noise Variance
Amendment**

City Attorney Shannon Johnson explained that the most commonly necessary noise variance is "community events" such as the Iris Festival. Rather than amend the current ordinance it is proposed to adopt a new noise ordinance in its entirety and repeal the existing one. The new ordinance does not allow for a variance process for residential parties.

After discussion it was agreed to add in Section 2.B) (page 2) the word "community" before park (line 6). Discussion continued regarding the dynamic braking issue. It was agreed to leave the verbiage in the proposed ordinance.

Councilor Smith moved a Bill for an Ordinance Prohibiting Noise; Repealing Ordinance 90-190; Repealing Ordinance 93-269 and 95-323 as Amended. Councilor Gaynor seconded.

Motion passed unanimously as follows:

AYES: Christopher, Gaynor, Smith, and Lee (4)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Moir, Walsh and Taylor (3)

**CONSENT
CALENDAR**

- RESOLUTION – Authorizing the City Manager to Sign Contract with Obsidian Phone System**
- RESOLUTION – Amending City of Keizer Personnel Policies Regarding 100.100 – Safety and Health and Adopting Policy 100.200 – Inclement Weather and Emergency Closure**
- Approving July 6, 2004 Regular Session Minutes**
- Approving July 12, 2004 Work Session Minutes**
- Approving July 19, 2004 Regular Session Minutes**

Councilor Smith moved to approve Consent Calendar items A, B, and E. Councilor Gaynor seconded.

Motion passed unanimously as follows:

AYES: Christopher, Gaynor, Smith, and Lee (4)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Moir, Walsh and Taylor (3)

Councilor Smith moved to approve Consent Calendar item C. Councilor Gaynor seconded.

Motion passed unanimously as follows:

AYES: Christopher, Gaynor, and Smith (3)

NAYS: None (0)

ABSTENTIONS: Lee (1)

ABSENT: Moir, Walsh and Taylor (3)

Councilor Smith moved to approve Consent Calendar item D. Councilor Gaynor seconded.

Motion passed unanimously as follows:

AYES: Christopher, Gaynor, and Lee (3)

NAYS: None (0)

ABSTENTIONS: Smith (1)

ABSENT: Moir, Walsh and Taylor (3)

**WRITTEN
COMMUNICATIONS**

None

AGENDA INPUT

August 16, 2004

7:00 p.m. City Council Regular Session

- ❖ Public Hearing – Speed Reduction on River Road
- ❖ Public Hearing – Street Lighting District Assessments
- ❖ Public Hearing – Water Rates/COSA
- ❖ Towing RFP
- ❖ Civic Center Recommendation Update
- ❖ ORDINANCE – Disposition of Supplemental Property

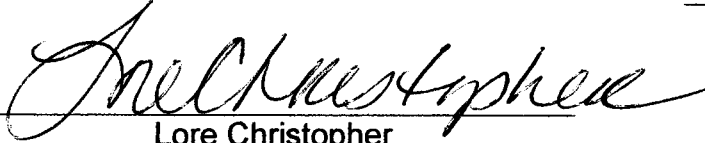
August 30, 2004

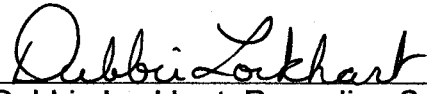
5:30 p.m. City Council Work Session

- ❖ Parks Tour

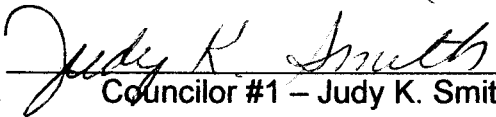
ADJOURNMENT Mayor Christopher adjourned the meeting at 8:42 p.m.

APPROVED:
MAYOR:


Lore Christopher


Debbie Lockhart, Recording Secretary

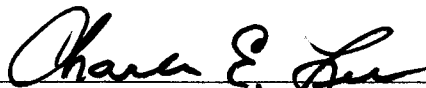
COUNCIL MEMBERS

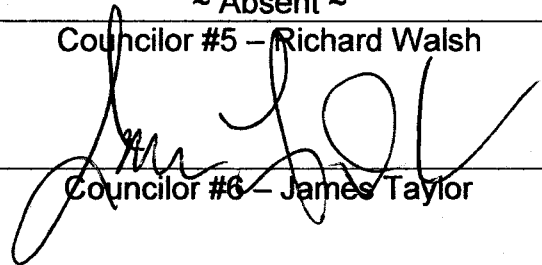

Councilor #1 – Judy K. Smith

~ Absent ~
Councilor #4 – Jacque Moir


Councilor #2 – Michel Gaynor

~ Absent ~
Councilor #5 – Richard Walsh


Councilor #3 – Charles E. Lee


Councilor #6 – James Taylor

Minutes approved:

8-16-04