



MINUTES
KEIZER CITY COUNCIL
Monday, August 1, 2022
Keizer Civic Center, Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Clark called the meeting to order at 7:00 pm. Roll call was taken as follows:

Present:

Cathy Clark, Mayor
Daniel Kohler, Councilor
Roland Herrera, Councilor
Kyle Juran, Councilor
Shaney Starr, Councilor
Laura Reid, Councilor
Elizabeth Smith, Councilor

Staff:

Adam Brown, City Manager
Shannon Johnson, City Attorney
Shane Witham, Planning Director
John Teague, Police Chief
Tim Wood, Finance Director
Debbie Lockhart, Deputy City Recorder

FLAG SALUTE

Mayor Clark led the pledge of allegiance.

**SPECIAL ORDERS
OF BUSINESS**

**a. Volunteer of the
Quarter Award**

Mayor Clark read the nomination and presented Phil Worthington with a clock and Certificate of Appreciation. Mr. Worthington thanked everyone, gave credit to the team he works with and shared information about his past employment and volunteer efforts.

**COMMITTEE
REPORTS**

**a. Volunteer
Coordinating
Committee
Recommendation
for Appointment
– Keizer Public
Arts
Commission**

City Manager Adam Brown summarized the staff report.

Councilor Smith moved that the Keizer City Council accept the recommendation of the Volunteer Coordinating Committee and appoint the following volunteers to serve on the Keizer Public Arts Commission: Kat Thoreson to position 1, term expiring on June 30, 2025 and Cole Malette to fill the remainder of the term for position 2, term expiring June 30, 2023. Councilor Reid seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Herrera, Smith, Kohler, Starr and Juran (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Steven Wolf, Keizer, reported that the Traffic Safety-Bikeways-Pedestrian Committee had passed a motion to recommend that Council change item number two on the Purpose of the Committee so that it reads: "To develop recommendations for inclusion in the bicycle system

component of the Keizer Transportation System Plan, including an assessment of the need for bikeways, recommended routes with costs and priorities, proposed funding sources and implementation program.” Mayor Clark referred this to City Attorney Shannon Johnson to review and bring back to Council.

PUBLIC COMMENT Mayor Clark acknowledged written comments received from *Erma Garrison* regarding the Library and *Stephanie Burckhardt* regarding police activity at the skate park.

Rhonda Rich from the West Keizer Neighborhood Association voiced support for the Library, expressed concerns related to the Keizer Rapids Park Turf Fields, and reported that the Association has requested traffic calming devices in the neighborhood and is waiting for the engineers’ studies to be analyzed.

Michael and Cindy Wenger, Keizer, voiced concern about extensive graffiti throughout the city noting that it seems to be increasing. Chief Teague urged them to call Code Enforcement to report incidents and explained that the vandals seem to move from neighborhood to neighborhood.

Carolyn Homan, Keizer, shared copies of the West Keizer Neighborhood Association Newsletter.

PUBLIC HEARING

a. RESOLUTION - Exemption of Migration, Hosting and Maintenance of Records from Competitive Bidding and Entering Into Contract with First Due Professional Services LLC

Mayor Clark opened the Public Hearing.

City Attorney Shannon Johnson summarized his staff report.

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

Councilor Smith moved that the Keizer City Council adopt a Resolution Exemption of Migration, Hosting and Maintenance of Records from Competitive Bidding and Entering Into Contract with First Due Professional Services LLC. Councilor Reid seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Herrera, Smith, Kohler, Starr and Juran (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

a. RESOLUTION – Forming Orchard Street Partition Street Lighting Local Improvement District

Mayor Clark opened the Public Hearing.

Mr. Johnson summarized the staff report.

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

Councilor Smith moved that the Keizer City Council adopt a Resolution Forming Orchard Street Partition Street Lighting Local Improvement District. Councilor Reid seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Herrera, Smith, Kohler, Starr and Juran (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

**ORDINANCE –
Spreading
Assessments to
Orchard Street
Partition Street
Lighting Local
Improvement
District**

Councilor Smith moved that the Keizer City Council adopt a Bill for an Ordinance Spreading Assessments to Orchard Street Partition Street Lighting Local Improvement District. Councilor Reid seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Herrera, Smith, Kohler, Starr and Juran (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

**ADMINISTRATIVE
ACTION**

**a. ORDINANCE –
Establishing a
Library Services
Fee**

City Attorney Shannon Johnson summarized his staff report. Discussion followed regarding the process of initiating the fee, working out an agreement with CCRLS, and highlighting text of the explanatory statement.

Councilor Smith moved that the Keizer City Council adopt a Bill for an Ordinance Establishing a Library Services Fee. Councilor Reid seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Herrera, Smith, Kohler, Starr and Juran (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

**RESOLUTION –
Placing on the
Ballot the
Question of
Establishing a
Library Services
Fee and
Authorizing
Filing of
Explanatory
Statement
Relating to the
Library Services
Fee**

Councilor Smith moved that the Keizer City Council adopt a Resolution Placing on the Ballot the Question of Establishing a Library Services Fee and Authorizing Filing of Explanatory Statement Relating to the Library Services Fee. Councilor Reid seconded.

Mr. Johnson explained the 'Explanatory Statement' with Council deciding that in order to make certain text stand out it should be separated into paragraphs.

Councilor Reid made a friendly amendment to separate the sentences so that "The initial amount of the fee cannot be more than \$2.50 per month for each residential and non-residential unit. The fee could not be increased more than ten percent in any 12 month period" is a separate paragraph. Councilor Smith accepted the amendment.

Motion passed unanimously as follows:

AYES: Clark, Reid, Herrera, Smith, Kohler, Starr and Juran (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

**b. RESOLUTION –
Repeal of
Resolution
R2022-3303
(Placing on the
Ballot the
Question of
Prohibiting
Psilocybin Related
Businesses
Within the City
and Authorizing
Filing of
Explanatory
Statement
Relating to this
Prohibition)**

**ORDINANCE -
Declaring a Ban
on Psilocybin
Service Centers
and the
Manufacture of
Psilocybin
Products**

**RESOLUTION –
Placing on the
Ballot the
Question of
Prohibiting
Psilocybin-
Related
Businesses
Within the City
and Authorizing
Filing of
Explanatory
Statement
Relating to this
Prohibition**

**c. RESOLUTION –
Adopting Policy
for the Display
of Flags at City
Facilities**

Mr. Johnson explained why the resolution needed to be repealed.

Councilor Smith moved that the Keizer City Council adopt a Resolution Repeal of Resolution R2022-3303 (Placing on the Ballot the Question of Prohibiting Psilocybin Related Businesses Within the City and Authorizing Filing of Explanatory Statement Relating to this Prohibition). Councilor Reid seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Herrera, Smith, Kohler, Starr and Juran (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Mr. Johnson provided a brief explanation noting that this matter was brought up at the last meeting and the Ordinance would place it on the ballot. The ordinance is the legal part that Council adopts and the Resolution is for the ballot title and explanatory statement.

Councilor Herrera noted that there are misconceptions regarding the uses and availability of this drug but indicated that although he was opposed to this ban, he would vote in favor in order to expedite the process. Mayor Clark added that this issue could be revisited when more data is available.

Councilor Smith moved that the Keizer City Council adopt a Bill for an Ordinance Declaring a Ban on Psilocybin Service Centers and the Manufacture of Psilocybin Products. Councilor Reid seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Herrera, Smith, Kohler, Starr and Juran (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Councilor Smith moved that the Keizer City Council adopt a Resolution Placing on the Ballot the Question of Prohibiting Psilocybin-Related Businesses Within the City and Authorizing Filing of Explanatory Statement Relating to this Prohibition. Councilor Reid seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Herrera, Smith, Kohler, Starr and Juran (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Mr. Johnson summarized his staff report and fielded questions regarding the need for this policy, policy vs. ordinance, the definition of a majority and the difference between the Coos Bay policy and Keizer's policy.

Councilor Smith moved that the Keizer City Council adopt a Resolution Adopting Policy for the Display of Flags at City Facilities. Councilor Reid

seconded.

Councilor Smith noted that having a policy is important because it protects Council and this policy is a good starting point.

Motion passed as follows:

AYES: Clark, Reid, Herrera, Smith and Starr (5)

NAYS: Juran and Kohler (2)

ABSTENTIONS: None (0)

ABSENT: None (0)

**d. Municipal Court
Judge
Evaluation
Report**

Councilors Reid and Juran praised Judge Myers noting that he was caring, compassionate and respectful, made sure his directions and defendant's options were understood, and took the opportunity to educate the defendants. Council agreed by consensus that there was no need to adopt a Municipal Judge Evaluation process at this time.

**e. RESOLUTION –
Establishing the
Amount of the
Sewer System
Development
Charge for
Wastewater
Treatment
Facilities**

Mr. Johnson summarized his staff report noting that a Public Hearing is not required for this but because it involves fees, the Mayor needed to ask for comments. No one indicated a desire to testify.

Councilor Smith moved that the Keizer City Council adopt a Resolution Establishing the Amount of the Sewer System Development Charge for Wastewater Treatment Facilities; Repealing Resolution R2021-3206. Councilor Reid seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Herrera, Smith, Kohler, Starr and Juran (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**CONSENT
CALENDAR**

A. Approval of July 18, 2022 Regular Session Minutes

Councilor Smith pulled Item A of the Consent Calendar.

Councilor Smith moved to approve the Consent Calendar. Councilor Reid seconded. Motion passed as follows:

AYES: Clark, Reid, Herrera, Kohler, Starr and Juran (6)

NAYS: None (0)

ABSTENTIONS: Smith (1)

ABSENT: None (0)

**OTHER BUSINESS/
STAFF UPDATES**

City Attorney Shannon Johnson explained that Council met in Executive Session earlier and needs to address a matter from that meeting so a motion to suspend the rules is necessary. It has to do with joining other cities with regard to the Department of Land Conservation and Development Climate Friendly and Equitable Communities rules.

Councilor Smith moved to suspend the rules in order to take up the matter of the Climate Friendly and Equitable Communities rules. Councilor Reid seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Herrera, Smith, Kohler, Starr and Juran (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Mr. Johnson explained that the state DLCD recently adopted the Climate Friendly and Equitable Communities rules. The purpose is good but the rules are extremely detailed and mandatory. They will have extreme effects on cities and have timeframes and expenses that are unknown and could be significant. Several cities are planning to appeal this and they are asking for support from other cities to join in this effort. He clarified that there is no objection to the general purpose or concept behind the rules, but the detail and mandatory requirement is based not on legislative action but on a simple executive order by the governor and seems like state overreach.

Councilor Smith moved that the Keizer City Council direct the City Attorney to move forward to join other cities to appeal the recent Climate Friendly and Equitable Communities Rules adopted by the DLCD subject to formal approval by the Council at any joint appeal agreement. Councilor Reid seconded.

Mayor Clark offered a friendly amendment to change DLCD to LCDC (Land Conservation and Development Commission) which is the body that adopted the rules. Councilors Smith and Reid accepted the amendment.

Mayor Clark provided details about what other cities have done towards this effort and the effect of the revisions as proposed by LCDC.

Motion passed unanimously as follows:

AYES: Clark, Reid, Herrera, Smith, Kohler, Starr and Juran (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

City Manager Adam Brown reported that Mike DeBlasi had approached him about becoming a Tree City. They have been trying set up a site visit with the State. He has encouraged Mr. DeBlasi to initiate the process through the Traffic Safety/Bikeways/Pedestrian Committee.

Chief Teague reminded everyone of National Night Out on August 2.

COUNCIL MEMBER REPORTS

Councilor Juran provided an update on KeizerFEST activities.

Councilor Starr announced that she was looking forward to the ride-along tomorrow night for National Night Out, shared information about meetings and events she had attended, and noted that Councilor Kohler was recognized for his contributions at the recent Chamber luncheon.

Councilor Smith thanked Councilor Kohler for covering for her at the

recent Traffic Safety/Bikeways/Pedestrian Committee meeting.

Councilor Kohler shared the many other contributions of Phil Worthington, reported on the Traffic Safety/Bikeways/Pedestrian Committee meeting, and announced the opening of Chic-fil-A.

Councilor Reid reported that the Keizer Arts Commission had recently discussed moving city-owned paintings in the Community Center, purchase of the Cold, Wet, Eagle which includes a donation from the owner of Schoolhouse Square, and progress of art in the roundabout.

Roland Herrera announced upcoming meetings and events and noted that Aaron Zavala was promoted and now plays for the Frisco Roughriders in Frisco, Texas.

Mayor Clark thanked Councilor Kohler for his efforts with the Chamber to build a strong relationship between the City and the Chamber, reported on various meetings and events she had attended, congratulated Jody Christenson for her recent promotion, wished Keizer HomeGrown Theatre a happy birthday and urged everyone to offer on-line comments through the Cherriots Open House website.

AGENDA INPUT

August 8, 2022 – 6:00 pm – City Council Work Session

August 15, 2022 – 7:00 pm - City Council Regular Session

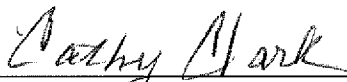
September 6, 2022 – 7:00 pm (Tuesday) – City Council Regular Session

ADJOURNMENT

Mayor Clark adjourned the meeting at 9:07 p.m.

MAYOR:

APPROVED:


Cathy Clark


Debbie Lockhart, Deputy City Recorder

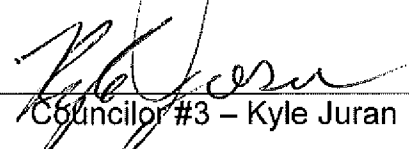
COUNCIL MEMBERS


Councilor #1 – Laura Reid


Councilor #4 – Roland Herrera


Councilor #2 – Shaney Starr

Councilor #5 – Elizabeth Smith


Councilor #3 – Kyle Juran


Councilor #6 – Daniel R. Kohler

Minutes approved: August 15, 2022