



MINUTES
KEIZER CITY COUNCIL
Monday, July 20, 2009
Keizer City Hall Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Christopher called the regular meeting to order at 7:02 p.m.
Roll Call was taken as follows:

Present:

Lore Christopher, Mayor
Jim Taylor, Council President
Richard Walsh, Councilor
David McKane, Councilor
Brandon Smith, Councilor
Cathy Clark, Councilor
Mark Caillier, Councilor

Staff:

Shannon Johnson, City Attorney
Chris Eppley, City Manager
Kevin Watson, Assistant to the City Manager
Rob Kissler, Public Works Director
Nate Brown Community Development Director
Marc Adams, Police Chief
Tracy Davis, City Recorder

FLAG SALUTE

Mayor Christopher led the pledge of allegiance.

PUBLIC TESTIMONY

Holly Graf, Keizer, explained that the Planning Commission was in the midst of a Public Hearing on text amendments for section 2.301 because there are issues being resolved between Planning Commission, Public Works Department and Community Development. She explained that this particular piece of code is influenced by Salem rules and will be readdressed at the September meeting because the August meeting has been cancelled.

Jacque Moir, Keizer, reported on EVAK (Emergency Volunteers Assisting Keizer) activities and joint activities with other emergency entities. She reminded everyone of the upcoming Volunteer Appreciation event and requested those who had disconnected their land lines in favor of cell phones to get their contact information to EVAK people.

Jeanne Bond-Esser, Keizer, spoke in support of the community center fee allowing low-cost Tuesdays for local groups and encouraged review after a year for possible expansion of the program. She urged Council to consider citizens who pay for the facility through property tax regardless of the economy and their ability to pay additional fees.

Jeanne Bond-Esser and Clint Holland, Keizer, representing the Parks Advisory Board, reported that the Board is considering allowance of some fireworks in certain parks and are working with the Fire District on this. Ms. Bond-Esser concluded her report noting that the Wallace House Park play structure has been completed. Mr. Holland reported that the four parks on the upcoming Council Parks Tour would be: the Little

PUBLIC HEARING
a. Keizer Compass
Community
Vision Plan

League Fields, Wallace House Park, Keizer Station Park and Palma Ceia Park. He added that two free concerts are booked for the Keizer Rotary Amphitheater and distributed a flyer with details.

Community Development Director, Nate Brown, reported that this effort was in conjunction with the Department of Land Conservation and Development (DLCD) in performing the periodic review of the land use development regulations. He noted that Cogan Owens and Cogan was the consultant that assisted in this effort.

Mayor Christopher opened the public hearing.

Steve Ulman from the DLCD explained that this is part of the periodic review and that the visioning project was an excellent way to start. He explained that the DLCD is committed to helping the City work through the rest of the process and would be working with staff to get the project together to evaluate housing needs during the next couple of years.

Ms. Cogan thanked various staff members and explained the importance of the visioning process and the uniqueness of the Keizer Vision. She reviewed the Vision focusing on the themes and findings and the steps taken to reach them.

With no further testimony Mayor Christopher closed the public hearing

Councilor Taylor moved to direct staff to come back at the next meeting with a resolution adopting the Keizer Vision. Councilor Clark seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Smith, McKane, Caillier, Taylor and Clark (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

ADMINISTRATIVE
ACTION
a. ORDER –
Designating a
“No Parking”
Zone in Certain
Areas of Terrace
Green
Subdivision

Public Works Director, Rob Kissler, reminded Council that they had received testimony from the Terrace Green Homeowners at the May 18 meeting regarding the inability of Emergency Services to respond to residences located in various cul-de-sacs. He noted that residents supported establishing no parking zones on these cul-de-sacs.

Councilor Taylor moved to adopt an Order Designating a “No Parking” Zone in Certain Areas of Nandina Court, Nightengale Court, 8th Court, 9th Court and New Terrace Court in the Terrace Green Subdivision. Councilor Clark seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Smith, McKane, Caillier, Taylor and Clark (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**b. RESOLUTION –
Establishing
Keizer Park Use
Fees
(Amendment of
Amphitheater
Fees)**

City Attorney Shannon Johnson explained that this resolution would clarify fees for private parties, not-Keizer-related and Keizer-related non-profit entities, and clarify the effect of admission/vendor fees. Lengthy discussion took place regarding free events, waiver of fees, protocol and criteria for a City-sponsored event, City Manager decision to waive fees, using examples of other cities and reservation for exclusive use as opposed to spontaneous use.

Councilor Taylor moved to adopt a Resolution Establishing Keizer Park Use Fees; Repealing Resolution R2009-1950. Councilor Clark seconded.

Councilor Walsh offered a friendly amendment that the words "for reserved exclusive use" be added to the end of line 12 on page 1.

Friendly amendment was accepted by both Taylor and Clark.

Amended motion passed unanimously as follows:

AYES: Christopher, Walsh, Smith, McKane, Caillier, Taylor and Clark (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**c. RESOLUTION –
Amending Use
Rates for the
Civic Center
Community
Rooms;
Amending
Resolution
R2009-1959
(Adopting Use
Rates for the
Civic Center
Community
rooms)**

Assistant to the City Manager, Kevin Watson, reminded Council that a resolution for rate structure for the Community Center had been adopted and staff was directed to designate one day as a "Community Day". He noted that following discussion, it was determined that all Tuesdays would be designated Community Days and he reviewed rates and eligible community groups noting that parties would not be eligible activities for this rate.

Discussion then took place regarding discussions with the Renaissance Inn, competition with other businesses, limitations on meetings per year, booking in advance, exempt activities, parties, tweaking the usage time frame, deposits, hours, staffing, tracking usage and demand, security and additional Community days.

Councilor Taylor moved to adopt a Resolution Amending Use Rates for the Civic Center Community Rooms; Amending Resolution R2009-1959 (Adopting Use Rates for the Civic Center Community Rooms). Councilor Clark seconded.

Councilor Walsh corrected the scrivener's error by changing \$50 to \$15 in line 20, page 1 and \$75 to \$50 in line 22, page 1.

Councilor Walsh offered a friendly amendment to delete the sentence beginning with "Parties, celebrations and music..." On page 2. Amendment was accepted by Councilors Taylor and Clark.

Councilor Clark offered a friendly amendment to remove "up to three (3) per year." From section c (line 2, page 2). Amendment was accepted by

Councilor Taylor.

Councilor Clark offered an additional friendly amendment to add "one time per use" after the dollar amounts in the bullets of item 1 (page 2, lines 20, 22 and 24). Amendment was accepted by Councilor Taylor.

Amended motion passed as follows:

AYES: Christopher, Walsh, Smith, McKane, Caillier and Clark (6)

NAYS: Taylor (1)

ABSTENTIONS: None (0)

ABSENT: None (0)

CONSENT CALENDAR

- a. **RESOLUTION – Approving Engineers Report for New Day Subdivision Street Lighting District**
- b. **Approval of June 15, 2009 Regular Session Minutes**
- c. **Approval of July 6, 2009 Regular Session Minutes**

Councilor Caillier pulled item C.

Councilor Taylor moved for the approval of Items A and B of the Consent Calendar. Councilor Clark seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Smith, McKane, Caillier, Taylor and Clark (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Councilor Taylor moved for approval of Item C of the Consent Calendar. Councilor Clark seconded. Motion passed as follows:

AYES: Christopher, Walsh, Smith, McKane, Taylor and Clark (6)

NAYS: None (0)

ABSTENTIONS: Caillier (1)

ABSENT: None (0)

COMMITTEE REPORTS

- a. **Volunteer of the Quarter Award – Second Quarter 2009**

Taken out of Order. Chief Marc Adams introduced **Ted Plumb** and **Arnie Vohland**, Volunteers of the Quarter, being recognized for their volunteer efforts in the property and evidence department. Both men volunteered in excess of 100 hours during the move to the new Police Department facility and their tireless efforts helped the move take place smoothly. He noted that they are around all the time but this particular effort would have been much more difficult without their help.

Councilor Clark reported that she had served as Council liaison at the Planning Commission meeting but Chair Holly Graf had already given that report. She provided information regarding a meeting sponsored by the League of Oregon on Cities State and City Relations and the Transit Community Leaders Group Task Force meeting and noted that she planned on attending the Oregon Municipal Planning Consortium, K-23

Advisory Committee, and Chemawa Interchange Area Plan meetings.

Councilor McKane reported that the Parks Advisory Board report had been given by Jeanne Bond-Esser and that Traffic Safety Commission would be meeting on June 23.

Councilor Caillier reported that National Night Out would be August 4, Claggett Creek Watershed Council will meet in September and Planning Commission August meeting was cancelled.

Councilor Walsh reported that he had attended an Executive Leadership Seminar for the Department of the Interior where discussion took place regarding funding of the Water Trail and the Heritage River program. The Bridge Oversight Committee will be meeting August 17. The League of Oregon Cities meeting also discussed legislative issues that are affecting cities and he urged involvement with the League noting that it would be useful especially regarding urban renewal laws. He also thanked the KROC Center for their recent tour.

Councilor Smith reported that the Volunteer Coordinating Committee had recommended appointment of two new members to the Planning Commission, KURB would be meeting on July 22 and the Transit District will be voting on the location of the Transit District Center on the 23rd.

OTHER BUSINESS

Chief Marc Adams provided a recruitment update stating that there were 160 applicants, 118 tested, 54 passed and 44 went on to oral testing. The number is now down to 5. Three of the five are certified officers.

Community Development Director Nate Brown

- Reviewed progress of the Sonic Drive-In.
- Reported that he had met with the City of Salem to discuss safety issues at the KROC center. They committed that they would try to push through a pedestrian connection to Hyacinth and work together to apply toward federal funding. He noted that the City of Salem had suggested that further investigation be done into the pedestrian pathway connecting to Hyacinth (Claggett Creek crossing).
- Explained that he had received a letter from Marion County planning staff stating that their recommendation to the board is to adopt the PSU numbers at the moderate level for Marion County and that there would be a number adopted for the UGB (Marion County portion) of Salem and Keizer which would need to be apportioned at a point in the future. Marion County Planning staff has indicated that they are unwilling to include the Polk County portion of the UGB in this.

City Attorney Shannon Johnson noted that on the Community Room rate issue Council had deleted the last sentence that would allow parties but the list of community groups did not change so if they wanted to allow a resident to have a party, additional changes were necessary.

Councilor McKane moved to reconsider the definition of a Keizer community group. Councilor Caillier seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Smith, McKane, Caillier, Taylor and Clark (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

City Attorney Shannon suggested an addition of "H" which would read "Keizer Residents" (section 5).

Councilor Taylor moved to re-adopt a Resolution Amending Use Rates for the Civic Center Community Rooms; Amending Resolution R2009-1959 (Adopting Use Rates for the Civic Center Community Rooms), as amended. Councilor Clark seconded.

Councilor Smith noted that he had received a letter from the owner of a business called "The Gathering Place" whose rates are \$50 per hour and that the concern that the City would be competing with this sort of business is valid.

Amended motion passed as follows:

AYES: Christopher, Walsh, Smith, McKane, Caillier and Clark (6)

NAYS: Taylor (1)

ABSTENTIONS: None (0)

ABSENT: None (0)

Kevin Watson reported that the baskets have been installed at the Keizer Rapids Park Disc Golf Course. A map is on the City's website and the course is open to the public. He added that he had met with the Keizer Little League last week and took pictures to document concerns and will be putting this together for discussion with Public Works and Keizer Youth Sports Association. He noted that he hoped differences would be resolved soon.

Rob Kissler noted that bids will be opened at ODOT for the paving project soon so he would have an update for Council at the next meeting. Projects are Lockhaven east and west of River Road and Wheatland Road at 2nd Avenue north to the city limits. Mr. Kissler added that funding has been set aside and if the estimates come in below the Engineer's estimates, those additional funds would go toward additional pooling with the MPO and be used for secondary projects.

Councilor Walsh moved to suspend the rules to discuss the Neighborhood Association funding matter. Councilor Taylor seconded. Motion failed as follows:

AYES: Walsh, McKane and Taylor (3)
NAYS: Christopher, Smith, Caillier and Clark (4)
ABSTENTIONS: None (0)
ABSENT: None (0)

WRITTEN COMMUNICATIONS

Mayor Christopher read a letter from Joseph Halasz requesting an ordinance on unwanted advertising. City Manager Chris Eppley noted that he had spoken with Mr. Halasz who is interested in prohibiting solicitors in general. He noted that there are examples of ordinances to do this and that City Attorney Shannon Johnson had indicated that this would be doable but no small undertaking. Discussion then took place regarding who can be prohibited, "No Solicitation" and "No Trespassing" signs. Police Chief Marc Adams explained that this sort of legislation has a great deal of potential to create lawsuits because of the freedom of speech issue and that these ordinances are difficult to enforce. Councilor Clark suggested this topic be addressed in the Crime Watch article that Sgt. Lance Inman publishes. Chief Adams added that National Night Out was a great opportunity to get to know neighbors. He encouraged everyone to meet their neighbors and this would help prevent crime. Mayor Christopher noted that not hearing direction to move forward with an ordinance Council would direct City Manager Eppley to respond to Mr. Halasz with the two alternatives suggested.

Mayor Christopher reported that she had attended the Marion County barbeque where they handed out ribbons for the Marion County Fair booths. She noted that this year Keizer's booth won the grand prize and commended Machell DePina and Cathy Meeks for their work adding that they spent less than \$80 on the booth.

Mayor Christopher noted that the parking lot had been paved at the Civic Center with striping scheduled in two weeks.

City Manager Chris Eppley reported on construction progress of the fountain adding that the controller was in transit so the fountain could not yet be turned on.

AGENDA INPUT

July 22, 2009 (Wednesday)

12:00 p.m. (Noon) Executive Session

August 3, 2009

5:30 p.m. – Executive Session

6:15 p.m. – Urban Renewal Agency Meeting

- 2009-2010 Supplemental Budget Public Hearing

7:00 p.m. – City Council Meeting

- Planning Commission Appointments
- Bikeways Committee Appointment

August 10, 2009

5:45 p.m. – City Council Work Session

- Marion County solid Waste Management Plan

August 17, 2009

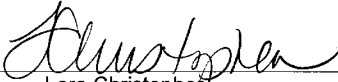
7:00 p.m. – City Council Meeting

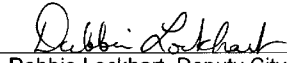
ADJOURNMENT

Mayor Christopher adjourned the meeting at 9:51 p.m.

APPROVED:

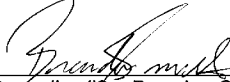
MAYOR:


Lore Christopher


Debbie Lockhart, Deputy City Recorder

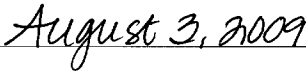
COUNCIL MEMBERS

Councilor #1 – David McKane

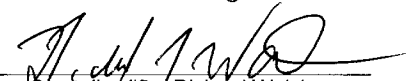

Councilor #2 – Brandon Smith

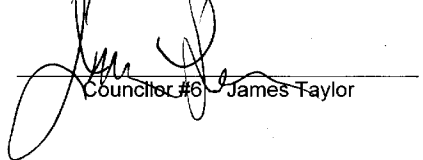

Councilor #3 – Mark Caillier

Minutes approved:


August 3, 2009


Councilor #4 – Cathy Clark


Councilor #5 – Richard Walsh


Councilor #6 – James Taylor