

MINUTES

KEIZER CITY COUNCIL
Monday, July 19, 1993
Robert L. Simon Council Chambers
Keizer City Hall

CALL TO ORDER

Mayor Koho called the regular meeting to order at 7:30 p.m.
Roll call was taken as follows:

Present

Dennis Koho, Mayor
Jim Keller, Councilor
Jerry McGee, Councilor
Al Miller, Councilor
Chet Patterson, Councilor
Jerry Watson, Councilor
Marlene Wellin, Councilor

Staff

Dotty Tryk, City Manager
John Morgan, Community Development Director
Wally Mull, Director of Public Works
Charles Stull, Chief of Police
John Lien, City Attorney
Tracy L. Davis, City Recorder

PUBLIC TESTIMONY

Gary Thompson, 5412 Newberg Drive, Keizer voiced his concern for lack of notification the residents in his area received regarding the new access street to McNary High School. Mr. Parson also cited increased bus traffic as a safety concern for his children. He also stated by constructing the new access to McNary, he will loose accessibility to his back yard. Mr. Thompson stated this single solution will not solve the traffic problems. He asked the Council to wait to close Sandy and MacArthur until additional access points are established.

Mayor Koho apologized for the lack of notification. Councilor

Watson also thanked Mr. Thompson for his input and would like to share a copy of the traffic report with him.

Bruce Dover, 5432 Newberg Drive, Keizer also relayed his concerns for the new access road to McNary High School. By removing his accessibility to his backyard, his property value will be reduced. He would like to work with the City and the School District to allow him to retain access to his backyard. He also asked the City to allow all access streets to the High School to remain open so traffic is distributed evenly among the neighborhoods.

Roy Morgan, 5452 Newberg Drive, Keizer also was concerned with the proposed access road. He inquired if the new access road to Lockhaven would line up with the proposed Staats Lake development.

Mr. Morgan also voiced his concern for the posting of commercial signs/posters on the utility poles and other public areas.

Shirley Olson, 4498 Harcourt, Keizer wanted to bring to the Council's attention the need for a four-way stop at Lawless and Greenwood. Previously the traffic engineer had studied this intersection and said the signs were not warranted. She stated people use this as a speedway to avoid all the stops along River Road.

Mayor Koho asked staff to research this matter and report back to Council.

Marion Drake, Cummings Lane, Keizer stated in response to Mr. Morgan's concern for the posting of signs/posters on public property, if community bulletin boards were installed along River Road this would alleviate the problem.

There was no other testimony to come before the Council.

COMMITTEE REPORTS

Mission Statement Report

Councilor Patterson distributed a copy of the report from the subcommittee charged to review the City mission statement. He presented the history of the Mission statement since the City's incorporation in 1982, stating only one change had been initiated during this period. There have been many discussions of what the definition of "basic" services are.

Councilor Patterson moved to alter the mission statement by deleting the word "basic" from the Mission statement.
Councilor Keller seconded the Motion.

In response to a question from Councilor McGee, Councilor Patterson stated "basic city services" has not been as much a guiding force but a philosophy surrounding the rest of the Mission statement. He stated Keizer has moved beyond basic city services.

Councilor Keller stated by removing the word "basic", the statement will clearly and accurately define what the City is doing. Councilor Watson, concurring with Councilor Keller's statement, stated there is not a clear definition of "basic city services."

Councilor Miller reminded the Council this is only a Mission statement and is intended only as a guide. The definition is conceptual in nature only. He recommended leaving the word in since this was the original intent when the voters incorporated the City in 1982.

The Motion passed with the following vote:

AYES: Keller, Koho, Patterson, Watson and Wellin (5)

NAYS: McGee and Miller (2)

ABSTENTIONS: None (0)

ABSENT: None (0)

DISCUSSION

Unimproved Streets

Wally Mull, Public Works Director reviewed the staff report with the Council. Mr. Mull stated that upon incorporation of the City in 1982, a policy was adopted to not maintain the streets that were not up to City standards at that time. This

policy has been maintained to this date. Upon direction from Council, Mr. Mull has reviewed the unimproved streets within Keizer and prioritized these streets for improvements. He outlined several options for the Council to consider; to grade and gravel each road, form a Local Improvement District (LID), pay for improvements from the street fund (gas taxes), combination of LID and street fund money, developer contributions, urban renewal funds or the City could simply do nothing.

Mr. Mull discussed the following advantages and disadvantages of each of the options. He stated grading and graveling will eliminate the potholes and level the road but continued maintenance will be costly in the long run. If an LID was formed, the property owners would have a period of time to pay for these improvements to the streets. Disadvantages listed for an LID include administration costs and possible remonstrances of 2/3 of the property owners. Funding of these projects with street funds would allow the projects to be grouped together for bid purposes and to be done in a time frame that suits the City. If Urban Renewal Funds are used it would allow the street funds to be used for other necessary projects. If the City does nothing, the problem will continue to grow with increased complaints from citizens.

Mr. Mull showed slides that displayed the condition of each listed streets. Mr. Mull prioritized the streets with Orchard Street, Sieberg Street and both portions of Fillmore Street topping the list.

Councilor Watson stated his major concern are the fiscal impact to the City and the fairness to the residents. He discussed options allowing the City to initiate a Local Improvement District without the consent of the property owners. Councilor Watson stated we should invest in these streets as we have in other streets within the City.

Councilor McGee moved to make improvements to Orchard, Sieberg and both portions of Fillmore Street with a combination of street fund money and the formation of a Local Improvement District. Mayor Koho seconded the Motion.

Councilor McGee stated it is fundamentally wrong for the City to pay for the total improvements to these streets. He said the City should contribute at least the minimum of what it would cost to grade and gravel these streets. It is not fair for all the citizens of Keizer to pay for the total improvements to these streets.

Councilor Miller said the City should consider improving all the streets listed in the staff report rather than only these three. They should be given a choice to form a LID to pave the streets or accept the City's offer to improve by grading and graveling.

Councilor Watson voiced his concern the overall cost of grading and graveling the streets in the future will exceed the initial costs of paving. He asked staff to research the possibility of requiring the property owners to contribute to the costs of the improvements.

Mayor Koho suggested the prioritized list be divided to include Orchard, Sieberg and both portions of Fillmore this year, Ring Street and 15th Avenue for next year and Cade and Rowan for the year after that. The City can investigate possibilities of forming LID's in each of these areas with the City contributing 50% of the costs.

Councilor Miller suggested this matter be continued to the next meeting and direct staff to gather further information.

Councilor Patterson agreed with this continuation since work will not be started until Spring 1994.

Councilor McGee moved to table the Motion until the August 2, 1993 meeting. Councilor Patterson seconded the Motion.

The Motion passed unanimously as follows:

AYES: Keller, Koho, McGee, Miller, Patterson, Watson and Wellin (7)

NAYS: None (0)

ABSTENTIONS: None

ABSENT: None

Noise Ordinance Report

Chief of Police, Charles Stull reported a Noise Ordinance was first discussed by the City Council in 1986. The results of these discussions resulted in tabling the matter and enforcing the violations under the state statutes. Then in 1990 the matter was again brought to Council and was finalized with the adoption of the existing general Ordinance. Chief Stull stated the general nature of the Ordinance has worked well over the years by allowing the Police Department the discretion of issuing a citation. He stated out of the 939 complaints received since 1990, only 16 have resulted in citations for violation of the noise ordinance.

In conclusion, Chief Stull recommended the Council develop a comprehensive noise ordinance which would address special events.

Councilor Keller thanked the Chief for his work on this matter although he recommended the City amend the current ordinance to allow exemptions or variances for special events. He stated these exemptions could be listed individually in the Ordinance and add language to incorporate new events.

Councilor Watson voiced his concern what events would be allowed and which ones would not. He suggested a permit process. Councilor Miller concurred with Councilor Watson but hoped it would contain exemptions for school athletic events and Keizer Little League events. He also suggested these events should benefit the whole community.

Councilor McGee inquired how animal noise/barking dogs are handled under the current ordinance.

Erik Larson, Municipal Court Judge, advised the Council the general nature of the Ordinance allows the Police Department the discretion to cite or not to cite in each instance. He stated the Court takes all noise cases seriously and the barking dog violations are viewed the same as a loud stereo. Judge Larson commented since the Court portrays an informal setting, he does encourage neighbors to work out their differences to resolve the barking dog or noise problems.

Councilor Miller stated, according to the staff report 98% of all disturbances have been adequately handled without issuance of a citation. He supported Mayor Koho's creation of a subcommittee to study this issue.

Mayor Koho appointed Councilor Keller to chair a subcommittee to review the Noise Ordinance. Councilor Keller shall choose two additional Councilors to serve on this committee.

Sergeant Mark Miranda gave a brief demonstration of how a decibel meter works. The City of Salem uses this instrument to measure noise levels for violations of their city ordinance.

Marion Drake, Cummings Lane, Keizer addressed the Council and asked that the Noise Ordinance be taken seriously. She hoped the Council would consider the packet of information she gathered from Arthur Nixon, Acoustical Engineer from Eugene.

CONSENT CALENDAR

The Consent Calendar consisted of the following:

- a. RESOLUTION - McNary Traffic Solution
- b. Approval of July 6, 1993 Regular Session Minutes

Councilor Keller asked to remove item "a" and from the consent calendar. Councilor Miller asked to remove item "b" from the consent calendar.

Item a

Councilor Keller moved to amend the resolution modifying the access points to McNary High School by excluding lines 23-26. Mayor Koho seconded the Motion.

Councilor Keller expressed his concern these lines would bind the City in future decisions for Claggett Street. Councilor Miller disagreed by stating this information would form a record for future possibilities.

Councilor Watson stated information provided during public testimony listed additional concerns for the City.

The Motion passed with the following votes:

AYES: Keller, Koho, Patterson and Wellin (4)

NAYS: McGee, Miller and Watson (3)

ABSTENTIONS: None (0)

ABSENT: None (0)

City Manager Tryk updated the Council on the progress the City and School District are making towards conclusion of the access road. She stated this matter will come back to Council for authorization of the bid award.

Item b

Mayor Koho moved for approval of the July 6, 1993 Regular Session Minutes. Councilor Watson seconded the Motion.

The Motion passed with the following votes:

AYES: Keller, Koho, McGee, Patterson, Watson and Wellin (6)

NAYS: None (0)

ABSTENTIONS: Miller (1)

ABSENT: None (0)

**WRITTEN
COMMUNICATION**

There was no written communication to come before the Council.

OTHER BUSINESS

Councilor Miller asked the status of the Marion County Building and Planning Agreement and the Marion County Street Maintenance Agreement. City Manager Tryk advised these matters should be back to the Council by August 16, 1993.

Councilor Watson distributed a memo regarding the Housing Issues. Councilor Keller asked for additional time to review this memo and hold discussion at the August 2, 1993 Council Meeting.

AGENDA INPUT

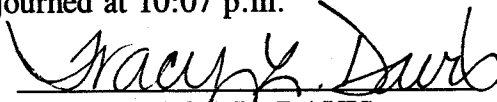
Mayor Koho scheduled a Audit Committee meeting for Monday, August 2, 1993 at 6:30 p.m.

Mayor Koho also scheduled an organizational meeting for the Budget Committee on Monday August 23, 1993 at 7:00 p.m.

Mayor Koho also scheduled a worksession for the Council on Monday, August 30 at 7:00 p.m.

ADJOURNMENT

The meeting was adjourned at 10:07 p.m.


TRACY L. DAVIS
City Recorder

APPROVED:

MAYOR:

