



MINUTES KEIZER CITY COUNCIL

Monday, July 18, 2005

Keizer City Hall

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

CALL TO ORDER Mayor Christopher called the regular meeting to order at 7:04 pm. Roll Call was taken as follows:

Present:

Lore Christopher, Mayor
Richard Walsh, Council President
Jacque Moir, Councilor
Troy Nichols, Councilor
Chuck Lee, Councilor
Jim Taylor, Councilor
David McKane, Councilor
Delilah Calhoun, Youth Councilor

Staff:

Shannon Johnson, City Attorney
Marc Adams, Police Chief
Nate Brown, Community Development
Chris Eppley, City Manager
Rob Kissler, Public Works
Tracy Davis, City Recorder

FLAG SALUTE City Manager Chris Eppley led the pledge of allegiance.

PUBLIC TESTIMONY *Alison Hilburn, Salem* representing AFS explained that the organization promotes understanding of other cultures by sending students from the United States to other countries. She appealed for a volunteer family to host a student next year and explained the requirements of the host families and details of students who participate in the program. She encouraged families to contact Lucy Hilburn at 585-9804 or the Portland regional office 1-800-237-4636 or www.AFS.org/usa.

Garry Whalen, Keizer, reported on activities of the Parks Advisory Board including River's Edge Park/Wallace House, Keizer Rapids Park and the grants received for property acquisition, Keizer Little League, the proposed Community Center and the Skate Park event which was postponed until summer of 2006. He invited Council to the Parks Tour on August 8.

COMMITTEE REPORTS

Mayor Christopher referred to an article in the Keizer Times which alleged that because six Councilors had attended a KURB meeting, the Public Meetings Law had been broken and she asked City Attorney Shannon Johnson to explain the law. She noted that Councilors spend hours trying to do good things for the community

and the last thing any of them would want to do would be to embarrass the community by doing something illegal.

Shannon Johnson reviewed the document pointing out that the article was not accurate. He explained that the Public Meetings Law states that when members meet as a quorum to deliberate or decide then it must be noticed as a public meeting. "Meeting" is defined as "the convening of a governing body of a public body for which a quorum is required in order to make a decision." He noted that the "in order to make a decision" was the key phrase adding that in a situation where individual councilors show up and there happens to be a quorum that does not make it a council meeting. He did, however, warn Council members that any time they get together a quorum (4 or more) and discuss city business that would constitute a meeting, but he added that all Council members have been very conscientious about observing this rule. He concluded that there had been no violation of the law.

Mayor Christopher also refuted the claim in the newspaper that she had said the Keizer Little League Park would be moved in order to provide added parking for Keizer Station. She explained that what she had said was that she had been spoken to by some of Keizer Little League's leadership about the possibility of moving the park in the future to alleviate *their* parking problems.

Mayor Christopher then reported that the **River Road Renaissance Design Standards Sub-Committee** had met and discussed the design parameters for the various districts such as scored concrete, awnings, colors, tree wells, etc.

Councilor Walsh noted that working closely with the Marion County Commissioners had been a pleasure and commended them for the reception dinner and the County Fair. He explained the outreach efforts at the Fair in the Keizer booth and thanked the Chamber of Commerce for their efforts.

Councilor Nichols reviewed the past meetings of **Keizer Urban Renewal Board** and the proposed expansion of indebtedness for the Urban Renewal District. He noted that the group had prioritized and cut some projects and the final decision will be voted on at the July 27th meeting.

Councilor Lee distributed an activity report from **Emergency Volunteers Assisting Keizer** and pointed out upcoming activities and added that the **Keizer No Meth Committee** was focusing on August as the "No Meth in Keizer" month. He encouraged interested citizens to attend the next meeting on Wednesday, July 27 at noon.

PUBLIC HEARINGS None.

OTHER BUSINESS

Chris Eppley reported that on August 15 at 5:30 there would be a Work Session with Results Group, the contractor being considered for planning the upcoming Civic Center ballot measure.

Chief Adams reported that

- ♦ The City hosted the first two days of the Sergeant Academy and received free training for some of the department's Sergeants.
- ♦ The Department has recently completed a project with the County Juvenile Department assisting with gang activity pro-active work.
- ♦ The school resource officers are working this summer in the evening on some anti-gang activities.
- ♦ National Night Out is August 2. Interested parties should contact Sgt. Lance Inman. More information is forthcoming. Council Walsh noted that if anyone was interested in seeing a functioning Neighborhood Association, they should participate in the National Night Out. Mr. Eppley encouraged citizens to access the website and respond to the survey regarding Neighborhood Associations.

Rob Kissler reported that

- ♦ The pedestrian bridge across Labish Creek is nearing completion. A temporary path to serve Hidden Creek will be complete before school starts. The waterline connection between Country Glen and Hidden Creek is being funded by Keizer Station and will be an upgrade benefitting the entire city. The house adjoining the pathway may be put on the market when the fencing and landscaping are complete. At Mayor Christopher's request, Mr. Kissler reviewed the history of the purchase of the property.
- ♦ Curbs and gutters are complete on Chemawa Road with a few small medians in place as well. An ITS conduit has been placed for future use, sidewalks are being formed and paving is scheduled to occur in three weeks. It is anticipated that the road will be open by the time school starts but street lights and plantings will probably not be in place at that time.
- ♦ Through the Police Department it has been determined that a U-turn northbound on Cherry Avenue at the intersection of Plymouth is legal by state statute. Signage has not yet been installed pending investigation by the legal department.

Nate Brown reported that

- ♦ Agreements are forthcoming relating to Keizer Rapids Park grants and the respective easements necessary, maintenance, and other details. The decisions have been made to award the grants, but completion of the details is necessary to receive the funds.
- ♦ The developer of Keizer Station is anticipating requesting a change to include the Lowery property in the subdivision and changes in signage.

- ♦ Rumors that the Little League Park may go out to the Keizer Rapids Park are unfounded.

Mayor Christopher reported

- ♦ The McNary High School fund raiser (\$25 admission) will offer two championship signs for sale on August 20 with a roast pig and a chicken barbeque and a flag football game between the 1997 and 2001 state title teams.
- ♦ Some members of the Library Task Force met with CCRLS to discuss issues relating to achieving full membership in the CCRLS. It is hoped that this matter can be put on the May 2006 ballot. CCRLS will be placing a ballot measure on the November 2006 ballot asking for additional funding.

ADMINISTRATIVE ACTION

a. City Manager Performance Evaluation Report

Mayor Christopher summarized the process for the City Manager review adding that Mr. Eppley had received the highest rating possible in 20 of the elements and a strong rating in 10 elements. She reviewed council evaluation comments which included praise for work on Keizer Station, Lowery property acquisition, budget, accessibility and Keizer Rapids project.

Councilor Walsh moved to adopt Resolution R2005 Granting Step Increase and Tuition/Educational Payment to the City Manager. Councilor Nichols seconded. The motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, Nichols, Moir, McKane and Taylor (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

City Manager Chris Eppley thanked Council for their continued trust and support adding that it was a pleasure to work for the city, and that he looked forward to continuing to serve the city.

b. RESOLUTION – Authorizing the City Manager to Enter Agreement to Purchase Real Property (Nopp)

City Attorney Shannon Johnson reminded Council that they had approved a resolution to ratify an agreement in this matter but that some changes had been made to the agreement. The modified agreement was before Council for approval.

Councilor Walsh Moved To Adopt Resolution R2005 Authorizing The City Manager To Enter Into An Agreement To Purchase Real Property Located At 2289 Chemawa Road Northeast (Residence Property), Property Located North Of Lockhaven Drive, Plus Easement Areas (ROW Property), And Remaining Land On Either Side Of The ROW Property (Excess Property), Keizer, Marion County, Oregon (Patricia Nopp); Repealing Resolution R2005-1609. Councilor Moir seconded.

The motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, Nichols, Moir, McKane and Taylor (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**c. RESOLUTION –
Authorizing City
Manager to Enter
Agreement to
Purchase Real
Property
(Charge/Trust for
Public Lands))**

Shannon Johnson reminded Council that the Keizer Rapids Park project consists of three separate parcels: the State of Oregon property, Charge property and a portion of the Buchholz property. The Charge property is a sale between Trust for Public Lands, which has an option on the property, and the city. Mr. Johnson pointed out that Exhibit D has a blank which relates to the potential for an off-leash dog area and requested that Council delegate a range that would go in the blank. Following discussion Councilor Walsh made a friendly amendment to delete the phrase "with river access no less than ____". Councilor McKane pointed out that the master plan will override the agreement.

Councilor Walsh Moved to Adopt R2005 Authorizing the City Manager to Enter into an Agreement to Purchase Real Property Located at 1990 Chemawa Road North, Keizer, Marion County, Oregon (Winifred Charge/Trust For Public Lands), as Amended. Councilor Lee seconded.

Discussion followed regarding funding sources and associated grant restrictions.

The motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, Nichols, Moir, McKane and Taylor (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**CONSENT
CALENDAR**

- . RESOLUTION – Initiating Brian Meadows Street Lighting District
- a. RESOLUTION – Approving Engineer's Report for Selena Estates Street Lighting District
- a. RESOLUTION – Approving Engineer's Report for Clear Lake Meadows Street Lighting District

Councilor Walsh moved to approve the Consent Calendar. Councilor Taylor seconded. The motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, Nichols, Moir, McKane and Taylor (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**WRITTEN
COMMUNICATIONS**

None

AGENDA INPUT

August 1, 2005

7:00 p.m. City Council Regular Session

- Resolution – Initiating Street Bonds
- Resolution – Park SDC Fee Amendment
- Resolution – Transportation SDC Index Amendment
- Resolution – Delinquent Sewer Assessments
- Resolution – Spreading Street Lighting District Assessments
- Resolution – Awarding Street Sweeping Contract

August 8, 2005

5:30 p.m. City Council Work Session

- City of Keizer Annual Parks Tour

August 15, 2005

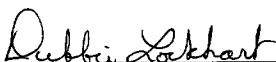
5:30 p.m. Work Session – Results Group – Civic Center

7:00 p.m. City Council Regular Session

ADJOURNMENT Mayor Christopher adjourned the meeting at 8:28 p.m.

APPROVED:

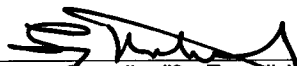
MAYOR:


Debbie Lockhart, Deputy City Recorder

Lore Christopher

COUNCIL MEMBERS


Councilor #1 – David McKane

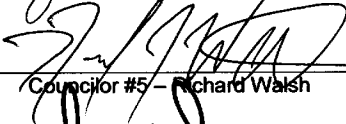

Councilor #2 – Troy Nichols

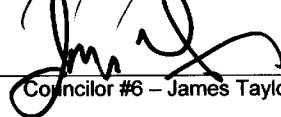
Councilor #3 – Charles E. Lee

Minutes approved:

August 15, 2005


Councilor #4 – Jacque Moir


Councilor #5 – Richard Walsh


Councilor #6 – James Taylor