



MINUTES KEIZER CITY COUNCIL

Monday, July 17, 2017

**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
Marlene Parsons, Councilor
Roland Herrera, Councilor
Bruce Anderson, Councilor
Kim Freeman, Councilor
Amy Ryan, Councilor
Laura Reid, Councilor

Staff:

Chris Eppley, City Manager
Shannon Johnson, City Attorney
Nate Brown, Community Development
Bill Lawyer, Public Works Director
John Teague, Police Chief
Tim Wood, Finance Director
Machell DePina, Human Resources

FLAG SALUTE

Mayor Clark led the pledge of allegiance.

SPECIAL ORDERS OF BUSINESS

Honoring Senior All Stars from Little League

Mayor Clark introduced State Champions Keizer Little League All Stars. Representatives from the team thanked the community for their support and noted that they are going to Western Regionals. Donations to help in this effort can be made through their Go Fund Me account.

COMMITTEE REPORTS

a. Volunteer Coordinating Committee Recommendation for Appointments to Keizer Public Arts Commission and Keizer Points of Interest Committee

City Manager, Chris Eppley, reported that following publication of notice of vacancies on the Keizer Points of Interest Committee and the Keizer Public Arts Commission and acceptance of testimony from applicants, the Volunteer Coordinating Committee recommended Crizalise Tamayo (KPIC) and Suesann Abdelrasul (Arts) to fill the vacancies.

Councilor Parsons moved that the Keizer City Council accept the Volunteer Coordinating Committee recommended appointments.
Councilor Freeman seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Parsons, Ryan, Freeman, Herrera and Anderson (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Committee Reports

Jim Taylor, Keizer, reported that the Parks Advisory is considering putting a sign at the sand volleyball courts recognizing Hans Schneider for his contribution. The Board will not be applying for a HEAL grant this year.

Hersch Sangster, Keizer, reported on the **Traffic/Bikeways/Pedestrian Committee** helmet fittings, participation in the Wild Wild Rec bicycle module, installation of a bike repair/air station, and renewal of the Bicycle Friendly City Designation. Also following a Public Hearing and several amendments, the **Planning Commission** recommended Council approval of a text amendment for landscape design.

PUBLIC TESTIMONY

Danielle Bethell, Executive Director of the Keizer Chamber of Commerce, requested that fees be waived for rooms being used for Community Conversations meetings (4) and the Keizer First Citizen Banquet. Council asked that this decision be addressed at the next meeting. *Nathan Bauer* provided additional information regarding the Community Conversations.

David Gor, Salem, owner of Kush Dispensary in Keizer, requested that the hours of operation for marijuana retailers be adjusted from 10 am to 7 pm to 7 am to 10 pm. Staff was directed to come back with additional information. Chief Teague was asked to provide comments as well.

Laura Viegas, Salem, expressed support for Mr. Gor's request.

Ken Gierloff, Keizer, invited Keizer residents to a pot luck picnic at Ben Miller Park sponsored by the Southeast Keizer Neighborhood Association.

Chief Teague noted that the potluck is in conjunction to National Night Out. This year 25 neighborhoods have signed up; 40 are expected. Signups are available on the website.

PUBLIC HEARINGS

a. The Pour House Saloon Liquor License – Change of Ownership

Mayor Clark opened the Public Hearing.

City Manager Chris Eppley reported that an application was submitted for a Change of Ownership for The Pour House Saloon, Keizer, Oregon. A background check was done and calls for service are within the City recommended standards. Staff recommends that Council review the application and forward a recommendation to the OLCC for approval.

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

Councilor Parsons moved that the Keizer City Council approve the application for a Change of Ownership for The Pour House Saloon under the guidelines established by ORS 471.178 and the Ordinances of the City of Keizer and forward this recommendation to the Oregon Liquor Control Commission for final approval. Councilor Freeman seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Parsons, Ryan, Freeman, Herrera and Anderson (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**b. Keizer
Development
Code Text
Amendment –
Allowance of
Gasoline
Stations Within
the
Chemawa/River
Road
Restriction
Area**

Mayor Clark opened the Public Hearing.

Community Development Director Nate Brown explained that the overlay district was put in place before the Development Code was adopted. The proposed revisions would allow gasoline dispensing under certain circumstances within this area. Planning Commission approved the text amendment but did not allow the convenience store. Mr. Brown provided detailed information about staff recommended restrictions which included no street frontage and no convenience store. He added that the City has an ongoing grant program underway to review overlay and zoning districts to ensure that they are working cohesively and accomplishing their intent. Staff recommendation is to allow gasoline sales as a conditional use under certain restrictions and not allow the convenience store.

Councilor Ryan declared a possible conflict of interest because her son has applied for an internship with Perkins Coie which is one of the associated organizations.

Seth King, Land Use Attorney with Perkins Coie, voiced support for the Planning Commission recommendation but asked that the prohibition of merchandise sales be removed or that the square footage for the sales be limited to 450 square feet and that the merchandise be limited to the same sort of merchandise sold in the Safeway store. He then reviewed benefits that this establishment would provide to the city.

Todd Paradise, Real Estate Manager for Safeway/Albertsons, directed attention to some photographs he had provided to give Council an idea of what is being proposed and explained the concept.

Discussion followed regarding traffic impacts, developing a configuration that would limit congestion, previous traffic impact analyses, mitigations that could be developed, parking, and traffic counts.

Hersch Sangster, Keizer, representing the Planning Commission, noted that the Commission was 100% in agreement with the staff recommendation that the facility should be for fuel sales only.

Michael DeBlasi, Keizer, spoke in opposition of the proposed text amendment noting that the purpose of the overlay zone was to foster a city center in Keizer and this proposal will undermine that intent. There are four gas stations within one mile of the Safeway store, Safeway will develop this lot even if they don't get a gas station, the City should be looking to intensify business areas along River Road especially at intersections, and buildings are more adaptable than fueling stations

Clint Holland, Keizer, spoke in support of this proposal because he shops at Safeway and wants to use his rewards to buy gas in Keizer.

Jerry McGee, Keizer, explained that the overlay was established for traffic, aesthetics and safety concerns and unless that has changed, the zone should remain.

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

Councilor Parsons moved that the Keizer City Council direct staff to come back with an ordinance to allow the text amendment pursuant to the Planning Commission recommendation except accepting Safeway's alternate proposal of 450 square foot limited sales. Councilor Freeman seconded.

Discussion followed regarding the lineal aspect of Keizer and the advantages of allowing change.

Motion passed unanimously as follows:

AYES: Clark, Reid, Parsons, Ryan, Freeman, Herrera and Anderson (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**c. Major
Amendment to
Keizer Station
Area B Master
Plan**

Mayor Clark opened the Public Hearing.

Community Development Director Nate Brown corrected the agenda noting that the amendment is a 'Minor' amendment. He provided background information about the Area B of Keizer Station Master Plan and explained that the amendment is very minor focusing on creating flexibility for the configuration of the 24000 square feet of space that was allocated in the plan. The amendment will allow for the building to be either one 24000 sf building or several smaller buildings with a total square footage of 24000. He noted that additional comments have come in since the publication of the packet and are on the dais as well as a revised site plan incorporating all the changes that staff is aware of. He also noted that the City is maintaining ownership of the property and will be the developer and will lease the property. He reviewed significant changes in the conditions for the Master Plan and fielded questions from Council regarding lighting, driveways, fencing and elevation.

Joel and Cindy Taylor, Keizer, voiced concern about the development effecting their neighborhood and the traffic impacts. Mr. Brown assured them that lighting would be directional and would not infiltrate the neighborhood and that traffic mitigation had been addressed through a traffic impact analysis which was based on general retail. The peak time for theaters is different from the normal peak period; the commercial area in question has been in place since Keizer was developed and all efforts have been made to limit the impact on neighbors.

City Manager Chris Eppley added that the proposed 7-foot wall was not intended to screen lights from the development but was intended to screen noise and light from vehicles.

With no further testimony, Mayor Clark closed the Public Hearing

Councilor Parsons moved that the Keizer City Council direct staff to prepare an Order adopting the proposed amendments to the Area B Master Plan Conditions of Approval. Councilor Freeman seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Parsons, Ryan, Freeman, Herrera and Anderson (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

d. ORDINANCE – *Mayor Clark opened the Public Hearing.*

**Imposing
Police Services
Fee**

City Attorney Shannon Johnson reminded Council that they had directed staff to return with an ordinance and resolution to impose a Police Services fee. He reviewed attachments and fees and noted that City property would be exempt because it would be the General Fund paying the General Fund and an administrative burden. This is consistent with what is done with water. He explained that annual review would not be in the ordinance or resolution, but would be something that staff would calendar as directed by Council and that senior living facilities would be billed as a single unit rather than multiple residential units.

Discussion followed regarding the rising costs associated with PERS, annual review, current resources, replacing retired officers, collection, administration and the self-reporting aspect of the senior/low income discount.

Jerry McGee, Keizer, praised the ordinance writing but requested that: (1) annual council review be incorporated into both ordinances, (2) the \$8 cap be removed, and (3) the senior or low income discounts for Police Services be removed. He voiced support for the Police Services Fee Ordinance but indicated that he thought tripling the Parks budget was not prudent and he did not support the Parks Fee Ordinance for this reason. Mr. Johnson explained that it was the intent of staff to keep both fees similar to some degree.

Dave Bauer, Keizer, voiced concern about funding Police and Parks through a fee and suggested that apartment dwellers pay a higher fee because they use both services more.

Bill Quinn, Keizer, voiced support for the Police Services Fee but suggested a \$2 Parks fee rather than \$4 with the idea that the Budget Committee and Council could raise it in the coming years.

With no further testimony, Mayor Clark closed the Public Hearing

Councilor Parsons moved that the Keizer City Council approve a Bill for an Ordinance Imposing a Police Services Fee. Councilor Freeman seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Parsons, Ryan, Freeman, Herrera and Anderson (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

**RESOLUTION –
Establishing
the City of
Keizer Police
Services Fee**

Councilor Parsons moved that the Keizer City Council adopt a Resolution Establishing the City of Keizer Police Services Fee and add an annual review. Councilor Freeman seconded.

Mr. Johnson provided the annual review verbiage to be included in the resolution.

Motion passed unanimously as follows:

AYES: Clark, Reid, Parsons, Ryan, Freeman, Herrera and Anderson (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

**e. ORDINANCE –
Imposing a
Parks Services
Fee**

Mayor Clark opened the Public Hearing.

Mr. Johnson noted that many of the issues have already been reviewed. He noted that the \$8 cap that is currently in the ordinance can be amended by a future councils as well as the current rate, discounts and administrative fees in the resolution. Debate about the amount should take place when discussing the resolution.

Jim Taylor, Keizer, voiced support for the \$4 fee noting that it will make it possible to make necessary repairs to the skate park.

Discussion followed regarding the impact of the \$4 fee on the budget, capital improvements in the Parks Master Plan, and deferred maintenance. Mayor Clark brought attention to a letter in opposition to the fee from David and Gretchen McCane.

With no further testimony, Mayor Clark closed the Public Hearing

Councilor Parsons moved that the Keizer City Council adopt a Bill for an Ordinance Imposing a Parks Services Fee. Councilor Ryan seconded.

Discussion followed regarding use of parks and the fact that just because a person does not use a service it does not mean that it is not essential for the benefit of the community,

Councilor Anderson offered a friendly amendment to delete Section 4 second sentence: "However, the amount shall not exceed \$8 per month per unit." Councilor Parsons accepted the amendment. Councilor Ryan did not.

Councilor Anderson moved to amend the motion to delete Section 4 second sentence: "However, the amount shall not exceed \$8 per month per unit." Councilor Herrera seconded.

Discussion took place regarding the regulating factor of the annual review,

the need for a cap and the effect of inflation in years to come.

Motion failed as follows:

AYES: Parsons, Herrera and Anderson (3)

NAYS: Clark, Reid, Freeman and Ryan (4)

ABSTENTIONS: None (0)

ABSENT: None (0)

Vote on main motion (not amended). Motion passed unanimously as follows:

AYES: Clark, Reid, Parsons, Ryan, Freeman, Herrera and Anderson (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Councilor Parsons moved that the Keizer City Council adopt a Resolution Establishing the City of Keizer Parks Services Fee with an Annual Review. Councilor Ryan seconded.

Discussion followed regarding the amount of the fee, being fiscally conservative vs. fiscally responsible, taking care of resources, the expense of park equipment, prioritization of maintenance/improvements, and the importance of providing a place outside for children to play.

Motion passed as follows:

AYES: Clark, Reid, Parsons, Ryan and Freeman (5)

NAYS: Hererra and Anderson (2)

ABSTENTIONS: None (0)

ABSENT: None (0)

RESOLUTION – Establishing the City of Keizer Parks Services Fee

ADMINISTRATIVE ACTION

a. Request for Allowance of Additional Concerts at Keizer Rotary Amphitheatre

Councilor Parsons explained that this request is to add concerts during the upcoming eclipse event. The Saturday concert has already been approved. Approval is requested for the Friday, Sunday and Monday (during the eclipse) concerts. Mr. Johnson noted that to be consistent Council would require only the application fee and deposit for the two non-eclipse events and would waive all fees for the four eclipse events.

Councilor Parsons moved that the Keizer City Council stay consistent with previous actions and allow the additional events to be added to the free concert series and require only the application fee and deposit for the two non-eclipse events and waive all fees for the four eclipse events.

Councilor Freeman seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Parsons, Ryan, Freeman, Herrera and Anderson (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**ADMINISTRATIVE
ACTION
(Postponed)**

- b. RESOLUTION – Approving 2017 Salary Survey and Implementing Changes
- c. RESOLUTION – Authorization for Supplemental Budget – 2017 Salary Survey and Parks Matching Grant
- d. RESOLUTION – Establishing the Amount of the Sewer System Development Charge for Wastewater Treatment Facilities; Repealing R2016-2701

Due to the late hour, the remaining Administrative Action items were moved to the August 7, 2017 meeting.

**CONSENT
CALENDAR**

- a. Report on Disbursement of Petty Cash Funds Fiscal Year 2017
- b. Approval of June 12, 2017 Special Session Minutes
- c. Approval of June 19, 2017 Regular Session Minutes

Councilor Parsons moved for approval of the Consent Calendar.
Councilor Freeman seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Parsons, Ryan, Freeman, Herrera and Anderson (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**COUNCIL
LIAISON
REPORTS**

Councilor Reid announced that Romeo and Juliet is playing at Shakespeare in the Park.

All other Council Liaison reports were postponed due to the late hour.

**OTHER
BUSINESS**

Delayed due to the late hour.

**WRITTEN
COMMUNICATIONS**

Held until next meeting.

AGENDA INPUT

August 7, 2017

7:00 p.m. City Council Regular Session

August 14, 2017

5:45 p.m. – City Council Work Session

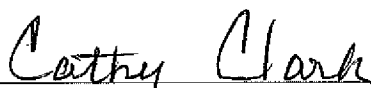
August 21, 2017

7:00 p.m. City Council Regular Session

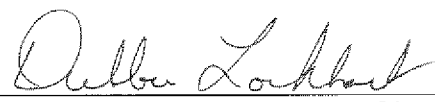
ADJOURNMENT

Mayor Clark adjourned the meeting at 11:41 p.m.

MAYOR:


Cathy Clark

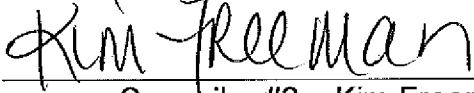
APPROVED:


Debbie Lockhart, Deputy City Recorder

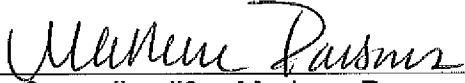
COUNCIL MEMBERS



Councilor #1 – Laura Reid

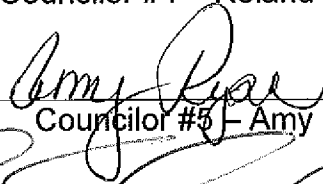


Councilor #2 – Kim Freeman

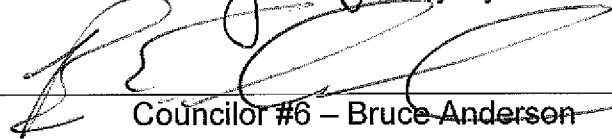


Councilor #3 – Marlene Parsons

Councilor #4 – Roland Herrera



Councilor #5 – Amy Ryan



Councilor #6 – Bruce Anderson

Minutes approved: 8-21-17