

CITY OF KEIZER MISSION STATEMENT

KEEP CITY GOVERNMENT COSTS AND SERVICES TO A MINIMUM BY PROVIDING CITY SERVICES TO THE COMMUNITY IN A COORDINATED, EFFICIENT AND LEAST COST FASHION

A G E N D A
KEIZER CITY COUNCIL
EXECUTIVE SESSION

Monday, July 17, 2000

6:00 p.m.

Keizer City Hall

Keizer, Oregon 97303

1. CALL TO ORDER

2. ROLL CALL

3. DISCUSSION

- a. Pursuant to ORS 192.660(1)(f) – Records Exempt from Public Inspection

4. ADJOURN

Upon request, auxiliary aids and/or special services for those with disabilities will be provided. To request services, please contact us at 390-3700 or through Oregon Relay 1-800-735-2900 at least two working days (48 hours) in advance.

The Oregon Public Meeting Law authorizes governing bodies to meet in executive session in certain limited situations. An executive session is defined as any meeting or part of a meeting of a governing body which is closed to certain persons for deliberations on certain matters as defined by ORS 192.660. These sessions are closed to the public and under certain circumstances the media also. The governing body is not allowed to take any final action or make any final decisions during the executive sessions. Any final action or decision must be made after returning or at the next regularly scheduled meeting.

CITY OF KEIZER MISSION STATEMENT
**KEEP CITY GOVERNMENT COSTS AND SERVICES TO A MINIMUM BY PROVIDING CITY SERVICES TO
THE COMMUNITY IN A COORDINATED, EFFICIENT AND LEAST COST FASHION**

A G E N D A
KEIZER CITY COUNCIL
REGULAR SESSION

Monday, July 17, 2000

7:00 p.m.

**Robert L. Simon Council Chambers
Keizer City Hall, Keizer, Oregon 97303**

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC TESTIMONY

This time is provided for citizens to address the Council on matters not scheduled for public hearing or listed on the agenda.

4. COMMITTEE REPORTS

- a. Youth Compact – Council President Christopher
- b. Library Task Force Report – Jerry Watson
- c. Wastewater Task Force Report – Mayor Newton

5. OTHER BUSINESS

This time is provided to allow the Mayor, Council members or staff an opportunity to bring new or old matters before the Council which are not on tonight's agenda.

- a. New Business
- b. Old Business

6. PUBLIC HEARINGS

- a. Chemawa Activity Center Plan (continued from July 10, 2000)
- b. RESOLUTION – Forming Sparrow Addition Street Lighting District
ORDINANCE – Spreading Assessments to Sparrow Addition Street Lighting District

7. ADMINISTRATIVE ACTION

- a. RESOLUTION – Adopting City of Keizer Personnel Policies Regarding Salary
- b. RESOLUTION – Adopting City of Keizer Personnel Policies Regarding Vacation, Personnel Records, and Technology
- c. RESOLUTION – City Council Rules of Procedure (Repealing R93-685 and R95-832)
- d. RESOLUTION – Authorize City Manager to Award Bid for Flood Mitigation Project #2

8. CONSENT CALENDAR

9. WRITTEN COMMUNICATIONS

To inform the Council of significant written communications.

10. AGENDA INPUT

August 7, 2000

7:00 p.m. Keizer City Council Meeting

- Transportation System Plan Public Hearing – continued from 6/5/2000
- Appointment to Council Position #5
- Street Lighting District Assessments
- Delinquent Sewer Account Assessments
- Land Use Appeal – Variance/Floodplain Development Case No. 00-18
- Primetime Pizza Liquor License Application Public Hearing

August 21, 2000

7:00 p.m. Keizer City Council Meeting

September 5, 2000 (Tuesday)

7:00 p.m. Keizer City Council Meeting

11. ADJOURN



July 17, 2000

AGENDA ITEM 4a

YOUTH COMPACT

CITY COUNCIL MEETING: July 17, 2000

AGENDA ITEM NUMBER:

TO: MAYOR NEWTON AND CITY COUNCILORS

THROUGH: CHRIS EPPLEY
CITY MANAGER



FROM: SUSAN GAHLSDORF, CPA
FINANCE DIRECTOR



SUBJECT: YOUTH COMPACT

ISSUE:

Staff have been directed to identify funding sources to fund \$700 for the Youth Compact program. We have identified the following options:

General Fund

Pros: This is an appropriate use of General Fund money and is consistent with funding the Youth Compact program in FY 1999-2000.

Cons: The General Fund has a \$50,389 budgeted ending fund balance and a \$50,000 contingency for FY 2000-2001. With a \$4.7 million budget this provides the General Fund with a 1% variance. Consequently, it leaves little margin for differences in budget estimates making it risky to fund items not originally included in the general fund.

Revenue Sharing Fund

Pros: By Council policy, State Revenue Sharing funds are to be used for one-time purchases. Funding Youth Compact is an annual decision for the Council; participation in one year does not necessarily obligate the City to future participation. The fund has \$900 in contingency and a \$0 budgeted ending fund balance. However, staff have identified some cost saving measures which we believe will provide sufficient funds to pay the \$700 for Youth Compact.

Cons: Revenue Sharing Funds traditionally have supplanted the General Fund. Under the current funding structure, General Fund resources are projected to fall short of operating costs in FY 2001-2002. All discretionary charges will increase the projected gap between resources and expenditures that the City provides in general support services.



July 17, 2000

AGENDA ITEM 6a

CHEMAWA ACTIVITY CENTER PLAN

Staff Report

To: Mayor, City Council

From: Chris Eppley 
City Manager

Date: July 13th, 2000

Subject: Chemawa Activity Center

At the July 10th, 2000 Council meeting, staff was directed to work with legal council, Preston, Gates & Ellis, LLP out of Portland to create a Pre-Development/Exploratory agreement between the City of Keizer and Northwest National LLC regarding the Chemawa Activity Center. The Document that was distributed to Council at the Meeting was a draft of this proposal and an original will be available for the Mayor and Council President to sign at the Council Meeting on the 17th.

The Agreement before you defines a short list of conceptual items in Section 2 on pages 4 and 5. These items include the following: Reviewing the Activity Center Plan for allocations of commercial, industrial and residential zoning, working with ODOT to develop an acceptable transportation solution, land acquisition by the Urban Renewal Agency as a remedy of last resort, and a penalty for default by either party. The remainder of the contract is primarily recitals, definitions, clauses, and other legal jargon. As written, the intent of this agreement is that it forms a mutually exclusive partnership between the City and this particular development group.

Staff is comfortable with the format and wording of this document as it primarily binds the City to functions that are typically City responsibilities to begin with like planning/zoning review and transportation system design. The only exception is the land acquisition concept, which is bold but still a justifiable right and responsibility of government in certain circumstances. The penalty clause does not concern staff since it is unlikely that significant costs will be incurred by either party during the exploratory and planning phases. Also, The agreement requires invoices and expenditures to be submitted to the City for review and approval each month, giving the Council a method to check inappropriate expenditures.

Options/Recommendations:

It would seem that the Council has a number of options available at this point as listed below:

- ♦ If the Council is comfortable with the agreement as presented and this particular development group, then the Mayor and Council President could be authorized to sign the agreement and we can move forward with the exploration process. During this process, staff will work with Preston, Gates & Ellis to create a formal development agreement that can be entered into once the developers have completed a Master Plan for the CAC.
- ♦ If the Council is comfortable with this particular development group but not with the agreement as presented, then the Council could direct staff to modify the agreement in one or more ways and bring it back at a later specified date for signing by the Mayor and Council President.
- ♦ If the Council is comfortable with the agreement as presented but not with this particular development group, then the Council could notify the developers that they do not feel comfortable entering into a formal agreement at this time, effectively severing the City's relationship with this particular development group.

Staff is comfortable with the agreement as presented but does not feel it is appropriate to make a formal recommendation to the City Council as to this specific development group. Staff does not feel that there is a particular advantage or disadvantage associated with entering into an agreement with this development group and will pledge our best efforts no matter which course the Council decides is prudent.

Christopher C. Eppley
City Manager



July 17, 2000

AGENDA ITEM 6b

SPARROW ADDITION STREET LIGHTING DISTRICT

TO: MAYOR NEWTON AND CITY COUNCIL

FROM: CHRIS EPPLEY
CITY MANAGER

THROUGH: TRACY L. DAVIS, CMC 
CITY RECORDER

SUBJECT: PUBLIC HEARING - To consider remonstrances or objections to formation of the Sparrow Addition Street Lighting Local Improvement District and objections to an Ordinance spreading assessments to Sparrow Addition Street Lighting Local Improvement District

ISSUE

1. Shall the City Council form Sparrow Addition Street Lighting Local Improvement District after conducting a public hearing to receive objections or remonstrances to its formation?
2. Shall the City Council adopt an ordinance spreading assessments in Sparrow Addition Street Lighting Local Improvement District after conducting a public hearing to receive written objections to the ordinance spreading those assessments to the district.

BACKGROUND

In March 1994, the Keizer City Council adopted Ordinance 94-278 relating to formation of street lighting local improvement districts within the City of Keizer.

On May 2, 2000, the developer of Sparrow Addition filed a petition to form a street lighting local improvement district. In response to this petition, the City Council adopted Resolution R2000-1179 on May 15, 2000 to initiate formation of a street lighting local improvement district and directing the City Engineer to make a survey and file a written report with the City Recorder. On June 19, 2000 the City Council approved the City Engineer's report and set a public hearing to consider remonstrances to the project and objections to proposed assessments. On July 6, 2000 notice of the public hearing and intention to form the district and assess for the lighting improvements, as required under Ordinance 94-278, were provided by mail to the property owners.

ANALYSIS

Included within the agenda packet is the proposed resolution forming Sparrow Addition Street Lighting Local Improvement District and setting forth the time and manner of installing the street lights within that district. If the Council decides to form the street lighting district, the next step is to proceed with an ordinance spreading assessments.

Included within the agenda packet is the proposed ordinance to spread assessments to the properties benefited by the lighting district. The ordinance provides for first annual assessments and the procedure for determining second and future annual assessments. Following the City Council's adoption of the Ordinance spreading assessments, the City authorizes the appropriate utility company to install the poles and lights. Depending on the type of poles requested by the City, it takes the utility company from two to six months to have the lights on site and operational.

FISCAL IMPACT

The City initially pays the street lighting expense to the utility company as it is billed throughout the year. The operating cost of the lights is then billed to the property owners on an annual basis, thereby recovering the City's costs for bills paid throughout the year. In addition, the bills include the cost of the City Engineer's Report in the first year, and an administrative charge in the first and subsequent years to recover the City's cost for administering the lighting districts. All funds are budgeted through the Utility Fund.

RECOMMENDATION

1. Open the public hearing to first consider oral objections and written remonstrances to formation of Sparrow Addition Street Lighting Local Improvement District.
2. If valid remonstrances of the owners of two-thirds of the land to be specially assessed for the lighting district are presented to the Council at the public hearing, close the hearing and suspend formation of the district for six months.
3. Consider other objections to the formation of the district. The Council may suspend formation of the district without remonstrance of owners of two-thirds (2/3) of the land if the Council deems that action appropriate.
4. If valid remonstrances of the owners of two-thirds of the land to be specially assessed for the lighting district are not presented to the Council at the public hearing, or other valid objections to formation are not presented, then consider objections to the scope, design or equipment proposed for the district.
5. After consideration of objections of the plans for the district, and if it appears that the Council will form the district, Council should next consider written objections to the proposed assessments which were filed with the City.
6. Close the public hearing.
7. Consider adoption of the resolution officially forming the lighting district.
8. If council forms the district, consider adoption of the proposed assessment ordinance. Council may adopt, correct, modify or revise the assessment against each lot in the district according to special and peculiar benefits accruing to the lot.

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2 Resolution R2000-_____

3 FORMING SPARROW ADDITION STREET LIGHTING

4 LOCAL IMPROVEMENT DISTRICT

5
6 WHEREAS, the City of Keizer has adopted a Resolution initiating the formation of
7 Sparrow Addition Street Lighting Local Improvement District; and

8 WHEREAS, the City Council has adopted a Resolution approving the City Engineer's
9 Report for Sparrow Addition Street Lighting Local Improvement District; and

10 WHEREAS, notice of public hearing to consider formation of street lighting district was
11 mailed as required by Ordinance 94-278; and

12 WHEREAS, the City Council conducted a public hearing to receive objections and
13 remonstrances to the formation of the street lighting district; NOW, THEREFORE,

14 BE IT RESOLVED by the City Council of the City of Keizer that Sparrow Addition Street
15 Lighting Local Improvement District is hereby formed, and that the street lights shall be
16 installed within a reasonable time and in the manner set forth in the City Engineer's Report
17 for Sparrow Addition Street Lighting Local Improvement District.

18 PASSED this _____ day of _____, 2000.

19 SIGNED this _____ day of _____, 2000.

20
21 _____
22 Mayor

23 _____
24 City Recorder
25

2
3 A BILL FOR4
5 AN ORDINANCE SPREADING ASSESSMENTS TO
6 SPARROW ADDITION STREET LIGHTING LOCAL
7 IMPROVEMENT DISTRICT
8
910 Section 1. FINDINGS. The City Council of the City of Keizer makes the following
11 findings:

- 12 a. The City Council did heretofore declare its intention to install street lights to
-
- 13 serve an area known as Sparrow Addition Street Lighting Local Improvement
-
- 14 District which is described as follows:

15 Sparrow Addition - identified on the assessors
16 map 7 3W 02BD-- lots 1-8 in the City of Keizer,
17 County of Marion, State of Oregon;
1819 which includes the installation of three (3) - 100-watt high pressure sodium
20 luminaries mounted on four-foot long mast arms attached to 30-foot gray
21 fiberglass poles, located within the subject local improvement district, all in
22 accordance with the City Engineer's Report for Sparrow Addition Street
23 Lighting Local Improvement District.

- 24 b. The total initial cost of Sparrow Addition Street Lighting Local Improvement
-
- 25 District is \$562.12
-
- 26 c. The per space/lot assessment formula was used for this district.
-
- 27 d. The improvements in the district have been or will be constructed as provided
-
- 28 in the Engineer's Report.
-
- 29 e. Notice was duly mailed to the benefited property owners on July 6, 2000.
-
- 30 f. A meeting of the City Council was held at the time and place fixed by public
-
- 31 notice for the purpose of considering any such written objections to the
-
- 32 proposed assessments.

- 1 g. No written objections to the proposed assessments were filed.
- 2 h. The Council has considered the matter and determined that construction of
- 3 said improvements was and is of material benefit to the City, and all the
- 4 property to be assessed therefore will be specially benefited by the
- 5 improvements in the amounts shown on the assessment roll.

6 NOW, THEREFORE, the City Council of the City of Keizer ordains as follows:

7 Section 2. ASSESSMENTS.

- 8 a. First Annual Assessment. It is hereby determined that the share of the cost
- 9 of the improvements for Sparrow Addition Street Lighting Local Improvement
- 10 District for each parcel and property benefited thereby for the first annual
- 11 assessment is the amount set opposite the description of each piece or
- 12 parcel of land as described in Sparrow Addition Street Lighting District
- 13 Assessment Roll as set forth in Exhibit "A" attached, and that each piece or
- 14 parcel of land benefited by the improvements, to the full extent of the amount
- 15 so set opposite such piece or parcel and that the respective amounts
- 16 represent the proportionate benefits of said improvements to said respective
- 17 parcels of property, and the Council does hereby declare that each of the
- 18 parcels of property described in Sparrow Addition Street Lighting District Roll
- 19 as set forth in Exhibit "A" attached is hereby assessed the first annual
- 20 assessment amount set opposite each respective description.

- 21 i. Summary of first annual assessment costs for formation of the lighting
- 22 district to serve the area known as "Sparrow Addition Street Lighting
- 23 Local Improvement District":

24	3- Poles and 100 Watt Luminaries	\$402.12
25	Engineering Costs	\$112.00
26	Administrative Fee	<u>\$ 48.00</u>
27	Total Assessments	\$562.12

1
2 ii. The Recorder of the City of Keizer is hereby directed to send a notice
3 of first annual assessment to each owner of assessed property by mail
4 within ten (10) days after this Ordinance levying the first annual
5 installments is passed. The notice shall include information that an
6 application to make installment payments may be filed with the City if
7 the assessment is collected directly from the property owner and not
8 pursuant to ORS 223.866.

9 b. Second and Subsequent Annual Assessments. After a municipal lighting
10 district has been formed in accordance with City of Keizer Ordinance 94-278,
11 the second and subsequent annual assessments shall be spread by
12 Resolution which may include changes in the mode of collecting the
13 assessment. The method of assessment and notification for subsequent
14 annual assessments shall be determined in accordance with City of Keizer
15 Ordinance 94-278.

16 c. Mode of Collecting Assessments. Assessments for Sparrow Addition Street
17 Lighting Local Improvement District shall be collected pursuant to ORS
18 223.866.

19 d. Lien on Property. The assessment shall be entered as a lien against the
20 benefited property in the City Lien Docket.

21 PASSED this _____ day of _____, 2000.

22
23 SIGNED this _____ day of _____, 2000.

24
25
26 _____
27 Mayor

28
29 _____
30 City Recorder
31

PRELIMINARY ASSESSMENT ROLL

SPARROW ADDITION
STREET LIGHTING DISTRICT

*Assessors Map 7 3W 02BD

<u>Lot #</u>	<u>Owners Name and Address</u>	<u>Cost per Lot</u>	<u>Lots</u>	<u>Assessment</u>
1-8	ALPHA CONSTRUCTION CORP 3093 12 TH ST SE #A SALEM, OR 97302	\$70.26	8	\$562.12

TOTAL ASSESSMENT \$562.12

DEARBORN

AVENUE

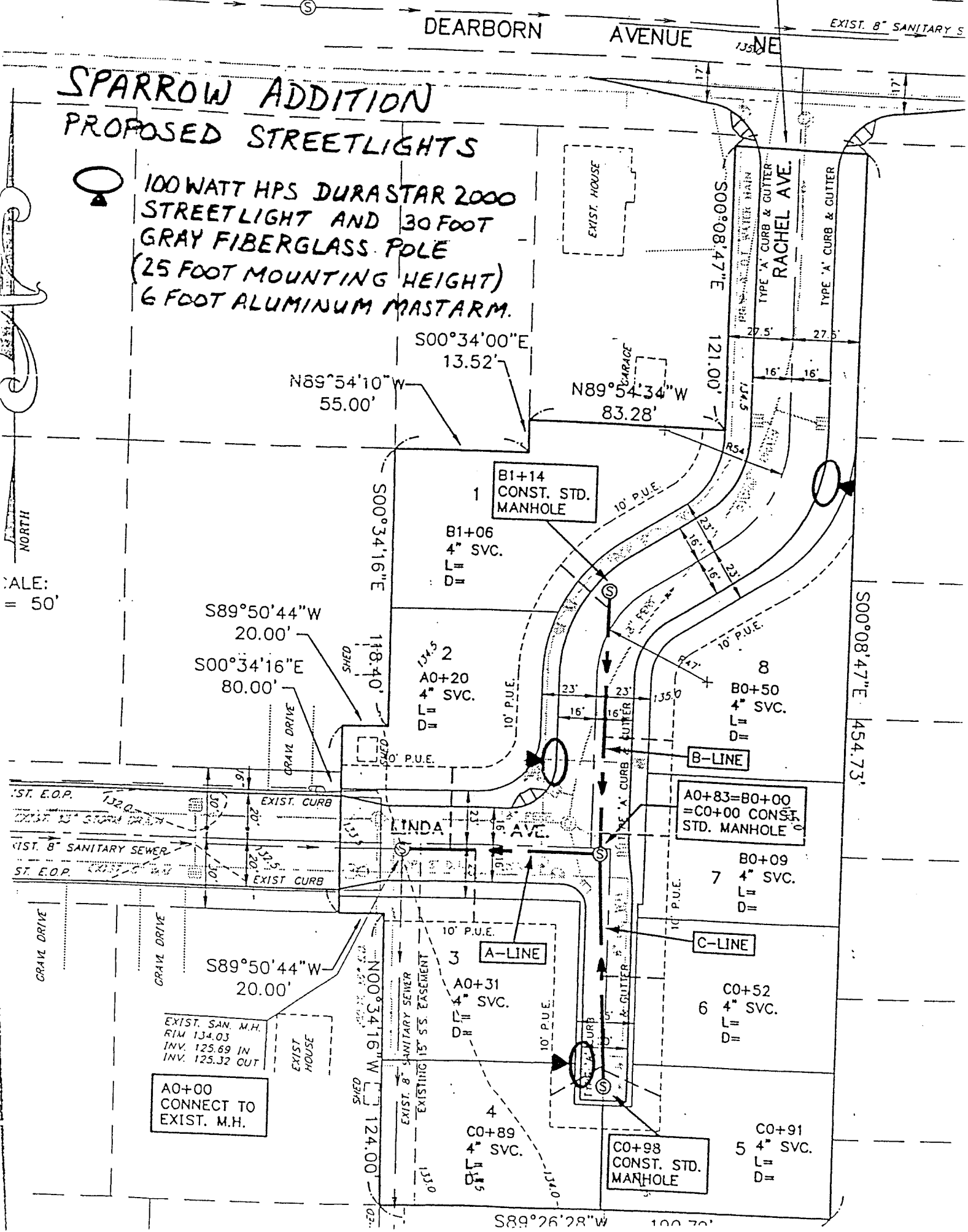
EXIST. 8" SANITARY S

SPARROW ADDITION PROPOSED STREETLIGHTS



100 WATT HPS DURASTAR 2000
STREETLIGHT AND 30 FOOT
GRAY FIBERGLASS POLE
(25 FOOT MOUNTING HEIGHT)
6 FOOT ALUMINUM MASTARM.

SCALE:
= 50'





July 17, 2000

AGENDA ITEM 7a

**ADOPTING CITY OF KEIZER PERSONNEL POLICIES
REGARDING SALARY**

CITY COUNCIL MEETING: July 17, 2000

AGENDA ITEM NUMBER: _____

TO: MAYOR NEWTON AND CITY COUNCIL MEMBERS
THRU: CHRIS EPPLEY, CITY MANAGER *CE*
FROM: *DH* DIANNE HUNT, HUMAN RESOURCES DIRECTOR
SUBJECT: COMPENSATION POLICY

BACKGROUND:

City Council approved a compensation policy in November 1999, which established a new salary matrix effective July 1, 1999. The Personnel Policies sub-committee of the City Council recommends the following be added to this policy. The complete policy with this insertion **bolded** is attached for your review - see Exhibit "A".

- III Salaries of all new hires can be authorized by the City Manager up to the median range of the salary matrix for each position. New employees hired at a salary above the median range (Steps 6 – 10), the City Manager will make a report to the City Council Management Committee.

In addition, Section I of the policy states:

"The City Council recognizes that fluctuations in the state's economy will effect the market value of salaries. The salary matrix shall automatically be amended each calendar year in July to reflect these fluctuations by incorporating any increases necessary into the matrix as determined by the CPI-W (consumer Price Index-w) for the prior year (January – December) ..."

The 1999 CPI-w is 3.1 percent. On June 17, 2000, City Council approved the budget committee's recommended FY 2000-01 budget reflecting this increase in personal services. The Salary Matrix and the Keizer Police Association Monthly Salary Schedule have been revised to reflect this increase and are attached for your information, and are not part of the resolution.

The revised Salary Matrix and KPA Monthly Salary Scheduled are included for informational purposes only.

RECOMMENDATION:

It is recommended that Council adopt the attached resolution based on a unanimous recommendation of the Personnel Policies sub-committee regarding the Compensation policy, effective July 1, 2000.

If you have any questions please contact me at 390-3700, ext. 110, or email me at huntd@keizer.org

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R00-_____

ADOPTING CITY OF KEIZER PERSONNEL POLICIES REGARDING SALARY

(REPEALING SALARY POLICY OF R99-1149 ADOPTED NOVEMBER 15, 1999)

WHEREAS, it is the policy of the City of Keizer to provide a compensation package, which is consistent and fair for represented and non-represented employees (within the constraints of ratified union contracts) and is a wise use of taxpayers funds;

WHEREAS, Salary Policy of Resolution R99-1149 adopted by the City Council in November, 1999 provides for salary policies for the employees of the City of Keizer; NOW, THEREFORE,

BE IT RESOLVED that the City Council of the City of Keizer hereby adopts the personnel policy for salary which is attached hereto marked Exhibit "A", and by this reference is made a part hereof; and

BE IT FURTHER RESOLVED this policy is effective July 1, 2000; and

BE IT FURTHER RESOLVED that the salary policy of Resolution R99-1149 adopted by the City Council on November 15, 1999; is hereby repealed in their entirety;

PASSED this _____ day of _____, 2000.

SIGNED this _____ day of _____, 2000.

Mayor

City Recorder

City of Keizer
Personnel Policies
Policy No. 100.000

SECTION:	Compensation	
TOPIC:	Salary	Effective Date: July 1, 2000

It is the policy of the City of Keizer to provide a compensation package, that includes salary and benefits, which is consistent and fair for represented and unrepresented employees (within the constraints of ratified union contracts) and is a wise use of taxpayer funds.

- I. The City Council recognizes that fluctuations in the state's economy will effect the market value of salaries. The salary matrix shall automatically be amended each calendar year in July to reflect these fluctuations by incorporating any increases necessary into the matrix as determined by the CPI-W (Consumer Price Index-w) for the prior year (January-December). If the CPI-W indicates a reduction, no change will be made to the matrix. The initial salary matrix shall be constructed by using the current minimum wage for Range 1/Step 1 and allowing for three percent (3%) increases between Steps and five percent (5%) increases between Ranges.
- II. All unrepresented employees will be placed within a range and step within the salary matrix as determined by the average comparison of a like position in a comprehensive salary survey of corresponding governmental jurisdictions. The initial placement of employees within the salary matrix shall be made by the Human Resources Manager as approved by the City Manager and the Personnel Committee.

(A) These comparibles, based on jurisdictions that are within the recruitment basin who are considered viable recruitment competition, and/or which have comparable size, will be:

Albany	Milwaukie	State of Oregon
Lake Oswego	Newberg	Tigard
Marion County	Oregon City	Tualatin
McMinnville	Salem	Woodburn

(B) Salary surveys for all classifications will be performed on a schedule of no less than every three (3) years.

(C) Individual classifications may be surveyed by request of the majority of incumbents within that classification in intervals of no less than twelve (12) months. Individual classifications may also be surveyed at the discretion of the City Manager.

(D) All salary surveys will be conducted by an independent contractor selected by the Council through the RFP process. Surveys will compare position descriptions and duties.

- III. **Salaries of all new hires can be authorized by the City Manager up to the median range of the salary matrix for each position. New employees hired at a salary above the median range (Steps 6 – 10), the City Manager will make a report to the City Council Management Committee.**
- IV. Employees may receive increases in their salary by;
- (A) receiving annual cost of living increases based on 100.000 (I)
 - (B) receiving annual step increases, based on satisfactory job performance until they reach the maximum step (10).
 - (C) discretionary merit increases as approved by the City Manager and City Council.
 - (D) re-class of their position into a higher range within the salary matrix based on the most recent salary survey. The salary recommendations from the initial survey shall be retroactive to January 1, 2000. Based on the initial salary survey, the placement of employees within the salary matrix shall be made by the Human Resources Manager as approved by the City Manager and the Personnel Committee. Placement of employees shall be done based on subsequent surveys in the same manner.
- V. All bargaining unit employees salaries will be determined based on the terms of their current contract.
- VI. Any city employee (represented and un-represented) is eligible to receive a second language differential of 2.5% if they are required to acquire this skill or if the City Manager determines that the second language is of benefit to the City. Employee must be fluent in the language as determined by the City Manager, based upon a standard and testing program in assistance with local area colleges and/or court approved translators.

CITY OF KEIZER
SALARY MATRIX (5% RANGE - 3% STEPS)
EFFECTIVE: JULY 1, 2000

July 1, 2000 w/3.1% COLA

Steps:	1	2	3	4	5	6	7	8	9	10
Range										
1	1,162	1,196	1,232	1,269	1,307	1,347	1,387	1,429	1,471	1,516
2	1,220	1,256	1,294	1,333	1,373	1,414	1,456	1,500	1,545	1,591
3	1,281	1,319	1,359	1,399	1,441	1,485	1,529	1,575	1,622	1,671
4	1,345	1,385	1,427	1,469	1,513	1,559	1,606	1,654	1,703	1,755
5	1,412	1,454	1,498	1,543	1,589	1,637	1,686	1,736	1,789	1,842
6	1,483	1,527	1,573	1,620	1,669	1,719	1,770	1,823	1,878	1,934
7	1,557	1,603	1,651	1,701	1,752	1,805	1,859	1,914	1,972	2,031
8	1,634	1,684	1,734	1,786	1,840	1,895	1,952	2,010	2,071	2,133
9	1,716	1,768	1,821	1,875	1,932	1,990	2,049	2,111	2,174	2,239
10	1,802	1,856	1,912	1,969	2,028	2,089	2,152	2,216	2,283	2,351
11	1,892	1,949	2,007	2,068	2,130	2,193	2,259	2,327	2,397	2,469
12	1,987	2,046	2,108	2,171	2,236	2,303	2,372	2,443	2,517	2,592
13	2,086	2,149	2,213	2,279	2,348	2,418	2,491	2,566	2,643	2,722
14	2,190	2,256	2,324	2,393	2,465	2,539	2,615	2,694	2,775	2,858
15	2,300	2,369	2,440	2,513	2,589	2,666	2,746	2,829	2,913	3,001
16	2,415	2,487	2,562	2,639	2,718	2,799	2,883	2,970	3,059	3,151
17	2,536	2,612	2,690	2,771	2,854	2,939	3,028	3,118	3,212	3,308
18	2,662	2,742	2,825	2,909	2,997	3,086	3,179	3,274	3,373	3,474
19	2,796	2,879	2,966	3,055	3,146	3,241	3,338	3,438	3,541	3,648
20	2,935	3,023	3,114	3,207	3,304	3,403	3,505	3,610	3,718	3,830
21	3,082	3,175	3,270	3,368	3,469	3,573	3,680	3,791	3,904	4,021
22	3,236	3,333	3,433	3,536	3,642	3,752	3,864	3,980	4,099	4,222
23	3,398	3,500	3,605	3,713	3,824	3,939	4,057	4,179	4,304	4,434
24	3,568	3,675	3,785	3,899	4,016	4,136	4,260	4,388	4,520	4,655
25	3,746	3,859	3,974	4,094	4,216	4,343	4,473	4,607	4,746	4,888
26	3,934	4,052	4,173	4,298	4,427	4,560	4,697	4,838	4,983	5,132
27	4,130	4,254	4,382	4,513	4,649	4,788	4,932	5,080	5,232	5,389
28	4,337	4,467	4,601	4,739	4,881	5,027	5,178	5,334	5,494	5,658
29	4,554	4,690	4,831	4,976	5,125	5,279	5,437	5,600	5,768	5,941
30	4,781	4,925	5,072	5,225	5,381	5,543	5,709	5,880	6,057	6,238
31	5,020	5,171	5,326	5,486	5,650	5,820	5,995	6,174	6,360	6,550
32	5,271	5,429	5,592	5,760	5,933	6,111	6,294	6,483	6,678	6,878
33	5,535	5,701	5,872	6,048	6,230	6,416	6,609	6,807	7,011	7,222
34	5,812	5,986	6,166	6,351	6,541	6,737	6,939	7,148	7,362	7,583
35	6,102	6,285	6,474	6,668	6,868	7,074	7,286	7,505	7,730	7,962
36	6,407	6,600	6,798	7,002	7,212	7,428	7,651	7,880	8,117	8,360
37	6,728	6,930	7,137	7,352	7,572	7,799	8,033	8,274	8,522	8,778
38	7,064	7,276	7,494	7,719	7,951	8,189	8,435	8,688	8,949	9,217
39	7,417	7,640	7,869	8,105	8,348	8,599	8,857	9,122	9,396	9,678
40	7,788	8,022	8,262	8,510	8,766	9,029	9,300	9,578	9,866	10,162

6/25/00

Keizer Police Association Employees
Monthly Salary Schedule - Effective July 1, 2000

Job Classification	Salary Steps				
	Step 1	Step 2	Step 3	Step 4	Step 5
Police Officer	3,006	3,157	3,316	3,481	3,655
Police Support Specialist I	2,238	2,351	2,468	2,592	2,722
Police Support Specialist II	2,351	2,468	2,592	2,722	2,858
Community Services Specialist	2,722	2,858	3,001	3,151	3,308
Community Service Officer	2,238	2,351	2,468	2,592	2,722

The Salary Schedule for fiscal year 2000-2001 shall be adjusted by the percentage change in the Portland, Oregon, Urban Wage Earners and Clerical Workers Index (CPI-W) for the calendar year 1999; subject to a minimum of two (2%) percent and a maximum of four (4%) percent.



July 17, 2000

AGENDA ITEM 7b

**ADOPTING CITY OF KEIZER PERSONNEL POLICIES
REGARDING VACATION, PERSONNEL RECORDS, AND
TECHNOLOGY**

CITY COUNCIL MEETING: July 17, 2000

AGENDA ITEM NUMBER: _____

TO: MAYOR NEWTON AND CITY COUNCIL MEMBERS

THRU: CHRIS EPPLEY, CITY MANAGER 

FROM:  DIANNE HUNT, HUMAN RESOURCES DIRECTOR

SUBJECT: PERSONNEL POLICIES COMMITTEE

BACKGROUND:

The Personnel Policies sub-committee of the City council has been meeting to reevaluate personnel policies. The committee's goals are to provide a compensation package, that includes salary and benefits, which are consistent and fair for represented and non-represented employees (within the constraints of ratified union contracts) and is a wise use of taxpayers funds.

Attached are three (3) policies the Personnel Policies sub-committee has reviewed and recommend for Council approval.

1. Vacation (revised)
2. Personnel Records (revised)
3. Technology (new policy)

RECOMMENDATION:

It is recommended that Council adopt the attached resolution based on a unanimous recommendation of the Personnel Policies sub-committee regarding Vacation, Personnel Records, and Technology, effective July 1, 2000.

If you have any questions please contact me at 390-3700, ext. 110, or email me at hunt@keizer.org

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2 Resolution R00-_____

3 ADOPTING CITY OF KEIZER PERSONNEL POLICIES REGARDING

4 VACATION LEAVE, PERSONNEL RECORDS, AND TECHNOLOGY

5 *(REPEALING SECTION 7 OF R98-1049, and SECTIONS 2.6 AND 6.2 OF PERSONNEL*
6 *POLICIES ADOPTED BY R98-1051, July 6, 1998)*

7 WHEREAS, it is the policy of the City of Keizer to provide a compensation
8 package, which is consistent and fair for represented and non-represented
9 employees (within the constraints of ratified union contracts) and is a wise use
10 of taxpayers funds;

11 WHEREAS, it is the policy of the City of Keizer to provide vacations and to
12 provide employees the opportunity for rest, recreation and personal activities;

13 WHEREAS, it is the policy of the City of Keizer to establish standards by
14 which information contained in personnel records will be managed to achieve
15 accurate, private and legal compliance;

16 WHEREAS, it is the policy of the City of Keizer to maintain technology
17 resources that are adequate, current and a wise use of taxpayer funds;

18 WHEREAS, Section 7 of Resolution R98-1049 adopted by the City Council
19 in July, 1998 provide for vacation leave for the employees of the City of Keizer;

20 WHEREAS, Sections 2.6 and 6.2 of Personnel Policies by R98-1051
21 adopted by the City Council in July, 1998 provide for personnel records and
22 vacation leave for the employees of the City of Keizer; NOW, THEREFORE,

BE IT RESOLVED that the City Council of the City of Keizer hereby adopts the personnel policies for vacation leave, personnel records, and technology which are attached hereto marked exhibits "A", "B", and "C" and by this reference is made a part hereof; and

BE IT FURTHER RESOLVED these policies are effective July 1, 2000; and

BE IT FURTHER RESOLVED that section 7 of Resolution R98-1049 adopted by the City Council on July 6, 1998; and that sections 2.6 and 6.2 of Personnel Policies adopted by R98-1051 by the City Council on July 6, 1998 are hereby repealed in their entirety;

PASSED this _____ day of _____, 2000.

SIGNED this _____ day of _____, 2000.

Mayor

City Recorder

City of Keizer
Personnel Policies
Policy No. 30.020

SECTION:	BENEFITS AND SERVICES	
TOPIC:	Vacation	Effective Date:

Policy. It is the policy of the City of Keizer to provide vacations and to provide employees the opportunity for rest, recreation and personal activities.

I. Eligibility: All continuing full-time and part-time employees are eligible for vacation time. Continuing employees shall accrue vacation time on a monthly basis. After six months of employment, a continuing employee is eligible to take accrued vacation leave.

Temporary and seasonal employees shall not accrue vacation leave.

II. Accrual: The amount of vacation time an employee is entitled to earn depends upon the employee's length of service with the City. Except when a department head or City Manager determines that use of vacation leave is inappropriate, an employee shall use at least forty (40) hours of vacation leave each calendar year. Vacation leave shall accrue per month as follows:

- 10.00 hours commencing with the first month through the 48th month (1-4 years);
- 12.00 hours commencing with the 49th month through 108th month (5-9 years);
- 13.33 hours commencing with the 109th month through the 168th month (10-14 years);
- 16.67 hours after the 168th month (15 years and up).
- Part-time employees shall accrue vacation leave on a prorated basis.

III. Maximum Accrual: The maximum number of hours of vacation an employee may accrue is 400 hours.

IV. Pay for Vacation: An employee may elect to cash in vacation pay with the approval of the department head, either in conjunction with or after taking forty (40) hours of vacation leave, depending upon available funding.

V. Effect of Holiday: When an authorized legal holiday occurs during the vacation period, such day shall be observed as a holiday and not be deducted from earned vacation leave.

VI. Vacation Scheduling: Vacations may be taken any time during the calendar year with advance approval of the employee's supervisor based on City needs. Employees should provide their supervisors with sufficient advance notice in writing of their intention to take vacation. Vacations may be taken in increments of hourly, daily, or weekly.

VII. Concurrent Leaves: No vacation time will accrue during a period while an employee is on an unpaid leave of absence that exceeds thirty days in duration, or is receiving workers' compensation benefits.

If the leave is for a qualified FMLA or OFLA purpose, all leaves of absence shall be counted against the employee's family leave entitlement.

VIII. Effect of Separation: Employees who have not completed six months employment will not be paid for accrued vacation hours. Employees who separate from the City, either voluntarily or involuntarily, after six months of continuous employment, will be entitled to all accrued unused vacation pay calculated according to the accrual schedule.

EXHIBIT "B"
City of Keizer
Personnel Policies
Policy No. _____

SECTION:		
TOPIC:	Personnel Records	Effective Date:

Policy. To establish standards by which information contained in personnel records will be managed to achieve accurate, private and legal compliance.

I. Eligibility. This policy applies to all City of Keizer employees.

II. Official Personnel Records. All official personnel files must be kept confidential and under lock and key in the Human Resources Department. Personnel records will be maintained containing information on each city employee to meet state and federal legal requirements and to assure efficient personnel administration.

Personnel files are the property of the City and may not be removed from City files or City premises.

III. Medical Records. Medical records shall not be retained in the official employee personnel file, but in a confidential file that is physically separate from the official employee personnel file as prescribed by the Americans with Disabilities Act of 1990.

IV. Period of Retention. Inactive personnel files will be retained according to the rules of the State of Oregon Public Records Retention Archives.

V. Notification of Changes. Changes of an employee's address, telephone number and/or family status (births, marriage, death, divorce, etc.) must be reported to the Human Resources Department within 30 days.

VI. Personnel File Access Requests for access to an employee's personnel file from any person not authorized by this section must be made in writing and approved by authorized city official under the following conditions: (a) when allowed by state or federal law or regulations; (b) when requested by the employee; and (c) accompanied by a signed authorization from the employee. In addition to the employee, only the following persons shall have access under this rule to an employee's personnel file:

1. Employee's higher level supervisors in direct line within the City;
2. Employee's representative with the employee's signed authorization; and
3. Legally authorized law enforcement agencies.

Upon request by an employee, the employee shall be allowed to review all the contents of the employee's personnel file.

No information reflecting critically on an employee shall be placed in the employee's personnel file, unless the employee is notified. The employee shall be entitled to prepare a written explanation or opinion regarding critical information believed to be incorrect or a misrepresentation of facts. The written explanation or opinion shall be included as part of the employee's personnel file until such critical material is removed.

VII. Removal. An employee may request removal by the city Manager of documentation of oral warnings and reprimands after 24 months. Consideration shall be given based on the employee's performance and the continued relevance of the documentation.

SECTION:	
TOPIC:	Technology Effective Date:

Policy. It is the policy of the City of Keizer to maintain technology resources that are adequate, current and a wise use of taxpayer funds. The resources include, but are not limited to:

- NT servers.
- Novell Network server.
- PC workstations.
- Laptop computers
- System and application software.
- Storage and input/output devices.
- Network cabling, hardware, and software.
- Voice mail system.
- Internet access.

The policies governing the use of City technology resources have been established to provide secure and reliable access to these resources. It is the user's responsibility to utilize the City's technology resources in a responsible and efficient manner within these policies.

All City technology resources, including electronic mail (E-mail) is a public record (ORS 192) and is subject to inspection and disclosure and scheduled retention and disposition. **Employees should have no expectation of privacy in their use of electronic mail.**

I. Technology Users.

Authorized users include City of Keizer staff, councilors, committee members, and others who have been granted and hold an active and authorized account on a City of Keizer computer or network, including E-mail.

II. Authorized Access.

Authorized access is granted by City Manager or designee. Request forms for a new account, Internet access, purchase and repair, should be completed and returned to the City Manager or designee.

III. Ownership.

- (a) All city technology resources and related temporary and permanent (soft or hard) files are the property of the City of Keizer. These include, but are not limited to, all computers, network equipment, Internet access software, electronic mail, voice mail, documents, spreadsheets, calendar entries, appointments, and notes which reside in any City filing system, including personal files or information. As a result, there should be no expectation of privacy on the part of employees.
- (b) The City Manager, or designee, may authorize the inspection of the contents of all equipment, files, calendars, electronic or voice mail of their employees for any reason.

A. Computer Use.

1. Appropriate computer use includes, but is not limited to, the following:
 - Using City technology resources for City-related business and activities.
 - Protecting individual user accounts and passwords from unauthorized use.

2. Inappropriate computer use includes, but is not limited to, the following:
 - Accessing data and files that are created by another user, or data and files to which the user has been given explicit authorized access.
3. Violators may be subject to disciplinary action, up to and including termination. Depending on the nature of the violation, the violator may also be prosecuted under applicable local, state or federal civil or criminal law.
4. Any other actions, not in accordance with city policies, may be considered inappropriate use and subject to disciplinary action up to and including termination.

B. Electronic Mail (E-Mail)

1. Electronic mail is a City of Keizer resource and is provided as a business communications tool. Under the Oregon Public Records Act, E-mail messages are considered public records. **Employees should have no expectation of privacy in their use of E-mail.**
2. Unless an E-mail message falls within one of the specific exemptions described in the public record statute, it must be produced upon request. Questions or requests about whether an E-mail message should be released, should be directed to the City Manager.
3. Official files which must be retained to meet the state's retention schedule, must be saved as a hard copy and appropriately stored.
4. Before leaving the city's employment, the employee will review all of their electronic documents to determine what should be retained. Employee and supervisor shall delete unnecessary files or save necessary file records.
5. E-mail shall be used for business matters directly related to the business activities of the City of Keizer, and reasonable and customary personal uses of the employee.
6. E-mail shall not be used to promote discrimination on the basis of race, color, national origin, age, marital status, sex, political affiliation, religion, disability or sexual preference; promote sexual harassment; or to promote personal, political or religious business or beliefs.
7. E-mail shall not be used for personal gain, outside business activities, political activity, fundraising, or charitable activity not sponsored by the City.
8. The City reserves the right to monitor E-mail messages and to access employee E-mail.

C. Internet Use

1. The City's Internet connection is provided to employees for use in conducting City business.
2. Internet use shall be for City-authorized purposes only. Use of the Internet shall not disrupt or interfere with the work of other City staff, adversely affect the operation of the Internet or the City's own internal network, or misrepresent the policies and procedures of the City.
3. The Internet shall not be used for personal gain, political lobbying, forgery, or other crimes, or knowingly submit, publish, or display inaccurate and/or objectionable material.
4. The safety and security of the City's network and resources must be considered at all times when using the Internet. For that reason, files must not be downloaded from the Internet without being properly scanned for viruses.

5. Contact the City Manager or designee before adding any software to your computer.
6. All use of the Internet via City resources must be in compliance with any federal, state, and local, laws, in addition to City rules.
7. There is a wide variety of information on the Internet. Internet users should be aware that the City has no control over and can therefore not be responsible for the content of information available on the Internet.
8. Internet resources of any kind, for which there is a fee, must not be accessed without prior supervisor approval.

D. Telecommunications Equipment and Service

City telephones and telephone services are intended for City-related business purposes only. Employees are responsible for using City telephone systems in the most cost-effective manner and not inappropriately using those systems for personal calls. However, the City recognizes that occasions arise in which personal calls need to be made or received on City-owned cellular and extension telephones. Any expense incurred by the City for such personal use shall be reimbursed to the City in accordance with the following procedures.

1. Cellular Phones.

Cellular telephone calls are more expensive than ordinary telephone service. Therefore, cellular phones should be used only when a lower cost alternative is unsafe or not reasonably available.

(a) Cellular transmissions can be overheard by others; discretion is to be used when discussing confidential information.

(b) Employees are responsible for taking reasonable precautions to prevent unauthorized use and theft of cellular equipment.

(c) **Personal Use of Cellular Telephones.** The cellular telephone's sole purpose is to support the operations of the City of Keizer. Use of the cellular telephone for personal reasons should be kept to a minimum. If a cellular telephone is used for personal reasons, the employee will reimburse the City for such use.

2. Traditional Phones.

(a) **Personal Calls.** Personal telephone calls on City telephone lines, incoming as well as outgoing, should be brief and kept to a minimum during work hours. Personal long distance calls should be charged to the employee's personal calling card or made from a pay phone. If an emergency situation arises and personal long distance calls are billed to the employee's extension, the employee shall reimburse the City for such use.

3. Fax Machines.

The sole purpose of FAX machines is to support the business operations of the City. Employees shall be allowed to utilize City FAX machines for personal use after seeking approval from the City Manager or designee.

(a) Any employee sending personal faxes will do so only on their own time; i.e., lunch or break periods.

(b) City business will always have priority access to the equipment.

(c) There is no charge to employees for personal faxes to local phone. Personal outgoing faxes to

(a) Any employee sending personal faxes will do so only on their own time; i.e., lunch or break periods.

(b) City business will always have priority access to the equipment.

(c) There is no charge to employees for personal faxes to local phone. Personal outgoing faxes to long distance numbers are charged according to the schedule for public use.

IV. Procedures

1. Reimbursement for personal use.

(a) Employees shall be responsible to keep track of all personal cellular calls and all personal long distance extension telephone calls, including emergency calls.

(b) The City Finance Department receives monthly billing statements for City cellular and traditional telephones. Finance Department will forward these statements to each department manager for review and approval.

(c) Employees shall identify personal expenses on the billing statement and make payment to the City for the cost within ten days following the receipt of the billing statement.



July 17, 2000

AGENDA ITEM 7C

CITY COUNCIL RULES OF PROCEDURE

CITY COUNCIL MEETING: July 17, 2000

AGENDA ITEM NUMBER: _____

TO: MAYOR NEWTON AND CITY COUNCILOR MEMBERS

THROUGH: CHRIS EPPLEY
CITY MANAGER

FROM: TRACY L. DAVIS, CMC
CITY RECORDER 

SUBJECT: CITY OF KEIZER COUNCIL RULES OF PROCEDURE

BACKGROUND:

The City Charter grants the authority for the City Council to adopt rules of procedure. The first set of rules was created and adopted in 1983 and have been revised several times since then. The latest revisions were made in May, 1995. A copy of the current adopted procedures is attached for your review.

In April 2000, the City Council held a work session to discuss the revisions. There was a great deal of discussion on Section 5.1 – (C) – Public Testimony. The conclusion of the discussion was to retain the current procedure of allowing testimony on any item not scheduled on the agenda or items on the agenda which are not scheduled for public hearing. The time allowed for public testimony is 5 minutes. In addition, the Council agreed upon language for a motion of reconsideration, decorum, and requested a section be added defining recess of the Council.

RECOMMENDATION:

It is recommended the Council make a final review of the procedures. If additional changes are necessary, those should be discussed and consensus should be reached. They may be brought back at a subsequent Council meeting for final adoption. If no additional changes are necessary, the Council should move a Resolution Adopting the Council Rules of Procedure.

CITY COUNCIL PROCEDURES

Amended 1995

Adopted 1993

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

RESOLUTION NO. R95- 832

COUNCIL PROCEDURES

(AMENDING R93-685)

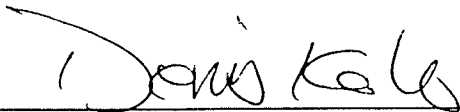
BE IT RESOLVED by the City Council of the City of Keizer Resolution

Number R93-685, Section 1 - Meetings is hereby amended to read as follows:

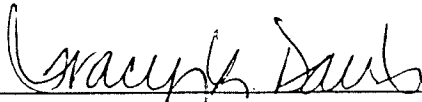
Section 1 - Meetings. The Council will meet in regular session on the first and third Monday of each month at 7:00 p.m. in the Council Chambers or at another place in the City which the City Council designates. At the first meeting of the Council in each odd-numbered year, the Council as per the Charter will elect a president from its members. The Councilor with the longest continuous tenure who has not served as president will be nominated. Others may be nominated from the Council.

PASSED this 15 day of May, 1995.

SIGNED this 18 day of May, 1995.



Mayor



City Recorder

FMAGIC

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

RESOLUTION NO. 93-685

COUNCIL PROCEDURES

(Repealing R83-028, R84-046, R89-426 and R92-551)

BE IT RESOLVED the City Council of the City of Keizer hereby adopts the following Council procedures:

1. **MEETINGS.** The Council will meet in regular session on the first and third Monday of each month at 7:00 p.m. in the Council Chambers or at another place in the City which the City Council designates.
2. **REGULAR MEETINGS ON LEGAL HOLIDAYS.** Should the regular meeting of the Council fall on a legal holiday (ORS Chapter 187), the Council will meet on the following day.
3. **SPECIAL MEETINGS AND STUDY SESSIONS.** The Mayor, upon his or her own motion may, or at the request of three members of the Council shall, by giving notice thereof to all members of the Council, call a special meeting of the Council for a time after the notice is given. Special meetings of the Council may also be held at any time by the common consent of all the members of the Council. Study sessions by the Council may be held in accordance with Oregon law and the City Charter whenever special circumstances require such a session.
4. **EXECUTIVE SESSIONS.** Executive sessions shall be held in accordance with Oregon law.
5. **OPEN MEETINGS.** All meetings will be held in accordance with public meeting requirements of Oregon law. No action by the Council shall have legal effect unless the motion and the vote by which it is disposed of take place at proceedings open to the public.
6. **QUORUM.** A majority of the incumbent members of the Council shall constitute a quorum for its business, but a smaller number may meet and compel the attendance of absent members in a manner provided by ordinance. In the absence of both the Mayor and Council President at a meeting where a quorum is present, the office of both or either may be filled pro tem from the Councilors present and business will be transacted as though the regular officials were present.

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7. **DECORUM.**

- a) Roberts Rules of Order, Newly Revised, will be used as guidance for the conduct of Council meetings. If any conflict exists, the provisions of this Resolution will take precedence. The Council President will act as parliamentarian with support from the City Attorney when present.
- b) Except by permission of the presiding officer, Councilors will address their remarks to the Council and not to the audience.
- c) Any person making personal, impertinent, or slanderous remarks, or who becomes boisterous while addressing the Council will forthwith, by the presiding officer, be barred from further audience before the Council, unless permission to continue is granted by a majority vote of the Council. At the direction of the presiding officer, the Sergeant-at-Arms shall remove such person from the Council chambers.

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8. **ORDER OF BUSINESS.** The order of business at each regular Council meeting will be in accordance with the agenda prepared by the Manager or Recorder. Items may be taken out of the following order with the consent of the Council:

- a) Call to order
- b) Roll call
- c) Public Testimony. This is the time for members of the audience to address the Council on matters not on the agenda.
- d) Committee reports
- e) Public hearings
- f) Agenda items
- g) Consent calendar
- h) Other business
- i) Announcement of significant incoming and outgoing written communications and petitions
- j) Agenda input by Council members

k) Adjournment

3 9. **ROLL CALL.** The City Recorder will conduct a roll call in alphabetic order
4 immediately following the Call to Order.

5
6 10. **AUDIENCE ADDRESSING THE COUNCIL.**
7

8 a) The public may address the Council in any one of four ways. The first is early
9 in each meeting under the agenda heading "Public Testimony". At this time, a
10 citizen may discuss or bring to Council attention any matter except topics on
11 which public hearings are also scheduled. Secondly, during scheduled public
12 hearings, comments relative to the hearing will be accepted. For other special
13 provisions applying to public hearings, see paragraph 12, below. Next, citizens
14 may request, and will be allowed to address any item in its normal agenda
15 sequence. Finally, a citizen may be allowed to address the Council at the
16 discretion of the chair. Under this provision, remarks permitted must be brief
17 and pertain to the agenda item under discussion at that time.

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19 b) After being recognized by the presiding officer, the citizen will provide his or her
20 name and address for the record of official proceedings.

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22 c) Citizen remarks will be directed to the Council as a body and not to any
individual member thereof. Further, the speaker will not be permitted to address
remarks to the City staff nor toward other citizens in the audience.

25
26 d) No person will enter into the discussion without first being recognized by the
27 presiding officer.

28
29 e) A member of the audience addressing the Council will be limited to five (5)
30 minutes unless extension is granted by the presiding officer. No person will be
31 allowed to speak more than once on any one subject until every other member of
32 the audience desiring to speak thereon has done so.

33
34 11. **CONDUCT OF PUBLIC HEARINGS.**
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36 a) The Mayor shall be the presiding officer. In the absence of the Mayor, or if the
37 Mayor is unable to participate in the hearing, the President of the Council shall
38 be the presiding officer. In the absence of the Mayor and Council President, or
39 if both are unable to participate in the hearing, a Councilor elected by a majority
40 of those voting shall be the presiding officer. Either the Mayor is the presiding
41 officer, or the Council President. If neither is at the meeting or able to vote, the
42 majority left would elect a presiding officer.
43

- 3 b) First, the presiding officer shall request a representative of the City or its
4 designee or agent to present the application and any staff report together with any
5 petitions, letters or written comments on the matter.
- 6 c) Second, the applicant or the applicants representative shall present evidence.
- 7
- 8 d) Third, anyone in attendance who wishes to present evidence in favor of the
9 application may do so.
- 10
- 11 e) Fourth, anyone who wishes to present evidence in opposition to the application
12 may do so.
- 13
- 14 f) Fifth, anyone in attendance who wishes to make general comments on the
15 application may do so.
- 16
- 17 g) Finally, the applicant or the applicants representative may present rebuttal.
- 18
- 19 h) Any person attending a hearing has the right to be represented by an attorney.
20 Upon being recognized by the presiding officer, any member of the Council or
21 the City Attorney may question or cross-examine any speaker. Any person in
22 attendance may present questions in writing to the presiding officer or designated
representative who may request an answer to such questions from any speaker.
- 25 i) Each speaker shall be limited to five minutes unless granted additional time by
26 the presiding officer. The presiding officer may further limit testimony if a
27 speaker persists in being disorderly, abusive or in presenting irrelevant evidence,
28 statements or exhibits following a warning to that effect from the presiding
29 officer.
- 30
- 31 j) All hearings are to be recorded. Each speaker will first give name and address,
32 and if applicable, the party represented.
- 33
- 34 k) The presiding officer shall either close the hearing or continue it to a date and
35 time certain for presentation of further evidence or argument.
- 36
- 37 l) Upon closing the hearing, the Council may deliberate on the matter immediately,
38 or may deliberate on the matter at a later time. During deliberations, the Council
39 may request advice from city staff as to the consequences and implications of the
40 proposal or alternatives thereto based upon the facts presented during the hearing.
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- m) If it appears that substantial new factual material is necessary to reach a decision on the matter, the Council may, by majority vote, order the hearing reopened or refer the matter to a hearing before the City Hearings Officer or the City Planning Commission for further development of the record. In either case, new notice shall be given.

12. CONFLICT OF INTEREST OR OTHER DISQUALIFICATION.

- a) A member of the Council will neither participate in the discussion nor vote on land use proposals when:
 - 1) A conflict of interest or potential conflict of interest exists; or
 - 2) The Councilor was not present during the public hearing on the land use proposal. (However, if said Councilor shall have reviewed the evidence presented at the hearing including tape recordings of the proceedings and declares such fact for the record, the Councilor may participate in discussion and vote on the matter).
- b) Though the Land Use Board of Appeals is reluctant to reverse or remand a case based on ex parte contacts, it still can be a problem, particularly if an aggrieved party can make an argument that such contact affected the decision. At a minimum, it can be a problem with the public's perception of the impartiality of the decision. Therefore, the Planning Commission and City Council shall adhere to the following policy:
 - 1) If possible, avoid communication with applicants or owners of property that you know have pending land use cases before the Zoning Administrator, Hearings Officer, Planning Commission or City Council, or with those who may have such land use cases in the near future. If your professional or social activities put you in contact with such persons, make it clear that you are not to discuss, or even listen to any matters concerning the land use case.
 - 2) If you do have a contact regarding a land use case, an announcement should be made that the ex parte contact occurred and the substance of the ex parte communication should be placed on the record at the first public hearing following the ex parte communication. In addition, staff should notify the public at the hearing that any party has a right to rebut the substance of the ex parte communication.

13. APPEAL PROCEDURE FOR LAND USE APPEALS.

a. DECISIONS APPEALABLE

Where final decision authority is granted to the Community Development Director, Keizer Hearings Officer or Community Development Director by the Zone Code or City Council, such decision of the Community Development Director, Hearings Officer of Planning Commission shall be final unless the City Recorder receives a Notice of Appeal to the Council pursuant to the City's appeal procedure.

Such notice must be received from a member of the Council, City Manager or a party to the decision of the Community Development Director, Hearings Officer or Planning Commission within ten days of the date of mailing of the final Planning decision by the City.

b. NOTICE OF APPEAL

Every notice of appeal shall contain the required material required by the appeals section of the zoning or subdivision ordinance as appropriate.

c. PUBLIC HEARING DATE AND NOTICE

Upon receipt of an appeal from a decision of the Community Development Director, Hearings Officer or Planning Commission, the City Recorder shall set a date for public hearing not less than 20 days from receipt of appeal before the Council. Notice of review shall be given to the applicant, to all persons notified of the original hearing on the application and to all parties before the original hearing body. Such notice shall include the nature of the appeal and time and place of the public hearing.

d. HEARING BY COUNCIL

The Council shall conduct a public hearing on the appeal from the respective lower body at the time and place designated on the notice of review. Such public hearings shall be conducted in accordance with the rules of procedure of the Council. The appellant shall appear at said hearing and offer justification of the appeal. If the appellant fails to do so, the appeal shall be denied. The Council, at the conclusion of the public hearing, or within 30 days thereof, shall render a decision upon the appeal.

e. **TIMELINESS OF DECISION**

State law requires that land use applications be acted upon within 120 days after submission. Hearings shall be scheduled within this timeframe, unless the applicant consents to a longer period either in writing or on the public hearing record.

f. **APPEALED DECISION**

The Council may amend, rescind, or affirm the appealed decision, or remand the matter back to the original hearing body for further reconsideration and report back to the Council. However, any remand must be within the 120 day limit for consideration, unless the applicant has consented to an extension as provided above.

g. **APPEAL FEE**

An appeal fee as established by the City Council shall be required to defray costs incidental to the proceedings and shall be paid at the time of filing an appeal in an amount set by City Council. This fee is not refundable unless the City Council upholds the appeal and reverses the order of the hearings officer. However, the Council may refund some or all of the appeal fee, at its discretion, if a decision is not reversed but the conditions of approval are substantially revised.

- 14. PLACING ITEMS ON THE AGENDA.** Any Councilor wishing to place an item on the agenda will advise the City Manager or Recorder no later than noon on the Monday preceding the meeting at which the item is to be considered.

15. SERGEANT AT ARMS.

- a) The Sergeant-at-Arms will be the Council President or an appropriate designee.
- b) It will be the duty of the Sergeant-at-Arms to assist the presiding officer, as appropriate, to maintain the order and decorum at all meetings.

16. ADDRESS BY COUNCIL MEMBER.

- a) Every Councilor desiring to speak to an issue will address the presiding officer and, upon recognition, will confine remarks to the issue under debate.
- b) Councilors questioning, seeking clarification or soliciting a recommendation from City staff will direct the concern to the appropriate staff member. The staff

member may respond as requested or redirect the inquiry to another member of the staff.

3
4 17. **OTHER BUSINESS.** Members of the Council or City staff may bring business not
5 otherwise on the agenda before the Council under the "Other Business" portion of the
6 agenda. Such matters need not be specifically listed on the agenda, but formal action on
7 such matters, if necessary, will be deferred to a subsequent Council meeting unless such
8 action is deemed urgent by a Council consensus.
9

10 18. **SIGNING OF OFFICIAL DOCUMENTS.** The Mayor shall sign all records of
11 proceedings approved by the Council. The Mayor shall have no veto power and shall
12 sign all ordinances passed by the Council according to the City Charter. After the
13 Council approves a bond of a City officer or a bond for a license, contract, or proposal,
14 the Mayor shall endorse the bond. Whenever the Mayor is unable to perform the
15 functions of the office, the Council President shall act as Mayor.
16

17 19. **QUESTION OF PRIVILEGE.** The Question of Privilege, one of five privileged
18 motions, pertains to the rights and privileges of the group and its members. This
19 includes items such as adequate heat, light and ventilation, the ability to hear the speaker,
20 accuracy of published reports, charges against the character of a Councilor, and so forth.
21 As an example, if a Councilor accuses another of a falsehood, the appropriate recourse
22 would be in defense of his or her integrity. The rules governing "Question of Privilege"
are that it does not require a second, it is a debatable motion, it also can be amended
and, if put to a vote, requires a simple majority to pass.
25

26 20. **EXPRESSING AND RECORDING DISSENTS OR PROTESTS.**
27

28 a) Any member of the Council will have the right to express dissent from or to
29 protest any action of the Council immediately following the vote on the action and
30 to have the reason entered in the minutes.
31

32 b) At such time as the accepted parliamentary procedures to influence the outcome
33 of an issue have been exhausted, the decision of the Council becomes final. To
34 prolong the decision is a breach of rules.
35

36 21. **PROCEDURES IN HANDLING PARLIAMENTARY MOTIONS AND VOTING.**
37

38 a) To make or move a motion, a Councilor must be recognized by the Chair at a
39 time when there is no other business on the floor. The Councilor then says "I
40 move adoption of an ordinance..." or "I move approval of a resolution..."
41

42 b) Another member seconds the motion. This can be done without being recognized
43 by the Chair. If no member seconds the motion, it does not come before the

meeting; it "dies" for lack of a second and the Chair calls for the next item of business. A second does not necessarily mean that the member favors the motion. It can be that the member simply wants the motion brought on the floor for discussion.

c) The Chair states the question on the motion. This procedure is necessary for the motion to come before the Council. Prior to this step, the Chair can suggest changes in the motion and the mover can change or withdraw it. No debate can take place until the Chair states the motion is on the floor. At this point, a mover may ask permission to withdraw the motion. It is unnecessary for the Chair to ask the member who seconded the original motion to withdraw the second. Withdrawal of the motion by general consent takes precedence to the second.

d) Debate then takes place on the motion. The original mover is entitled to the floor first. Each member has the right to speak twice but should not have the floor the second time until all who wish have spoken once. Unless it is decided otherwise, each speaker is limited to five (5) minutes each time.

e) The chair then puts the question to a vote. When the debate appears to have closed, the Chair asks "are you ready for the question?" If no one claims the floor, the chair restates the motion and calls for a vote. The vote is taken in one of two ways, with the Chair deciding the type of vote unless directed otherwise by the Council.

1) **Voice Vote:** This is the standard method when no more than a majority vote is required. The ayes are called for first and then the nays.

2) **Show of Hands:** This can be used as an alternative to a voice vote, in verifying an inconclusive voice vote or when a two-thirds vote is required for adoption.

3) **Vote by Written Ballot:** This is another method that is normally used only in cases of elections or a matter where initial confidentiality is needed. However, the results must be made public immediately following the vote.

4) The chair may also use "**Unanimous Consent**" as a method of voting. Matters on which there is agreement of the Council and the agreement is evident to the Chair is most efficiently being disposed of by the Chair stating, "Unless there is objection, the motion is approved." If there is an objection, one of the other voting methods is used.

- 3 f) The Chair announces the voting result. This step is always included to insure
4 Council understanding of the outcome and so that the Recorder will be able to
5 accurately reflect it in the minutes.
6
7 g) The presiding officer will have a vote on all questions before the Council.
8
9 h) Any member of the Council may request an alternative method of voting on any
10 issue.
11
12 i) Only a member who is physically present at the time the question is called will
13 be permitted a vote.
14
15 j) It is considered inappropriate for members to explain their action during any type
16 of voting.
17
18 k) The concurrence of a majority of the members of the Council voting when a
19 quorum of the Council is present shall decide any question before the Council.
20
21 l) Unless specifically governed by other provisions of the codes, ordinances, or
22 other regulations of the City, any Councilor who voted with the majority or was
not present at the time of the vote may move for reconsideration of an action at
the same or the next following regular meeting of the Council. Once a matter has
been reconsidered, no motion for further reconsideration thereof shall be made
without unanimous consent of the Council.

25
26 **22. ENACTMENT OF ORDINANCES.**
27

28 All ordinances will be enacted pursuant to Chapter VIII of the City Charter.
29

30 **23. RECORDING, DISTRIBUTION, CORRECTION, APPROVAL AND READING OF**
31 **MINUTES**
32

- 33 a) **Recording of Minutes:** Minutes are the official record of the City Council
34 meetings. They record the substance of a meeting and are a clear, accurate,
35 concise, informative record of the proceedings. Minutes will generally follow the
36 chronological order of items considered during a meeting.
37

38 All items of business coming before the City Council will have a final outcome.
39 Reporting actions taken is the single most important segment of the final minutes.
40 The minutes are to include, at a minimum:
41

- 42 1) Kind of meeting (regular, special, executive, etc.)
43

- 2) The name of the body meeting (City Council, Urban Renewal Agency, Budget Committee, etc.)
- 3) Date of the meeting and place where it is held.
- 4) Name and title of presiding officer (usually the Mayor).
- 5) All motions (main, amendments, withdrawals, etc.), with dispositions, with the name of the mover and, if applicable, the name of the seconder.
- 6) Members present.
- 7) Proposals, resolutions, orders, ordinances, and measures proposed and their disposition.
- 8) Results of all votes and the vote of each member by name, including abstentions.
- 9) The substance of any discussion on any matter.
- 10) The name and address, if available, on any person appearing before the City Council to offer testimony, and the substance of such testimony.
- 11) Subject to ORS 192.410 to 192.505, reference to any document discussed at the meeting.
- 12) Reference to the appropriate ORS section under which an executive session was held.
- 13) The signature of the individual transcribing the minutes.
- 14) Signature lines for the Mayor and the Councilors.

Minutes need not be a verbatim transcript, and the meeting does not have to be sound recorded unless otherwise required by law. For practical purposes, however, it is general practice to sound record the meetings of the City Council for back up reference.

- b) **Distribution of Minutes:** Draft minutes are distributed to the City Council with the agenda on which those minutes appear as an item for approval. However, because the minutes are generally completed in draft form prior to distribution of the agenda packets, the minutes are available for earlier review should the need arise.

3 c) **Correction and Approval of Minutes:** Correction of minutes usually take place
4 at the next regular meeting following the date of the minutes under approval.
5 Generally, minutes appear on the agenda under the Consent Calendar. If minor
6 changes are made to the minutes, a Councilor may offer such amendment prior
7 to the Consent Calendar being approved. For extensive amendments, the minutes
8 should be pulled off the Consent Calendar for consideration. All corrections that
9 appear will appear in the minutes of the meeting when the changes took place.

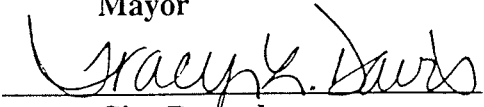
10 d) **Reading of Minutes:** Unless the reading of the minutes of the previous Council
11 meeting is requested by a majority of the Council, such minutes may be approved
12 without reading if copies thereof have been previously furnished each Council
13 member.

14 BE IT FURTHER RESOLVED that Resolutions 83-028, 84-046, 89-426 and 92-551
15 relating to the same matter are hereby repealed in their entirety.

16 BE IT FURTHER RESOLVED this resolution will become effective January 1, 1994.

17
18 PASSED this 6th day of December, 1993.

19
20 SIGNED this 6th day of December, 1993.

21
22
23
24
25 
26 _____
27 Mayor
28 
29 _____
30 City Recorder
31
32

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2 Resolution R2000- _____

3 CITY OF KEIZER COUNCIL RULES OF PROCEDURE

4 (REPEALING R93-685 and R95-832)

5
6 WHEREAS, the City Charter of the City of Keizer grants the authority for
7 the City Council to adopt Rules of Procedure;

8 WHEREAS, the City first adopted procedures in 1983, which have been
9 repealed and amended several times since this date; NOW, THEREFORE

10 BE IT RESOLVED by the City Council of the City of Keizer that the City of
11 Keizer City Council Rules of Procedure, which are attached hereto marked
12 Exhibit "A" and by this reference made a part hereof, are hereby adopted;
13 and

14 BE IT FURTHER RESOLVED that Resolution R93-685 and Resolution R95-832
15 are hereby repealed in their entirety.

16
17 PASSED this ____ day of _____, 2000.

18 SIGNED this ____ day of _____, 2000.

19 _____
20 Mayor

21 _____
22 City Recorder
23
24
25



CITY COUNCIL RULES OF PROCEDURE

ADOPTED _____



CITY OF KEIZER

COUNCIL RULES OF PROCEDURE

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SECTION 1 - AUTHORITY

1.1 Authority - The Charter of the City of Keizer provides that the Council shall adopt rules for the government of its members and proceedings. The following rules shall be in effect upon their adoption by the Council until they are amended or new rules are adopted.

SECTION 2 - GENERAL RULES

2.1 Open Meetings – All meetings will be held in accordance with the Oregon public meeting requirements of Oregon law. No final action by the Council shall have legal effect unless the motion and the vote by which it is disposed of, take place at a proceeding which is open to the public, except as outlined in Section 3.2 – Work Sessions.

2.2 Quorum – A majority of the incumbent members of the Council shall constitute a quorum for its business. If a quorum is not present, those in attendance will be recorded, and the City Recorder will adjourn the meeting.

2.3 Rules of Order – *Robert's Rules of Order Newly Revised* shall govern all Council proceedings unless they conflict with these rules. The Council President will act as parliamentarian with support from the City Attorney when present.

2.4 Suspension of Rules – The vote to suspend the Rules of Procedure (including *Robert's Rules of Order Newly Revised*) requires a two-thirds majority vote of those members of the Council who are present. If the motion is carried by a two-thirds vote, then the rules are suspended for that item only.

2.5 Address by Council Members – Every Councilor desiring to speak to an issue will address the presiding officer and upon recognition, will confine remarks to the issue under debate. Councilors questioning, seeking clarification, or soliciting a recommendation from staff will direct the concern to the City Manager. The City Manager may respond as requested or redirect the inquiry to a member of the staff.

2.6 Seating Capacity and Safety Requirements – The safe occupancy and seating capacity of the council chambers as determined by the fire marshal shall be posted within the council chambers. The limitations on occupancy and seating shall be complied with at all times. Aisles and emergency exits shall be kept clear at all times.

SECTION 3 - MEETINGS

3.1 Regular Meeting - The Keizer City Council will meet in regular session on the first and third Mondays of each month at 7:00 p.m. in the Robert L. Simon Council Chambers or at another place in the City which the City Council designates. If such date falls on a legal holiday (per ORS Chapter 187), the meeting shall be held at the usual hour and place on the following day.

3.2 Work Session – The Keizer City Council may hold a work session on the second Monday of each month at 5:30 p.m. in the Robert L. Simon Council Chambers or at another place in the City in which the City Council designates. Such sessions shall allow the City Council an opportunity to review forthcoming projects of the City, determine goals for the ensuing year, receive progress reports on current programs or projects, or to hold open discussions on any City-related subject, provided that all discussions thereon shall be informal with no vote or formal action taken. An opportunity for public testimony will only be allowed at the direction of the presiding officer or by a majority vote of the Council members.

3.3 Special Meeting – The Mayor, upon his or her own motion may, or at the request of three members of the Council shall, by giving notice thereof to all members of the Council, call a special meeting of the Council. At least 24 hours notice shall be given for the meeting. Special meetings of the Council may also be held at any time by the common consent of all members of the Council. Only the subjects listed on the special meeting agenda may be acted upon.

3.4 Emergency Meeting – An emergency meeting of the City Council may be called on less than 24 hours' notice provided that an actual emergency exists. The minutes of the meeting must describe the emergency justifying less than 24 hours notice and why the meeting could not be delayed. Attempts will be made to contact the media to provide notice of the emergency meeting.

3.5 Executive Session – Executive sessions shall be held in accordance with Oregon law – ORS 192.660. Matters discussed in executive session shall be exempt from public disclosure pursuant to State Statutes. Executive sessions shall be closed to all persons **except** the City Council; persons reporting to Council on the subject of the executive session; the City manager unless directed otherwise by the Council; City staff persons directed by the City Manager to attend; news media representatives, unless excluded by the Public Meeting Law (eg...media representatives may be excluded for discussions regarding labor negotiations); and other persons authorized by the City Council to attend. No elected official who declares a conflict of interest on a topic to be discussed in executive session shall remain in the room during such executive session discussion.

Prior to opening an executive session, the Mayor shall announce the purpose of the executive session, the state statute authorizing the executive session, and a notification to all present, including the media, that matters discussed in executive session are not to be disclosed or reported to the public. An executive session may be held during any open meeting for which proper notice has been given or outside of any regular meeting when properly noticed. No formal or final action may be taken during an executive session, but an opinion or consensus of the Council may be gathered.

3.6 Cancellation of Meeting - Upon a majority vote of the members of the City Council, a meeting may be canceled when deemed appropriate. The Charter requires one regular meeting be held each month. Notice of cancellation shall be posted on the bulletin board at City Hall, distributed to members of the media, and to the interested citizens.

3.7 Notice of Meeting – The City Recorder shall provide notice of the time, place, and agenda items for any gathering of the Keizer City Council. Notice shall be posted on the bulletin board at City Hall, delivered by mail or otherwise to members of the media, and other interested persons upon written request. Notice shall be given at least 24 hours prior to the meeting to members of the governing body, the public and media for any special meeting, unless the meeting is considered an emergency as defined by law. Notice of executive sessions shall cite the specific law that authorizes the executive session.

3.8 – Americans With Disabilities Act – All meetings of the Council shall be held in compliance with the Americans With Disabilities Act.

SECTION 4 – CHAIR AND DUTIES

4.1 Mayor – The Mayor shall serve as the chair and preside over meetings of the City Council. In the absence of the Mayor, the Council President shall serve as the Presiding Officer. In the absence of both the Mayor and Council President at a meeting where a quorum is present, the office of both or either may be filled pro tem from the Councilors present and business transacted accordingly.

4.2 Council President – At the first meeting of the Council in each odd-numbered year, the Council will elect a Council President from its members. The Councilor with the longest continuous tenure who has not served as Council President previously, will be nominated. Others may be nominated from the Council. Whenever the Mayor is unable to perform the functions of the office, the Council President shall act as Mayor.

4.3 Sergeant at Arms – The Sergeant at Arms will be the Council President. It will be the duty of the Sergeant at Arms to assist the presiding officer, as appropriate, to maintain the order and decorum at all meetings. The Council President may appoint a designee to act as the Sergeant at Arms. In the absence of the Council President, another member of the Council will be designated by the Council to serve as the Sergeant at Arms.

4.4 Decorum - The Presiding Officer shall enforce the rules of the Council. In addition, the Presiding Officer has the authority to preserve order, prevent attacks on personalities or impugning members' motives, and keep those in debate to the question under discussion. Any persons making personal, impertinent, or slanderous remarks during the meeting, or who becomes boisterous while addressing the members of the Council or staff will forthwith be barred from further audience before the Council, unless permission to continue is granted by a majority vote of the Council. The Presiding Officer may direct the Sergeant at Arms to prevent further interruption by such person by any action necessary including the removal of that individual.

SECTION 5 – ORDER OF BUSINESS AND AGENDA

5.1 Order of Business - The general rule to the order of business at regular meetings of the City Council will be:

- a) **Call to Order** – The Mayor/Presiding Officer shall call the meeting to order.
- b) **Roll Call** – The City Recorder shall call the name of each Councilor and note each Councilor's attendance or absence in the record.
- c) **Public Testimony** – An opportunity for members of the audience shall be given to address the Council on any matter, other than those issues on the agenda scheduled for public hearing, during this portion of the meeting. Participants must use a microphone and state their name and address for the record prior to addressing Council. Testimony will be limited to five minutes, unless additional time is granted by the presiding officer.
- d) **Committee Reports** – Special reports from various boards, commissions, or neighborhood associations can be given at this time. In addition, an oath of office, award, proclamation, or council liaison reports may also be presented.
- e) **Other Business** – Time provided for members of the Council or City staff to bring new or old matters before the Council. These matters need not be specifically listed on the agenda, but formal action on these matters will be deferred until a subsequent Council meeting unless this rule is suspended as outlined in Section 2. However, a motion to reconsider a previous motion may be acted upon without suspension of the rules, as outlined in Section 9.6.

- f) **Public Hearings** – A public hearing shall be held on each matter required by state law or City policy. Written and oral testimony shall be heard prior to Council action. (Procedures for public hearings are addressed in Section 6 of these procedures.)
- g) **Administrative Action** – Items that require formal action or Council direction on issues presented by staff.
- h) **Consent Calendar** – The consent agenda shall consist of a list of routine, non-controversial matters, not typically requiring discussion, presented for Council approval by a single motion. Council members who wish to remove an item from the consent calendar shall do so prior to the motion to approve the items. Any item removed from the consent calendar shall be discussed and acted upon following approval of other consent agenda items.
- i) **Written Communications** – Opportunity to inform the Council on significant written communications and petitions.
- j) **Agenda Input** – Issues for upcoming Council meetings shall be announced by the presiding officer.
- k) **Adjournment** – Following completion of all matters listed on the agenda, the presiding officer shall declare the meeting adjourned.

5.2- Recess – The Presiding Officer may recess any meeting of the Council upon the consensus of the majority of the members present. The Presiding Officer shall announce the time in which the meeting shall reconvene.

5.3 Agenda Distribution – Copies of agendas of regular meetings shall be distributed to members of the Council, staff, news media, neighborhood associations and interested citizens who have requested the agenda, at least 48 hours prior to the meeting.

5.4 Placing or Removing an Item on the Agenda – Any member of the Council wishing to place an item on the agenda will advise the City Manager no later than seven (7) days prior to the regular meeting at which the item is to be considered. To remove an item requires consent of the City Manager or Council member who placed the item on the agenda.

5.5 Special Accommodations – All Council meeting agendas shall contain proper notice of the City's intent to conduct the meeting in accordance with the Americans With Disabilities Act and that persons needing accommodations may contact the City Recorder 48 hours prior to the meeting time to request the necessary accommodations. Such notice shall provide the telephone number at which the City Recorder may be contacted.

SECTION 6 – PUBLIC HEARINGS

6.1 Public Hearings - A public hearing shall be held on each matter required by state law or City policy. The Mayor (or Council President, in the absence of the Mayor) shall preside over the hearing and announce the type of hearing and the guidelines for the hearing. The presiding officer shall declare the hearing to be open and invite the City Manager or member of the staff to present the application or staff report together with any petitions, letters, or written comments on the matter.

6.2 Testimony – Members of the audience may present oral testimony on the matters scheduled for public hearing. The presiding officer will call forth members of the audience who have signed up to present testimony under the guidelines specified at the opening of the hearing. If appropriate, the presiding officer may first ask those persons in favor of the matter to come forward, with those speaking in opposition coming after. Testimony will be limited to five minutes, unless additional time is granted by the presiding officer. The presiding officer may further limit testimony if a speaker persists in being disorderly, abusive, or in presenting irrelevant evidence, statements or exhibits following a warning to that effect from the presiding officer. Upon closure of the hearing, no further testimony will be allowed.

6.3 Testimony - Land-Use Public Hearings – In addition to the procedures outlined above, during a quasi-judicial hearing, the applicant will be allowed to testify first, then anyone who wishes to present evidence in favor of the application, followed by anyone presenting evidence in opposition or to provide general information. The applicant in the case will be offered an opportunity for rebuttal.

6.4 Attorney Representation – Any person attending a hearing has the right to be represented by an attorney. Upon being recognized by the presiding officer, any member of the Council or the City Attorney may question or cross-examine any speaker. Any person in attendance may present questions in writing to the presiding officer or designated representative who may request an answer to such questions from any speaker.

6.5 Closing of Hearing/Council Deliberation – The presiding officer shall either close the hearing or continue it to a date and time certain for presentation of further evidence or argument. Upon closing the hearing, the Council may deliberate on the matter immediately, or may deliberate on the matter at a later time. During deliberations, the Council may request advice from the City Manager or staff as to the consequences and implications of the proposal or alternatives thereto based upon the facts presented during the hearing.

6.6 Reopening a Hearing – If it appears that substantial new factual material is necessary to reach a decision on the matter, the Council may, by majority vote, order the hearing reopened or refer the matter to a hearing before the City Hearings Officer or the City

Planning Commission for further development of the record. In either case, a new notice of hearing shall be given.

SECTION 7 – PROCEDURE FOR LAND-USE APPEALS

7.1 Decisions Appealable – Where final decision authority is granted to the Zoning Administrator or Keizer Hearings Officer as defined by the Keizer Development Code, such decision shall be final unless the City Recorder receives a Notice of Appeal to the Council pursuant to the guidelines set forth in Section 3.207 of the Keizer Development Code.

7.2 Notice of Appeal – Every notice of appeal shall contain the material required and the fee as listed in the appeal provisions outlined in Section 3.207 and 3.208 of the Keizer Development Code.

7.3 Public Hearing Date and Notice – Upon receipt of an appeal of a decision of the Zoning Administrator or Hearings Officer, the City Recorder shall set a date for public hearing before the City Council not less than 30 days from the receipt of the appeal. Notice of the hearing shall be in accordance with the guidelines set forth in Section 3.204 of the Keizer Development Code.

7.4 Hearing by Council – The Council shall conduct a public hearing on the appeal at the time and place designated on the notice of hearing. The public hearing shall be conducted in accordance with the provisions of Section 3.205.03 through 3.205.06 of the Keizer Development Code and with the adopted Council Rules of Procedures. The appellant, or a designated representative shall appear at said hearing and offer justification of the appeal. If the appellant or representative fails to do so, the appeal shall be denied.

7.5 Decision of Council – The City Council may affirm, rescind or amend the action of the Hearings Officer or Zoning Administrator and may grant approval subject to conditions necessary to carry out the Comprehensive Plan and as provided for in Section 3.202.02 of the Keizer Development Code. The City Council may also remand the matter back to the Hearings Officer or Zoning Administrator for additional information, subject to the agreement of the applicant to extend the 120 day review period.

7.6 Appeal Fee – An appeal fee established by the City Council shall be required to defray costs incidental to the proceedings and shall be paid at the time of filing an appeal. The appeal fee shall be determined by the City Council. This fee is not refundable unless the City Council upholds the appeal and reverses the order of the Hearings Officer or Zoning Administrator. However, the Council may refund some or all of the appeal fee, at its discretion, if a decision is not reversed but the conditions of approval are substantially revised.

SECTION 8 – CONFLICT OF INTEREST OR OTHER DISQUALIFICATIONS

8.1 Conflict of Interest – In every case in which a Councilor is faced with a potential conflict of interest or an actual conflict of interest, the nature of the conflict must be disclosed during the public meeting and recorded in the minutes. If an actual conflict of interest exists, the Council member, after disclosing the conflict, shall remove themselves from the Council table and refrain from participation in the discussion and the vote on the issue.

A potential conflict of interest would be any action, decision, or recommendation in which the effect **could** be to the private pecuniary benefit or detriment of the Councilor or relative of the Councilor or any business which the Councilor or Councilor's relative is associated.

An actual conflict of interest would be any action, decision, or recommendation in which the effect **would** be to the private pecuniary benefit or detriment of the Councilor or relative of the Councilor or any business which the Councilor or Councilor's relative is associated.

8.2 Bias – Councilors should recuse themselves from any decision or discussions if they have a prejudice or prejudgment of the facts to such a degree that the Councilor is incapable of rendering an objective decision on the merits. Members of the Council should avoid voicing an opinion prior to the testimony and avoid ex parte contacts. **Exception:** *If the recusal results in a lack of a quorum for a decision that has to be made immediately, the Council member may participate for the purpose of establishing a quorum, however the member must abstain from voting.*

8.3 Ex Parte Contact – Ex Parte contacts only apply in a quasi-judicial case. Members of the Council should avoid any communication outside of the public hearing process with the applicant or an outside party on land-use applications. A site visit is not considered an ex parte contact unless there is communication with an outside party or if information is gained from the visit that could be a factor in future decisions. Any ex parte contact, including the nature of the contact and the information obtained, should be disclosed at the beginning of the public hearing.

8.4 Absence at Public Hearing – A member of the Council shall not participate in the discussion or vote on the land-use proposal when they were not present during the public hearing. **Exception:** *If the Council member has reviewed the tape recordings of the proceedings and any evidence presented at the hearing, the Councilor may participate in the discussion and vote on the matter, following their announcement that they have done so.*

SECTION 9 – ORDINANCES, RESOLUTIONS, AND MOTIONS

9.1 Form – All Ordinances and Resolutions shall be presented to the Council in print or type-written form.

9.2 Signing Of Official Documents - The Mayor shall sign all records of proceedings approved by the Council. The Mayor shall have no veto power and shall sign all ordinances or resolutions passed by the Council according to the City Charter. After the Council approves a bond of a City officer or a bond for a license, contract, or proposal, the Mayor shall endorse the bond. The Council President shall perform these functions whenever the Mayor is unavailable.

9.3 Enactment of Ordinances – All ordinances will be enacted pursuant to Chapter VIII of the Keizer City Charter.

9.4 Motion – Any Councilor making a motion to be considered by the Council shall state the motion with clarity, specificity, and brevity so the matter is clearly understood.

9.5 Procedures In Handling Parliamentary Motions

- a) To move a motion, a Councilor must be recognized by the Chair at a time when there is no other business on the floor. The Councilor then says "I move adoption of an ordinance..." or "I move approval of a resolution..."
- b) Another member seconds the motion. This can be done without being recognized by the Chair. If no member seconds the motion, it does not come before the meeting; it "dies" for lack of a second and the Chair calls for the next item of business. A second does not necessarily mean that the member favors the motion. It can be that the member simply wants the motion brought on the floor for discussion.
- c) The Chair states the question on the motion. This procedure is necessary for the motion to come before the Council. Prior to this step, the Chair can suggest changes in the motion and the mover can change or withdraw it. No debate can take place until the Chair states the motion is on the floor. At this point, a mover may ask permission to withdraw the motion. It is unnecessary for the Chair to ask the member who seconded the original motion to withdraw the second. Withdrawal of the motion by general consent takes precedence to the second.
- d) Debate then takes place on the motion. The original mover is entitled to the floor first. Each member has the right to speak twice but should not have the floor the second time until all who wish have spoken once. Unless it is decided otherwise, each speaker is limited to five (5) minutes each time.

- e) The chair then puts the question to a vote. When the debate appears to have closed, the Chair asks "are you ready for the question?" If no one claims the floor, the chair restates the motion and calls for a vote.

9.6 Motion for Reconsideration - Unless specifically governed by other provisions of the codes, ordinances, or other regulations of the City, any Councilor who voted with the majority or who was not present at the time of the vote, may move for reconsideration of an action at the same or at the next regular meeting of the Council. A vote of reconsideration requires a two-thirds majority vote. A vote for reconsideration shall take place at the same meeting when there is no other business on the floor or at the next regular meeting of the Council under the Other Business portion of the meeting. After a vote of reconsideration has been considered, it may not preclude the issue from being raised in the future.

SECTION 10 – VOTING

10.1 Voting - The concurrence of a majority of the members of the Council voting when a quorum of the Council is present shall decide any question before the Council. The presiding officer will have a vote on all questions before the Council. Only a member who is physically present at the time the question is called will be permitted a vote. It is considered inappropriate for members to explain their action during any type of voting. Unless a member of the Council abstains from voting, silence shall be counted as an affirmative vote. Any member of the Council may request an alternative method of voting on any issue.

10.2 Abstentions – When a question is taken, every member shall vote unless a majority of the Council, for a special reason, excuse the person, but no member shall be permitted to vote on a subject which he or she has a direct pecuniary interest. In this interest they should abstain. Any Councilor abstaining should state the reason for the abstention. An abstention does not count as either an affirmative or negative vote and shall not be counted toward the number of votes required to pass or reject a motion.

10.3 Methods of Voting – A vote can be taken in different ways. The standard is the voice vote, however the Presiding Officer may decide the type of vote unless directed otherwise by a majority of the Council.

- **Voice Vote:** This is the standard method when no more than a majority vote is required. The ayes are called for first and then the nays.
- **Show of Hands:** This can be used as an alternative to a voice vote, in verifying an inconclusive voice vote or when a two-thirds vote is required for adoption.
- **Vote by Written Ballot:** This is another method that is normally used only in cases of elections or a matter where initial confidentiality is needed. Each Councilor shall place their signature on the ballot and the results must be made public immediately following the vote.

10.4 Unanimous Consent: The presiding officer may use unanimous consent as a voting method if it appears that a majority of the Council members agree on a particular position or direction. If unanimity is questionable, a formal vote should be taken.

10.5 Voting Results - The Chair announces the voting result. This step is always included to insure Council understanding of the outcome and so that the Recorder will be able to accurately reflect the outcome in the minutes. If a motion ends in a tie, the motion will be considered lost.

SECTION 11 – MINUTES

11.1 Recording of Minutes: Minutes are the official record of the City Council meetings. They record the substance of a meeting and are a clear, accurate, concise, informative record of the proceedings. Minutes will generally follow the chronological order of items considered during a meeting. Minutes need not be a verbatim transcript, and the meeting does not have to be sound recorded unless otherwise required by law. For practical purposes, however, it is general practice to sound record the meetings of the City Council for back up reference. Reporting actions taken is the single most important segment of the final minutes. The minutes are to include, at a minimum:

- a) Kind of meeting (regular, special, work session, etc.)
- b) The name of the body meeting (City Council, Urban Renewal Agency, Budget Committee, etc.)
- c) Date of the meeting and place where it is held.
- d) Name and title of presiding officer (usually the Mayor).
- e) All motions (main, amendments, withdrawals, etc.), with dispositions, with the name of the mover and, if applicable, the name of the seconded.
- f) Members present.
- g) Proposals, resolutions, orders, ordinances, and measures proposed and their disposition.
- h) Results of all votes and the vote of each member by name, including abstentions.
- i) The substance of any discussion on any matter.
- j) The name and address, if available, on any person appearing before the City Council to offer testimony, and the substance of such testimony.
- k) Exhibits or written testimony subject to ORS 192.410 to 192.505.

- l) Reference to the appropriate ORS section under which an executive session was held.
- m) The signature of the individual taking the minutes.
- n) Signature lines for the Mayor and the Councilors.

11.2 Distribution of Minutes: Draft minutes are distributed to the City Council with the agenda on which those minutes appear as an item for approval. However, because the minutes are generally completed in draft form prior to distribution of the agenda packets, the minutes are available for earlier review should the need arise.

11.3 Correction and Approval of Minutes: Approval of the minutes usually take place at the next regular meeting following the date of the minutes under approval. Generally, minutes appear on the agenda under the Consent Calendar. If minor changes are made to the minutes, a Councilor may offer such amendment prior to the Consent Calendar being approved. For extensive amendments, the minutes should be pulled off the Consent Calendar for consideration. All corrections that appear will appear in the minutes of the meeting when the changes took place. If a member of the Council is absent from the meeting, they should announce their absence and abstain from voting for approval of the minutes. When a Councilor is absent, the word "absent" shall be printed in place of a signature.

11.4 Reading of Minutes: Unless the reading of the minutes of the previous Council meeting is requested by a majority of the Council, such minutes may be approved without reading if copies thereof have been previously furnished each Council member.

11.5 Executive Session Minutes – Minutes from Executive Sessions held pursuant to ORS 192.660 will be kept in the form of a tape recording. No transcription of executive session minutes will be made unless otherwise required by law.

SECTION 12 – PROCLAMATIONS

12.1 Request for Proclamations – Organizations or citizens requesting proclamations that proclaim a specified date or dates to recognize the efforts of various community groups and individuals on certain projects, shall be filed with the City Recorder. Upon receipt, the City Recorder will notify the Mayor of the request. If the request is approved by the Mayor, the City Recorder will prepare the proclamation for the Mayor's signature.

12.2 Reading of Proclamations – It will be at the discretion of the Mayor if a proclamation will be read at a City Council meeting or presented to the organization or group. It is preferred that a representative of the requesting organization be present to receive the proclamation.

SECTION 13 – COUNCIL VACANCIES/APPOINTMENTS

13.1 Vacancy of Council Position – Chapter VII – Section 29 of the Keizer City Charter outlines circumstances in which a Council position may become vacant. Vacant elective offices shall be filled by appointment. A majority vote of the remaining members of the Council shall be required to validate the appointment. Upon validation, the appointee's term of office shall begin and continue throughout the unexpired term of the predecessor.

13.2 Vacancy of Mayor Position – In the event the office of the Mayor becomes vacant, the Council President shall become Mayor. A new Council President shall be nominated accordingly from the remaining members of the Council. The Council then shall appoint a Councilor to fill the vacancy as set forth below.

13.3 Declaration of Vacancy – The vacant position shall be declared vacant by a City Council Resolution.

13.4 Process for Appointment – Upon declaration of the vacancy, a press release will be issued inviting members of the community, who meet the qualifications as outlined in the Charter, to submit a letter of interest and resume. Within 45 days of the declaration of vacancy, the Council may nominate all who have submitted their name for consideration, or Councilors can nominate individual candidates. At the point where it appears no more nominations are to be made, a motion shall be made to close the nominations, and upon two-thirds majority vote of the remaining Council members, the nominations are closed.

13.5 Appointment Vote – The Mayor or Presiding Officer shall review the appointment process with members of the audience prior to any votes being taken. Written ballots shall be prepared containing the names of all of the nominated candidates. The following voting process will be followed:

- a) Each of the remaining members of the Council shall select one candidate and mark their ballot accordingly. If one candidate receives the majority of the votes of the remaining members of the Council, they shall be appointed to fill the vacant position.
- b) If no candidate receives a majority vote of the remaining members of the Council on the first ballot, a second ballot shall be distributed. The second ballot shall contain the names of the two candidates receiving the most votes from the first ballot, unless a tie resulted from the first ballot. In a tie situation, the first place candidates will be placed on the second ballot. Each remaining member of the Council shall select one candidate and mark their ballot accordingly. The candidate receiving a majority of the votes of the remaining members of the Council shall then be appointed to the vacant position.

- c) If a tie results from the second ballot, a third and final ballot will be prepared containing the names of the two candidates, or three in case of a three-way tie in the second vote. Each remaining member of the Council shall select one candidate and mark their ballot accordingly. The candidate receiving the majority of the votes of the remaining members of the Council shall be appointed to the vacant position. In case of a tie vote on this third and final vote, the Council will select the replacement Councilor according to the procedure outlined in Section 13.6 – Tie Votes – Appointment Process.
- d) By Resolution, the Council shall validate the appointment.

13.6 Tie Votes – Appointment Process - In the event of a tie vote during the third and final vote of the appointment voting process, the names of the two candidates (or three in case of a three-way tie) receiving a majority vote of the remaining members of the Council, will be placed in the official city bucket. The City Recorder will draw the successful name.

13.7 Tie Votes – Council Election – When two or more candidates running for the same Council position, have an equal and the highest number of votes, the successful candidate will be determined by a drawing of lots. Upon confirmation of a recount by the Marion County Elections Division, this determination shall take place at the first regularly scheduled meeting after the general election. The Council will use the same process to determine the successful candidate as outlined in Section 13.6 – Tie Votes – Appointment Process.

SECTION 14 – CREATION OF COMMITTEES, BOARDS AND COMMISSIONS

14.1 Citizens Committees, Boards and Commissions – The Council may create committees, boards, and commissions to assist and advise in the conduct of City business. These committees, boards, and commissions shall be created in accordance with the guidelines as adopted by the City Council.

14.2 Membership Appointment – The Volunteer Coordinating Committee will receive, review, and process written applications and make recommendations to the Council for appointment consideration, unless the Resolution, Ordinance, or State Statute defines the appointment process differently.

14.3 Removal of Members of Committees, Boards, and Commissions – The Council may remove any member of any committee, board, or commission which it has created, by a vote of at least a two-thirds majority of the Council.



July 17, 2000

AGENDA ITEM 7d

**AUTHORIZE CITY MANAGER TO AWARD BID FOR FLOOD
HAZARD MITIGATION PROJECT #2**



City of Keizer

Phone: 390-3700 • Fax: 393-9437
930 Chemawa Rd. N.E. • P.O. Box 21000 • Keizer, Oregon 97307-1000

Administration • Public Works • Community Development • Municipal Court • Police (business only) Phone 503.390.3713 Fax 503.390.8295

July 12, 2000

TO: Chris Eppley
City Manager

FROM: William I Peterson, P.E.
City Engineer

THROUGH: Rob Kissler, Public Works Director

RE: **Bid for Flood Hazard Mitigation Project #2
Recommendation of Award**

Bids were received at 10 a.m. local time on Wednesday, July 12, 2000 in the City Hall Library for the above referenced project.

PROJECT DESCRIPTION

Purchase of two homes to be removed from city property acquired with the assistance of FEMA through Oregon Emergency Management, and the lots restored to their natural condition.

Four bids were received, 2 for each home.

The bids received were as follows:

Bidders	6826 Jakewood	6413 Whisper Cr.
Steve Hoskins	\$12,678.00	\$12,678.00
Loretta Lent	\$756.00	Not bid
Reimann-Nopp	Not bid	\$5,001.00

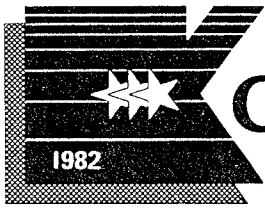
Under the rules for this project, the highest bid for each home is considered to be the most responsive.

Reference information provided by the highest bidder as a part of the Bid Proposal appears satisfactory. The highest bidder is a licensed contractor with the State of Oregon.

Based upon the above information, we recommend that the sale of each home, the removing of each home off its lot and the restoring of each lot to its natural condition be awarded to Steve Hoskins for the amount of \$12,678.00 for each home.

“Pride, Spirit and Volunteerism”

Incorporated 1982



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June 22, 2000

STATESMAN JOURNAL

Attn: Pat
280 Church St. NE
Salem, OR 97301
FAX 503.399.6808
TEL 503.399.6788

KEIZER TIMES

Attn: Scotta
142 Chemawa Rd. NE
Keizer, OR 97303
FAX 390.8023
TEL 390.1051

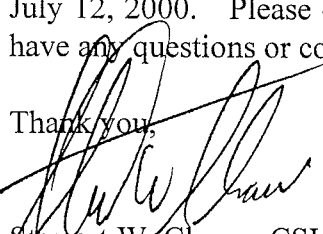
RE: CITY OF KEIZER – FLOOD HAZARD MITIGATION PROJECT #2

Please publish the enclosed Advertisement for Bid in your newspaper on, or near the following dates:

First Publication	–	June 26, 2000
Second Publication	–	June 28, 2000
Third Publication	–	June 30, 2000

You may bill any charges to the City of Keizer attention to accounts payable at 930 Chemawa Road, Keizer, Oregon, 97303. Please also provide a Certificate of Publication to the City by July 12, 2000. Please contact me at Peterson Engineering Consultants, (503) 390-7402, if you have any questions or comments regarding the enclosed Advertisement for Bid.

Thank you,


Stewart W. Cleave, CSI
Project Manager

Encl: (Advertisement for Bid)

C: Chris Eppley, City Manager
Rob Kessler, Public Works Director
Tracy Davis, City Recorder
William I. Peterson, City Engineer

“Pride, Spirit and Volunteerism”

Incorporated 1982



CITY OF KEIZER

ADVERTISEMENT FOR BIDS

**FOR THE PURCHASE AND REMOVAL OF HOMES LOCATED AT
6413 WHISPER CREEK LOOP AND 6826 JAKEWOOD COURT,
KEIZER, OREGON,**

CITY OF KEIZER – FLOOD HAZARD MITIGATION PROJECT #2

Sealed bids will be received by the City of Keizer at the office of the city recorder, City Hall Keizer, Oregon, until but not after, **10:00 a.m. local time, July 12, 2000**, when all bids will be publicly opened and read aloud in the Keizer City Hall Council Chambers for the captioned project.

OPEN HOUSE: Prospective bidders may inspect the homes on **July 6, 2000**, between the hours of 1:00 p.m. and 4:00 p.m.

THE PROPOSED WORK CONSISTS OF: Removing a home off its lot and restoring the lot to its natural condition.

Basis Of Award:

The City reserves the right to withdraw sale for whatever reason and return bid payment at any time prior to execution of a "Building Purchase and Removal Agreement". There is a minimum acceptable bid of \$500.00 for each house. Bids for each house must be separate and shall not be contingent on the award of purchase of any other house stated above. If awards are made, each house will be awarded, individually on its own merit, to the highest responsive and responsible bidder.

Successful bidders will be required to enter into a non-negotiable "Building Purchase and Removal Agreement" with the City of Keizer. Time is of the essence in the performance of this Agreement in order to vacate the lots. Successful bidders will be required to remove the houses from the lots (or demolish for salvage) and restore the lots to their natural condition no later than **August 31, 2000**. The lots that the houses occupy are not for sale.

The City makes no representation or warranties as to the condition of the houses. Further, the City makes no representations or warranties regarding the fitness of the houses for any use whatsoever. Successful bidders are purchasing the houses "as is", that is, with all defects, if any, at the time of close of Bids.

Bid Documents may be inspected after **June 26, 2000** at:

**Peterson Engineering Consultants, Inc.
4300 Cherry Avenue
Keizer, OR 97303**

or

**Keizer City Hall
920 Chemawa Rd. NE
Keizer, OR 97303**

Those wishing to obtain a set of Bid Documents may do so at **Peterson Engineering Consultants, Inc.** and will be charged \$25.00 per set, non-refundable. Inquiries concerning the contents of the Bid Documents should be directed to Project Engineer, William I. Peterson of Peterson Engineering Consultants, Inc. (503) 390-7402.

Bids shall be made on the forms furnished by the City, addressed and mailed, or delivered, to:

**City Recorder
930 Chemawa Rd. N. E.
Keizer, Oregon 97303**

in a sealed envelope plainly marked, **"BID for FLOOD HAZARD MITIGATION PROJECT #2"** along with the name and address of the Bidder. The Bidder shall not enclose the Project Manual or Plans with his/her bid. A separate cashier's check or certified check of the bidder, in the total amount for EACH INDIVIDUAL HOUSE that is being bid upon, must accompany the sealed bid. PERSONAL CHECKS are noY acceptable. Upon the highest bidder's successful execution of the "Building Purchase and Removal Agreement" for the purchase of a house, checks will be returned to all unsuccessful bidders that also bid on the house. If the successful bidder does not accept the terms of the City's "Building Purchase and Removal Agreement" the City will withdraw the sale and return the bid payment.

It is the bidders full and complete responsibility to know and comply with all applicable codes, laws and regulations related to the removal and relocation of houses.

The City of Keizer may reject any bid not in compliance with all prescribed public bidding procedures and requirements, and may reject for good cause any or all bids upon a finding of the City it is in the public interest to do so. These houses are not sold in strict compliance with ORS 279 "Public Contracts and Purchasing" or with the City of Keizer Purchasing Manual.

A 100 percent Performance Bond using the form bound in the Contract Documents will be required to guarantee the faithful performance of the Contract.

The bid must be accompanied with a letter signed by the mover, stating the mover, licensed by the State of Oregon, has discussed the relocation of the structure with the bidder and is ready to perform the move within the time limits stated.

The City of Keizer is an Equal Employment Opportunity/Affirmative Action Employer.

_____, _____
Tracy Davis, City Recorder (Date)

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2 Resolution R2000-_____

3 AWARDING BID FOR FLOOD MITIGATION PROJECT #2 AND AUTHORIZING THE
4 CITY MANAGER TO ENTER INTO BUILDING PURCHASE AND REMOVAL
5 AGREEMENT WITH STEVE HOSKINS
6

7 WHEREAS, on June 26, 28, and 30 invitations to bid were published in local
8 newspapers for the purchase and removal of homes located at 6413 Whisper Creek
9 Loop and 6826 Jakewood Court, Keizer, Oregon:

10 WHEREAS, on July 12th, 2000 bids were received and opened. Two bids were
11 received on the house at 6826 Jakewood Court with the high bid being submitted by
12 Steve Hoskins in an amount of \$12,678.00. Two bids were also received on the
13 house at 6413 Whisper Creek Loop with the high bid being submitted by Steve
14 Hoskins in an amount of \$12,678.00; NOW, THEREFORE

15 BE IT RESOLVED by the City Council of the City of Keizer that the City
16 Manager is hereby authorized to enter into Building Purchase and Removal
17 Agreement with Steve Hoskins to purchase and remove the house located at 6826
18 Jakewood Court, Keizer, Oregon for \$12,678.00;

19 BE IT FURTHER RESOLVED that the City Manager is hereby authorized to
20 enter into Building Purchase and Removal Agreement with Steve Hoskins to
21 purchase and remove the house located at 6413 Whisper Creek Loop, Keizer, Oregon
22 for \$12,678.00

23 //////////////

1
2
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9

PASSED this ____ day of _____, 2000.

SIGNED this ____ day of _____, 2000.

Mayor

City Recorder

submitted by Robert Harbuzer
71700

**WE THE UNDERSIGNED DO HEREBY PETITION & REQUEST
THAT THE KEIZER CITY COUNCIL LISTEN TO US, THE
PROPERTY OWNERS OF THE CHEMAWA ACTIVITY CENTER
AREA 'A'.**

Whereas the Keizer City Council has on its Monday, July 17, 2000 Urban Renewal District Agenda an item to enter into an agreement with Northwest National, LLC that might compromise the property rights of the owners of this property, negatively effect the property values of this property, and otherwise restrict the rights of the property owners - we do hereby request that the City of Keizer to not enter into any exclusive agreements regarding this property.

Furthermore, the above LLC has no agreements or otherwise contractual arrangement with the property owners and that the owners of this property would like to pursue current negotiations/considerations that they have underway at this time or might have in the future without hindrance from any third parties.

Cursory contacts with legal advisors indicate that for the City of Keizer to enter into exclusive contractual arrangements at this time with anyone where the result might be the exclusive development of this property, is beyond the powers of the Council/Urban Renewal Agency without the consent of the property owners.

Legal action will be considered against the City and the LLC, should the proposed contract as indicated by information made public to date, be entered into. Since this or any other such contract could result in serious limitation of individual property rights, restrict or reduce property values, and other yet undetermined harm; we reserve and indicate our willingness to use all legal remedies at our disposal now and in the future.

The following petitioners are either the legal owners, legal representatives, or executors of the property under consideration.

Robert Harbuzer *Lucille E. Demham* *Ron Demham*
Ronald E. Walls *Pragna Holgama*
Sharon A. Walls
Betty E. Young
John E. Young
Robert L. Lowery

Dated: Sunday, July 16, 2000

7-17-00
Jerry Watson

MEMO

To: Keizer City Council
Keizer City Manager
From: Jerry Watson, Keizer Library Task Force
Date: July 17, 2000
Re: Library Task Force Update/Survey

The Library Task Force, with the assistance of McNary High Schools students, will be conducting a survey about library services in Keizer. The survey instrument will be administered as a telephone survey with a target sample size of 300 participants. The current plan is to take the survey on three successive evenings this week: Tuesday-Thursday, July 18-20, 2000. Prudential Real Estate in Keizer has donated use of their office and telephones for the evening so that the survey can be conducted.

Attached for your information is a copy of the Survey instrument. For your information, Cynthia Holt has taken a key role in organizing the survey, locating space for a phone bank, and similar matters. Patrick Sieng, a committee member and McNary student, has also played an important role by recruiting other students to help administer the survey.

If you have any questions, please feel free to contact me.



Script for Library Survey

Hello. My name is _____ and I am a McNary High School student calling as a volunteer for the city of Keizer. I have a telephone survey about library services which should take about 5 minutes. Would you be willing to participate?

Yes - continue with survey

No - Thank you for your time.

1. How important is it for the people of Keizer to have access to library services in this community?

- ☐ Very Important
- ☐ Somewhat Important
- ☐ Not Very Important
- ☐ Not Important
- ☐ Don't Know

2. Do you or anyone in your household use the Salem Public Library? Yes No

Do you or anyone in your household use another library? Yes No
If yes, which one? _____

Do you or anyone in your household use a school library Yes No
If yes, which one? _____

Do you or anyone in your household use the Keizer Reading Connection? Yes No

If the answer to #1 was Not Important or Don't Know, then skip to #6

3. This set of questions is about operating hours for a library.

Would you or anyone in your household be likely to use a library on weekday mornings? Yes No

Would you or anyone in your household be likely to use a library on weekday afternoons? Yes No

Would you or anyone in your household be likely to use a library on weekday evenings? Yes No

on Saturday mornings? Yes No

on Saturday afternoons? Yes No

on Saturday evenings? Yes No

on Sunday mornings? Yes No

on Sunday afternoons? Yes No

on Sunday evenings? Yes No

4. *The next set of questions is about different materials found in a library.*

Would you or members of your household use children's literature?	Yes	No
Would you or members of your household use hobby & craft books?	Yes	No
Would you or members of your household use adult fiction?	Yes	No
use research materials?	Yes	No
use reference books and materials?	Yes	No
use magazines/newspapers/periodicals?	Yes	No
use Spanish language materials?	Yes	No
use gardening books?	Yes	No
use how-to books?	Yes	No
to access medical information?	Yes	No
to access legal information?	Yes	No
use homework materials?	Yes	No

5. *The next set of questions is about services at a library*

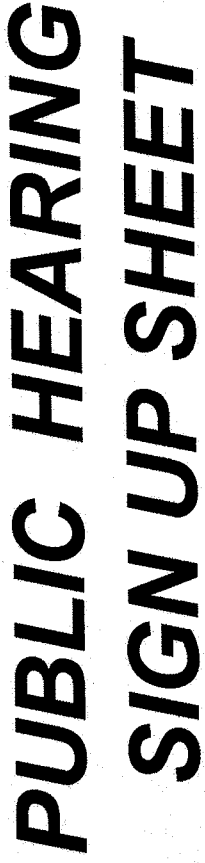
Would you or any member of your household use Internet services?	Yes	No
Would you or any member of your household use teen programs?	Yes	No
use word processing & computer equipment?	Yes	No
use small business services?	Yes	No
use adult education and training?	Yes	No
use a visiting artist program?	Yes	No
use free meeting rooms?	Yes	No

6. *Now for our final set of questions, would you please tell us a little about your household?*

How many people are in your household?	_____
How long have you been in Keizer	_____ yrs or _____ months
Do you have any school age children?	Yes No
Is anyone in the household retired?	Yes No

And, if given the chance, would you like to volunteer at a library? Yes No

Thank you very much for your time.



DATE: JULY 17, 2000 TIME: 7:00 p.m. AGENDA ITEM # 6a

THE: KEIZER CITY COUNCIL PLACE: ROBERT L. SIMON COUNCIL CHAMBERS

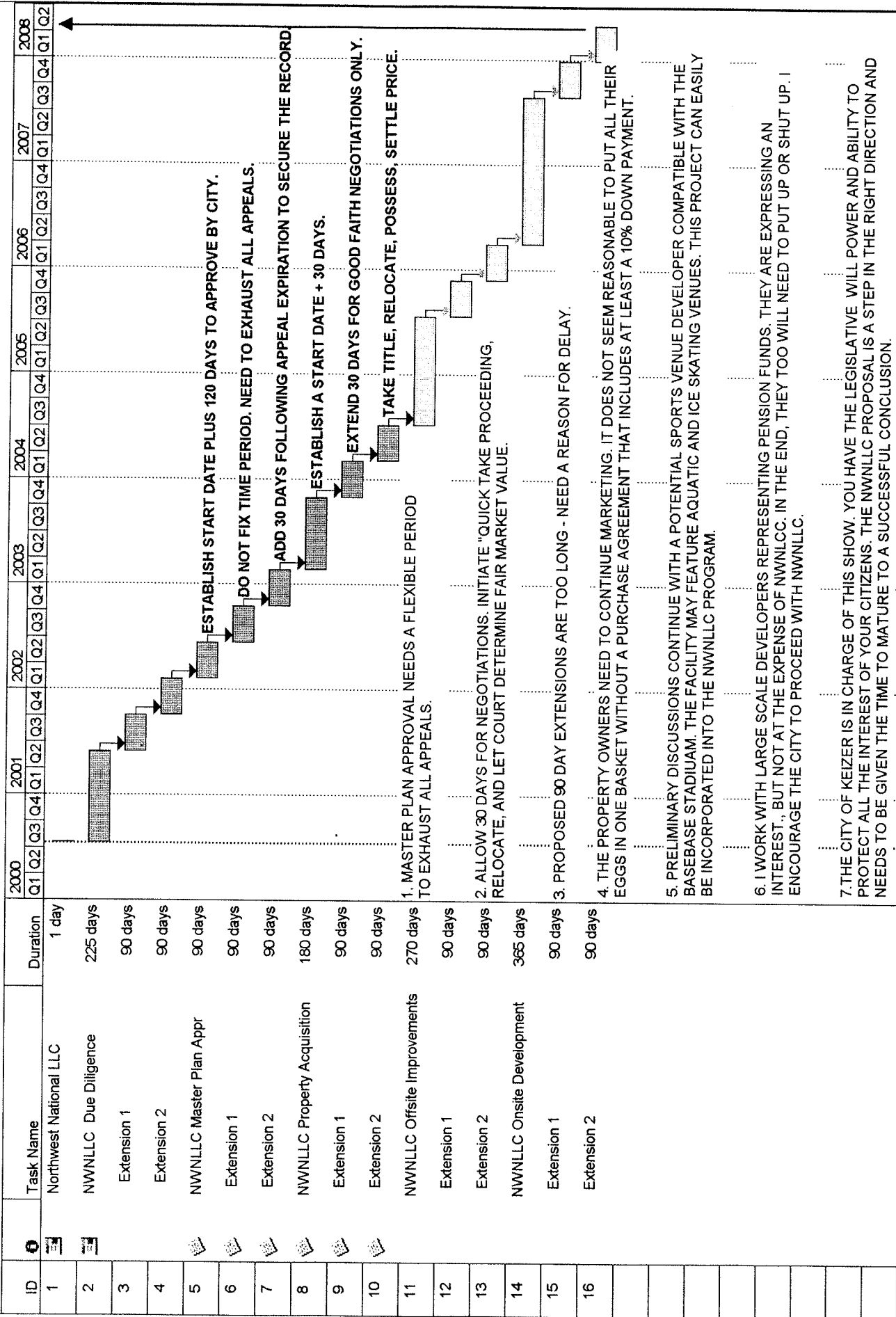
BEFORE THE: KEIZER CITY COUNCIL PLACE:

(PLEASE PRINT)

[illegible]

Submitted by Rod Stubbs
7-17-01

Northwest National Proposal to City of Keizer
Chemawa Activity Center



PlanTek Management, Inc.
Rodney R. Stubbs

Chemawa Activity Center
Modified Schedule

ID	Task Name	Duration	00				2001				2002				2003				2004			
			Qtr 3	Qtr 4	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Qtr 1	Qtr 2	Qtr 3	Qtr 4		
1	Northwest National LLC (NWNLLC)	1 day																				
2	NWNLLC Due Diligence	225 days																				
3	NWNLLC Master Plan Appr	120 days																				
4	Chemawa Mgmt Consolidation Appraisal	30 days																				
5	Chemawa Mgmt Escrow and Closing Period	60 days																				
6	NWNLLC Property Acquisition	120 days																				
7	NWNLLC Offsite Improvements	270 days																				
8	NWNLLC Onsite Development	365 days																				



DATE: JULY 17, 2000	TIME: 7:00 p.m.	AGENDA ITEM #	6b
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[illegible]

CITY OF KEIZER MISSION STATEMENT
**KEEP CITY GOVERNMENT COSTS AND SERVICES TO A MINIMUM BY PROVIDING CITY
SERVICES TO THE COMMUNITY IN A COORDINATED, EFFICIENT AND LEAST COST FASHION**

A G E N D A

URBAN RENEWAL AGENCY OF THE CITY OF KEIZER

Monday, July 17, 2000

Immediately following conclusion of City Council Meeting

Robert L. Simon Council Chambers

Keizer, Oregon 97303

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC TESTIMONY

This time is provided for citizens to address the Urban Renewal Agency for matters not scheduled for public hearing or listed on the agenda.

4. PUBLIC HEARING

5. ADMINISTRATIVE ACTION

- a. Authorizing Urban Renewal Agency Chair to Enter Chemawa Activity Center Exploratory Agreement

6. CONSENT CALENDAR

7. OTHER BUSINESS

This time is provided to allow Urban Renewal Agency members the opportunity to bring matters before the Agency which are not on tonight's agenda.

8. ADJOURN

Upon request, auxiliary aids and/or special services will be provided to participants with disabilities. To request services, please contact us at 390-3700 at least two working days (48 hours) in advance.

URBAN RENEWAL AGENCY MEETING: July 17, 2000

AGENDA ITEM NUMBER: _____

TO: MAYOR NEWTON AND CITY COUNCILOR MEMBERS

THROUGH: CHRIS C. EPPLEY
CITY MANAGER

FROM: TRACY L. DAVIS, CMC
CITY RECORDER

SUBJECT: CHEMAWA ACTIVITY CENTER EXPLORATORY AGREEMENT

ISSUE:

An Urban Renewal Agency meeting has been noticed and scheduled should the Urban Renewal Agency wish to authorize the Agency Chair to enter into an exploratory agreement in regards to the development of the Chemawa Activity Center.

RECOMMENDATION:

The Agency should determine if this action is necessary and if so take the appropriate action at this meeting.

FAXED



NOTICE is hereby given that the City Council of the City of Keizer will meet in executive session on **Monday, July 17, 2000 at 6:00 p.m.** The executive session is being held pursuant to ORS 192.660(1)(f)-Records Exempt from Public Inspection.

The Executive Session will be held at Keizer City Hall, 930 Chemawa Road NE, Keizer, Oregon.

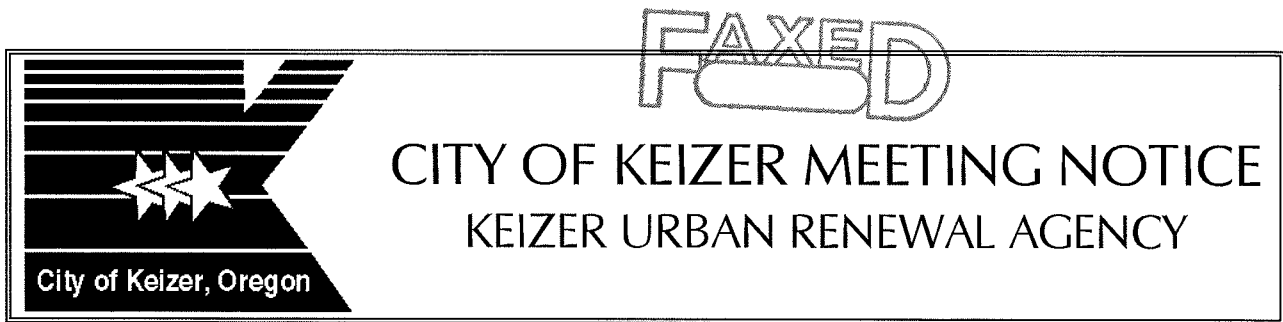
Questions regarding this session may be directed to Chris Eppley, City Manager at 390-3700, extension 102.

Dated this 13th day of July, 2000.

Tracy L. Davis, CMC
City Recorder

Notice for Information Purposes Only.

Upon request, auxiliary aids and/or special services for those with disabilities will be provided. To request services, please contact us at 390-3700 or through Oregon Relay 1-800-735-2900 at least two working days (48 hours) in advance..



The Keizer Urban Renewal Agency will meet on **Monday, July 17, 2000 following the Keizer City Council meeting** This meeting will be held in the Robert L. Simon Council Chambers at Keizer City Hall, 930 Chemawa Road NE, Keizer, Oregon. The Agency may discuss or determine if action is necessary in entering an exploratory agreement for development of the Chemawa Activity Center area.

This location is accessible to the disabled. Please contact City Hall if special arrangements are necessary. Questions regarding this meeting may be directed to Chris Eppley, City Manager at 390-3700, extension 102.

DATED this 13th day of July 2000.

Tracy L. Davis, CMC
City Recorder

NOTICE FOR INFORMATIONAL PURPOSES ONLY