

CITY COUNCIL AGENDA PACKET

MONDAY
JULY 16, 2001

- 7:00 P.M. CITY COUNCIL
REGULAR SESSION

*Please contact Chris Eppley, City Manager if
you have any questions or need additional
information regarding any of the staff
reports or issues contained on the agenda.
Thanks!!*

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 16, 2001

7:00 p.m.

**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 Council on any matters other than those on the agenda scheduled for public hearing.

4. COMMITTEE REPORTS

a. Introduction of Recent Volunteer Appointments

- **Budget Committee – Robert Gebhardt and Carl Beach**
- **Traffic Safety Commission – Steve Prothero**
- **Parks Advisory Board – Carole Dicksa**
- **Planning Commission – John Preston, Christopher Andersen, and Ross Day**

b. City of Keizer Employee Debbie Bernard – Toastmaster Award

c. Council Liaison Reports

- **Mid Willamette Area Commission on Traffic (MWACT) – Councilor Smith**
- **Parks Advisory Board – Mayor Christopher**
- **Planning Commission – Council President Moir**
- **Chamber of Commerce Governmental Affairs – Councilor Walsh**

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 that are not on tonight's agenda.

a. New Business

b. Old Business

6. PUBLIC HEARINGS

- a. Legislative Amendment to Redesignate Chalmers Jones Park and Clarify Boundaries (continued from June 18, 2001)**

7. **ADMINISTRATIVE ACTION**

- a. **ORDINANCE** – Regulating False Alarms in the City of Keizer (*Second Reading*)
- b. **ORDINANCE** – Establishing Keizer Park Regulations (Repealing Ordinance Nos. 93-266 and 2001-455) (*Second Reading*)
- c. **RESOLUTION** – Establishing Volunteer Coordinating Committee (Repealing R95-617)

8. **CONSENT CALENDAR**

- a. **RESOLUTION** – Certifying Delinquent Sewer Accounts
- b. **RESOLUTION** – Authorizing City Manager to Enter Agreement with Morse Bros. Construction for Verda Lane Improvements
- c. **RESOLUTION** – Initiating Murphy Subdivision Street Lighting District
- d. **RESOLUTION** – Establishing Facility Use Policy for City Hall property (*Repealing R86-229*)
- e. Approval of June 18, 2001 Regular Session Minutes
- f. Approval of July 2, 2001 Regular Session Minutes

9. **WRITTEN COMMUNICATIONS**

To inform the Council of significant written communications.

10. **AGENDA INPUT**

July 23, 2001

5:300 p.m. City Council Work Session

- Pilot Water Project with City of Salem
- Keizer Aquatics Center Presentation

August 6, 2001

7:00 p.m. City Council Regular Session

- Zone Change Case No. 01-20 Public Hearing (River Road/Maine Avenue)
- Infill Master Plan Public Hearing

August 13, 2001

5:30 p.m. City Council/Parks Advisory Board Work Session

- Annual City Parks Tour

August 20, 2001

7:00 p.m. City Council Regular Session

11. **ADJOURN**



July 16, 2001

AGENDA ITEM 4b

CITY OF KEIZER EMPLOYEE DEBBIE BERNARD – TOASTMASTER
AWARD

T O A S T M A S T E R S



I N T E R N A T I O N A L

Terrence J. McCann /Executive Director

May 16, 2001

Susan Galsdorf Finance Director
Elsa Palacios Lead Worker
City of Keizer
PO Box 21000
Keizer OR 97307

Dear Ms. Galsdorf and Ms. Palacios:

It is our pleasure to inform you that Debbie Bernard has successfully completed the first section of the Toastmasters International Communication and Leadership Program.

The Communication and Leadership Program is a training program designed to help participants improve their speaking and leadership skills in a club environment. To finish the program, participants must complete a series of rigorous assignments which provide instruction and practice in the basic techniques of public speaking. Participants also learn to offer constructive evaluation of others' efforts, and they have the opportunity to serve as club leaders. Since the program is self-paced, those completing the program show a high degree of self-motivation and a strong interest in self-improvement.

The achievement of Toastmaster Bernard will benefit you as an employer. Participation in the Toastmasters program involves working and communicating with people from a wide variety of professions and vocations. Through such interaction, participants gain a valuable awareness of the business and professional community in which they live and work. They increase their self-confidence and understanding of others, and they become better listeners, thinkers and leaders. These skills help them become more effective in their work environment.

We know you will be pleased to learn of this recognition and to make note of this important development in the life of Toastmaster Bernard.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Terrence J. McCann'. The signature is fluid and cursive, with a large, sweeping initial 'T'.

Terrence J. McCann
Executive Director

TJM:dh

enclosure



P. O. Box 9052 • Mission Viejo, CA 92690-9052 • telephone 949.858.TALK • facsimile 949.858.1207

www.toastmasters.org



July 16, 2001

AGENDA ITEM 6a

LEGISLATIVE AMENDMENT TO REDESIGNATE CHALMERS JONES
PARK AND CLARIFY BOUNDARIES

COUNCIL MEETING: July 16, 2001

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCILOR MEMBERS

**FROM: CHRIS C. EPPLEY
CITY MANAGER**

**SUBJECT: LEGISLATIVE AMENDMENT TO REDESIGNATE CHALMERS JONES
PARK AND CLARIFY BOUNDARIES**

BACKGROUND:

In April 2001 the City Council initiated a legislative amendment to consider changing the designation of Chalmers Jones Park from a neighborhood park to a community park and to clarify its boundaries. This matter was referred to the Planning Commission at their May meeting. The Planning Commission recommended to change the designation from a neighborhood park to a community park, but deferred the boundary recommendation back to the Council to obtain input from the Parks Advisory Board.

The Council opened the public hearing on June 18, 2001. Council continued the public hearing and directed staff to put together a potential footprint that would include the acreage as noted in the Park Master Plan and present it to the Parks Advisory Board for discussion and a recommendation on the boundaries.

At the July meeting of the Parks Advisory Board, staff provided several options on how to delineate the boundaries of Chalmers Jones Park. The following is an excerpt from the minutes of their meeting:

Delineation Map ~ Chalmer's Jones Park

Mr. Witham supplied a staff report from Public Works Director, Rob Kissler pertaining to the delineation of Chalmer's Jones Park. The report contained options for delineation of the park and Mayor Christopher supplied a history.

The Board discussed the options and Mayor Christopher expressed concern that there was not enough information for the Parks Board to make this type of decision. She requested that Mr. Witham follow up with Mr. Kissler, the City Manager and/or the City Attorney Shannon Johnson to get answers to the following questions,

- What is the total acreage of the park with the property that was recently purchased?
- What type of action would be required once delineation of the park is made?
- Is there something that would prevent the entire 8.7 acres as being designated as park ground and placing the City Hall and Police structure within the park boundaries?

Further discussion took place and it was the consensus of the Board to have Mr. Witham follow up on these questions and have this item brought back at the next meeting on August 14, 2001.

RECOMMENDATION:

It is recommended the Council reopen the public hearing, allow any testimony to be presented, and then continue the hearing until Monday, August 20, 2001 to receive the Parks Advisory Board recommendation.



CITY OF KEIZER

MEMORANDUM

DATE: July 6, 2001

TO: Parks Advisory Board

THROUGH: Chris Eppley City Manager

FROM: Rob Kissler
Director of Public Works

SUBJECT: Chalmers Jones Park Delineation

BACKGROUND:

City Council has asked staff to present to the Parks Board several options on how to delineate Chalmers Jones Park located at the City's Civic Center. Once a Park delineation option is chosen, staff can begin the process of developing a Master Plan as approved in the 2001/2002 budget by City Council and Budget Committee.

In the 1992 Parks Master Plan, Chalmers Jones Park is identified as City Hall Park. Attachment 1 includes an aerial photo of the Civic Center taken in the late 80's and language that determines minor improvements. This photo indicates the entire acreage as a park. With the acquisition of property along Rickman Avenue, much has change since the establishment of Chalmers Jones Park. The City's Civic Center is approximately 8.7 acres total, including the Park. City Council just approved the purchase of an additional parcel along Bailey Avenue, which is not included in the total acreage at the Civic Center.

Staff has included Attachment 2, which has several options to consider for Chalmers Jones Park delineation. Staff considers option 3 and 5 as the most appropriate at this time to allow for future growth of City Hall Facilities.

RECOMENDATION:

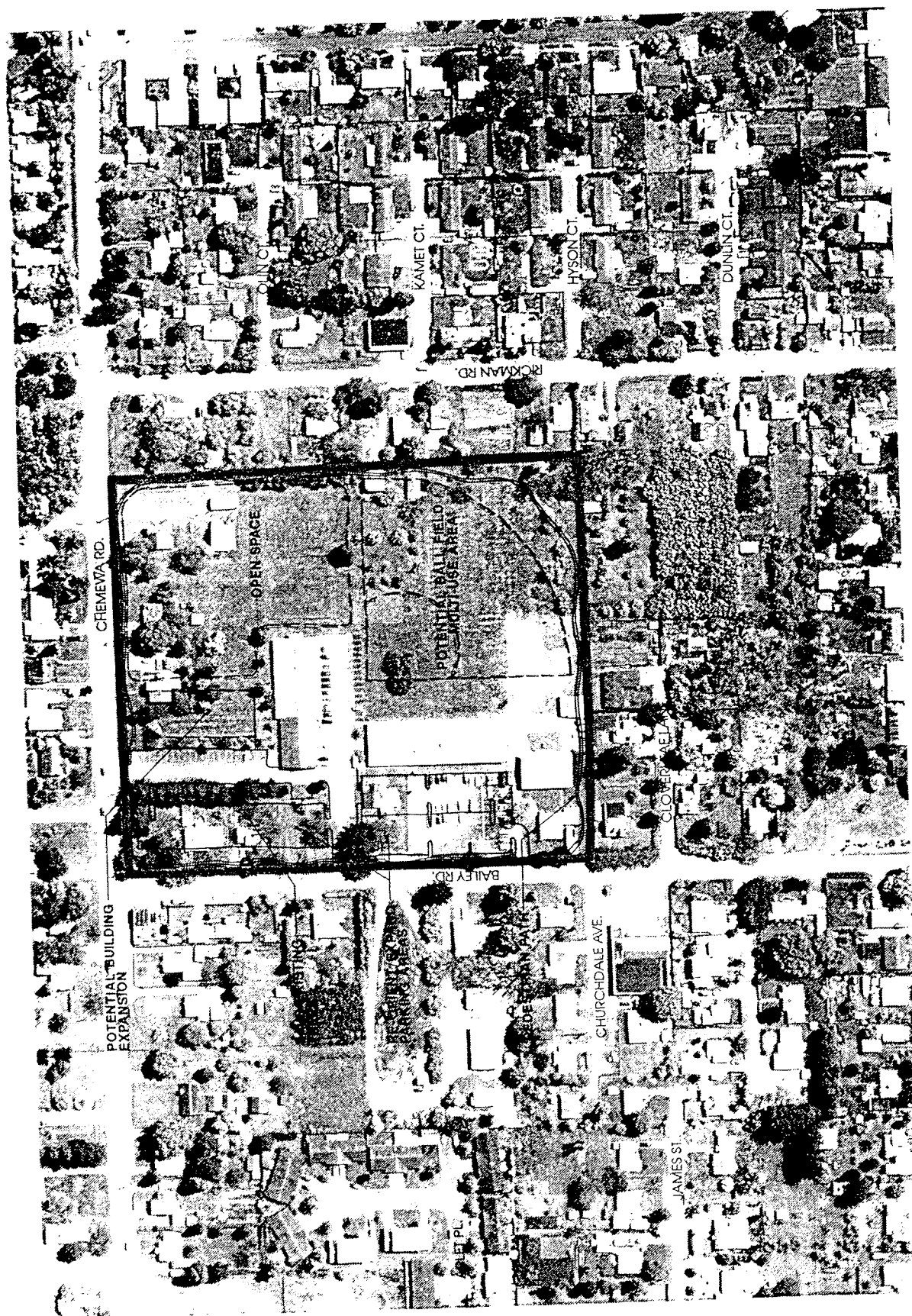
Staff recommends the Parks Advisory Board choose an option presented or develop an alternative park delineation option and forward to City Council for consideration.

INVENTORY OF PARK FACILITIES

City Hall Park

Description: City Hall Park is approximately a 4.5-acre site located adjacent to Keizer City Hall and the Keizer City Police Station. It is an open lawn area with some existing mature trees throughout the site. There are currently several small out buildings and residences on the site. The lawn areas are not irrigated. Access is good from Chemawa Road and the surrounding neighborhood.

Comments: City Hall Park is an excellent site to develop into a neighborhood park. It could accommodate a pedestrian pathway, future building expansion and a multipurpose ball field. Irrigation on the ball field would be recommended. The specific design of the open space should be carefully developed to augment City Hall/Civic Center activities.



CITY HALL PARK

KEIZER COMPREHENSIVE PARK SYSTEM DEVELOPMENT PLAN
 CONTRACT SERVICES
 YEARLY MAINTENANCE ESTIMATE
 MAY 7, 1992

ITEM	QUANTITY	UNIT	UNIT PRICE	# OF TREATMENT	ITEM AMOUNT
CITY HALL					
Broadleaf Weed Control	4.5	AC	\$67.00	1.5	\$452.25
Fertilization	4.5	AC	\$77.00	2.0	\$693.00
Pre-Post Emergent Weed Control		L.S.	\$34.00	1.5	\$51.00
Mowing		L.S.	\$130.00	20.0	\$2,600.00
Irrigation Maintenance		YR			\$1,500.00

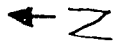
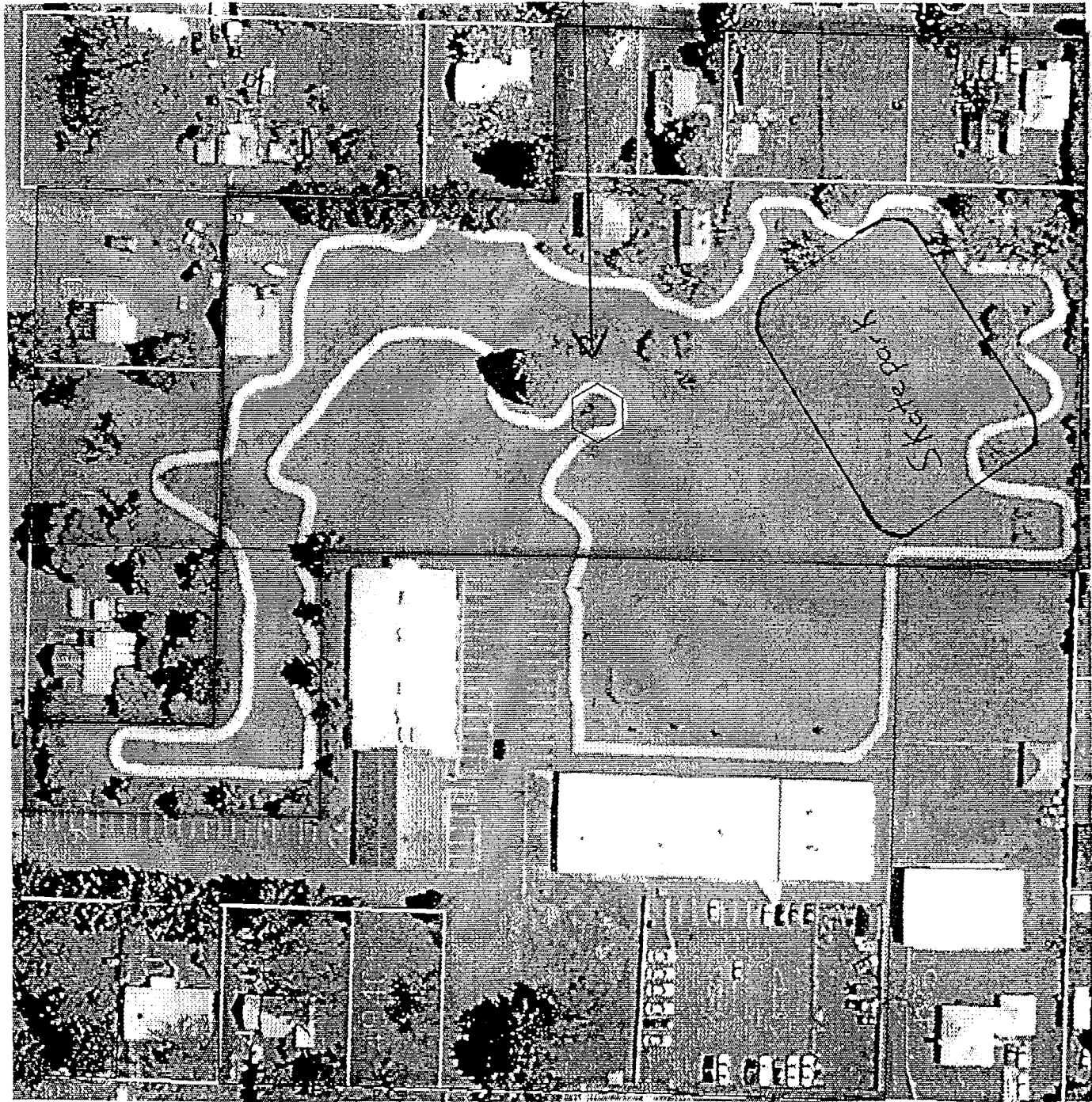
TOTAL	\$5,296.25
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Option #1

4.44 Acres

ATTACHMENT 2

1" = 100'



8.7 Acres
Total complex

70' from Parking
Lot to Gazebo

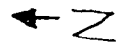
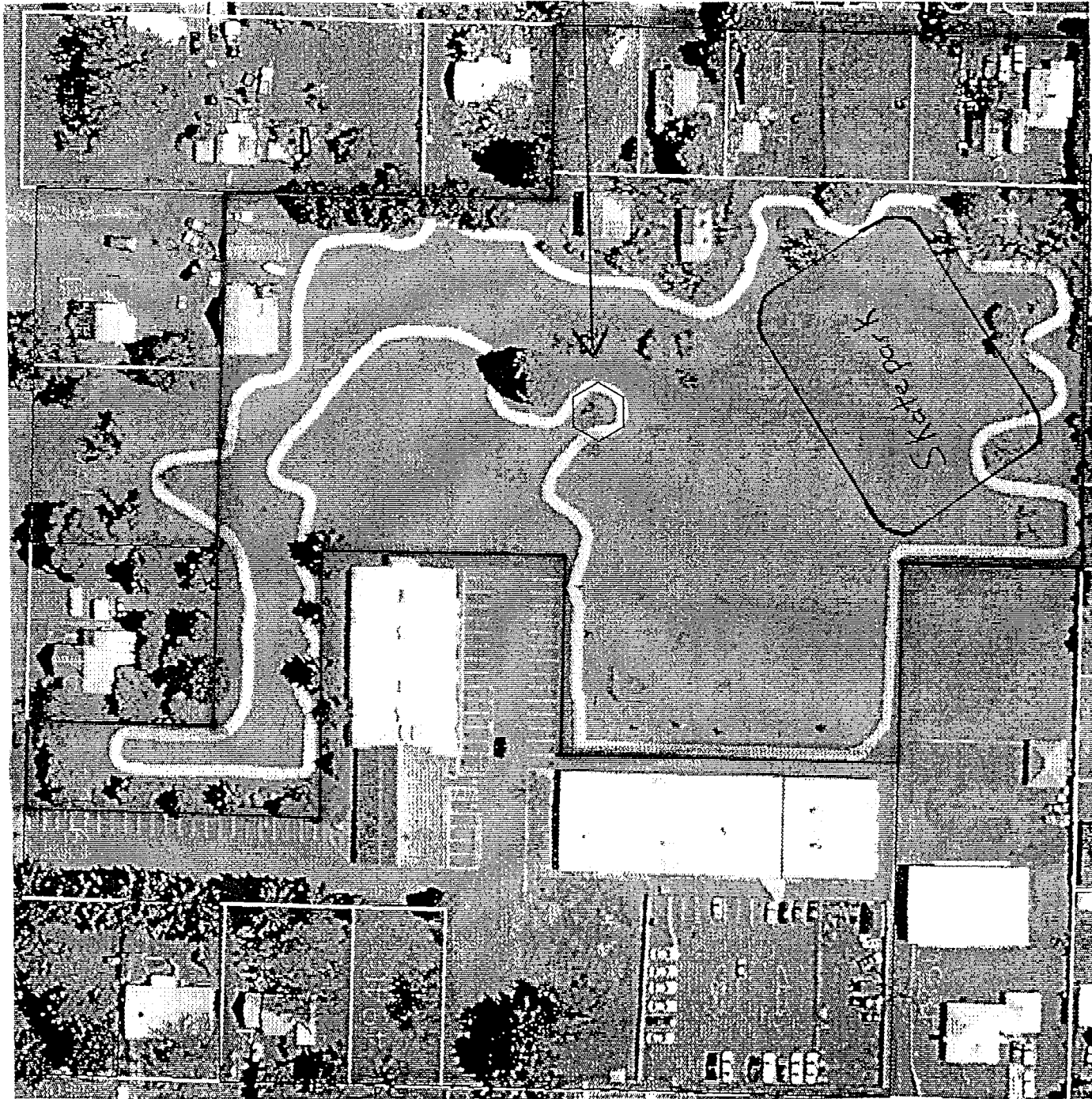
15ft from Tree
Canopy to Gazebo

105ft from
Gazebo to Skatepark

Option #2

5.15 Acres

1" = 100'



8.7 Acres
Total complex

70' from Parking
Lot to Gazebo

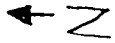
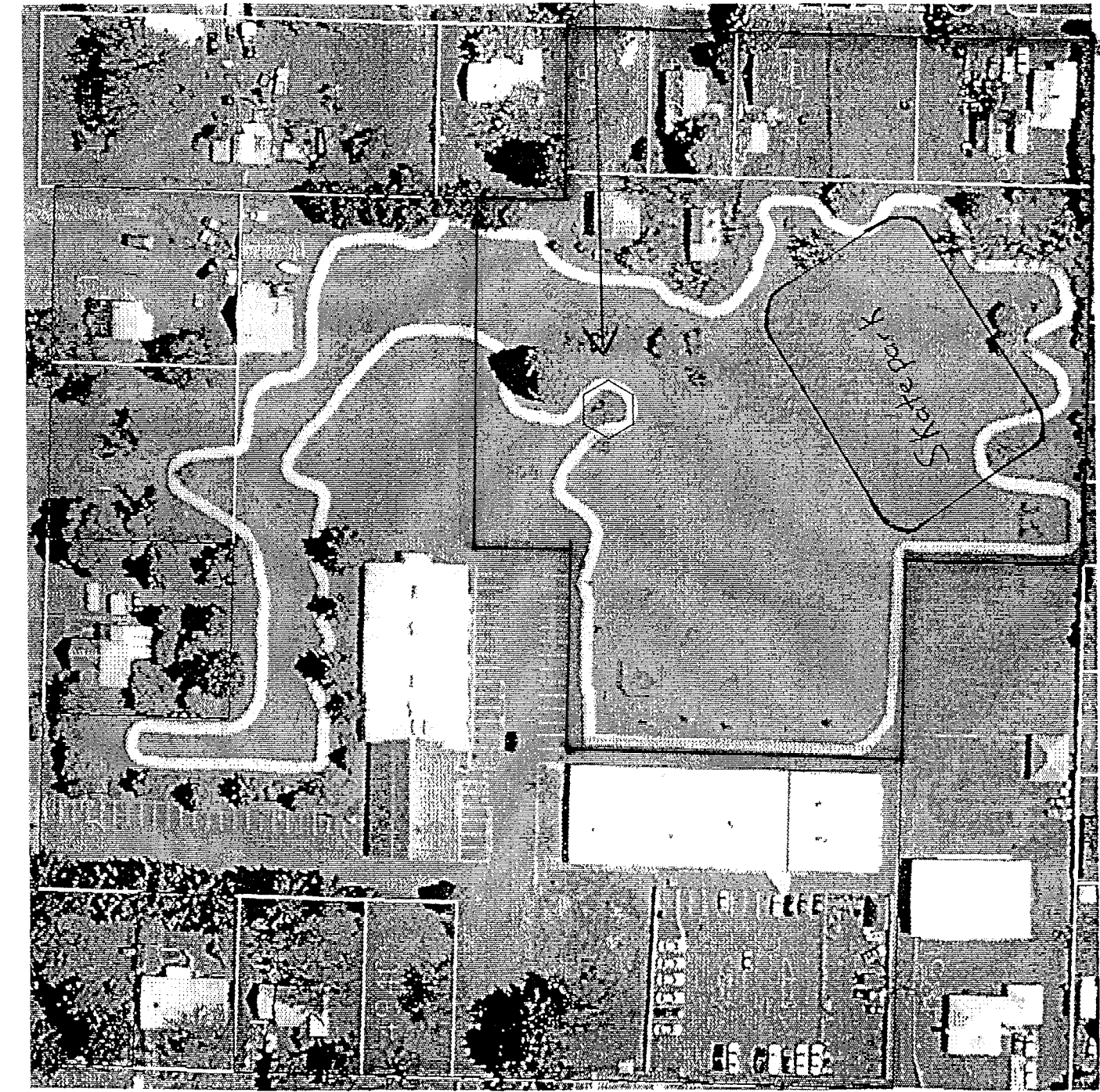
15ft from Tree
Canopy to Gazebo

105ft from
Gazebo to Skatepark

Option #3

3.78 acres

1" = 100'



8.7 acres
Total complex

70' from Parking
Lot to Gazebo

15ft from Tree
Canopy to Gazebo

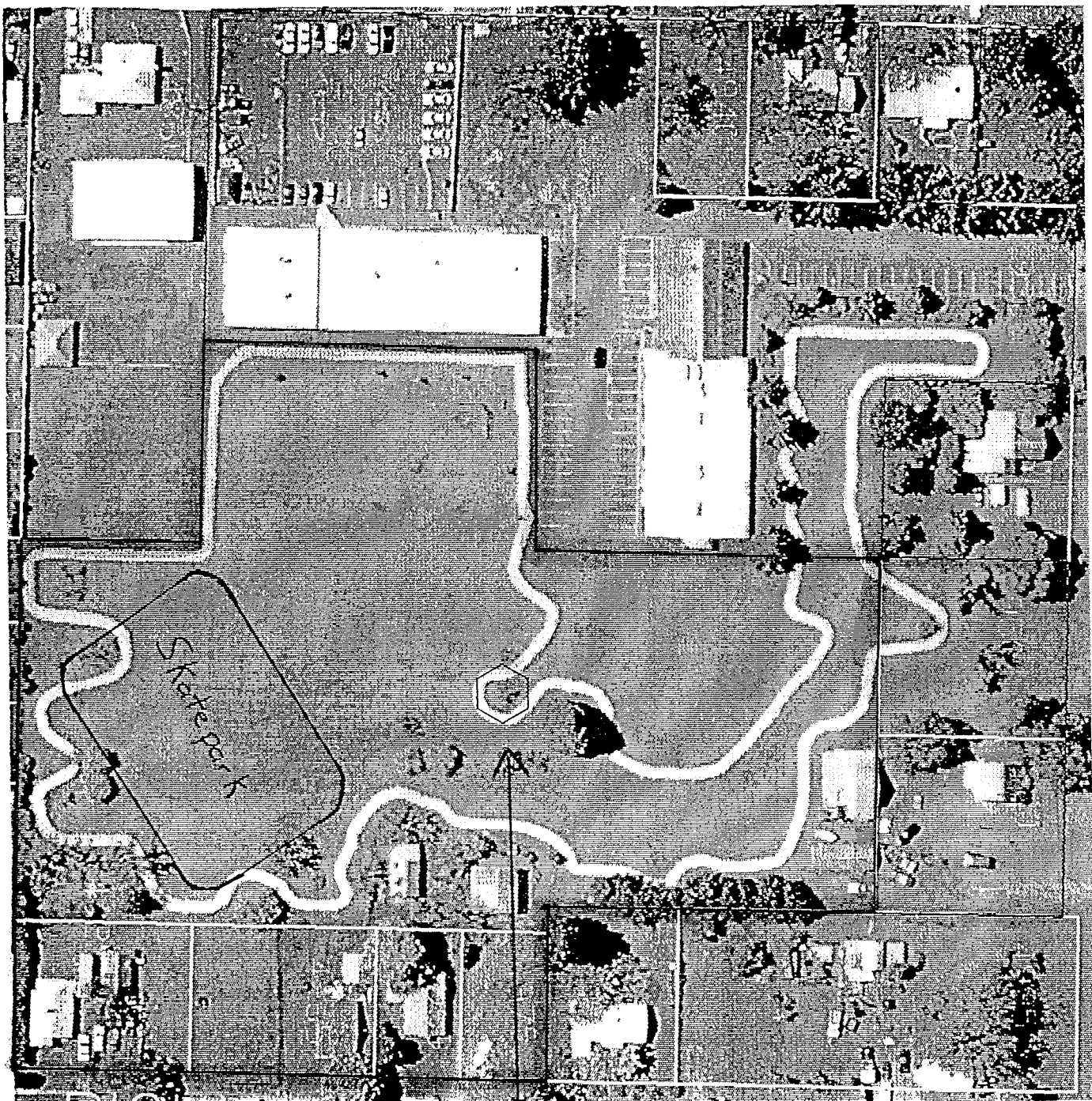
105ft from
Gazebo to Skatepark

Skatepark

Option #4

4.64 acres

1" = 100'



N

8.7 acres
Total complex

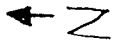
70' from Parking
Lot to Gazebo

15ft from Tree
Canopy to Gazebo

105ft from
Gazebo to Skatepark

Option #5
3.99 acres

1" = 100'

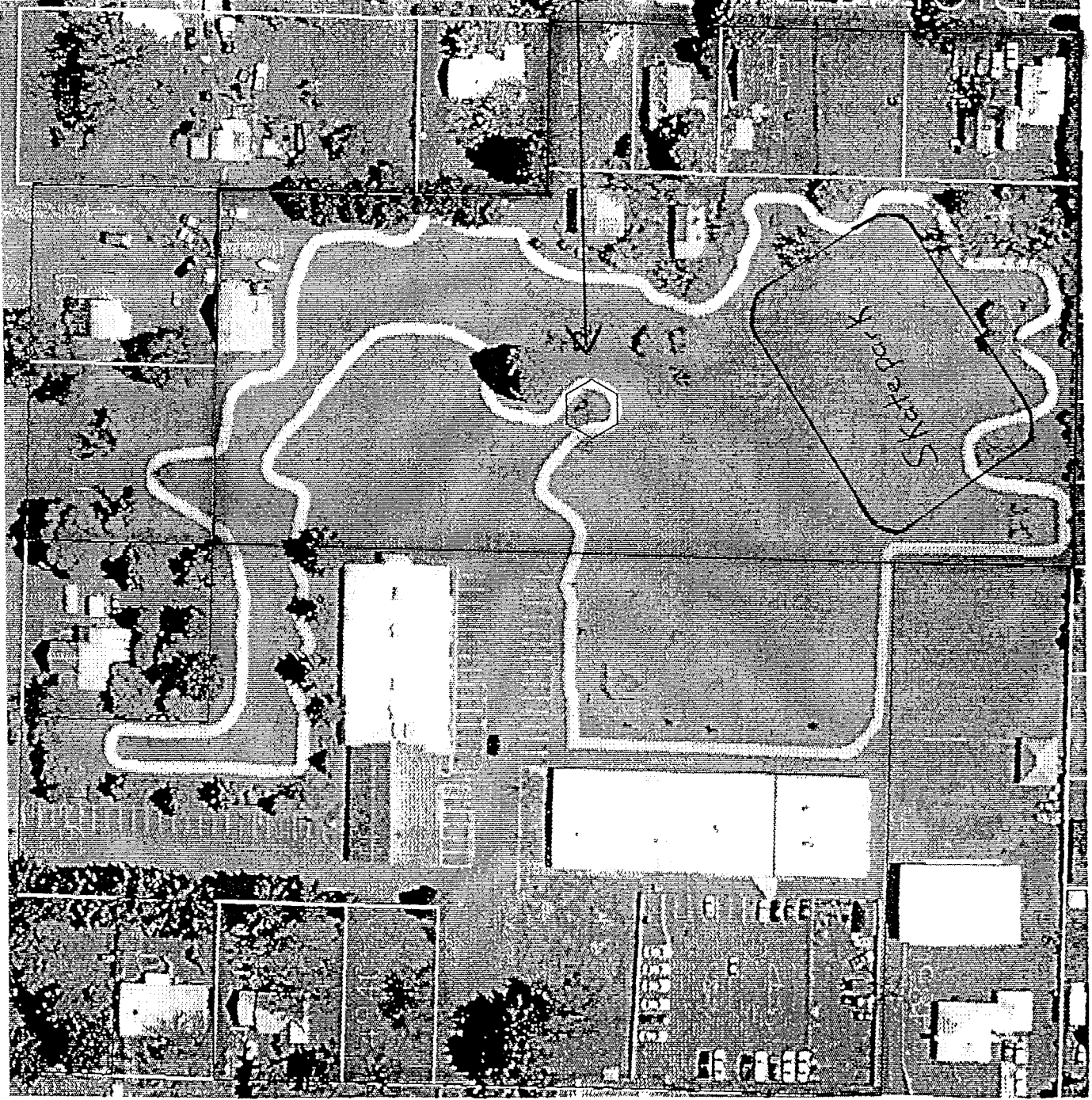


8.7 acres
Total complex

70' from Parking
Lot to Gazebo

15' from Tree
Canopy to Gazebo

105' from
Gazebo to Skatepark



CITY COUNCIL MEETING: June 18, 2001

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS

THROUGH: CHRISTOPHER C. EPPLEY, CITY MANAGER

FROM: E. SHANNON JOHNSON, CITY ATTORNEY 

SUBJECT: *LEGISLATIVE AMENDMENT TO REDESIGNATE CHALMERS JONES PARK AND CLARIFY ITS BOUNDARIES*

At the City Council meeting on April 2, 2001, the Council initiated a legislative amendment to consider changing the designation of Chalmers Jones Park from a neighborhood park to a community park and to clarify its boundaries.

The Planning Commission held a public hearing on this matter on May 9, 2001. The Commission felt that the redesignation was appropriate. However, the Commission was concerned regarding designating the boundaries of the Park due to possible future development of the City Hall Complex. I have set forth the exact portion of the minutes below:

The Commission discussed the designation of the park, but had reservations on making the determination of the boundary of the park due to possible future development of the City Hall Complex.

Members of the Commission did not feel it was their role to set boundaries for parks and suggested that this issue be forwarded to the Parks Board.

Mr. Johnson suggested that the Commission's option would be to make a partial recommendation or continue the hearing. He noted the Council's wish to have the designation taken care of soon.

After a brief discussion and with no one wishing to testify, Chair Anderson closed the public hearing.

Mr. Compton moved a motion to recommend the change of designation to Chalmers Jones Park from a neighborhood park to a community park, but to defer the boundary recommendation back to the Council to obtain input from the Park Advisory Board. Mr. Inman seconded the motion and carried, all present voting eye.

RECOMMENDATION:

The Council is free to decide this matter without the Parks Board recommendation if it wishes. If the Council wishes to have the Parks Board recommendation, it would be appropriate to continue the hearing to the next meeting to allow for Parks Board input on the issue.

Please let me know if you have any questions in this regard. Thank you.

ESJ/tmh



July 16, 2001

AGENDA ITEM 7a

ORDINANCE – REGULATING FALSE ALARMS IN THE CITY OF
KEIZER

CITY COUNCIL MEETING: July 16, 2001

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS

THROUGH: CHRISTOPHER C. EPPLEY, CITY MANAGER

FROM: E. SHANNON JOHNSON, CITY ATTORNEY

SUBJECT: *FALSE ALARM ORDINANCE (SECOND READING)*

At the July 2, 2001 meeting, the Council adopted the false alarm ordinance with certain changes. Because such vote was not unanimous, it is before the Council tonight for second reading. Both a marked-up version as well as a final version are enclosed for your convenience.

I have made the changes as indicated by the July 2, 2001 minutes regarding the reference to "alarm system" instead of "security alarm system" and the addition of the phrase "under control of principal or permit holder" in Section 13(e). In addition, I am suggesting a small change in Section 9(g). This change provides that all information submitted would be accepted in confidence and kept from public disclosure to the extent permitted by law. The previous version only protected subsections (d) and (e). If the Council agrees with this change, it should be read in full prior to adoption.

RECOMMENDATION:

Adopt the enclosed Ordinance.

Please contact me if you have any questions in this regard. Thank you.

ESJ/tmh
attachments

1 BILL NO. ____

A BILL

ORDINANCE NO.

2

2001-_____

3

FOR

4

AN ORDINANCE

5

REGULATING ALARM SYSTEMS, REQUIRING PERMITS, AND

6

PROVIDING PENALTIES FOR FALSE ALARMS, FEES, AND

7

PENALTIES FOR ORDINANCE VIOLATIONS

8

The City of Keizer ordains as follows:

9

Section 1. DEFINITIONS. For purposes of this Ordinance, the following words

10 and phrases mean:

11 (1) "Administrator" means the Keizer Chief of Police or the person designated

12 by the Keizer Police Chief to exercise any power or duty conferred under this

13 Ordinance.

14 (2) "Alarm monitor." Any person, firm or corporation engaged in the business

15 of receiving from alarm users and transmitting to the Willamette Valley Communication

16 Center or the Keizer Police Department.

17 (3) "Alarm system." means a device or system of interconnected devices,

18 including hardware and related appurtenances, designed to give warning of activities

19 indicative of ~~fire~~, criminal conduct or unauthorized entry upon the protected premises.

20 (4) "Annunciator" means that part of an alarm system, other than an automatic

21 dialer, which communicates the fact that the system has been triggered.

1 (5) “Audible annunciator” means an annunciator which gives an alarm by
2 means of a bell, siren, buzzer, or other sound producing device mounted at some location
3 other than wholly within a building; or which is intended to be clearly audible at a
4 distance of 50 feet or more outside of any building in which it is mounted when
5 activated.

6 (6) “Automatic dialer” means a device which is programmed to select a
7 telephone number and deliver a verbal warning message or signal over standard
8 telephone lines to a called party who is using telephone voice communication
9 equipment.

10 (7) “Center” means the “911” emergency communications center serving the
11 City of Keizer.

12 (8) “Designated trunk line” means a telephone trunk line designated by the
13 administrator as available for selection by an automatic dialer.

14 (9) “Emergency trunk line” means a telephone trunk line having a number
15 listed and published in the Salem/Keizer Telephone Directory as being the emergency
16 phone for police, fire or ambulance service.

17 (10) “False Alarm” means any activation of an alarm system not resulting from
18 ~~fire~~, criminal activity or unauthorized entry, upon or following which communication
19 is made to the center that an alarm has been triggered. If the alarm, when communicated
20 to the center, is clearly identified to the center as resulting from authorized entry,

1 authorized system test, or other non-emergency cause, it shall not be considered as a
2 false alarm. If police or fire units, as applicable, respond to an alarm and check the
3 protected premises according to standard operating procedure, and are unable to discover
4 any evidence of fire, unauthorized entry or criminal activity, the alarm will be deemed
5 false absent a preponderance of credible evidence to the contrary.

6 ~~(11) “Monitored fire alarm system” is an alarm system which incorporates a~~
7 ~~remote annunciator or an automatic dialer, and is designed to give warning of fire only.~~

8 (11+2) “Principal” means the person, firm, or corporation whose premises
9 are protected by an alarm system. For rented or leased dwelling units and other
10 protected premises having more than one tenant protected by a single alarm system, the
11 term “principal” means the building owner.

12 (12+3) “Protected premises” means all buildings, real property, and
13 portions thereof protected by an alarm system or systems at a particular street address.

14 (13+4) “Remote annunciator” means an annunciator located at a terminal
15 on the premises of the Keizer Police Department, Salem Police Department, an alarm
16 monitoring service, or other location not a part of the protected premises.

17 (15) ~~“Residential fire alarm system” is a monitored fire alarm system serving~~
18 ~~a single dwelling unit.~~

19 (16) ~~“Security alarm system” is an alarm system designed to give warning of~~
20 ~~criminal activity or unauthorized entry only.~~

1 (14+7) “Sensor” means that part of an alarm system which is designed to
2 detect the happening of some event or designed to detect the happening of some event
3 or existence of some condition indicative of ~~fire~~, criminal activity or unauthorized entry.

4 (15+8) “Silent alarm system” means a ~~security~~-alarm system having an
5 automatic dialer, a remote annunciator, or both, and having no audible annunciator.

6 (19) ~~“Universal alarm system” means an alarm system which incorporates both~~
7 ~~a monitored fire alarm function and a security alarm function.~~

8 Section 2. EXEMPT ALARM SYSTEMS. An alarm system which incorporates
9 neither an audible annunciator, a remote annunciator, nor an automatic dialer is exempt
10 from the requirements of this Ordinance. Alarm systems owned, maintained and
11 monitored by any government law enforcement agency in furtherance of law
12 enforcement duties are also exempt.

13 Section 3. INTENTIONAL ALARMS. It shall be unlawful for any person to
14 intentionally trigger an alarm system which incorporates an automatic dialer or a remote
15 annunciator except for testing in compliance with the conditions prescribed in this
16 Ordinance, or to signal an actual emergency involving criminal conduct amounting to
17 a felony, ~~fire~~, or other condition threatening human life or major property loss and
18 requiring ~~police or fire~~ emergency response.

19 ///

20 ///

1 Section 4. EFFECT OF PERMIT ON EMERGENCY RESPONSE. The City of
2 Keizer shall not, by virtue of the issuance of an alarm system permit alone, be obligated
3 to respond or accord any additional priority in response to an alarm from a ~~licensed~~
4 ~~permitted~~ system.

5 Section 5. REQUIREMENTS FOR AUDIBLE ANNUNCIATORS.

6 (1) Each ~~security~~-alarm system incorporating an audible annunciator shall be so
7 designed that each audible annunciator will automatically silence within fifteen minutes
8 after being activated and will not sound again unless a new act or circumstance triggers
9 a sensor.

10 (2) Except as provided in subsection (3) of this Section, no test of a ~~security~~-alarm
11 system resulting in the activation of an audible annunciator shall be conducted between
12 the hours of 8:00 p. m. of any day and 7:00 a. m. of the following day. Nor shall any
13 such system be tested at any time without first notifying the administrator.

14 (3) Audible annunciators may be activated in conjunction with system testing
15 without notice provided that such activation is for no more than ten seconds duration
16 each during any four-hour period. Alarm activation in compliance with this subsection
17 shall not be deemed a false alarm.

18 Section 6. REQUIREMENTS FOR AUTOMATIC DIALERS.

19 (1) No person shall program an automatic dialer to select any telephone line the
20 user of which has not previously given consent to such programming.

1 (2) No person shall conduct maintenance or testing on an alarm system which
2 incorporates and automatic dialer without first notifying the users of any telephone lines
3 the dialer is programmed to select.

4 Section 7. ALARM SYSTEM REQUIREMENTS - GENERAL.

5 (1) No alarm system shall be installed, used, or maintained in violation of any of
6 the requirements of this Ordinance or other Keizer City Ordinances, or of any applicable
7 statute, law, or administrative regulation of the United States of America, the State of
8 Oregon, or any administrative rule-making body thereof.

9 (2) The holder of an alarm system permit shall be responsible for training and
10 retraining all employees, family members, and other persons under control of principal
11 or permit holder who may make regular use of the protected premises and who may, in
12 normal course of their activities be in a position to accidentally trigger a sensor. Such
13 training shall include procedures and practices to avoid accidental alarms and steps to
14 follow in the event the system is accidentally triggered.

15 (3) The holder of an alarm system permit shall at all times, be responsible for the
16 proper maintenance and repair of the system and for the repair or replacement of any
17 component method of installation, design feature or like condition which may give rise
18 to a false alarm.

19 ///

20 ///

1 Section 8. PERMITS REQUIRED.

2 (1) As of the effective date of this Ordinance, all alarm users within the City of
3 Keizer must apply for and receive alarm system permits. No fee shall be charged to such
4 users who make application within ninety (90) days of the effective date. Thereafter,
5 permits for any alarm systems with the City of Keizer, including any activated after the
6 effective date of this Ordinance, shall pay a fee of \$20.00 for issuance. Permits shall
7 remain in effect unless revoked or suspended under this Ordinance or until the alarm
8 system is dismantled or abandoned by the user. Permits are not transferable; subsequent
9 users on the same premises must obtain a new permit. The City shall not, by the issuance
10 of a permit ~~alone~~, be obligated to respond or accord any ~~additional~~ priority to an alarm
11 from such system. It shall be unlawful for any person to use or maintain any ~~security~~
12 ~~alarm system, monitored fire alarm system or universal alarm~~ system without first
13 obtaining a permit therefor as provided in this Ordinance.

14 (2) No permit shall be required for an exempt alarm system as defined in the
15 provisions of this Ordinance.

16 Section 9. PERMIT APPLICATION. Each application for an alarm system
17 permit shall be made on a form prescribed by the City and shall contain the following
18 information:

19 (a) The name, address, and telephone number of the principal of the protected
20 premises.

1 (b) The type of premises (home, office, variety store, etc) and any business name
2 by which the premises is known.

3 (c) The address of the protected premises including if it is in a residential,
4 commercial or industrial complex (office building, apartment house, shopping center,
5 etc) and any name by which the complex is commonly known.

6 (d) The names, addresses, and telephone numbers including home phone
7 numbers, of the principal and at least two one natural persons who reside within ten
8 miles of the corporate limits of Keizer and who have immediate access to keys to the
9 protected premises, and who have agreed to come to the protected premises upon request
10 of police or fire emergency agencies when the principal cannot be contacted.

11 (e) The type of annunciators and automatic dialers which the alarm system
12 incorporates, the location of all remote annunciators, and the names and phone numbers
13 of all persons or businesses which are or may be preselected for automatic dialer contact.

14 (f) The application shall be accompanied by the fee prescribed in this Ordinance.

15 (g) The information provided by the applicant pursuant to subsections (d) and (a)
16 through (e) of this Section and all updates thereof, shall be given and accepted in
17 confidence and kept from public disclosure to the extent permitted by law. However,
18 the City of Keizer shall not be liable for any types of claims, actions or suits if the City
19 in good faith attempts to prevent disclosure of such information.

1 Section 10. ~~INSPECTION OF ALARM SYSTEMS.~~ Prior to issuing an alarm
2 system permit and at any time thereafter during the term thereof, the Chief of Police of
3 the City of Keizer or an officer designated by the Chief may inspect any alarm system
4 for which a permit is required. Such inspection shall be for the purpose of ascertaining
5 that information furnished by the applicant or permittee is correct and that the system
6 is maintained in conformance with the provision of this Ordinance.

7 Section ~~10~~11. CURRENT INFORMATION REQUIRED. Within ten (10) days
8 following any change of circumstances which renders obsolete any of the information
9 submitted pursuant to this Ordinance the permittee shall file with the administrator a
10 written statement setting forth the currently accurate information. No additional fee
11 shall be required unless the change has terminated the permit as provided.

12 Section ~~11~~12. SUSPENSION OF PERMITS.

13 (1) The administrator may suspend any permit issued pursuant to this Ordinance
14 upon any of the following grounds:

15 (a) Any false or incomplete statement made on the permit application.

16 (b) Any violation of Sections 3, 5, 6, or 7 of this Ordinance.

17 (c) Failure to pay a false alarm fee ~~fine~~ within thirty (30) days of demand of final
18 judgment.

19 (d) Maintenance, installation, or use of the alarm system in violation of any
20 applicable law, ordinance or regulation, including the requirements of this Ordinance.

1 (e) Failure to provide current information as required.

2 (f) The occurrence of a false alarm which, added together with all other false
3 alarms, resulting from that system totals more than ten false alarms during a calendar
4 year.

5 (2) A suspension resulting from subsections (1)(a) through (1)(e) of this Section
6 shall remain in effect until the applicant demonstrates to the satisfaction of the
7 administrator that the ground for suspension no longer exists. A suspension under
8 subsection (1)(f) shall be in effect for a period of no longer that 180 days and may be
9 withdrawn by the administrator upon a satisfactory showing that the circumstances
10 which caused or contributed to the majority of the false alarms resulting in the
11 suspension no longer exist.

12 ~~Section 1213. FALSE ALARM FEES. As a condition of any alarm system~~
13 ~~permit issued under the provisions of this Ordinance, the permittee shall pay to the City~~
14 ~~of Keizer upon and within ten (10) days of invoice fees for false alarms generated within~~
15 ~~a calendar year by the permittee's alarm system as follows:~~

16 ~~————— 3rd false alarm \$50.00~~

17 ~~————— 4th false alarm \$100.00~~

18 ~~————— 5th false alarm \$150.00~~

19 ~~————— 6th false alarm \$200.00~~

20 ~~————— 7th and subsequent false alarm \$250.00~~

1 ~~ALTERNATE:~~

2 Section 12. FALSE ALARM FINES. The occurrence of three or more false
3 alarms within a single calendar year by one principal's alarm system is a violation of this
4 Ordinance, punishable by the following maximum fines:

5 3rd false alarm \$50.00

6 4th false alarm \$100.00

7 5th false alarm \$150.00

8 6th false alarm \$200.00

9 7th and subsequent false alarm \$250.00

10 Violators may be cited into Keizer Municipal Court. It shall be a defense to a charge
11 under this Section if an alarm is classified as excusable as defined below.

12 Section ~~13~~14. EXCUSABLE FALSE ALARMS. An alarm which is a false
13 alarm as defined in this Ordinance ~~may~~ shall be excused ~~at the discretion of~~ by the
14 responding agency or the investigator upon being reasonably satisfied that:

15 (a) The alarm system has been responsibly and regularly inspected by
16 experienced and well-trained technicians familiar with its design and operation and the
17 environment in which it is installed.

18 (b) All repairs, replacements and preventive maintenance recommended by the
19 service personnel who inspected the system have been performed.

1 (c) The cause of the particular false alarm has either been positively identified and
2 corrected or has been determined not to be misuse or neglect in the use or maintenance
3 of the system and cannot be more precisely identified despite thorough inspection,
4 testing and analysis by technicians as described in subsection (a) of this Section.

5 (d) Technicians as described in subsection (a) of this Section have provided a
6 written opinion that the system is unlikely to produce another false alarm from the same
7 cause.

8 (e) The false alarm was not the result of user error or neglect. "User" includes
9 owners, employees, residents, family members and guests under control of principal or
10 permit holder of the protected premises.

11 (f) No more than two false alarms shall be excused during a calendar year unless
12 the permittee provides satisfactory evidence that each component of the alarm system
13 whose malfunction or failure is capable of producing the false alarm have been replaced
14 by competent technicians and the system has been found free of apparent fault after
15 inspection as provided in subsection (a) of this Section.

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1 Section ~~1415~~. APPEALS.

2 ~~(1) Any person whose alarm system permit has been suspended under the~~
3 ~~provision of this Ordinance may appeal that action by giving written notice to Chief of~~
4 ~~Police. Such notice shall be given with thirty (30) days after receipt of the notice of~~
5 ~~suspension. The filing of a Notice of Appeal shall stay the action appealed until~~
6 ~~disposition of the appeal by the Chief.~~

7 ~~—— (2) Any person who has been assessed a false alarm fee may appeal such charge~~
8 ~~by giving written notice to the Chief of Police. Such notice shall be given within ten~~
9 ~~(10) days of invoice assessing such charge. If the invoice is based on the third false~~
10 ~~alarm during a calendar year, the permittee may challenge the determination only as to~~
11 ~~the alarm or alarms for which a fee is assessed. Upon receipt of the appeal notice, the~~
12 ~~City Recorder shall forward the notice to the Chief of Police, if the challenged alarms~~
13 ~~resulted from a security alarm system, or the Keizer Fire Marshall, if the challenged~~
14 ~~alarms resulted from a monitored fire alarm system. The Chief or Fire Marshall shall~~
15 ~~appoint one or more officers to investigate the circumstances of the alarms upon which~~
16 ~~the appeal is based. The investigators shall notify the appellant of a time certain, not less~~
17 ~~than two weeks nor more than four weeks following the date which the appeal was filed,~~
18 ~~at or before which the appellant shall file with the investigator whatever factual~~
19 ~~information may be relevant in support of the appeal. If the investigator determines the~~
20 ~~charge to have been made in error, the invoice shall be canceled, and the appellant and~~

1 the City Recorder shall be notified of such determination; otherwise the investigator
2 shall make a full report of his findings and file the same, together with any information
3 filed by the appellant, with the City Recorder. The investigators' determination shall be
4 filed with the City Recorder within sixty (60) days of the date on which the appeal was
5 filed. A determination by the investigator that the invoice should be canceled shall be
6 a final disposition of the appeal.

7 ——— (3) An appeal under subsection (1) of this Section shall be set by the City
8 Recorder for public hearing before the City Council within thirty (30) days of the date
9 of filing. At the hearing the appellant and the Chief shall be given an opportunity to
10 present whatever facts or arguments they deem relevant to the suspension of the permit.

11 ——— (4) An appeal which is not disposed of by the investigator under subsection (2)
12 of this Section shall be set down by the City Recorder for public hearing before the City
13 Council within thirty (30) days of the date on which the investigator's report was filed.
14 At the hearing the appellant and the Chief shall be given the opportunity to present
15 whatever arguments they deem relevant to the investigator's determination. The hearing
16 shall be limited to the record filed by the investigator under subsection (2) of this Section
17 unless the City Council, by majority vote, decides to review the matter de novo.

18 (1) Any person whose alarm system permit has been suspended under the
19 provisions of this Ordinance may appeal that action to the City Council by giving written
20 notice to the City Recorder. Such notice shall be given within thirty (30) days after

1 receipt of the notice of suspension. The filing of a Notice of Appeal shall stay the action
2 appealed until disposition of the appeal by the City Council

3 (2) Upon receipt of the appeal notice under subsection (1) of this Section, the
4 City Recorder shall set the matter for a hearing before the City Council within thirty (30)
5 days of the date of filing and shall give notice of the hearing to the appellant and to the
6 Chief of Police.

7 (3) At the hearing the appellant and the Chief shall be given an opportunity
8 to present whatever facts or arguments which are relevant to the suspension of the
9 permit. The hearing will be conducted de novo.

10 (4) The decision of the City Council shall be final

11 Section 1516. VIOLATION. Violation of this Ordinance is a civil
12 infraction.

13 Section 1617. EFFECTIVE DATE. This Ordinance shall take effect thirty
14 (30) days after its passage.

15 PASSED this _____ day of _____, 2001.

16 SIGNED this _____ day of _____, 2001.

17 _____
18 Mayor

19 _____
20 City Recorder

1 BILL NO. ____

A BILL

ORDINANCE NO.

2

2001-_____

3

FOR

4

AN ORDINANCE

5

REGULATING ALARM SYSTEMS, REQUIRING PERMITS, AND

6

PROVIDING PENALTIES FOR FALSE ALARMS, FEES, AND

7

PENALTIES FOR ORDINANCE VIOLATIONS

8

The City of Keizer ordains as follows:

9

Section 1. DEFINITIONS. For purposes of this Ordinance, the following words

10 and phrases mean:

11 (1) "Administrator" means the Keizer Chief of Police or the person designated

12 by the Keizer Police Chief to exercise any power or duty conferred under this

13 Ordinance.

14 (2) "Alarm monitor." Any person, firm or corporation engaged in the business

15 of receiving from alarm users and transmitting to the Willamette Valley Communication

16 Center or the Keizer Police Department.

17 (3) "Alarm system." means a device or system of interconnected devices,

18 including hardware and related appurtenances, designed to give warning of activities

19 indicative of criminal conduct or unauthorized entry upon the protected premises.

20 (4) "Annunciator" means that part of an alarm system, other than an automatic

21 dialer, which communicates the fact that the system has been triggered.

1 (5) “Audible annunciator” means an annunciator which gives an alarm by
2 means of a bell, siren, buzzer, or other sound producing device mounted at some location
3 other than wholly within a building; or which is intended to be clearly audible at a
4 distance of 50 feet or more outside of any building in which it is mounted when
5 activated.

6 (6) “Automatic dialer” means a device which is programmed to select a
7 telephone number and deliver a verbal warning message or signal over standard
8 telephone lines to a called party who is using telephone voice communication
9 equipment.

10 (7) “Center” means the “911” emergency communications center serving the
11 City of Keizer.

12 (8) “Designated trunk line” means a telephone trunk line designated by the
13 administrator as available for selection by an automatic dialer.

14 (9) “Emergency trunk line” means a telephone trunk line having a number
15 listed and published in the Salem/Keizer Telephone Directory as being the emergency
16 phone for police, fire or ambulance service.

17 (10) “False Alarm” means any activation of an alarm system not resulting from
18 criminal activity or unauthorized entry, upon or following which communication is made
19 to the center that an alarm has been triggered. If the alarm, when communicated to the
20 center, is clearly identified to the center as resulting from authorized entry, authorized

1 system test, or other non-emergency cause, it shall not be considered as a false alarm.
2 If police units respond to an alarm and check the protected premises according to
3 standard operating procedure, and are unable to discover any evidence of unauthorized
4 entry or criminal activity, the alarm will be deemed false absent a preponderance of
5 credible evidence to the contrary.

6 (11) "Principal" means the person, firm, or corporation whose premises are
7 protected by an alarm system. For rented or leased dwelling units and other protected
8 premises having more than one tenant protected by a single alarm system, the term
9 "principal" means the building owner.

10 (12) "Protected premises" means all buildings, real property, and portions
11 thereof protected by an alarm system or systems at a particular street address.

12 (13) "Remote annunciator" means an annunciator located at a terminal on the
13 premises of the Keizer Police Department, Salem Police Department, an alarm
14 monitoring service, or other location not a part of the protected premises.

15 (14) "Sensor" means that part of an alarm system which is designed to detect
16 the happening of some event or designed to detect the happening of some event or
17 existence of some condition indicative of criminal activity or unauthorized entry.

18 (15) "Silent alarm system" means a alarm system having an automatic dialer,
19 a remote annunciator, or both, and having no audible annunciator.

1 Section 2. EXEMPT ALARM SYSTEMS. An alarm system which incorporates
2 neither an audible annunciator, a remote annunciator, nor an automatic dialer is exempt
3 from the requirements of this Ordinance. Alarm systems owned, maintained and
4 monitored by any government law enforcement agency in furtherance of law
5 enforcement duties are also exempt.

6 Section 3. INTENTIONAL ALARMS. It shall be unlawful for any person to
7 intentionally trigger an alarm system which incorporates an automatic dialer or a remote
8 annunciator except for testing in compliance with the conditions prescribed in this
9 Ordinance, or to signal an actual emergency involving criminal conduct amounting to
10 a felony or other condition threatening human life or major property loss and requiring
11 emergency response.

12 Section 4. EFFECT OF PERMIT ON EMERGENCY RESPONSE. The City of
13 Keizer shall not, by virtue of the issuance of an alarm system permit alone, be obligated
14 to respond or accord any additional priority in response to an alarm from a permitted
15 system.

16 Section 5. REQUIREMENTS FOR AUDIBLE ANNUNCIATORS.

17 (1) Each alarm system incorporating an audible annunciator shall be so designed
18 that each audible annunciator will automatically silence within fifteen minutes after
19 being activated and will not sound again unless a new act or circumstance triggers a
20 sensor.

1 (2) Except as provided in subsection (3) of this Section, no test of a alarm system
2 resulting in the activation of an audible annunciator shall be conducted between the
3 hours of 8:00 p. m. of any day and 7:00 a. m. of the following day. Nor shall any such
4 system be tested at any time without first notifying the administrator.

5 (3) Audible annunciators may be activated in conjunction with system testing
6 without notice provided that such activation is for no more than ten seconds duration
7 each during any four-hour period. Alarm activation in compliance with this subsection
8 shall not be deemed a false alarm.

9 Section 6. REQUIREMENTS FOR AUTOMATIC DIALERS.

10 (1) No person shall program an automatic dialer to select any telephone line the
11 user of which has not previously given consent to such programming.

12 (2) No person shall conduct maintenance or testing on an alarm system which
13 incorporates and automatic dialer without first notifying the users of any telephone lines
14 the dialer is programmed to select.

15 Section 7. ALARM SYSTEM REQUIREMENTS - GENERAL.

16 (1) No alarm system shall be installed, used, or maintained in violation of any of
17 the requirements of this Ordinance or other Keizer City Ordinances, or of any applicable
18 statute, law, or administrative regulation of the United States of America, the State of
19 Oregon, or any administrative rule-making body thereof.

20 (2) The holder of an alarm system permit shall be responsible for training and

1 retraining all employees, family members, and other persons under control of principal
2 or permit holder who may make regular use of the protected premises and who may, in
3 normal course of their activities be in a position to accidentally trigger a sensor. Such
4 training shall include procedures and practices to avoid accidental alarms and steps to
5 follow in the event the system is accidentally triggered.

6 (3) The holder of an alarm system permit shall at all times, be responsible for the
7 proper maintenance and repair of the system and for the repair or replacement of any
8 component method of installation, design feature or like condition which may give rise
9 to a false alarm.

10 Section 8. PERMITS REQUIRED.

11 (1) As of the effective date of this Ordinance, all alarm users within the City of
12 Keizer must apply for and receive alarm system permits. No fee shall be charged to such
13 users who make application within ninety (90) days of the effective date. Thereafter,
14 permits for any alarm systems with the City of Keizer, including any activated after the
15 effective date of this Ordinance, shall pay a fee of \$20.00 for issuance. Permits shall
16 remain in effect unless revoked or suspended under this Ordinance or until the alarm
17 system is dismantled or abandoned by the user. Permits are not transferable; subsequent
18 users on the same premises must obtain a new permit. The City shall not, by the issuance
19 of a permit alone, be obligated to respond or accord any additional priority to an alarm
20 from such system. It shall be unlawful for any person to use or maintain any alarm

1 system, monitored fire alarm system or universal alarm system without first obtaining
2 a permit therefor as provided in this Ordinance.

3 (2) No permit shall be required for an exempt alarm system as defined in the
4 provisions of this Ordinance.

5 Section 9. PERMIT APPLICATION. Each application for an alarm system
6 permit shall be made on a form prescribed by the City and shall contain the following
7 information:

8 (a) The name, address, and telephone number of the principal of the protected
9 premises.

10 (b) The type of premises (home, office, variety store, etc) and any business name
11 by which the premises is known.

12 (c) The address of the protected premises including if it is in a residential,
13 commercial or industrial complex (office building, apartment house, shopping center,
14 etc) and any name by which the complex is commonly known.

15 (d) The names, addresses, and telephone numbers including home phone
16 numbers, of the principal and at least one natural persons who reside within ten miles
17 of the corporate limits of Keizer and who have immediate access to keys to the protected
18 premises, and who have agreed to come to the protected premises upon request of
19 emergency agencies when the principal cannot be contacted.

1 (e) The type of annunciators and automatic dialers which the alarm system
2 incorporates, the location of all remote annunciators, and the names and phone numbers
3 of all persons or businesses which are or may be preselected for automatic dialer contact.

4 (f) The application shall be accompanied by the fee prescribed in this Ordinance.

5 (g) The information provided by the applicant pursuant to subsections (a) through
6 (e) of this Section and all updates thereof, shall be given and accepted in confidence and
7 kept from public disclosure to the extent permitted by law. However, the City of Keizer
8 shall not be liable for any types of claims, actions or suits if the City in good faith
9 attempts to prevent disclosure of such information.

10 Section 10. CURRENT INFORMATION REQUIRED. Within ten (10) days
11 following any change of circumstances which renders obsolete any of the information
12 submitted pursuant to this Ordinance the permittee shall file with the administrator a
13 written statement setting forth the currently accurate information. No additional fee
14 shall be required unless the change has terminated the permit as provided.

15 Section 11. SUSPENSION OF PERMITS.

16 (1) The administrator may suspend any permit issued pursuant to this Ordinance
17 upon any of the following grounds:

18 (a) Any false or incomplete statement made on the permit application.

19 (b) Any violation of Sections 3, 5, 6, or 7 of this Ordinance.

20 (c) Failure to pay a false alarm fine within thirty (30) days of final judgment.

1 (d) Maintenance, installation, or use of the alarm system in violation of any
2 applicable law, ordinance or regulation, including the requirements of this Ordinance.

3 (e) Failure to provide current information as required.

4 (f) The occurrence of a false alarm which, added together with all other false
5 alarms, resulting from that system totals more than ten false alarms during a calendar
6 year.

7 (2) A suspension resulting from subsections (1)(a) through (1)(e) of this Section
8 shall remain in effect until the applicant demonstrates to the satisfaction of the
9 administrator that the ground for suspension no longer exists. A suspension under
10 subsection (1)(f) shall be in effect for a period of no longer that 180 days and may be
11 withdrawn by the administrator upon a satisfactory showing that the circumstances
12 which caused or contributed to the majority of the false alarms resulting in the
13 suspension no longer exist.

14 Section 12. FALSE ALARM FINES. The occurrence of three or more false
15 alarms within a single calendar year by one principal's alarm system is a violation of this
16 Ordinance, punishable by the following maximum fines:

17 3rd false alarm \$50.00

18 4th false alarm \$100.00

19 5th false alarm \$150.00

20 6th false alarm \$200.00

1 7th and subsequent false alarm \$250.00

2 Violators may be cited into Keizer Municipal Court. It shall be a defense to a charge
3 under this Section if an alarm is classified as excusable as defined below.

4 Section 13. EXCUSABLE FALSE ALARMS. An alarm which is a false alarm
5 as defined in this Ordinance shall be excused by the responding agency or the
6 investigator upon being reasonably satisfied that:

7 (a) The alarm system has been responsibly and regularly inspected by
8 experienced and well-trained technicians familiar with its design and operation and the
9 environment in which it is installed.

10 (b) All repairs, replacements and preventive maintenance recommended by the
11 service personnel who inspected the system have been performed.

12 (c) The cause of the particular false alarm has either been positively identified and
13 corrected or has been determined not to be misuse or neglect in the use or maintenance
14 of the system and cannot be more precisely identified despite thorough inspection,
15 testing and analysis by technicians as described in subsection (a) of this Section.

16 (d) Technicians as described in subsection (a) of this Section have provided a
17 written opinion that the system is unlikely to produce another false alarm from the same
18 cause.

19 ///

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1 (e) The false alarm was not the result of user error or neglect. "User" includes
2 owners, employees, residents, family members and guests under control of principal or
3 permit holder of the protected premises.

4 (f) No more than two false alarms shall be excused during a calendar year unless
5 the permittee provides satisfactory evidence that each component of the alarm system
6 whose malfunction or failure is capable of producing the false alarm have been replaced
7 by competent technicians and the system has been found free of apparent fault after
8 inspection as provided in subsection (a) of this Section.

9 Section 14. APPEALS.

10 (1) Any person whose alarm system permit has been suspended under the
11 provisions of this Ordinance may appeal that action to the City Council by giving written
12 notice to the City Recorder. Such notice shall be given within thirty (30) days after
13 receipt of the notice of suspension. The filing of a Notice of Appeal shall stay the action
14 appealed until disposition of the appeal by the City Council.

15 (2) Upon receipt of the appeal notice under subsection (1) of this Section, the
16 City Recorder shall set the matter for a hearing before the City Council within thirty (30)
17 days of the date of filing and shall give notice of the hearing to the appellant and to the
18 Chief of Police.

19 ///

20 ///

1 (3) At the hearing the appellant and the Chief shall be given an opportunity
2 to present whatever facts or arguments which are relevant to the suspension of the
3 permit. The hearing will be conducted de novo.

4 (4) The decision of the City Council shall be final.

5 Section 15. VIOLATION. Violation of this Ordinance is a civil infraction.

6 Section 16. EFFECTIVE DATE. This Ordinance shall take effect thirty (30)
7 days after its passage.

8 PASSED this _____ day of _____, 2001.

9 SIGNED this _____ day of _____, 2001.

10

11

Mayor

12

13

City Recorder



July 16, 2001

AGENDA ITEM 7b

ORDINANCE – ESTABLISHING KEIZER PARK REGULATIONS

KEIZER CITY COUNCIL MEETING: June 4, 2001

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

FROM: TRACY L. DAVIS, CMC
CITY RECORDER 

**SUBJECT: ORDINANCE – ESTABLISHING PARKS REGULATIONS
(Repealing Ordinance Nos. 93-266 and 2001-455)
Second Reading**

ISSUE:

On July 2, 2001 an Ordinance Establishing Park Regulations (Repealing Ordinance Nos. 93-266 and 2001-455) was presented to the Council for discussion and adoption. The following motion was made and passed with the following votes:

Council President Moir moved a Bill For An Ordinance Establishing Park Regulations (Repealing Ordinance No. 93-266 and 2001-455), as amended. Councilor Smith seconded the Motion.

The Motion passed with the following votes:

AYES: Christopher, Lee, McGee, Moir, and Smith (5)

NAYS: Walsh (1)

ABSTENTIONS: None (0)

ABSENT: Kelly (1)

The Charter states "*an ordinance of the Council shall, before being put upon its final passage, be read fully and distinctly in open council meeting on two different dates. The exception to this is an ordinance may be enacted at a single meeting of the Council by unanimous vote of all councilors present.* Since the vote was not unanimous on July 2nd, the Ordinance is before the Council for a second reading.

RECOMMENDATION:

It is recommended the Council make a motion and vote on the attached Ordinance.

1 **BILL NO. _____**

A BILL

ORDINANCE NO.

2001- _____

2
3 **FOR**

4
5 **AN ORDINANCE**

6
7 **ESTABLISHING KEIZER PARKS REGULATIONS**
8 **(REPEALING ORDINANCES**
9 **NO. 93-266 AND NO. 2001-455)**
10

11 **The City of Keizer ordains as follows:**

12 **Section 1. General Regulations:** The following regulations apply in

13 Keizer City Parks:

14 (a) Parks open at sunrise and close at sunset each day, with the
15 exception of item (b) below referring to Keizer Little League Park.

16 The City Manager or the City Manager designee may grant
17 permission for use of a park after sunset if the proposed use is
18 appropriate for the park or designated area and consistent with park
19 policies and regulations.

20 (b) Keizer Little League Park may be open after sunset where fields are
21 appropriately lighted within the dates and times as follows:

22 (1) Lighting may extend the park hours from March 1 to October 31.

23 (2) The park will close, and the lights will be off, at 11:00 p.m.

24 (3) Extended hours shall be limited to Monday through Saturday; the
25 park shall close at sunset on Sundays.

26 (c) Pets must be on a leash and in control of their owners at all times.

27 (d) Fires are allowed only in established fire pits or barbecues.

1 (e) CARLSON SKATE PARK REGULATIONS:

- 2 (1) The Carlson Multi-Use Skate Park is not supervised. USE AT
3 YOUR OWN RISK. Permitted uses include skateboards,
4 rollerblades, and BMX bikes only – NO foot traffic or motorized
5 vehicles.
- 6 (2) The involvement of children and youth at this park is the
7 responsibility of parents and guardians. YOUR children and youth
8 are YOUR responsibility for abiding by the posted rules.
- 9 (3) The use of HELMETS IS MANDATORY for all persons using
10 Carlson Skate Park. Knee pads, elbow pads, and wrist guards are
11 STRONGLY recommended.
- 12 (4) Know your ability and stay within them while using Carlson Skate
13 Park.
- 14 (5) This is YOUR Skate Park – take care of it. Keep the Skate Park
15 safe, clean, and friendly.
- 16 (6) Be respectful of other park users, avoid user conflicts. Be
17 courteous.
- 18 (7) Additional obstacles or other materials (ramps/jumps) may not be
19 used at Carlson Skate Park.
- 20 (8) Alcohol, tobacco products, drugs, and glass containers are not
21 allowed in Carlson Skate Park.
- 22 (9) Keep food and/or drink off the skate park surface.

1 (10)Do not use Carlson Skate Park if hazardous conditions exist.

2 Report any damage/hazardous conditions to the City of Keizer
3 Parks Department.

4 (11)Do not use Carlson Skate Park when the surface is wet.

5 (12)DO NOT LITTER. Use trash containers provided.

6 (13)By using Carlson Skate Park you agree to abide by the above
7 rules. The City of Keizer is not responsible for any loss, damages,
8 or injuries resulting from use of Carlson Skate Park.

9 **Section 2. Park Reservations** – Organized events using a covered
10 shelter or soccer field require a park reservation and must be registered through
11 Keizer City Hall.

12 (a) An individual or group that has an approved reservation of a section
13 or sections of a park will have exclusive use of said section or
14 sections for the date and time outlined in the reservation form.

15 (b) In the case of a "Group" reservation, a designated person from the
16 group who will be responsible for the group's actions while using the
17 park and for the condition of the park after the scheduled event shall
18 complete and sign the park reservation form.

19 (c) Reservations will be approved on a first come, first served basis
20 provided that the proposed use by the individual or group is
21 appropriate for the designated area and consistent with park policies
22 and regulations.

1 (d) The established park reservation fee must be submitted along with
2 the park reservation from. If the reservation is denied, the
3 reservation fee will be refunded to the designated person.

4 (e) The amount of the park reservation fee will be established by
5 Resolution.

6 **Section 3. Revoking of Park Reservation** – Violations of the terms
7 of the park reservation as determined by a police officer, the City Manager, or
8 the City Manager’s designee, immediately revokes the reservation.

9 **Section 4. Usage of Keizer Little League Park Complex** – The
10 Keizer Little League Complex is a unique park and use of this park is limited to
11 those persons or groups whose usage of this park will not degrade its condition
12 or alter its configuration in any way interfere with the park functioning as the
13 Little League Park Complex.

14 **Section 5. Prohibited Actions** – The following actions are prohibited
15 in Keizer City Parks:

16 (a) Operating any motor vehicle, except authorized maintenance
17 vehicles, in areas other than those designated for parking.

18 (b) Overnight camping

19 (c) Walking or riding horses

20 (d) Hitting golf balls

21 (e) Riding skate boards or scooters on tennis courts

- 1 (f) Dumping of any items or materials without the written approval of
2 the City Manager or City Manager's designee
- 3 (g) Being present in a park when the park is closed
- 4 (h) Open fires
- 5 (i) Possession of alcoholic beverages
- 6 (j) Vandalism
- 7 (k) Noise which violates the City of Keizer Noise Ordinance as now
8 enacted or later amended.
- 9 (l) Discharge of firearms or other types of weapons, which may include
10 but are not limited to; air guns, BB or pellet guns, sling shots, bow
11 and arrows, crossbows, or any other device which propels any object.

12 **Section 6. Infraction** – Violation of this ordinance is an infraction
13 under the Keizer Civil Infraction Ordinance #86-063.

14 **Section 7. Repeal of Ordinance 93-266 and 2001-455 –**
15 Ordinance 93-266(Establishing Keizer Park Regulations) and Ordinance 2001-455
16 (Amending Keizer Parks Regulations) are hereby repealed in their entirety.

17 //

18 //

19 //

20 //

21 //

Section 8. Emergency.

This Ordinance being necessary for the immediate preservation of the public health, safety, and welfare, an emergency is declared to exist and this Ordinance shall take effect immediately upon its passage.

PASSED this _____ day of _____, 2001.

SIGNED this _____ day of _____, 2001.

MAYOR

CITY RECORDER



July 16, 2001

AGENDA ITEM 7C

**RESOLUTION – ESTABLISHING VOLUNTEER COORDINATING
COMMITTEE**

COUNCIL MEETING: _____

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCILOR MEMBERS

**THROUGH: CHRIS C. EPPLEY
CITY MANAGER**

**FROM: TRACY L. DAVIS, CMC
CITY RECORDER**



SUBJECT: VOLUNTEER COORDINATING COMMITTEE

ISSUE:

On Monday, July 9, 2001 the City Council met in a work session to discuss the Committee Appointment Process. During this discussion, the City Council agreed to make changes in the appointment process, terms and duties of the Volunteer Coordinating Committee. These changes include:

- Each member of the City Council will be responsible for an appointment to the Volunteer Coordinating Committee. The appointment will not be ratified by the entire City Council.
- Each member of the Volunteer Coordinating Committee will serve a two (2) year term. This term will coincide with the term of the City Council member responsible for their appointment.
- There will be no term limits for members of the Volunteer Coordinating Committee.
- All Boards, Committee, and Commission appointment recommendations will be made by the Volunteer Coordinating Committee and forwarded to the City Council for appointment.

A Resolution including these changes has been attached for City Council review and consideration. During the initial transition implementing these changes, the City Council should discuss and make determinations on the following issues:

1. Presently the terms of the Volunteer Coordinating Committee expire on August 31st in alternating years. Terms were staggered to prevent having seven new members at one time. With two-year terms coinciding with the elected officials terms, there may be a potential for seven new members to be appointed at one time.

2. Since the four-year term of a newly elected City Council member (or two-year term of the newly elected Mayor) begin at the first meeting in January following the election, at what date should the appointment be made and the term of the Volunteer Coordinating Committee member begin?
3. Determine the expiration dates of the present members of the Volunteer Coordinating Committee during this transition period.
 - Position One (Smith) – August 2001
 - Position Two – (Kelly) August 2002
 - Position Three – (Lee) August 2002
 - Position Four – (Moir) August 2003
 - Position Five – (Walsh) August 2003
 - Position Six – (McGee) August 2003
 - Mayor Position – (Christopher) August 2001
4. Confirm the City Council member may terminate the term of their appointed member of the Volunteer Coordinating Committee at will (i.e. mid-term).

RECOMMENDATION:

It is recommended the City Council discuss the issues outlined, make a determination for the record, and adopt the attached Resolution Establishing the Volunteer Coordinating Committee and repealing Resolution 95-617.

1 **CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON**

2 **Resolution R2001- _____**

3 **ESTABLISHING A VOLUNTEER COORDINATING COMMITTEE**
4 **(REPEALING RESOLUTION NO. 95-617)**

5 **SECTION 1. CREATION OF THE COMMITTEE**

6 **BE IT RESOLVED BY THE City Council of the City of Keizer that a Volunteer**
7 **Coordinating Committee is hereby established. The Committee shall be**
8 **responsible for the following:**

- 9 **1. Identify functions and activities where volunteers can help the City;**
10 **2. Solicit volunteers for all City Boards, Committees and Commissions;**
11 **3. Solicit and match volunteer needs for special projects and activities within**
12 **the City;**
13 **4. Recruitment, interviewing, and recommendations of Board, Committee,**
14 **and Commission appointments to the City Council;**
15 **5. Responsibility to assist in training of volunteers and public relation items**
16 **pertaining to the individual Board, Committee, and Commissions;**
17 **6. Recognition of volunteers for the City.**

18 **SECTION 2. COMPOSITION AND APPOINTMENTS**

19 **BE IT FURTHER RESOLVED the Volunteer Coordinating Committee shall**
20 **consist of seven (7) members. Each of the seven (7) members shall be**
21 **appointed by a member of the City Council. The member shall be appointed to a**
22 **position corresponding with the position of the Council member responsible for**
23 **their appointment. The Committee member will serve at the pleasure of the**
24 **Council member who appointed them and may be terminated for no cause and**

1 at any time. A member of the City Council will be appointed to act as Council
2 Liaison, however they shall not be a voting member of the Committee.

3 **SECTION 3. TERM OF OFFICE**

4 **BE IT FURTHER RESOLVED** the members of the Volunteer Coordinating
5 Committee shall be appointed for terms of two (2) years. Their term shall
6 coincide with the term of the Council member responsible for their
7 appointment. If an appointed member is unable to serve the term for which the
8 member is appointed or an appointed member resigns prior to the completion
9 of the term, the Council member responsible for this position shall appoint
10 another individual. There will be no term limits for members of the Volunteer
11 Coordinating Committee.

12 **SECTION 4. ORGANIZATION OF COMMITTEE**

13 **BE IT FURTHER RESOLVED** that the Chair and Vice-Chair of the Volunteer
14 Coordinating Committee shall be chosen by the members. The Committee shall
15 meet as deemed necessary by the Chair. All meetings shall be open to the
16 public and comply with the Public Meeting Laws of the State of Oregon.

17 **BE IT FURTHER RESOLVED** that Resolution 95-617 is hereby repealed in
18 its entirety.

19 **PASSED** this _____ day of _____, 2001.

20 **SIGNED** this _____ day of _____, 2001.

21 _____
22 **Mayor**

23 _____
24 **City Recorder**
25



July 16, 2001

AGENDA ITEM 8a

RESOLUTION – CERTIFYING DELINQUENT SEWER ACCOUNTS

COUNCIL MEETING: July 16, 2001

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCILORS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

**FROM: SUSAN GAHLSDORF, CPA
FINANCE DIRECTOR**



SUBJECT: DELINQUENT SEWER ASSESSMENTS

ISSUE:

The City of Keizer collects sewer fees for the City of Salem from residents and businesses of Keizer. The attached list marked as exhibit "A" represents an itemized list of delinquent accounts from April 28, 2000 through March 25, 2001. Each resident has been notified by certified letter and given a sufficient amount of time to remit payment for their account. ORS 454.225 authorizes the City to certify the delinquent amounts to the County Assessor to be assessed against the premises serviced. The statute also allows the City to collect penalty, interest or costs associated with the delinquencies. A 10% delinquent amount has been added as a penalty and a \$10.00 administration cost has been added to the delinquent amount.

RECOMMENDATION:

It is recommended the City Council adopt the attached Resolution, which certifies the delinquent sewer accounts to the County Assessor for collection.

1
2
3 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

4 Resolution R2001-_____

5 CERTIFICATION OF DELINQUENT SEWER ACCOUNTS
6

7 WHEREAS, the City of Keizer is responsible for the collection of sewer fees
8 for the City of Salem from the residents of Keizer; NOW THEREFORE,

9 BE IT RESOLVED that the attached Exhibit "A" is an itemized list of
10 delinquent sewer charges through and including March 25, 2001 that the City has
11 been unable to collect through the usual collection procedures; and

12 BE IT FURTHER RESOLVED that ten percent (10%) of the delinquent amount
13 has been added as a penalty and that a \$10.00 administration cost has also been
14 added to the delinquent amount; and

15 BE IT FURTHER RESOLVED that the amounts certified on Exhibit "A" shall
16 be added to the appropriate tax accounts as indicated pursuant to ORS 454.225.

17 PASSED this _____ day of _____, 2001.
18

19 SIGNED this _____ day of _____, 2001.
20
21

22 _____
23 Mayor
24

25 _____
26 City Recorder

EXHIBIT "A"
DELINQUENT SEWER ACCOUNTS

Tax ID #	Customer Name	Service Address	Total
R25395	Keith Preston	4940 Delight St N	169.92
R19690	Robert Pillsbury	7535 Wheatland Rd N	219.84
R25374	Taisto Pesola	4935 Delight St N	276.53
R57272	Walter Hudnall	761 Chemawa Rd N	248.99
R87893	Sandi Eldridge	1245 Shady Lane NE	199.78
R65499	Donna Miller	4005 Gary St NE	276.53
R45948	Lydina CWeldink	1136 OlinCt NE	221.53
R45937	James Cowley	4915 Rickman RdNe	329.84
R20354	Geneva J Long	5799 TrailAv NE	329.84
R20402	Dennis King	1620 Chemawa RdNe	103.92
R45948	Robert & Karen Carlson	1208 Candlewood Dr NE	329.84
R25220	Derek O & Angela M Apperson	1731 Wildwood Pl NE	304.97
			3,011.53



July 16, 2001

AGENDA ITEM 8b

RESOLUTION – AUTHORIZING CITY MANAGER TO ENTER
AGREEMENT WITH MORSE BROS. CONSTRUCTION FOR VERDA
LANE IMPROVEMENTS

CITY COUNCIL MEEETING:_____

AGENDA ITEM NUMBER:_____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

**FROM: WILLIAM I. PETERSON
CITY ENGINEER**

SUBJECT: VERDA LANE IMPROVEMENTS

ISSUE:

On June 28, 2001 bids were received and opened for the construction of a street widening and overlay on Verda Lane. This project will include approximately 1,300 lineal feet of roadway widening including aggregate base, hot mixed asphalt concrete, and appurtenances common to roadway widening projects.

All bids were received on time and have been certified by the city engineer. After bid certification the low bidder on this project is Morse Bros. Construction for a total amount of \$61,497.50. The average of all the bids is \$77,285.55. The highest bid received was \$81,454.20. The engineer's estimate for this project is \$87,192.50.

FISCAL IMPACT:

Funds for this project were included in the 2001/2002 Street Fund Budget.

RECOMMENDATIONS:

It is recommended the Council adopt the attached Resolution authorizing the City Manager to sign the necessary contracts awarding the project to Morse Bros. Construction for construction of a street widening on Verda Lane for a total cost of \$61,497.50.

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Resolution R2001-_____

AUTHORIZING THE CITY MANAGER TO ENTER AN AGREEMENT

WHEREAS, in May 2001 the City of Keizer published an invitation to bid

WHEREAS, on June 28, 2001 bids were received and opened. The low bid

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

PASSED this _____ day of _____, 2001.

SIGNED this _____ day of _____, 2001.

Mayor

City Recorder



July 16, 2001

AGENDA ITEM 8C

RESOLUTION – INITIATING MURPHY SUBDIVISION STREET
LIGHTING DISTRICT

COUNCIL MEETING: July 16, 2001

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

**FROM: TRACY L. DAVIS, CMC
CITY RECORDER**

**SUBJECT: INITIATING MURPHY SUBDIVISION STREET LIGHTING LOCAL
IMPROVEMENT DISTRICT**

ISSUE:

Shall the City Council initiate Murphy Subdivision Street Lighting Local Improvement District?

DISCUSSION:

A petition was filed on June 22, 2001 by the developer of Murphy Subdivision to form a local improvement district for street lights in this area of Keizer. The petition contained the required signatures of the property owner as outlined by City of Keizer Ordinance 94-278.

RECOMMENDATION:

It is recommended that the City Council approve the Resolution initiating Murphy Subdivision Street Lighting Local Improvement District and direct the City Engineer to prepare a survey of the area.

1 **CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON**

2
3 **Resolution R2001-_____**

4
5 **DECLARING THE CITY'S INTENT TO INITIATE A STREET LIGHTING**
6 **LOCAL IMPROVEMENT DISTRICT (MURPHY SUBDIVISION) AND**
7 **DIRECTING THE CITY ENGINEER TO MAKE A SURVEY AND FILE A**
8 **WRITTEN REPORT WITH THE CITY RECORDER**
9

10 WHEREAS, the City Council of the City of Keizer has received a petition from the
11 developer to initiate a street lighting district in Murphy Subdivision in the City of Keizer,
12 Oregon; and

13 WHEREAS, pursuant to City of Keizer Ordinance 94-278, the necessary signatures
14 of land owner comprising two-thirds of the property to be included within Murphy
15 Subdivision Street Lighting District have requested the formation of the district; NOW,
16 THEREFORE,

17 BE IT RESOLVED by the City Council of the City of Keizer that:

- 18 1. The City Council declares its intent to initiate Murphy Subdivision Street
19 Lighting Local Improvement District;
- 20 2. The map attached hereto, marked Exhibit "A", and by this reference
21 incorporated herein sets forth the proposed boundaries of the district;
- 22 3. The City Engineer is hereby directed to make a survey of the District;
- 23 4. The City Engineer shall file a written report with the City Recorder to be
24 considered by the City Council on August 20, 2001.

25 PASSED this ____ day of _____, 2001.

26 SIGNED this ____ day of _____, 2001.

27
28 _____
29 Mayor

30 _____
31 City Recorder
32



July 16, 2001

AGENDA ITEM 8d

**RESOLUTION – ESTABLISHING FACILITY USE POLICY FOR CITY
HALL PROPERTY**

COUNCIL MEETING:_____

AGENDA ITEM NUMBER:_____

TO: MAYOR CHRISTOPHER AND CITY COUNCILOR MEMBERS

**THROUGH: CHRIS C. EPPLEY
CITY MANAGER**

**FROM: "KEY COMMITTEE"
(Dianne Hunt, Greg Wingett, Sara Sol, Bill Lawyer, and Tracy Davis)**

SUBJECT: POLICY FOR COMMUNITY USE OF CITY HALL FACILITIES

ISSUE:

In 1986 the City of Keizer purchased the present City Hall facility located at 930 Chemawa Road, Keizer, Oregon. Due to the increased amount of space available, the Council adopted a policy for Community Use of City Hall Facility – Resolution R86-229. Fees were established and guidelines set forth for the use of the facility.

Recently, it was brought to the attention of the Facility Maintenance employee that keys had been lost or misplaced by groups using the City Hall Facility on weekends. A committee of employees was chosen to review the security of the buildings and the policy for the use of City Hall Facility. Upon adoption of the policy, the buildings will be re-keyed and new agreements executed with groups using the City Hall Facility.

RECOMMENDATION:

It is recommended the City Council adopt the attached Resolution Establishing a Policy for Community Use of City hall Facilities – Repealing Resolution R86-229.

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Resolution R2001-_____

ESTABLISHING A POLICY FOR COMMUNITY USE OF CITY HALL FACILITIES (Repealing Resolution No. R86-229)

WHEREAS, the City Council of the City of Keizer has determined that it is desirable to make the facilities of the City available to its citizens in as many ways as possible at minimal costs;

WHEREAS, the City Council has determined that is it necessary to adopt a policy to standardize utilization of the City Hall facilities;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Keizer that it is the policy of the City that City Hall facilities shall be made available in accordance with the attached policy for community use of City Hall Facilities, marked exhibit "A" and by this reference incorporated herein, is hereby adopted.

PASSED this _____ day of _____, 2001.

SIGNED this _____ day of _____, 2001.

Mayor

City Recorder

Community Use of City Hall Facilities Policy

Purpose: It is the desire of the Keizer City Council to allow City facilities to be made available for activities on a priority basis for City Government activities, other City Associated Government activities, Civic and Non-City Governmental activities, and Private Interest Group activities, provided such use does not interfere with the operation and functions of City government.

Priority for Use: The following list will be used to determine the priority of use:

- **Priority One - City Government Activities** – This includes all regular, special, and work sessions of the Keizer City Council or Urban Renewal Agency, City Boards and Commissions, or any other City Council and City staff sponsored activities.
- **Priority Two – Other City Associated Government Activities** – This includes any County, State, Federal government, or Special District activities associated with or involving the City of Keizer.
- **Priority Three – Civic Service and Non-Profit Groups** – This includes all community organizational meetings of a civic nature, community groups sponsoring profit-making activities directly benefiting the City, non-profit organizations conducting profit making activities for charitable purposes, non-profit Keizer organizations collecting admission or membership fees for their treasury, or county, state or federal government activities not associated with the City of Keizer. This group also includes church services or activities.
- **Priority Four – Private Interest Groups** – this includes any private interest for profit groups.

Fees: There will be no fees charged for priority one and priority two users. Fees per group per meeting for use of the facility by priority three and four users will be:

- 1-2 hours - \$15.00 per meeting or event
- 2-4 hours - \$25.00 per meeting or event
- 4-8 hours - \$40.00 per meeting or event

Fees are non-refundable.

Reservations: Reservations for the facility should be scheduled at least three (3) business days in advance. Reservations shall be made with the receptionist at City Hall during regular business hours. Reservations for ongoing events may be made no more than six (6) months at a time.

Keys: Keys will be issued no sooner than 72 hours prior to the event. It is the responsibility of the party reserving the facility to check out and return the key. The key shall be returned upon conclusion of the event or no later than two (2) business days following the event.

If the facility is reserved on a regular basis, a key deposit of \$50.00 will be required. The party making the reservation will be responsible for the key. Upon return of the key, the deposit will be returned.

Responsibilities: It is the responsibility of the reserving party to clean and remove any debris from the room, return furniture to the original set up, turn off lights, lock all doors, and return the key as required. No alcohol is allowed on City Hall property. Food and drink may be served, however you are responsible for any spills or damage. The City of Keizer does not provide any food, drink, or supplies. Smoking is prohibited inside the facility.



July 16, 2001

AGENDA ITEM 8e

APPROVAL OF JUNE 18, 2001 REGULAR SESSION MINUTES

MINUTES
KEIZER CITY COUNCIL
Monday, June 18, 2001
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Christopher called the regular meeting to order at 7:03 p.m. Roll Call was taken as follows:

Present:

Lore Christopher, Mayor
Ray Kelly, Councilor
Charles E. Lee, Councilor
Jerry McGee, Councilor
Jacque Moir, Council President
Judy K. Smith, Councilor
Richard Walsh, Councilor

Staff:

Chris Eppley, City Manager
Susan Gahlsdorf, Finance Director
Rob Kissler, Public Works Director
Maria Meier, Senior Planner
Marc Adams, Chief of Police
Dianne Hunt, Human Resources Director
Shannon Johnson, City Attorney
Tracy L. Davis, City Recorder

PUBLIC TESTIMONY

No public testimony was heard before the City Council.

**COMMITTEE
REPORTS**

*Taken out of order after
Public Hearings*

a. Council Liaison Reports

- **Parks Advisory Board**-Mayor Christopher noted that the National Guard was away for training exercises and would return on June 25th to continue erecting the covered structure in Chalmers Jones Park. The National Guard hoped to have the structure complete by July 4th.

Mayor Christopher indicated they were awaiting information from the Rotary regarding the play structure in Wilark Park. She shared that temporary signs regarding the helmet rule had been placed with permanent signs installed soon. The Adopt A Park Program would be re-addressed at the next Parks Board meeting.

- **Traffic Safety Commission**-Councilor Smith reported

that mini-grants from ACTS Oregon were discussed, the grant application must be submitted by August 1, 2001. She shared that the intersections of Bebe and Gary Streets were discussed. The Commission asked that the Council direct staff to review this area for their recommendations.

Mr. Kissler indicated that a traffic study had been completed on Gary and Arnold Avenue. He shared that the City Engineer was currently analyzing these counts.

- **Salem-Keizer Area Transportation System (SKATS)**- Councilor Smith reported that Marion County Growth Management provided a presentation reviewing transportation issues. She noted their primary concern at this time was Cordon Road.
- **Mid-Willamette Valley Area Trans System (MWACT)**- Councilor Smith shared that ODOT received \$400,000,000 from the Legislature and since this passed the list of projects would be reviewed and expanded. She reported that roadwork would take place from VanDuser corridor to the Fort Hill area and would take place over a five-year period.
- **Willamette River Crossing Study**-Councilor Smith reported that ODOT was in the process of conducting environmental studies on the Pine Street area for the bridge. Councilor Smith indicated that a company had proposed constructing the bridge free of charge and turning it into a toll bridge. Councilor Smith reported as part of the proposal that once the bridge was paid for it would be turned back over to the state.
- **Emergency Operations Committee**-Council President Moir reported that the new Operations Manager would be Sgt. Teague. The next orientation meeting would take place on June 21st at 7:00 p.m.
- **Claggett Creek Watershed Council**-Council President Moir reported that the CCWS did not have a quorum and discussions continued on wetland mitigation.
- **Planning Commission**-Council President Moir reported that a work session took place regarding the Infill Master Plan. A public hearing will take place on Wednesday, June 27th at 7:00 p.m.

- **Keizer Urban Renewal Board**-Councilor Walsh reported that this Board meets on June 26th.
- **Government Affairs Committee**-Councilor Walsh reported that this group was interested in the Alarm Ordinance, specifically the registration aspect. Members were solicited and this information would be compiled for the next meeting. The Urban Growth Boundary continued to be a topic of discussion and Councilor Walsh asked for consensus from the Council to put a placeholder in community to review the UGB expansion.

City Manager Eppley shared that if the City was to review this in the future that it would be important to have this in the Regional Planning Organizations documents as a suggestion to preserve future options.

Councilor McGee and Councilor Kelly felt a placeholder would be appropriate for future review.

- It was the consensus of the Council to direct Councilor Walsh to note to the Government Affairs Committee the Council's wish to have a placeholder concerning the UGB without designation or location being addressed.
- **Salem Conference Center Task Force**-Councilor Lee reported that the Task Force was making the recommendation to the Salem City Council to move forward with the project using the recommended location at the Old Ramada Inn site. No recommendation was made regarding the operation deficit.

OTHER BUSINESS

a. New Business

Wilark Park

Councilor Smith indicated she had some members of the Gubser area interested in assisting the Rotary with the Big Toy that would be placed in the park.

Mr. Kissler suggested that the interested citizens attend the Parks Board meeting and voice their interest.

Commuter Rail

Councilor Smith noted she would be meeting with ODOT

in October regarding bringing commuter rail to Keizer.

Volcano Parking Lot

Councilor McGee felt the rental of the parking lot at the stadium was a revenue stream, which was not being utilized. He urged the organization of a committee to review this. He asked that staff review this opportunity.

Council President Moir suggested that this becomes a tickler item and that staff brings back a recommended course.

City Manager Eppley indicated he could bring back a recommended course of action in 30-days.

County Budget Cuts

Chief Adams indicated that due to budget cuts in Marion County there would be 80 beds lost at the jail.

Photo Red Light Video Cameras

For the Council's consideration Chief Adams shared that the Governor had signed into law that cities with a population of over 30,000 may have Photo Red Light Video Camera Enforcement.

Old Business

Salem Gateway Sign

Councilor Lee thanked Mr. Kissler and the City of Salem for getting the Gateway Sign fixed. The City of Salem paid for repair of the Sign totaling \$3,900.

Helmet Give-Away

Council President Moir expressed her appreciation to the Fire Department and Joe Edgell for their work during this Give-Away.

Executive Session

Mayor Christopher noted that the City Manager Evaluation was complete, and asked that Human Resources contact Sheryl Kelsh to do a market analysis on the City Manager's position.

Alder Drive Improvements

Public Works Director Rob Kissler reported that the City Engineer would be representing public works in a meeting with SEKNA regarding the Alder Drive Improvements.

Manzanita, Trail and Harmony

Mr. Kissler requested from the Council that he be allowed

to expend some minor resources on engineering to address a neighborhood traffic management plan for Trail, Harmony, Marigold and Manzanita. He shared that a study conducted by the police department showed that the issue was volume and not speed.

Mr. Kissler reported that he wished to collect data over the summer months and during the beginning of school to develop a CIP plan to submit to Council.

Responding to questions Mr. Kissler shared that he was not trying to take the traffic from Trail Avenue, but to deter the traffic from going through the neighborhood. An intersection improvement was also suggested.

It was the consensus of the Council to direct Mr. Kissler to move forward with the study.

Hotel Tax

City Attorney Shannon Johnson asked for clarification from the Council regarding their direction of the caps. He went on to note that the Fire Department by resolution was promised 20%. He suggested that via the budget note process that the Chamber's grant be reviewed opposed to a permanent resolution.

It was the consensus of the Council to leave the budget note as written.

City Manager Evaluation Results

At Councilor's McGee's request Mayor Christopher outlined the results of Mr. Eppley's evaluation. She indicated that his composite score was 4.29 on a scale from 1-5 with favorable comments.

PUBLIC HEARINGS

a. RESOLUTION-

Adoption of Master Plan for Country Glen/Hidden Creek Park

Taken out of order prior to Committee Reports and Other Business

Mayor Christopher opened the public hearing.

Public Works Director, Rob Kissler reported that Council had directed staff to solicit vendors to develop the master plan. It was determined that vendors must be certified landscape architects or the plan could be developed in-house. This task accomplished by staff and the Parks Advisory with the assistance of input from various organizations of which this information was contained within the packet.

Mr. Kissler indicated that the fiscal impact of the

development and print of the document was \$2,000. It was recommended that the public hearing take place and the master plan be adopted.

Mr. Kissler addressed questions regarding the pathway regarding surface type, costs and drainage. He indicated that further research would take place prior to a pathway being built.

Councilor Smith expressed concerns with the amount of hard surfaces that were being proposed in the park and questioned the ramifications of flooding because of the additional hard surfaces.

Mr. Kissler summarized the exhibit map and indicated that the city engineer felt with the mitigation and widening of the channel that this would enable the area to handle flood- waters such as were seen during the 1996 flood.

With further discussion Mr. Kissler indicated that he did not feel that it was appropriate to have the bridge as part of the parks master plan as this was more of a transportation issue.

Public Testimony

Beth Daniell, 6772 Amy Court, Keizer- spoke as a member of the Gubser Neighborhood Association and the Claggett Creek Watershed Council. She indicated that both groups endorsed the master plan. Ms. Daniell outlined some of the concerns from both groups and how the master plan had addressed these issues.

Responding to questions, Ms. Daniell indicated that Gubser Neighborhood Association would like to have the bridge constructed but felt the Watershed Council would be neutral on this subject.

Brian Flannigan, President of Country Glen Neighborhood Association, 1197 Horizon Ridge Court, Keizer- spoke in favor of the proposed master plan and expressed interest in the Association being able to provide additional input regarding amenities that would be placed in the park. Mr. Flannigan indicated that he understood that there was \$375,000 in SDC's available for this park. He shared that children in the area would be involved in the selection of a Big Toy for the park.

Mr. Flannigan thanked the Parks Board, staff and Mayor Christopher for their work on the project.

Council President Moir expressed concern that the association may have expectations that these funds would be available in the next year.

City Attorney Shannon Johnson cautioned that in Keizer there were not area specific SDC's and that SDC's collected were for the entire city.

Council President Moir stressed that the master plan was a guideline and wanted to be sure that Mr. Flannigan understood that these improvements would not all take place in the next year.

With further discussion regarding a bridge Mr. Kissler indicated that a reserve fund had been set up and would work towards the estimated \$150,000 for that project.

The Council further expressed concerns regarding the bridge being placed in the Master Plan. Mr. Kissler stressed that removing the bridge from the CIP would be acceptable. He suggested that bullet points be placed designating the area of the proposed bridge as an area that cannot be developed and note that funding for the bridge would come from other funding sources and not the park's budget.

Ali Hassoun, 6846 Jakewood Court, Keizer- expressed appreciation for the work being done on the master plan for Country Glen Park. Mr. Hassoun indicated he would like to see a hydrology report regarding flood plans for the area.

Public Works Director Rob Kissler indicated that information regarding the parking issue along Parkside Drive would be brought back before the Council in the near future. He indicated that the proposal would include removing the no parking zone on the south side of Parkside Drive and allowing people to park against the curb. ADA parking would also be addressed in this proposal. Mr. Kissler noted grant options available to the city regarding a 206 study and the wetlands in the area and shared that this would be addressed further at a later date.

Mr. Kissler also summarized the equal conveyance route that would be taken to initiate a slope along the ditch near the park, which would provide better safety along the park and the wetlands.

With no additional testimony Mayor Christopher closed the public hearing.

Council President Moir moved a Motion to Adopt the Master Plan for Country Glen-Hidden Creek Park with amendments regarding capital improvements, flooding and the bridge. Councilor McGee seconded the motion.

Councilor Kelly expressed an interest in the history of the reason behind "no parking" along Parkside Drive. Staff was unsure of the reason for this and City Attorney Shannon Johnson suggested that the issue of parking be addressed at the July 2, 2001 City Council Meeting.

The motion passed unanimously as follows:

AYES: Christopher, Kelly, Lee, McGee, Moir, Smith and Walsh (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**b. Solid Waste
Franchise Fee Increase
for 2002.**

Mayor Christopher opened the public hearing.

Finance Director Susan Gahlsdorf reported that the increase in this franchise fee was part of the long-range financial plan and that contacts to the local solid waste franchisees indicated no opposition to the increased fee.

Mr. Johnson noted he did not have an order available but at Council's direction could have the Order available at the next Council meeting.

With no public testimony Mayor Christopher closed the public hearing.

Responding to questions, Mr. Eppley indicated the initiation of the fee increase being done one-year prior was part of the long-range plan.

Councilor McGee felt it was important to review the fees in one-year to be sure that the full 5% increase was necessary. He commented that they still should remain in the five-year plan, but felt they should be approved in a more timely manner.

City Manager Eppley suggested pulling the sewer and solid waste franchise fee to allow for debate during the

**c. ORDINANCE-
Increasing Privilege or
License Tax for Qwest,
Inc (cont from 6/4/01)**

next fiscal year.

City Attorney Shannon Johnson indicated that the issue would be brought back during the next budgetary process.

Mayor Christopher opened the public hearing continued from June 4, 2001.

City Manager Eppley reported that the hearing was continued due to the objection from Qwest questioning the City's authority to implement the increase.

Mr. Johnson supplied information regarding the business tax noting that Keizer currently collects 4% and was requesting that it be increased to 7%. He noted other court cases in the ninth circuit, which Qwest had cited a "barrier to entry" and the pending court cases that may effect how this type of fee is collected in the future. Mr. Johnson indicated that Qwest had submitted their letter of protest to the proposed increase and indicated he was unsure how a decision in the future would effect the collection or payback potential for Keizer or other cities.

Responding to concerns from Council regarding implementation authority of the tax Mr. Eppley indicated that the City through the PUC regulations governs the City's ability to tax to seven percent.

Mr. Johnson went on to state that this issue would be decided in the courts or legislature for the entire nation. He indicated that if the Council would be more comfortable that he could conduct more research and Mr. Johnson offered alternative options regarding a hybrid business tax/franchise fee. Mr. Johnson stressed if Council wished to take the conservative route they would not pass the increase, however he emphasized that he would not urge this and would not comment further outside of an Executive Session.

Mayor Christopher closed the public hearing.

Council President Moir Moved a Bill for an Ordinance
Increasing Privilege or License Tax for Qwest, Inc;
Declaring an Emergency; Amending Ordinance No 94-
287. Councilor McGee seconded the Motion.

Responding to questions, Mr. Eppley indicated that non-passage of this ordinance would have a budget impact

beginning July 1, 2001.

Ms. Gahlsdorf noted the difference annually in the budget would be \$70,000.

Mr. Johnson offered to research the alternate options and Mr. Eppley expressed his confidence with the increase.

The motion passed as follows:

AYES: Christopher, Lee, McGee, Moir and Smith (5)

NAYS: Kelly and Walsh (2)

ABSTENTIONS: None (0)

ABSENT: None (0)

Mr. Johnson noted since it was not a unanimous vote that the ordinance would be brought back for a second reading.

**d. ORDINANCE-
Development Code Text
Amendment Adding Pet
Grooming**

Mayor Christopher opened the public hearing.

Mr. Johnson reported that this amendment was basically a housekeeping issue adding Pet Grooming to the permitted zones (MU) Mixed Use, (CR) Commercial Retail, (CM) Commercial Mixed, (CG) Commercial General and (RC) Residential Commercial.

With no one wishing to testify Mayor Christopher closed the public hearing.

Council President Moir Moved to Adopt a Bill for an Ordinance Adding Pet Grooming as a Permitted Use in the Mixed Use (MU), Commercial Retail (CR), Commercial Mixed (CM), Commercial General (CG) and Residential Commercial (RC) Zone; and Declaring an Emergency; Amending Ordinance No 98-398. Councilor Kelly seconded the Motion.

The motion passed unanimously as follows:

AYES: Christopher, Kelly, Lee, McGee, Moir, Smith and Walsh (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**e. Legislative
Amendment to
Redesignate Chalmers**

Mayor Christopher opened the public hearing.

City Attorney Shannon Johnson reported that the Planning Commission held a public hearing to designate

Jones Park and Clarify Boundaries

Chalmer Jones Park as a Community Park and to define it's boundaries. The Planning Commission felt re-designation was appropriate but were uncomfortable with defining the boundaries of the park. The Commission suggested that this issue be addressed by the Parks and Recreation Advisory Board during their July 10th meeting.

Mr. Kissler indicated that it was important to define the park prior to the master plan because needs of a neighborhood park vs. a community park may be different.

Councilor McGee felt it was important to define where the municipal facilities would go prior to defining the boundaries of the park.

Councilor Smith disagreed with Councilor McGee's comments and the Council discussed the history of the park, it's inception in the Parks Master Plan in 1992 and the lack of defined boundaries in the plan.

Councilor Walsh questioned what would take place if the park was given designated boundaries and it was found that some of the grounds were needed for City Hall development.

Mr. Johnson indicated that the property was designated public and from a land use perspective no change would be needed. He suggested that a smaller area be designated as the park, which would be easier to expand in the future if needed. With additional questions from Council he indicated that there was no encumbrance which would disable the ability to develop a joint master plan.

Council further debated the issue and Mayor Christopher questioned whether boundaries would need to be designated to change a neighborhood park to a community park. Mr. Johnson indicated that he did not believe this to be the case, but urged that clarification of the boundaries take place in the near future.

Mr. Kissler offered to provide a map showing the entire acreage for the Council's review at the next meeting.

Council and staff attempted to reformulate discussions regarding what brought about the need to designate the boundaries of the park.

Mayor Christopher moved to direct staff to put together a potential footprint that would include the acreage noted in the Master Plan to be review by the Parks and Recreation Advisory Board and to continue the public hearing until July 16, 2001. Councilor Lee seconded the motion.

Councilor Walsh felt that it was important for KURB to be included in this plan.

The motion passed as follows:

AYES: Christopher, Kelly, Lee, Moir, Smith and Walsh (6)

NAYS: McGee (1)

ABSTENTIONS: None (0)

ABSENT: None (0)

**f. RESOLUTION-
Forming Fultz Estates
Street Lighting District
ORDINANCE-Spreading
Assessments to Fultz
Estates Street Lighting
District**

Mayor Christopher opened the public hearing.

City Manager Eppley reported on March 20, 2001 that the developer of Fultz Estates filed a petition to form a street lighting district. In April the City Council adopted the resolution to initiate the formation of the district, on June 4, 2001 the City Council approved the Engineer's report with notification being sent on June 13, 2001 regarding the public hearing. Mr. Eppley noted the recommendations of staff as represented in the staff report.

With no one wishing to testify Mayor Christopher closed the public hearing.

Council President Moir Moved to Adopt the Resolution Forming Fultz Estates Street Lighting Local Improvement District. Councilor McGee seconded the Motion.

The motion passed unanimously as follows:

AYES: Christopher, Kelly, Lee, McGee, Moir, Smith and Walsh (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Council President Moir Moved a Bill for an Ordinance Spreading Assessments to Fultz Estates Street Lighting Local Improvement District. Councilor Smith seconded the Motion.

The motion passed unanimously as follows:

AYES: Christopher, Kelly, Lee, McGee, Moir, Smith and Walsh (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

ADMINISTRATIVE ACTION

a. RESOLUTION- Adoption 2001-2002 City of Keizer Budget, Making Appropriations and Imposing and Categorizing Taxes

City Manager Eppley reported that on May 8, 2001 the Budget Committee approved the Manager's Recommended Budget for Fiscal Year 2001-2002, as amended.

Ms. Gahlsdorf noted the amendments to the budget as directed by Council. Staff recommended that the Council deliberates and passes the Resolution by June 30, 2001.

Councilor McGee Moved a Resolution Adopting the FY'02 Budget, Making Appropriations and Imposing and Categorizing Taxes. Council President Moir Seconded the Motion.

Councilor McGee noted the time and effort that went into the proposed budget. He expressed his happiness with the work that had been completed during the process.

The motion passed unanimously as follows:

AYES: Christopher, Kelly, Lee, McGee, Moir, Smith and Walsh (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

b. RESOLUTION- Adoption of Long Range Financial Plan

Finance Director Susan Gahlsdorf reported that the long-range plan was developed to act as a forecasting tool. She indicated that the goal of the plan was to stabilize revenues to meet current services. She noted the amendments to the long-range plan as supplied in the staff report.

Responding to questions regarding Capital Improvement Plans Mr. Eppley indicated that this plan included the General Fund and funds that could impact the General Fund. He stressed that the document would continue to evolve and would be updated on a yearly basis.

evolve and would be updated on a yearly basis.

Council President Moir Moved to Adopt a Resolution
Adoption of Long-Range Financial Plan. Councilor Kelly
seconded the Motion.

The motion passed unanimously as follows:

AYES: Christopher, Kelly, Lee, McGee, Moir, Smith and
Walsh (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

CONSENT CALENDAR

- a. **RESOLUTION**-Certifying the City Provides Four or
More Services
- b. **RESOLUTION**-Authorization of Expenditures of
Specific Purpose Funds
- c. **RESOLUTION**-Declaring the City's Election to
Receive Start Revenues
- d. **RESOLUTION**-Extending Worker's compensation
Insurance Coverage to City of Keizer Volunteers
- e. **RESOLUTION**-Authorizing the City Manager to
Enter Agreement for Slurry Seals on Various
Streets in the City of Keizer
- f. **Approval of June 4, 2001 Regular Session Minutes**

Council President Moir Moved a Motion to Approve the
Consent Calendar. Councilor Lee seconded the Motion.

The motion passed unanimously as follows:

AYES: Christopher, Kelly, Lee, McGee, Moir, Smith and
Walsh (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Mayor Christopher recessed the meeting at 8:58 p.m and
reconvened at 9:07 p.m. to take Committee Reports.

WRITTEN COMMUNICATIONS

No written communications were brought before the City
Council.

AGENDA INPUT

July 2, 2001

7:00 p.m. City Council Regular Session

- Establishing No Parking Zone and Traffic Safety Improvements for Shoreline/Wayne Drive
- Planning Commission Appointments
- False Alarm Ordinance

July 9, 2001

5:30 p.m. City Council Work Session

- City Boards and Commission Appointment Process

July 16, 2001

7:00 p.m. City Council Regular Session

Mayor Christopher noted the agenda items.

ADJOURNMENT

Mayor Christopher adjourned the meeting at 9:54 p.m.

APPROVED:
MAYOR:

Cindy Perry
Recording Secretary

Lore Christopher

COUNCIL MEMBERS:

Councilor #1 - Judy K. Smith

Councilor #4 - Jacque Moir

Councilor #2 - Ray Kelly

Councilor #5 - Richard Walsh

Councilor #3 - Charles E. Lee

Councilor #6 - Jerry McGee

Minutes approved:



July 16, 2001

AGENDA ITEM 8f

APPROVAL OF JULY 2, 2001 REGULAR SESSION MINUTES

MINUTES
KEIZER CITY COUNCIL
Monday, July 2, 2001
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Christopher called the regular meeting to order at 7:00 p.m. Roll Call was taken as follows:

Present:

Lore Christopher, Mayor
Charles E. Lee, Councilor
Jerry McGee, Councilor
Jacque Moir, Council President
Judy K. Smith, Councilor
Richard Walsh, Councilor

Absent:

Ray Kelly, Councilor

Staff:

Chris Eppley, City Manager
Rob Kissler, Public Works Director
Maria Meier, Senior Planner
Marc Adams, Chief of Police
Dianne Hunt, Human Resources Director
Tracy L. Davis, City Recorder

PUBLIC TESTIMONY

There was no public testimony brought before the City Council.

**COMMITTEE
REPORTS**

a. Planning Commission Appointments

City Recorder, Tracy Davis reported on September 30, 2001, the terms of Bill Wolf, Richard Inman and June Abbott would expire. Each member had served two terms and was not eligible for reappointment. Ms. Davis reported on June 26th the Volunteer Coordinating Committee voted to recommend the appointments of John Preston, Ross Day and Christopher Anderson to fill these vacancies as three-year terms.

Council President Moir moved to accept the nominations of John Preston, Ross Day and Christopher Anderson to fill the three-year term on the Planning Commission. Councilor Lee seconded the motion.

The motion passed as follows:

AYES: Christopher, Lee, McGee, Moir, Smith and Walsh

(6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Kelly (1)

b. Budget Committee Appointments

City Manager Eppley reported that on August 31, 2001 the terms of Doug Pilant and Gene Clemens expired. On June 26, 2001 the Volunteer Coordinating Committee voted to recommend the appointment of Carl Beach and Robert Gebhardt to fill the upcoming vacancies to serve a three-year term.

Council President Moir moved to accept the recommendation of the Volunteer Coordinating Committee and appoint Carl Beach and Robert Gebhardt to serve the three-year term on the Budget Committee. Councilor Lee seconded the Motion.

The motion passed unanimously as follows:

AYES: Christopher, Lee, McGee, Moir, Smith and Walsh
(6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Kelly (1)

c. Traffic Safety Commission Appointment

City Manager Eppley reported in May 2001 Tina Sloan resigned from her position on the Traffic Safety Commission. At the June 26, 2001 Volunteer Coordinating Committee recommended Steve Prothero to fill this position which expires on December 30, 2002.

Council President Moir Moved to accept the recommendation of the Volunteer Coordinating and appoint Steve Prothero to fill the vacancy on the Traffic Safety Commission. Councilor Lee seconded the motion.

The motion passed as follows:

AYES: Christopher, Lee, McGee, Moir, Smith and Walsh
(6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Kelly (1)

d. Parks Advisory Board Appointment

City Manager Eppley reported in May 2001 Larry Monogan resigned from the Parks Advisory Board in the middle of his three-year term scheduled to expire on December 30, 2002. On June 26, 2001 the Volunteer Coordinating Committee unanimously recommended the appointment of Carole Dicksa to fill this vacancy.

Council President Moir moved to accept the recommendation of the Volunteer Coordinating Committee and appoint Carole Dicksa to fill the vacancy on the Parks Advisory Board. Councilor Lee Seconded the motion.

The motion passed as follows:

AYES: Christopher, Lee, McGee, Moir, Smith and Walsh (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Kelly (1)

Councilor McGee expressed his pleasure with the number of qualified volunteers wishing to lend their time and skills to the City.

e. Council Liaison Reports

➤ **Library Services Task Force**

Councilor Walsh reported that the Task Force had formed subcommittees and each subcommittee had had the opportunity to meet. He noted the work that had taken place with the Reading Connection and the Salem Library over the past month.

➤ **Traffic Safety Commission**

Councilor Smith noted that the meeting for June had been cancelled.

➤ **Bikeways Committee**

Councilor Smith reported that bike rack standards were discussed and that the Chair of the Committee would be in touch with the Planning Director regarding these standards. She shared that a Police Safety Program would be taking place at the Volcano's Stadium on July 7th and that the Bikeways Committee would be handing out helmets. Councilor Smith indicated that the number of helmets available to them had dwindled and that the Committee would be sending out a plea to the community for donations to purchase additional helmets.

Councilor McGee suggested that the Committee might review requesting that the kids or families donate a token amount of money to assist with keeping funding available to purchase additional helmets.

➤ **SKATS**

Councilor Smith reported that Bill 2142 had passed supplying ODOT with 400 million dollars worth of funding. She indicated that SKATS would be reviewing recommendations that they would make for the use of these funds.

➤ **Claggett Creek Watershed Council**

Council President Moir reported that this group did not have a quorum at it's last meeting. It was decided that letters would be sent out informing members that their attendance was needed at the meetings or they would be requested to resign from their position.

➤ **Emergency Management Committee**

Council President Moir reported that Sgt. John Teague was the new Emergency Manager and that the Committee would be forming what direction they would like to take during the next year.

➤ **Planning Commission**

Council President Moir reported that the public hearing took place regarding the Infill Master Plan Draft. The hearing was continued until July 11, 2001. She encouraged everyone to attend this meeting.

➤ **Keizer Urban Renewal Board**

Councilor Walsh reported that the Board discussed the City Hall Master Plan and the use of Urban Renewal Funds. The Planning Director at the next meeting would present information regarding the UNOCAL site to educate the Board on its history.

Councilor Walsh shared that the Board reviewed two applications for Landscape Grants at 7-Eleven and Budget Rent-A-Space. Additional information would be provided to allow the Board to make a decision on these grants.

➤ **Salem Futures Committee**

Councilor Walsh reported that the Committee would be working on a long-term plan for the Cherriots Bus System, which would include the City of Keizer.

OTHER BUSINESS

a. New Business

Solicitation Ordinance

Councilor Smith provided a copy of St. Paul's solicitation ordinance and asked the Council to review for future discussion.

Mistwood Incident

Council President Moir thanked the Keizer Police Department and Fire Department for their work on this incident.

Chief Adams thanked the Salem Police Department and everyone that cooperated in the effort.

National Night Out

Chief Adams shared that this event would be taking place in August and that more information would be provided, as it became available.

City Manager Market Analysis

Human Resource Director, Dianne Hunt reported that this analysis was underway and should be completed within the next month.

Reserve Officer Recruitment

Ms. Hunt reported that this recruitment closed last Friday and that 36 applications were received. The exam would take place on July 14th to fill eight to ten openings.

Alder Grant

Public Works Director, Rob Kissler shared that the City Manager had signed the grant through ODOT.

School Zone Flashers

Mr. Kissler reported that they would be working with the School District to improve the School Zone Flashers prior to the upcoming school year.

Trail/Manzanita/Harmony & 14th Avenue Traffic Analysis

Mr. Kissler shared that the first phase of this project was complete with the second phase taking place during the first few weeks of school. He offered to provide information, as it became available.

Web Page Planning Information

Planning Director, Maria Meier indicated that the Development Code and Planning Applications were

available on the City's web site.

Credit Card Merchants

City Manager Eppley reported that discussions with the merchants to offer this service to citizens were progressing.

Covered Structure

City Manager Eppley shared that the structure would be complete soon. A concert under the structure would take place on Friday, July 6th at 7:00 p.m.

PUBLIC HEARINGS

None

**ADMINISTRATIVE
ACTION**

**a. ORDINANCES-
Regulating False
Alarms in the City of
Keizer**

Chief Adams reported that the original draft was passed by the City Council with a 5-2 vote, which required a second reading. During the second reading modifications were suggested to the ordinance and Chief Adams suggested that the Council pass Option Number One of the Ordinance that would include the requirement for an Alarm Permit.

Chief Adams answered questions regarding the intent of the ordinance and a citation offense versus an invoice fee.

The Council discussed the information provided and Councilor Walsh suggested that in the ordinance where it states "Security Alarm System" to delete out the word "Security". It was also suggested that on Page 12, line 8 that the wording "principal user or permit holder", but added.

Councilor Walsh argued against item (d) on page 12 and Mayor Christopher indicated that replacing Section 13 with Councilor Walsh's Section 6 would be a good alternative.

Councilor Smith strongly urged the Council to move forward with the passage of the ordinance as Chief Adams submitted it.

Councilor Smith Moved a Motion to Accept the False Alarm Ordinance as Presented by Chief Adams with the Corrections Submitted by the City Attorney. Council President Moir Seconded the Motion.

Council President Moir Offered a Friendly Amendment to Change Any Reference to "Security Alarm Systems" to read "Alarm Systems". Councilor Smith accepted the friendly amendment.

Councilor McGee spoke against the permitting system as it was addressed in the ordinance. He stressed that the administration of the permitting system would add to staff time. He requested a compromise with the ordinance to not require a blanket permit, but after a second false that alarm information would be obtained.

Councilor Smith spoke in favor of the permit system and the safeguards it would provide to police and the residents.

Responding to questions Chief Adams indicated that the permit system would allow the process to be safer and more effective for police, as well as the residents.

Councilor Walsh felt that it was important to instill an ordinance that would be the least cost effective and intrusive to the citizens of the City.

Mayor Christopher offered a friendly amendment to the motion to replace Section 13 with Section 6 of Councilor Walsh's proposal. Councilor Smith did not accept the amendment.

Mayor Christopher moved an Amendment to the Motion to replace Section 13 with Section 6 of Councilor Walsh's proposal. Councilor McGee seconded the amendment.

Responding to questions Chief Adams indicated that his opinion regarding the ordinance were based on the information received from the Alarms Association and the International Chief of Police Best Practices Study. He stressed that the permit process was designed and proven to work for other cities.

Councilor Smith emphasized that the cost for the permitting system was minimal for what it provided.

After further debate Mayor Christopher withdrew her amendment and called for a vote on the motion.

Councilor McGee moved an amendment to the Motion to Invoke the Permitting System on the Second Violation of the Ordinance. Councilor Walsh seconded the Motion.

The amendment to the motion failed as follows:

AYES: McGee and Walsh (2)

NAYS: Christopher, Lee, Moir and Smith (4)

ABSTENTIONS: None (0)

ABSENT: Kelly (1)

Councilor Smith requested clarification on the friendly amendment.

Council President Moir noted to be consistent the statement "under the control of principal or permit holder" to be added to Section 13(e). Councilor Smith agreed with this amendment and the earlier friendly amendment regarding removing the word "security" as suggested by Councilor Walsh.

The motion passed as follows:

AYES: Christopher, Lee, Moir and Smith (4)

NAYS: McGee and Walsh (2)

ABSTENTIONS: None (0)

ABSENT: Kelly (1)

City Manager Eppley indicated that the Ordinance would be brought back for a second reading.

Mayor Christopher urged the Council to rely on the expertise of the Chief regarding this issue.

**b. ORDINANCE-
Increasing Privilege or
License Tax for Qwest,
Inc. (second reading)**

City Manager Eppley reported that at the last Council meeting the Council voted 5-2 to adopt an ordinance increasing the telephone license fee from four percent to seven percent. Staff recommended adoption of the Ordinance.

Council President Moir Moved to Adopt a Bill for an Ordinance Increasing Compensation to the City by Qwest Corporation; Declaring an Emergency; Amending Ordinance No. 94-287, Second Reading. Councilor Smith seconded the Motion.

Council President Moir noted the changes in the ordinance.

**c. ORDINANCE-
Establishing Keizer
Park Regulations**

The motion passed as follows:

AYES: Christopher, Lee, McGee, Moir and Smith (5)

NAYS: Walsh (1)

ABSTENTIONS: None (0)

ABSENT: Kelly (1)

City Manager Eppley reported on June 4, 2001 Council adopted an Ordinance amending a portion of the Keizer Parks Regulations to add the regulations to the Carlson Skate Park. Following adoption Councilor Smith pointed out an error in the Ordinance, which should have indicated the amended Ordinance as 93-266 rather than 90-188.

Council President Moir Moved a Bill for an Ordinance Establishing Keizer Parks Regulations; Repealing Ordinances No. 93-266 and No. 2001-455. Councilor Smith seconded the Motion.

Councilor Lee suggested that major groups using the Skate Park provides the City with a Certificate of Insurance.

City Manager Eppley recommended that the Policy Committee meets and reviews the reservation process.

Responding to questions Mr. Kissler indicated that placing the insurance requirement in the ordinance would be a legal question that should be addressed with the city attorney.

The reservation aspect of the Ordinance was addressed and Council President Moir suggested that *Page 3 Section 2 the first sentence should read: Organized events using a covered structure or soccer field require a park reservation and must be registered through Keizer City Hall.*

Councilor Walsh noted he would vote against the ordinance because he did not feel many of the requirements were regulatory in nature.

The motion passed as follows:

AYES: Christopher, Lee, McGee, Moir and Smith (5)

NAYS: Walsh (1)

ABSTENTIONS: None (0)

ABSENT: Kelly (1)

**d. RESOLUTION-
Authorizing City
Manager to Enter
Agreement with Keizer
Police Association**

City Manager Eppley indicated that the Ordinance would be brought back for a second reading at the next City Council meeting.

Human Resources Director, Dianne Hunt summarized the changes from the last contract that included the addition of a classification of a Property and Evidence Specialist. She noted that the wages for the Police Association had been transitioned from a five to ten step matrix and the changes in incentive pay.

Ms. Hunt indicated that the fiscal impact for the new contract would be \$20,000 in FY 2001-2002. Staff recommended that the resolution be adopted

Council President Moir Moved a Motion to Adopt the Resolution Ratifying Collective Bargaining Agreement and Authorizing the City Manager to Enter into a Collective Bargaining Agreement with the Keizer Police Association. Councilor Smith seconded the motion.

The motion passed as follows:

AYES: Christopher, Lee, McGee, Moir, Smith and Walsh (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Kelly (1)

Mayor Christopher requested that an additional signature line be added to the position description for the employee to sign off that they have read the description.

City Manager Eppley thanked Ms. Hunt and Chief Adams for the work that they did on the contract, in addition to Dave LeDay the KPA President.

**e. RESOLUTION-
Establishing a No
Parking Zone for
Shoreline/Wayne Drive**

Public Works Director, Rob Kissler reported that a letter received from a citizen regarding a dangerous curve at the intersection of Wayne Drive and Shoreline Drive prompted a review of this area. It was found that the intersection could be improved by establishing a no parking zone, center lane markings and additional signage.

The fiscal impact of the project would be approximately \$450.00 plus annual maintenance. Staff recommended that the resolution be adopted.

CONSENT CALENDAR

Council President Moir Moved a Motion to Adopt a Resolution Designating a "No Parking" Zone at the Northeast Corner of Shoreline Drive and Wayne Drive North. Councilor McGee seconded the Motion.

The motion passed as follows:

AYES: Christopher, Lee, McGee, Moir, Smith and Walsh (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Kelly (1)

- a. RESOLUTION- Authorizing the City Manager to Enter Agreement for Waterline Improvements at Alder Drive
- b. RESOLUTION-Initiating Pine Meadows Estates Street Lighting District
- c. RESOLUTION-Authorization of Expenditure for Specific Purpose Funds-Local Law Enforcement Grant
- d. Approval of June 11, 2001 Work Session Minutes

Mayor Christopher pulled item "a" from the Consent Calendar.

Council President Moir moved for approval of items "b", "c" and "d" on the Consent Calendar. Councilor Smith seconded the motion.

The motion passed as follows:

AYES: Christopher, Lee, McGee, Moir, Smith and Walsh (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Kelly (1)

City Manager Eppley noted on item "c" that the City's match would be taken out of the existing materials and supplies line item with no additional impact from this fiscal years budget.

The motion passed as follows:

AYES: Christopher, Lee, McGee, Moir, Smith and Walsh (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Kelly (1)

Public Works Director, Rob Kissler announced that the low bidder did not qualify to complete the work in item "a". He indicated a new resolution was presented for the Council's consideration to authorize the City Manager to enter into an agreement with Scharff Bros. With a bid totaling \$154,380.00.

Council President Moir moved a motion to Authorize the City Manager to Enter an Agreement with Scharff Brothers Excavating for Alder Street Waterline Replacement. Councilor Smith seconded the motion.

The motion passed as follows:

AYES: Christopher, Lee, McGee, Moir, Smith and Walsh (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Kelly (1)

WRITTEN COMMUNICATIONS

Mayor Christopher noted that the Marion County Fair would be holding a Mayor's competition and asked for suggestions regarding an idea for an item which would be representative of the City that would be auctioned off for a good cause.

Councilor Smith shared that the Council would be receiving notice from the Salem-Keizer Transportation regarding a work session about inter-graded land use and transportation.

AGENDA INPUT

July 9, 2001

5:30 p.m. City Council Work Session

City Boards and Commission Appointment Process

July 16, 2001

7:00 p.m. City Council Regular Session

Chalmers Jones Park

Resolution Establishing Policy for City Hall Facility Use

August 6, 2001

7:00 p.m. City Council Regular Session

Mayor Christopher noted the agenda items.

Councilor Lee indicated he would be out of town July 9, 2001.

ADJOURNMENT

Mayor Christopher adjourned the meeting at 8:52 p.m.

Cindy Perry
Recording Secretary

APPROVED:
MAYOR:

Lore Christopher

COUNCIL MEMBERS:

Councilor #1 - Judy K. Smith

Councilor #4 - Jacque Moir

ABSENT
Councilor #2 - Ray Kelly

Councilor #5 - Richard Walsh

Councilor #3 - Charles E. Lee

Councilor #6 - Jerry McGee

Minutes approved:



DATE: July 16, 2001 TIME: 7:00 p.m. AGENDA ITEM # _____

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

(PLEASE PRINT)

[illegible]



DATE: July 16, 2001 TIME: 7:00 p.m. AGENDA ITEM # 6a

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

(PLEASE PRINT)

[illegible]

Subject: [Fwd: FALSE ALARM ORDINANCE]

Date: Thu, 12 Jul 2001 10:23:24 -0700

From: Rick Curry <comceil@ix.netcom.com>

Organization: Commercial Ceiling Corporation

To: councilorsmith@home.com

----- Original Message -----

Subject: FALSE ALARM ORDINANCE

Date: Wed, 11 Jul 2001 18:24:48 -0700

From: Rick Curry <comceil@ix.netcom.com>

Reply-To: comceil@ix.netcom.com

Organization: Commercial Ceiling Corporation

To: keizerccc@open.org

We strongly oppose any ordinance regarding intruder alarms in Keizer.

1. This is simply another way to raise taxes. Business property owners already pay a lot of money each year in property taxes which filters to the City of Keizer Police department.

2. The police are not going to add any additional officers just to answer alarms so why pay a fee for this service.

3. To much government already. We do not need an additional fee. If there were a fee, there still would not be a reduction in false alarms. I supported the sign code originally. Having gone through the sign code permit process recently, (it was not a pleasant or inexpensive experience) I would not support the sign code or permit cost today.

4. I do not like the idea of fines for false alarms either. Once again, the police are already being paid for their service to the community. If they want to reduce false alarms, I suggest they work to eliminate false alarms rather than charge for them.

We would attend the Government affairs meeting but we are going to be out of town for a family wedding.

Rick & Iva Curry
Budget Rent A Space