

MINUTES
KEIZER CITY COUNCIL
Monday, July 16, 2001
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Christopher called the regular meeting to order at 7:02 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
(Taken out of order
after Other Business)

Mayor Christopher asked City Attorney Johnson to clarify some of the changes to the false alarm ordinance prior to public testimony.

Mr. Johnson reported that the ordinance would allow 90-days for those who have an alarm to get a permit free of charge. After the 90-days a \$20 permit fee would be charged. He reviewed the information that would be obtained in the permit application and the fines initiated after the second false alarm. Mr. Johnson indicated that the citation would be issued through the Municipal Court.

Responding to questions Mr. Johnson outlined the public record rule and the balancing rule used to determine if records might be released.

City Manager Eppley went on to state that standard operating procedure would be to deny any claims and have the claims processed through the court. He addressed the \$20 program fee was to cover the

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administration of the program.

Testimony

Bill Quinn, 4918 Shoreline Loop, Keizer- spoke in favor of the revised ordinance. He felt it was important to impose a penalty to those who do not obtain a permit. Mr. Quinn noted changes in the ordinance, which he felt, were missed.

Jay Gaffney, Metropolitan Security Systems-spoke in support of the alarm ordinance. He shared that he does not support silent alarms. He outlined some of the other areas of the ordinance pertaining to alarms and noted that users are encouraged to test their systems monthly. Mr. Gaffney suggested changes on page 5; line 6 he encouraged the activation time to be lengthened from ten to 60 seconds to allow for these tests. Also on page 7; line 16 to include a person that lives within 10-15 minutes of the premises and on page 9; line 16 suggested that the word "punishable" be changed to "levied".

Responding to questions, Mayor Christopher noted that there would be some calls that would be at the discretion of the officer whether to levy a fine.

Gene Benson, 3390 Willamette Drive, Keizer-spoke against the proposed false alarm ordinance and re-addressed issues of open records and encouraged that efforts are moved more towards the criminal rather than the victim.

Shirley DeShon, 3985 Rivercrest Drive, Keizer-spoke in opposition of the proposed false alarm ordinance. She asked what the collected fines would be used for and felt that \$200 was too high for a fine. She expressed concern regarding the database of information and urged a closer inspection of the ordinance before its adoption.

Councilor Walsh tried to alleviate Ms. DeShon's concerns noting changes that had been made since the first draft that was reviewed. He outlined some of those changes.

Rick Roemer, 711 Chemawa Road NE, Keizer-spoke as Chair of the Governmental Affairs and expressed his support of an ordinance that would reduce false alarms, but was not in support of the ordinance as it was written. He urged that only individual having false alarms be required to submit information to the police database.

Mayor Christopher noted that the purpose of the registration process was for officer safety and to assist in the reduction of false alarms.

Captain Barker attempted to alleviate Mr. Roemer's concerns and Mr. Roemer argued that the information being requested would not act as a safeguard to officers and felt there was a better way to deal with false alarms than the proposed ordinance.

Responding to questions Councilor McGee supplied data from 1990-1993 regarding false alarms. He questioned the safety issue for officers noting that traffic stops and domestic calls would have a much greater instance for securing safety for an officer versus a false alarm.

Mr. Roemer indicated that he had spoken with the President of the McNary Homeowners Association and they were against the permit for false alarms.

Bob Herberger, 2805 Chemawa Road NE, Keizer-urged the Council to keep the ordinance simple. He expressed his apprehension of the intrusiveness of the proposed ordinance and safety issues regarding the information that would be collected for the permit system. Mr. Herberger felt the cost of initiating the ordinance would be an additional burden on the City's budget.

Cliff Moeller, 1180 Rafael North, Keizer-addressed the issue of central stations monitoring alarm systems noting that they would have access to the information which was being requested for the permit process. He felt the additional intrusion of government for this process was unnecessary.

Council President Moir referred to systems that were not monitored. She emphasized how the permitting system would supply the needed information to a responding officer.

Mr. Moeller disagreed indicating that he felt unmonitored alarm systems would continue to be dealt with as they currently were on an "as called" basis.

John Preston, 3500 River Road, Keizer- spoke in support of the ordinance. He shared that he resided in Salem and paid a yearly fee to hold his alarm permit. He did not see any problem with the information being requested.

**COMMITTEE
REPORTS** (taken prior
to Public Testimony)

- a. **Introduction of Recent Volunteer Appointments**
- **Budget Committee-Robert Gebhardt & Carl Beach**
 - **Traffic Safety Commission-Steve Prothero**
 - **Parks Advisory Board-Carol Dicksa**
 - **Planning Commission-John Preston, Christopher Andersen and Ross Day**

Mayor Christopher introduced and welcomed the new volunteer appointments and provided them with a proclamation regarding their appointments.

b. **City of Keizer Employee Debbie Bernard-Toastmaster Award**

Mayor Christopher read the letter from the Executive Director of Toastmasters International regarding Ms. Bernard's award.

Finance Director, Susan Gahlsdorf congratulated and provided Ms. Bernard with an award for her efforts.

c. **Council Liaison Reports**

- **Mid Willamette Area Commission on Transportation (MWACT)**-Councilor Smith reported ODOT would be receiving \$400 million and the possibilities that these funds could be allocated for. Also discussed was the expressway to be built in the Dundee/Newberg area.
- **Parks Advisory Board**-Mayor Christopher reported that the Claggett Wetlands project had not met the requirements of the DSL so a member of the watershed council would be working with DSL to get the project to move forward next spring.

Mayor Christopher reported that the Parks Board was making a recommendation to Gubser Neighborhood regarding the Big Toy to be placed in Wilark Park. She also noted that the grand opening of the Chalmers Jones covered structure would take place on Labor Day and the effort of staff to have grass planted in Country Glen Park in September.

Mayor Christopher shared that the Park Tour would take place on August 13th at 5:30 p.m. She outlined the parks that would be visited.

- **Planning Commission-Council President Moir** reported that the Commission was continuing to meet regarding infill. Their next meeting would take place on July 25th in hopes of forwarding a recommendation to Council.
- **Chamber of Commerce Governmental Affairs-** Councilor Walsh reported that City Manager Eppley attended the meeting and supplied an update on the City's interest in the future of it's UGB and the proposed False Alarm Ordinance.
- **SEKNA-Councilor Lee** reported the efforts of SEKNA through the Mennonite Church for the Hispanic community. He shared on August 24th a school supply day would take place with a tour of the new schools on August 25th.
- **Conference Center Feasibility Study-Councilor Lee** reported that he had copies of the information and offered it to those interested.

OTHER BUSINESS
(taken out of order
before Public
Testimony)

a. New Business

Councilor Smith thanked the community for donations made to allow for the purchase of bike helmets that are provided "free of charge" to children who do not have a helmet.

b. Old Business

Human Resource Director, Dianne Hunt shared that the first part of the screening process took place narrowing down the field of applicants from 38 to 11. She noted that a new ability test would be put in place that would be more representative of what an officer would be required to do.

PUBLIC HEARINGS

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

City Manager Eppley reported that on April 2001 the City Council initiated legislative amendment to consider changing the designation of Chalmers Jones Park from a neighborhood park to a community park and to clarify its boundaries. Ultimately, the task for defining the boundaries fell on the Parks Advisory Board who discussed this issue during their July meeting. The Parks Board submitted a list of questions, which they felt, needed answered before being able to make this determination at their August 14th meeting.

Staff recommended that Council reopens the hearing, allow testimony and continue the hearing until Monday, August 20, 2001 to receive the recommendation from the Parks Advisory Board.

Mayor Christopher opened the public hearing.

With no one wishing to testify Mayor Christopher closed the public hearing and it was the consensus of the Council to continue the hearing until August 20, 2001.

ADMINISTRATIVE ACTION

a. ORDINANCE- Regulating False Alarms in the City of Keizer (second reading)

City Manager Eppley reported that at the July 2, 2001 meeting Council adopted the false alarm ordinance with amendments. Since there was not a unanimous vote the ordinance was brought back for a second reading.

Staff recommended adoption of the Ordinance.

Council discussed the ordinance, its cause and effect and the individual feelings of each Councilor regarding the ordinance.

Council President Moir noted grammatical errors and requested that on page five; line six that the activation time be changed from ten seconds to sixty seconds.

Council President Moir moved a Bill for an Ordinance Regulating Alarm Systems, Requiring Permits and Providing Penalties for False Alarms, Fees and Penalties for Ordinance Violations as amended. Councilor Lee seconded the motion.

The motion passed as follows:

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

NAYS: Kelly, McGee and Walsh (3)

ABSTENTIONS: None (0)

ABSENT: None (0)

b. ORDINANCE- Establishing Keizer Park Regulations (Repealing Ordinance #'s 93-266 and 2001- 455) (second reading)

City Manager Eppley reported that on July 2, 2001 the Ordinance Establishing Park Regulations was presented to the Council for discussion and adoption. Because there was not a unanimous vote on the Ordinance it was brought back for a second reading.

Staff recommended that Council make a motion and vote on the Ordinance.

Councilor McGee indicated that he would prefer that the ordinance be referred back to legal counsel to address rules that could not be regulated as discussed at the previous Council Meeting.

Council President Moir moved a Bill for an Ordinance Establishing Keizer Parks Regulations (Repealing Ordinance No. 93-266 and No. 2001-455). Councilor Smith seconded the motion.

Councilor Kelly commented on wording in the Ordinance that he felt needed to be reviewed. Council discussed this and the following motion was made.

Councilor Kelly moved to table the issue until the Ordinance was rewritten and brought back to the Council on August 6, 2001. Councilor McGee seconded the motion.

The motion to table passed unanimously as follows:

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

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**c. RESOLUTION-
Establishing Volunteer
Coordinating
Committee (Repealing
R95-617)**

City Manager Eppley reported that on Monday, July 9, 2001 the Council met in a work session to discuss the Committee Appointment Process. During the discussion suggested changes were made to the appointment process and the duties of the Volunteer Coordinating Committee.

Staff recommended review and adoption of the Resolution.

Council discussed the Resolution and adding suggested amendments.

Councilor Kelly moved a Motion Establishing a Volunteer Coordinating Committee (Repealing Resolution No. 95-617) with the suggested amendments. Council President Moir seconded the motion.

Additional amendments and deletions were suggested to the Resolution and the following motion was made.

CONSENT CALENDAR

Councilor Kelly moved to table the issue to allow legal counsel to made the necessary amendments and bring back for Council to review on August 20, 2001. Councilor McGee seconded the motion.

The motion to table passed unanimously as follows:

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

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

- a. RESOLUTION- Certifying Delinquent Sewer Accounts
- b. RESOLUTION-Authorizing City Manager to Enter Agreement with Morse Bros. Construction for Verda Lane Improvements
- c. RESOLUTION-Establishing Volunteer Coordinating Committee (Repealing R95-617)
- 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

Councilor Lee requested that item "d" is pulled from the Consent Calendar.

Council President Moir moved a motion for adoption of the Consent Calendar with the exception of item "d". Councilor Kelly seconded.

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)

Councilor Lee requested that staff readdresses the fees being requested and the requirement of a certificate of insurance for groups renting rooms at the City Hall Facility.

City Manager Eppley indicated that the increases were nominal, but the intent of the increases was not to cover costs but to allow facilities to be available to citizens at a minimal cost.

The Council discussed the priority uses of the facility and the fee structure for profit versus non-profit organizations and it was suggested that a sentence be added stating *"Confirmed dates have priority over all others"*.

Councilor Lee suggested that the committee that was going to be established to review stadium parking lot as a source of revenue could also review the fees for the use of the City Hall Facility.

Council President Moir moved a motion to adopt a Resolution Establishing a Policy for Community Use of City Hall Facilities (Repealing Resolution No. R86-229) with the suggested amendments. 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)

None

WRITTEN COMMUNICATIONS

AGENDA INPUT

July 23, 2001

5:30 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

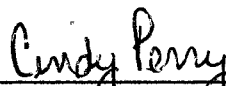
5:30 p.m. City Council/Parks Advisory Board Work Session

- Annual Parks Tour

August 20, 2001
7:00 p.m. City Council Regular Session

ADJOURNMENT

Mayor Christopher adjourned the meeting at 10:24 p.m.

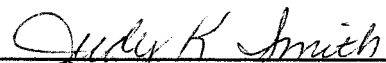


Cindy Perry
Recording Secretary

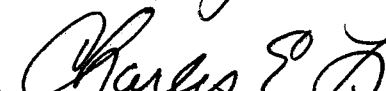
APPROVED:
MAYOR:

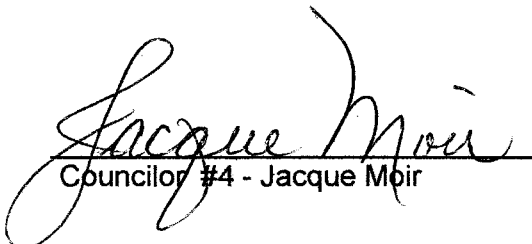

Lore Christopher

COUNCIL MEMBERS:

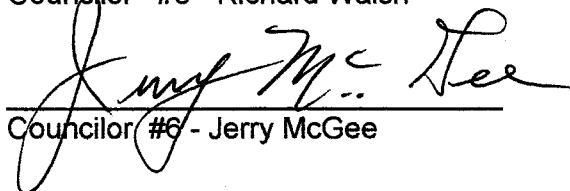

Councilor #1 - Judy K. Smith


Councilor #2 - Ray Kelly


Councilor #3 - Charles E. Lee


Councilor #4 - Jacquie Moir


Councilor #5 - Richard Walsh


Councilor #6 - Jerry McGee

Minutes approved:

August 7, 2001