MINUTES

KEIZER CITY COUNCIL
Monday, July 10, 2000
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Newton called the regular meeting to order at 7:08 p.m. Roll Call was taken as follows:

Present:
Bob Newton, Mayor
Lore Christopher, Council President
Jim Keller, Councilor
Jerry McGee, Councilor
Jacque Moir, Councilor
J. L. Wilson, Councilor (left at 8:12 p.m.)
Council Seat #5-Vacant

Staff:
Chris Eppley, City Manager
Rob Kissler, Public Works Director
Tracy L. Davis, City Recorder
Susan Gahlsdorf, Finance Director
Kent Barker, Lieutenant
Shannon Johnson, City Attorney

PUBLIC TESTIMONY

Mayor Newton announced the format in which the public hearing would take place. He indicated the public hearing would be to cover the eight points that the Planning Commission had reviewed regarding the Chemawa Activity Center.

Robert Herberger, Gubser Neighborhood Association President- asked if they would have the opportunity to make comments regarding developers presentation prior to deliberations.

Mayor Newton indicated the public would be given adequate opportunity to comment.

No further testimony was brought before the Council.

COMMITTEE REPORTS

a. **Library Task Force Report- Jerry Watson, 1237 Manzanita Way NE-**
Spoke as Chair of the Task Force. Mr. Watson indicated that during the next meeting the group would be reviewing the final draft of a telephone survey with the assistance of students from McNary High School. He noted the survey

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should take place in late July or early August.

Mr. Watson reviewed the two library approaches that the Task Force was reviewing. This included the "standard base approach" which would utilize the library system associations1994 standards and making community comparisons (i.e.: Stayton, Silver Falls and West Salem).

He reviewed the city's tax structure noting that 35 cents of tax revenue would raise approximately $350,000, which would be the approximate operation cost of a branch size library.

Mr. Watson hoped to hold public hearing regarding the library information in August or September, finalizing and presenting a report to the Council in October 2000.

Mayor Newton reminded the Task Force in order for the issue to be placed on the November ballot that September 7th would be the last day an issue could be placed on the November ballot.

b. Youth Compact-Council President Christopher
Noted that $550 was budgeted as a placeholder for the Today's Choices, Tomorrow's Community. She indicated the facilitation costs had increased to $700 and she requested the Councils support for this cause.

<u>Council President Christopher moved to support Youth Compact in the amount of $700.00 for facilitation of Today's Choices, Tomorrow's Communities. Mayor Newton seconded the motion.</u>

Responding to questions, Council President Christopher stated the facilitator complies and provides all the written materials to the group.

Finance Director, Susan Gahlsdorf stated there was not a line item for this particular request within the budget.

<u>With this information Council President Christopher withdrew her motion until the Finance Director could review the issue.</u>

c. Receipt of Government Finance Officer Association Certificate
City Manager Eppley shared that the GFOA rates cities on the budget process and presentation to the public. He noted that this is a prestigious award for the city to

receive.

Finance Director, Susan Gahlsdorf reported how the budget document was rated and indicated the award would be displayed at Keizer City Hall.

Mayor Newton congratulated everyone involved in the process.

d. Parks Advisory Board Appointment
Councilor Keller moved to appoint Ray Kelly to the Keizer Parks Advisory Board. Council President Christopher seconded the motion.

Councilor McGee commended Mr. Kelly on his credentials and appointment to the Parks Advisory Board.

The motion passed unanimously as follows:

AYES: Christopher, Keller, McGee, Moir, Newton and Wilson (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

OTHER BUSINESS

a. New Business
Councilor Moir reported that the Claggett Creek Watershed Council meeting would take place on August 22nd at 7:00 p.m. in Claggett Creek Park. She urged the Council to attend the potluck and meeting that evening.

Councilor Moir shared the quarterly report of the Emergency Volunteer Association. The next volunteer exercise would take place on July 29,2000 at 10:00 a.m.

Mayor Newton noted that in Craig Campbell's absence he would be attending the Marion County Public Safety Coordinating Council. He requested if any members of the Council had an interest in this issue to let him know.

Mayor Newton reported that the $500,000 grant for improvements along Lockhaven from McLeod to Chemawa Road had been denied.

Mayor Newton requested that goals setting for the Council be completed prior to the budget process. He felt it was important to start this process in October and urged the Council to consider this.

Councilor Keller moved that the City Manager be directed to develop RFP's for the City's legal and engineering services and have a draft available for review by the Council at the July 17, 2000 City Council Meeting. Mayor Newton seconded the motion.

Responding to questions, City Manager Eppley noted that legal and engineering services were the primary contract services.

Mayor Newton noted his support of the motion. He indicated the City had been well served by its legal and engineering services but it was important for the City to review these services during the budget process.

The motion passed unanimously as follows:

AYES: Christopher,Keller, McGee, Moir, Newton and Wilson (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

Lieutenant Barker reported that Sgt. Jeff Kuhns was appointed as the new Community Services Sergeant. Also the department was in the process of seeking a certified police officer.

Public Works Director, Rob Kissler noted the Salem City Council had postponed the SKAPAC process from their agenda for one meeting that would allow details to be worked out regarding language for the Claggett Creek Drainage Basin and the Little Pudding Drainage Basin.

PUBLIC HEARINGS

a. Chemawa Activity Center

Mayor Newton opened the public hearing.

City Attorney, Shannon Johnson reviewed the eight points that the Council had directed the Planning Commission to review regarding the Chemawa Activity Center Plan and the Commissions outcome to each point. They are as follows:

1. The appropriate amount of commercially zoned property in Area A. The Planning Commission after much debate and deliberation determined it was best to leave the 11 acre maximum, but recognized that a developer had the option of making proposals for future changes.

2. Review the street connection of Area A to Area D with an underpass loop or "jug handle" design. The Commission felt that this was a technical transportation design and made the decission to leave the language as written in the Design Plan regarding the underpass loop.

3. Landscaping requirements for the Activity Center and/or Area A property. The Commission felt that the CAC Plan and the Development Code should be consistent. The IBP zone was deemed appropriate, but recommended deleting the following bullet point from the Area A "Site Design" section on Page 11 of the Plan:

   - Individual industrial parcel sizes should be a minimum five- (5) acres with a minimum twenty percent (20%) landscaping requirement.

Mr. Johnson noted that the IBP zone would still remain at 20% landscaping requirement and the landscaping requirement for Commercial Mixed Zones are listed as follows:

- Ten Percent (10%) for Commercial Development
- Fifteen percent (15%) for Mixed Commercial and Residential Development
- Twenty percent (20%) for Residential Development

4. The requirement that no single use be more than 50, 000 square feet. Due to concerns regarding River Road businesses and transportation issues, the Commission decided not to change this requirement.

5. Design Plan is consistent with the new Keizer Development Code. The Commission recommended removal of the IBP zone as an appendix to the Plan, although IBP zone would remain as a section in the Development Code.

6. The appropriateness of the Park and Ride lot Area The Commission recommended adjusting the language in the Plan as well as the zoning to not that the Park and Ride was appropriate and should be permitted or allowed but not required.

7. The appropriateness of the 150- room hotel/motel

requirement in Area A. The Commission recommended that this condition was not necessary and should be removed from the Design Plan.

8. Protecting the residential property to the west of Area A from the traffic impacts. The Planning Commission recommended the section should be clarified to indicate that *no* street from the south may connect to Tepper Lane more than 200 feet west of the *current* Radiant Drive intersection.

Mr. Johnson stated that staff recommended that the hearing be continued to allow for refining options and to present Council with additional information. He also noted the options for Council to consider following public testimony as written in the staff report. He went on to state that a large portion of Area A was located within the Urban Renewal District and that the Council should consider if there were plans to move forward on the Urban Renewal portion and attempt to coordinate with any Urban Renewal Plan Amendments for review.

Mr. Johnson responded to questions from the Council regarding the landscaping requirements noting that the requirements are listed in the Keizer Development Code and are not referring specifically to the Chemawa Activity Center Plan.

Responding to questions Mr. Johnson explained that the text of the Design Plan could be changed as the hearing was noticed for that condition.

A discussion of jurisdictional sign off took place. Mr. Johnson indicated he would review the requirements of this for Council's inspection.

Mayor Newton noted in the Plan that Area D was written as approximately 20 acres, but is actually 15 acres. He requested a report from City Manager Eppley regarding ownership of the 15 acres in Area D.

Mr. Eppley reported that the last owner of record of the property was the Federal Highway Organization, but went on to state that due to federal law this organization could not manage, own or operate ground. He indicated to the best of knowledge the Bureau of Indian Affairs owned this property but had not filed a deed. Mr. Eppley shared he was still researching other issues pertaining to the property and would report to the Council on July 17, 2000.

Mayor Newton addressed the Chemawa Activity Center Plan and asked if actions had been taken regarding the financial or marketing strategy as written in the plan.

Mr. Johnson indicated Council had not directed staff to review these issues.

Councilor Keller noted that the plan was written by the previous community development director whose intent was to follow through with the issues Mayor Newton had addressed.

City Manager Eppley reported that according to ODOT the proposed jug handle could be reconfigured to use the existing right of way and that the 15 acres of land in Area D would not be critical to move forward with the development.

Public Testimony

Steve Pfaff, President, Keizer Chamber of Commerce, 980 Chemawa Road NE, Keizer- noted they had polled members of the Chamber to receive input regarding the Chemawa Activity Center. Mr. Pfaff read a statement from the Government Affairs Committee.

Christine Jones, Director, Keizer Chamber of Commerce, Keizer- Ms. Jones read the vision of the Chemawa Activity Center as written by the Chamber of Commerce Board two years ago. The current Board and Government Affairs Committee reviewed the vision statements and felt them to still be viable today.

Dale Johnson, 5862 Rhinestone Court SE, Salem- spoke as chair of Chemawa Activity Center Management LLC. He indicated in discussions with ODOT that the jug handle could be reconfigured to fit in the existing right of way.

Mr. Johnson shared a survey he randomly submitted to 17 residents along Tepper Lane. He noted the two questions asked were:

1. When the Chemawa Activity Center is developed would you like to see truck traffic blocked at the railroad tracks?
2. Would you like to see all traffic blocked at the railroad tracks?

Mr. Dale Johnson reported that six out of the seventeen surveyed felt it would be good to block truck traffic. One of the seventeen indicated they would like Tepper Lane completely blocked.

Responding to questions, Mr. Dale Johnson indicated he told the individuals that he spoke with that the truck traffic would consist of light commercial trucks.

Councilor Wilson left the meeting at 8:12 p.m.

Judith Holzinger, Noon Avenue NE- represented Keizer Neighborhood Association. She read a letter written by Ken Gierloff, President of KNAG reporting that KNAG would support the Gubser Neighborhood Association in updating the Chemawa Activity Center Plan to exclude Tepper Lane as an access to and from the Center. It was requested that the letter be included as part of the record.

Robert Herberger, 2805 Chemawa Road NE, Keizer- President of the Gubser Neighborhood Association. Noted he was instructed by the Board to urge the Council to close Tepper Lane at the railroad tracks to prevent traffic from entering into the Gubser Neighborhood.

Councilor Keller expressed his skepticism that closing Tepper Lane was the wish of the majority of residents the Gubser Neighborhood.

Mr. Herberger indicated they were conducting a door to door survey in an attempt to poll everyone in the neighborhood. He noted that the questions would be pertaining to the traffic impact of the Chemawa Activity Center to the Gubser Neighborhood Association.

Mr. Herberger and Council McGee supplied history of the issues during the opening of the baseball stadium and its effect upon Tepper Lane.

Brian Sheahan, Associate Planner Salem Area Mass Transit District- addressed the appropriateness of the Park and Ride Lot in the Plan. He urged the Council to reconsider the Planning Commission's recommendation regarding this issue and to include transit as part of the Design Plan.

Tina Sloan, 5905 Radiant Drive, Keizer- would like to see the area developed since she is a property owner in the area. Ms. Sloan felt development would assist in the growth of Keizer and she urged the Council to allow more than 11 acres of retail to grant the development the opportunity to move forward.

Karen and Wayne Trucke, 6330 14th Avenue NE, Keizer- provided history from the Gubser Neighborhood Association stating that an abundance of people in the area had voted to close Tepper Lane.

Ms. Trucke read from a handout and noted the importance of neighborhoods rather than development. She went on to note information from the Planning Commission minutes and information in the Chemawa Activity Center Plan pertaining to Tepper Lane. She requested that the Plan be changed to read; *"near the intersection of the BNRR the street shall be designed as to restrict vehicular and truck traffic from infiltrating through the neighborhood to the west."*

Ms. Trucke shared an overhead picture of the neighborhood and detailed the one access from the neighborhood to River Road and noted the number of homes in the area and the amount of vehicle traffic that were carried through the area which she noted by conducting traffic counts.

After discussions the Council agreed to include the developers presentation as part of the public hearing.

Mayor Newton recessed the meeting at 8:50 p.m.

The meeting reconvened at 9:02 p.m.

Mayor Newton noted the Council would be meeting in Executive Session on July 17th and the continuation of the public hearing would be noticed to the public.

Chuck Sides, 2555 Hollywood Drive, Salem- introduced his partner John Batzer and Project Designer, Charlie Matchick.

Charlie Matchick-explained how his collaboration with Mr. Sides and the Chemawa Activity Center came about. He presented five concept drawings of how the area could be developed. He stressed the concept to build on and enrich the area in and around the Volcanoes Stadium and supplied examples of how this could be done. Mr. Matchick introduced Tom Jones and Ed Chamberlin with WH Pacific Engineering Firm. He noted they would be using their expertise of infrastructure during the development.

Mr. Sides proposed to the Council that they enter into an exploratory agreement to determine the feasibility of developing the 107- acre parcel at the northwest corner of the Chemawa Road intersection, in addition to developing the remaining 70 acres. He noted the goal would be to create over 100 million dollars worth of taxable property value within 36 months. Mr. Sides read from the remainder of the proposal and provided copies to the City Council and indicated they would like to have the agreement signed by July 21, 2000. He explained the reason for this was due to a competitor initiating a development near Costco in Salem. Mr. Sides indicated tenants had shown an interest in the CAC development but due to their marketing plans would need to set their obligations soon.

Mr. Sides reported a meeting scheduled in two weeks in Senator Smith's office to discuss the ownership of land in Area D. He stressed the wish to bring the Bureau of Indian Affairs to this meeting to discuss this issue also. He went through the remainder of the process including acquiring easements and land acquisition. He indicated the construction of the project would take approximately two years.

Mr. Sides addressed various project concepts for tenants including the idea of a charter school and how this would benefit everyone involved.

Responding to questions, Mr. Matchcik indicated the traffic impact would have to be studied, monitoring the traffic and testing the performance or mix against the traffic to design the area to meet the needs of the people coming into the area and as not to impact the surrounding neighborhoods.

Mr. Sides noted that the development would bring in a number of businesses to the area, which would help to enhance Keizer. He noted there would be some competition but felt this would be to the advantage of the consumer.

Mayor Newton questioned Mr. Sides as to what would need to change in the Chemawa Activity Center Plan to allow the development to move forward.

Responding to this, Mr. Sides urged flexibility during the development of the master plan. He felt the final development would consist of 70% commercial and 30% of IBP.

Mayor Newton expressed concem with the limitations that ODOT would set regarding the amount of traffic that could run along the jug handle.

Mr. Sides assured the Council they would work closely with city staff and ODOT to formulate this prior to any development. He continued to answer questions from Council and noted guidelines of the city's participation could be, as well as the part of the developer, but stressed this could not be finalized until the master plan was completed.

City Manager Eppley proposed working with two agreements. He suggested the first would be an exploration phase to determine the feasibility of the project. Upon completion of the master plan a formal agreement could be put into place.

With no additional testimony Mayor Newton continued the public hearing until Monday, July 17, 2000 at 7:00 p.m.

Mayor Newton moved to direct staff to work with the city's legal council to draft the appropriate agreements to formalize the terms for the Chemawa Activity Center Development for consideration by the Council at the July 17, 2000 City Council Meeting. Councilor McGee seconded the motion.

Responding to questions City Manager Eppley indicated that legal council Preston and Gates would be involved in developing both sets of agreements.

The motion passed unanimously as follows:

AYES: Christopher, Keller, McGee, Moir and Newton (5)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Wilson (1)

ADMINISTRATIVE ACTION

CONSENT CALENDAR

a. **Approval of June 19, 2000 Regular Session Minutes**

b. **RESOLUTION-Transferring Appropriations for Fiscal year 99-00 (Repealing R-2000-1181)**

Mayor Newton moved for approval of the Consent Calendar. Councilor Moir seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Keller, McGee, Moir and Newton (5)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Wilson (1)

WRITTEN COMMUNICATIONS

No written communications were brought before the City Council.

AGENDA INPUT

July 17, 2000
7:00 p.m. Keizer City Council Meeting

- Sparrow Addition Street Lighting District Public Hearing
- Council Procedure Amendments
- Personnel Policy Amendments
- Certification of Street Lighting Districts
- Distribution of Letters of Interest for Council Position #5

August 7, 2000
7:00 p.m. Keizer City Council Meeting

- Transportation System Plan Public Hearing-continued from 6/5/2000
- Appointment to Council Position #5

Mayor Newton reviewed the agenda items.

Council President Christopher requested that the Youth Compact issue be brought back during the July 17th City Council Meeting.

ADJOURNMENT

Mayor Newton adjourned the meeting at 9:55 p.m.

Tracy L. Davis
City Recorder

APPROVED:
MAYOR:

Bob Newton

COUNCIL MEMBERS:

Councilor #1 - J. L. Wilson

Councilor #4 - Jacque Moir

Councilor #2 - Lore Christopher

Councilor #5 - Vacant Position

Councilor #3 - Jim Keller

Councilor #6 - Jerry McGee

Minutes approved:

August 21, 2000