



MINUTES
KEIZER CITY COUNCIL REGULAR SESSION
Monday, July 7, 2008
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

**CALL TO
ORDER**

Mayor Christopher called the regular session to order at 7:10 pm. Roll Call was taken as follows:

Present:

Mayor Lore Christopher
Richard Walsh, Council President
Jim Taylor, Councilor
Jacque Moir, Councilor
Brandon Smith, Councilor
Cathy Clark, Councilor
David McKane, Councilor

Staff:

Chris Eppley, City Manager
Shannon Johnson, City Attorney
Nate Brown, Community
Development Director
Rob Kissler, Public Works Director
Marc Adams, Police Chief
Tracy Davis, City Recorder

FLAG SALUTE
PUBLIC
TESTIMONY

Mayor Christopher led the pledge of allegiance.

Cari Buccholz and Gary Hays, Keizer, members of the Keizer Little League Board of Directors, recapped the season focusing on issues relating to the Keizer Youth Sports Association/Keizer Little League issue including rumors, confusion and loss of assets. City Attorney Shannon Johnson provided some clarification regarding the contract explaining that the current agreement was implemented for this season only and some form of agreement between the two parties will need to be developed. Lengthy discussion then took place regarding development of the agreement, communication and maintenance.

Al Rasmus and Jim Hupy, Keizer Heritage Foundation, addressed Council regarding the Heritage Foundation Lease Agreement. Mr. Rasmus corrected some areas of misinformation which were discussed at the previous Council meeting focusing on the legal description, matching funds and changes due to Civic Center construction. Discussion then took place centering primarily on correcting the legal description of the leased property and parking lot improvements and usage.

PUBLIC HEARING

None

ADMINISTRATIVE ACTION

a. ORDINANCE ~ Disposing of City Owned Surplus Property, Police Confiscated Unclaimed Personal Property, Contraband Firearms and Other Contraband

City Attorney Shannon Johnson reminded Council that this matter was before Council at the last meeting and Council had directed him to revise it with regard to giving more flexibility to the City in methods of disposing of surplus property and in terms of surplus firearms disposition from the Police Department. He reviewed the changes in detail with discussion following regarding reporting and disposition of firearms.

Council agreed that the last sentence on page 6, line 19 should be revised as follows: *"Generally, this option would be chosen for weapons that, in the discretion of the Chief of Police, have value that outweighs the staff time and/or cost of sale."* And page 7, line 4 as follows: *"Generally, this option would be chosen for weapons that, in the discretion of the Chief of Police, have value that is outweighed by the staff time and/or cost of sale."*

Councilor Taylor moved to amend the language to indicate that any gun involved in the shooting of another person would be excluded from that discretion. Motion died for lack of second.

Council accepted Mr. Johnson's suggestion that Section 5, line 8 be revised to read: "Such report shall indicate the surplus item sold or otherwise disposed of, method of sale and revenue from sales."

Councilor Walsh moved to adopt an Ordinance Disposing of City Owned Surplus Property, Police Confiscated Unclaimed Personal Property, Contraband Firearms and Other Contraband, Repealing Ordinance 2007-427; and Declaring an Emergency as amended. Councilor Moir seconded.

Councilor Taylor noted that he would not support this without the language regarding destruction of guns involved in a shooting.

Motion passed as follows:

AYES: Christopher, Walsh, Smith, McKane, Moir and Clark (6)

NAYS: Taylor (1)

ABSTENTIONS: None (0)

ABSENT: None (0)

b. ORDINANCE ~ Street Obstructions and Debris on Public Right of Way

City Attorney Shannon Johnson noted that this ordinance would clarify and streamline an existing ordinance and include the nuisance abatement process. He explained that it is hoped that the revised ordinance will cut down on some of the problems that have been experienced particularly at construction sites. Mr. Kissler noted that this ordinance is not directed at basketball hoops, but at construction debris and landscaping stockpiling. Discussion followed at length regarding public outreach and education, basketball hoops, dumpsters, garbage cans, reflectors, barricades and ADA access.

Mr. Johnson suggested the following clarifying language for Section 1a: "It shall be unlawful for any person, *in connection with construction, landscaping or remodeling projects*, to place, park....."

Councilor Walsh moved to adopt an Ordinance Relating to Street Obstructions and Debris on Public Right of Way; Repealing Ordinance No. 96-347 as amended. Councilor Taylor seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Smith, McKane, Moir, Clark and Taylor (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**c. Oregon
Transportation
Commission
Federal
Earmark
Projects**

Community Development Director, Nate Brown, reviewed the location of the KROC Center and explained the importance of including a pedestrian bridge crossing project in the recommendation to Oregon Commission on Transportation. He added that another project would be the Willamette River crossing, noted that this process is just beginning and encouraged Council input. Discussion followed regarding going under the Parkway and bike path obstacles following which Council voiced support for the pedestrian crossing overpass. Mr. Brown noted that this will be a monumental effort and will include efforts from the City of Salem as well.

**d. Naming of
Christmas
Tree Corner
as Walery
Plaza**

City Attorney Shannon Johnson noted that this matter had come before Council at the last meeting and that, since there are no specific resolutions in effect regarding naming of a right of way, the Council was free to take whatever action deemed appropriate.

Councilor Moir moved to officially name the excess right of way around the Christmas tree 'Walery Plaza'. Council Walsh seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Smith, McKane, Moir, Clark and Taylor (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**CONSENT
CALENDAR**

A. RESOLUTION ~ Authorizing the City Manager to Purchase Public Works Truck

B. RESOLUTION ~ Authorizing City Manager to Enter Agreement with Auto Leasing Specialties for Keizer Police Vehicle

C. Approval of May 19, 2008 Regular Session Minutes

D. Approval of June 2, 2008 Regular Session Minutes

E. Approval of June 16, 2008 Regular Session Minutes

Councilors Clark and McKane pulled items D and E respectively.

Councilor Walsh moved to adopt Consent Calendar Items A, B and C. Councilor Moir seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Smith, McKane, Moir, Clark and Taylor (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

COMMITTEE REPORTS

Councilor Clark made some corrections to the June 2, 2008 Minutes and moved for approval. Councilor Walsh seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Smith, McKane, Moir, Clark and Taylor (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

Councilor Walsh moved for approval of the June 16, 2008 Minutes. Councilor Taylor seconded. Motion passed as follows:

AYES: Christopher, Walsh, Smith, Moir, Clark and Taylor (6)
NAYS: None (0)
ABSTENTIONS: McKane (1)
ABSENT: None (0)

Councilor McKane noted upcoming Parks Board and Traffic Safety Commission meetings.

Councilor Moir noted dates for the Marion County Fair and reported that Planning Commission will not meet in ~~August~~^{July}. At the June meeting Greg Rands was elected Vice Chair, a public hearing was held for Sign Code text amendments, with a recommendation coming to Council at a later date, and Elizabeth Sagmiller gave a presentation on the TMDL (Total Maximum Daily Load) issue.

Councilor Walsh reported that

- An Eagle Scout has indicated that he would like to build a temporary sand volleyball court to be used at the RIVERfair in August. The proposal will be presented to the Parks Board on Tuesday, but since timing is important, Mr. Walsh requested approval from Council as well. Council approved this project by consensus.
- Library Task Force has developed a final report and pending final approval of the report will be requesting that Council discharge the task force.
- An Ethics Town Hall meeting was held with another one scheduled for July.
- Salem-Keizer Area Transportation Study is studying increasing vertical clearance on Cordon Road overpass, increasing bus time at intersections, and river crossing projects.

Councilor Clark reported that

- Keizer Animal Rescue Emergency Shelter (KARES) is planning a garage sale fundraiser
- Chemawa Interchange Area Plan will hold an open house to review existing conditions for Chemawa, Brooklake and Hayesville

interchanges on July 9. Nate Brown added that additional information is available at: www.chemawainterchange.org

- She will be attending the Mid-Willamette Area Commission on Transportation (MWACT) meeting on July 16.

Mayor Christopher reported that the Assistance League of Salem will be bringing the Cook's Tour to Keizer for a fundraiser for the Salem-Keizer School District.

OTHER BUSINESS

- a. **New Business**
- b. **Old Business**

City Manager Chris Eppley reminded Council that the question of expansion of recycling services was discussed at a previous meeting; a survey of the city was done with 2,129 (20% of population) responses received. The results of the survey indicated that 75% of those responding did not desire additional service so the issue was closed.

Rob Kissler reported that:

- Eagle Scout, Ben Johnson, will be working with Keizer Stormwater Specialist Elizabeth Sagmiller to mark the storm drain catch basins in the Gubser area.
- Notification regarding the left turn pockets on River Road has been sent to business owners on River Road. Staff is moving forward to install these prior to school starting.
- Dearborn is open to traffic; landscaping is not complete but staff is working with property owners to determine their preferences. Plantings will begin in the fall.

WRITTEN COMMUNICATIONS None

AGENDA INPUT **July 14, 2008**

12:00 Noon City Council Work Session

- Periodic Review/Urban Growth Boundary Discussion

July 21, 2008

7:00 p.m. City Council Meeting

- Keizer Heritage Foundation – Third Amendment to Lease Agreement
- Committee Appointments
- Public Hearing – Sign Code Amendments
- Second Reading – Surplus Property Ordinance
- Library Task Force Report/Dissolution

August 4, 2008

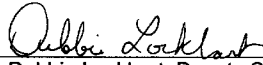
7:00 p.m. City Council Meeting

- Presentation of Plaque to Dave Walery – Walery Plaza

ADJOURNMENT Mayor Christopher adjourned the meeting at 9:10 p.m.

MAYOR:

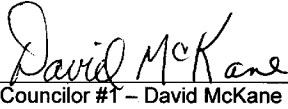
APPROVED:



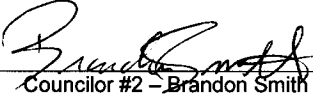
Debbie Lockhart, Deputy City Recorder

Lore Christopher

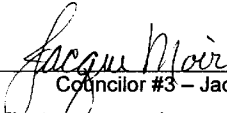
COUNCIL MEMBERS



Councilor #1 – David McKane



Councilor #2 – Brandon Smith



Councilor #3 – Jacque Moir

Minutes approved:



Councilor #4 – Cathy Clark



Councilor #5 – Richard Walsh

Councilor #6 – James Taylor