

AGENDA

KEIZER CITY COUNCIL

REGULAR SESSION

Monday, July 6, 2015

7:00 p.m.

Robert L. Simon Council Chambers
Keizer, Oregon

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **FLAG SALUTE**

4. **SPECIAL ORDERS OF BUSINESS**

5. **COMMITTEE REPORTS**

6. **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.

7. **PUBLIC HEARINGS**

- a. Liquor License Change of Ownership/Name (The Pub to Full Monty's Burger Bistro)
- b. **RESOLUTION** – Forming Misty Meadows Street Lighting Local Improvement District
ORDINANCE – Spreading Assessments to Misty Meadows Street Lighting Local Improvement District
- c. **RESOLUTION** – Forming Northfield Estates Street Lighting Local Improvement District
ORDINANCE – Spreading Assessments to Northfield Estates Street Lighting Local Improvement District

8. ADMINISTRATIVE ACTION

- a. RESOLUTION – Authorizing the City Manager to Enter Agreement to Connect to Public Water System and Covenants Running with the Land with Jonny A. Martin and Leanne D. Martin (Clear Lake Road)

9. CONSENT CALENDAR

- a. RESOLUTION – Authorizing the City Manager to Award and Enter into an Agreement with Roy Houck Construction LLC for Annual Street Resurfacing Project (2015)
- b. Approval of June 15, 2015 Regular Session Minutes

10. COUNCIL LIAISON REPORTS

11. OTHER BUSINESS

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

12. WRITTEN COMMUNICATIONS

To inform the Council of significant written communications.

13. AGENDA INPUT

July 13, 2015

5:45 p.m. – City Council Work Session
Canceled

July 20, 2015

7:00 p.m. – City Council Regular Session

August 3, 2015

7:00 p.m. – City Council Regular Session

14. ADJOURNMENT

Upon request, auxiliary aids and/or special services will be provided. To request services, please contact us at (503)390-3700 or through Oregon Relay at 1-800-735-2900 at least two working days (48 hours) in advance.

CITY COUNCIL MEETING: July 6, 2015

AGENDA ITEM NUMBER: _____

TO: MAYOR CLARK AND CITY COUNCIL MEMBERS

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

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

**SUBJECT: THE PUB – LIQUOR LICENSE APPLICATION - CHANGE OF
OWNERSHIP**

BACKGROUND:

On June 2, 2015 the City received an application for a change of ownership for the liquor license for The Pub, located at 4820 River Road, Keizer, Oregon. The Oregon Liquor Control Commission requires a new application when changing ownership, location, or license type. The new owners/applicants are Dennis Ekstrom and Peter Keller. The new business name will be Full Monty's Burger Bistro.

As required by Keizer Ordinance a public hearing was scheduled; notice was published and mailed to all property owners within 200 feet of the proposed establishment. The Keizer Police Department reports a clear background check on the applicants. In addition, the Keizer Community Development Department finds the location of the establishment to be properly zoned and has no additional comment on the application.

RECOMMENDATION:

It is recommended the public hearing be opened to allow testimony from the applicants or other interested individuals and upon completion, the hearing be closed. It is further recommended the Council recommend approval of the application for a change of ownership under the guidelines as established by ORS 471.178 and the Ordinances of the City of Keizer. This recommendation shall then be forwarded to the Oregon Liquor Control Commission for final approval.



KEIZER POLICE DEPARTMENT

930 Chemawa Road NE • P.O. Box 21000 • Keizer, OR 97307-1000 • www.keizerpd.com
Phone (503) 390-3713 • **Fax** (503) 390-8295

City Council Meeting of _____

Agenda Item No. _____

To: Mayor and City Council

Thru: Chris Eppley, City Manager

From: John Teague, Chief of Police
Rita Powers, Police Support Supervisor *RP*

Subject: The Pub (Change of Ownership) Name changed to:
Full Monty's Burger Bistro

Issue: Shall the City Council approve the liquor license application due to
Change of Ownership of Full Monty's Burger Bistro (formerly "The Pub")
located at 4820 River Rd. N., Keizer, Oregon 97303?

Applicant Background Check:

The applicants for new ownership, Dennis Ekstrom and Peter Keller have no Oregon criminal history.

There have been four (4) calls for service at this location over the past year, one of which is considered in conflict with Keizer city Ordinance 2010-623.

Recommendation

The Keizer Police Department recommends approval of the liquor license application change of ownership for Full Monty's Burger Bistro.



OREGON LIQUOR CONTROL COMMISSION LIQUOR LICENSE APPLICATION

Application is being made for:

LICENSE TYPES

- ☒ Full On-Premises Sales (\$402.60/yr)
☒ Commercial Establishment
☐ Caterer
☐ Passenger Carrier
☐ Other Public Location
☐ Private Club
☐ Limited On-Premises Sales (\$202.60/yr)
☐ Off-Premises Sales (\$100/yr)
☐ with Fuel Pumps
☐ Brewery Public House (\$252.60)
☐ Winery (\$250/yr)
☐ Other: _____

ACTIONS

- ☒ Change Ownership
☐ New Outlet
☐ Greater Privilege
☐ Additional Privilege
☐ Other: _____

90-DAY AUTHORITY

☒ Check here if you are applying for a change of ownership at a business that has a current liquor license, or if you are applying for an Off-Premises Sales license and are requesting a 90-Day Temporary Authority

APPLYING AS:

- ☐ Limited Partnership ☐ Corporation ☒ Limited Liability Company ☐ Individuals

CITY AND COUNTY USE ONLY

Date application received: 6/2/15

The City Council or County Commission:

(name of city or county)

recommends that this license be:

☐ Granted ☐ Denied

By: _____

(signature)

(date)

Name: _____

Title: _____

OLCC USE ONLY

Application Rec'd by: MH

Date: 6-2-15

90-day authority: ☒ Yes ☐ No

1. Entity or Individuals applying for the license: [See SECTION 1 of the Guide]

① Full Monty's LLC ③ _____

② _____ ④ _____

2. Trade Name (dba): Full Monty's Burger Bistro

3. Business Location: 4820 River Rd N Keizer Marion, OR 97303
 (number, street, rural route) (city) (county) (state) (ZIP code)

4. Business Mailing Address: 4102 NE 119th St. Vancouver, WA 98686
 (PO box, number, street, rural route) (city) (state) (ZIP code)

5. Business Numbers: 503-393-2045
 (phone) (fax)

6. Is the business at this location currently licensed by OLCC? ☒ Yes ☐ No

7. If yes to whom: Kobie Enterprises, LLC Type of License: FOP

8. Former Business Name: The Pub

9. Will you have a manager? ☒ Yes ☐ No Name: Peter Keller
 (manager must fill out an Individual History form)

10. What is the local governing body where your business is located? Keizer, Marion
 (name of city or county)

11. Contact person for this application: Peter Keller 503-781-1616
 (name) (phone number(s))
4102 NE 119th St. Vancouver, WA 98686
 (address) (fax number) (e-mail address)

I understand that if my answers are not true and complete, the OLCC may deny my license application.

Applicant(s) Signature(s) and Date:

① [Signature] Date 5-28-15 ③ _____ Date JUN 02 2015

② [Signature] Date 5-28-15 ④ _____ Date _____

SALEM REGIONAL OFFICE



OREGON LIQUOR CONTROL COMMISSION BUSINESS INFORMATION

Please Print or Type

Applicant Name: Full Monty's LLC Phone: 503-393-2045
Trade Name (dba): Full Monty's Burger Bistro
Business Location Address: 4820
City: Keizer ZIP Code: 97303

DAYS AND HOURS OF OPERATION

Business Hours:

Sunday 7:00 AM to 2:00 AM
Monday 7:00 AM to 2:00 AM
Tuesday 7:00 AM to 2:00 AM
Wednesday 7:00 AM to 2:00 AM
Thursday 7:00 AM to 2:00 AM
Friday 7:00 AM to 2:00 AM
Saturday 7:00 AM to 2:00 AM

Outdoor Area Hours:

Sunday _____ to _____
Monday _____ to _____
Tuesday _____ to _____
Wednesday _____ to _____
Thursday _____ to _____
Friday _____ to _____
Saturday _____ to _____

The outdoor area is used for:

☐ Food service Hours: _____ to _____
☐ Alcohol service Hours: _____ to _____
☐ Enclosed, how _____

The exterior area is adequately viewed and/or supervised by Service Permittees.

(Investigator's Initials)

Seasonal Variations: ☒ Yes ☐ No If yes, explain: Summer hours / winter hours
MAY VARY

ENTERTAINMENT

Check all that apply:

- | | |
|--|--|
| ☐ Live Music | ☐ Karaoke |
| ☐ Recorded Music | ☒ Coin-operated Games |
| ☐ DJ Music | ☒ Video Lottery Machines |
| ☐ Dancing | ☐ Social Gaming |
| ☐ Nude Entertainers | ☐ Pool Tables |
| | ☐ Other: _____ |

DAYS & HOURS OF LIVE OR DJ MUSIC

Sunday _____ to _____
Monday _____ to _____
Tuesday _____ to _____
Wednesday _____ to _____
Thursday _____ to _____
Friday _____ to _____
Saturday _____ to _____

SEATING COUNT

Restaurant: 95 Outdoor: _____
Lounge: 8 Other (explain): _____
Banquet: _____ Total Seating: 103

OLCC USE ONLY

Investigator Verified Seating: _____ (Y) _____ (N)
Investigator Initials: _____
Date: _____

I understand if my answers are not true and complete, the OLCC may deny my license application.

Applicant Signature: [Signature] Date: 5-20-15

1-800-452-OLCC (6522)

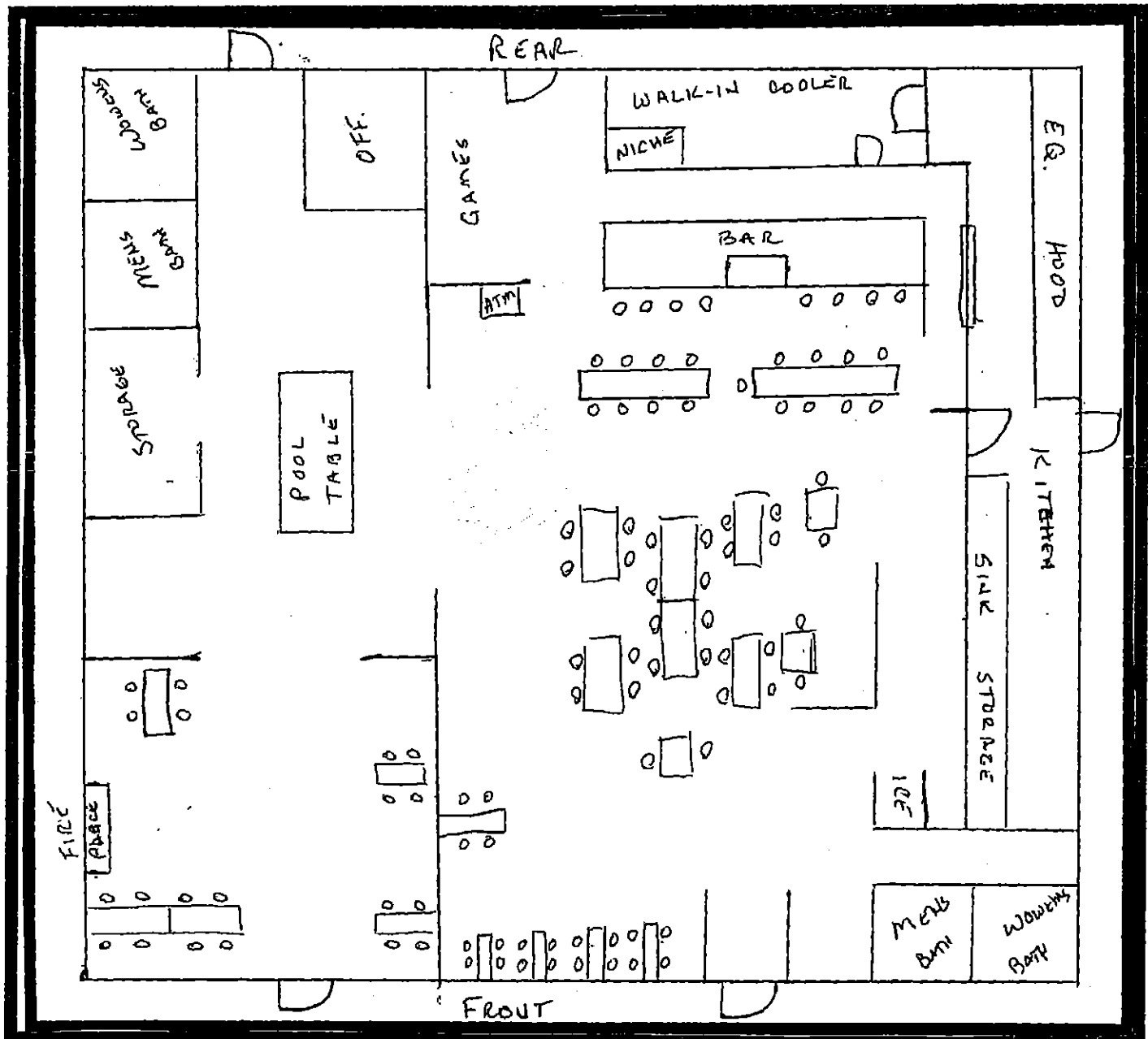
www.oregon.gov/olcc

(rev. 12/07)



OREGON LIQUOR CONTROL COMMISSION FLOOR PLAN

- Your floor plan must be submitted on this form.
- Use a separate Floor Plan Form for each level or floor of the building.
- The floor plan(s) must show the specific areas of your premises (e.g. dining area, bar, lounge, dance floor, video lottery room, kitchen, restrooms, outside patio and sidewalk cafe areas.)
- Include all tables and chairs (see example on back of this form). Include dimensions for each table if you are applying for a Full On-Premises Sales license.



Full Monty's, LLC
Applicant Name
Full Monty Burger Bistro
Trade Name (dba):
Reizer 97303
City and ZIP Code

.....OLCC USE ONLY.....
MINOR POSTING ASSIGNMENT(S)

Date: _____ Initials: _____

1-800-452-OLCC (6522)
www.oregon.gov/olcc

(rev. 09/12)

COUNCIL MEETING: July 6, 2015

AGENDA ITEM NUMBER: _____

TO: MAYOR CLARK AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

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

**SUBJECT: PUBLIC HEARING – FORMING AND SPREADING ASSESSMENTS TO MISTY
MEADOWS STREET LIGHTING LOCAL IMPROVEMENT DISTRICT**

ISSUE:

On March 16, 2015 the Keizer City Council adopted Resolution R2015-2562 Initiating Misty Meadows Street Lighting District and directing the City Engineer to make a survey and file a report. On May 18, 2015 the City Council approved the City Engineer's report and set a public hearing to consider remonstrances to the project and objections to the proposed assessments. Notice of public hearing stating the intention to form the district and to assess for the lighting improvements was published in the Keizertimes and mailed to the property owners as required under City of Keizer Ordinance 94-278.

FISCAL IMPACT:

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

RECOMMENDATION:

Open the public hearing to first consider oral objections and written remonstrances to formation of Misty Meadows Street Lighting Local Improvement District. If valid remonstrances of the owners of two-thirds of the land to be specially assessed for the lighting district are presented to the Council at the public hearing, close the hearing and suspend formation of the district for six months. If remonstrances are not received, close the public hearing and consider adoption of the Resolution forming the lighting district. If Council forms the district, consider adoption of the proposed assessment ordinance.

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A BILL FOR

AN ORDINANCE SPREADING ASSESSMENTS TO
MISTY MEADOWS STREET LIGHTING LOCAL
IMPROVEMENT DISTRICT

Section 1. FINDINGS. The Keizer City Council makes the following findings:

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

Misty Meadows - identified on the assessors map
06 3W 23DA -lots 1-15 in the City of Keizer,
ounty of Marion, State of Oregon;

which includes the installation of three (3) 47-watt LED luminaries and one (1) 100 Watt LED luminary at 30' mounting height on a 35' heavy duty gray direct burial fiberglass pole with 6' aluminum mast arm located within the subject local improvement district, all in accordance with the City Engineer's Report for Misty Meadows Street Lighting Local Improvement District.

- b. The total initial estimated cost of Misty Meadows Street Lighting Local Improvement District is \$1,058.94.
- c. The per space/lot assessment formula was used for this district.
- d. The improvements in the district have been or will be constructed as provided in the Engineer's Report.
- e. Notice was duly mailed to the benefited property owners on June 1, 2015.
- f. A meeting of the City Council was held at the time and place fixed by public notice for the purpose of considering any such written objections to the proposed assessments.
- g. No written objections to the proposed assessments were filed.

h. The Council has considered the matter and determined that construction of said improvements was and is of material benefit to the City, and all the property to be assessed therefore will be specially benefited by the improvements in the amounts shown on the assessment roll.

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

Section 2. ASSESSMENTS.

a. First Annual Assessment. It is hereby determined that the share of the cost of the improvements for Misty Meadows Street Lighting Local Improvement District for each parcel and property benefited thereby for the first annual assessment is the amount set opposite the description of each piece or parcel of land as described in Misty Meadows Street Lighting District Assessment Roll as set forth in Exhibit "A" attached, and that each piece or parcel of land benefited by the improvements, to the full extent of the amount so set opposite such piece or parcel and that the respective amounts represent the proportionate benefits of said improvements to said respective parcels of property, and the Council does hereby declare that each of the parcels of property described in Misty Meadows Street Lighting District Roll as set forth in Exhibit "A" attached is hereby assessed the first annual assessment amount set opposite each respective description.

i. Summary of first annual assessment costs for formation of the lighting district to serve the area known as "Misty Meadows Street Lighting Local Improvement District":

3 – Pole and 47 Watt Luminaries	\$511.20
1 – Pole and 100 Watt Luminary	\$216.24
Engineering Costs	\$210.00
Administrative Fee	<u>\$121.50</u>
Total Estimated Assessments	\$1,058.94

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

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

14 c. Mode of Collecting Assessments. Assessments for Misty Meadows Street
15 Lighting Local Improvement District shall be collected pursuant to ORS
16 223.866.

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

19
20 PASSED this ____ day of _____, 2015.

21 SIGNED this ____ day of _____, 2015.

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26 _____
27 Mayor

28 _____
29 City Recorder

PRELIMINARY ASSESSMENT ROLL

MISTY MEADOWS SUBDIVISION
STREET LIGHTING DISTRICT

*Assessors Maps 06 3W 23DA

<u>Lot #</u>	<u>Owner</u>	<u>Cost (per lot)</u>
1-15	TERRA FIRMA PROPERTY DEVELOPMENT, INC. 360 BELMONT ST. NE SALEM, OR 97301	\$70.60 (first year)

TOTAL ASSESSMENT: \$1,058.94

COUNCIL MEETING: July 6, 2015

AGENDA ITEM NUMBER: _____

TO: MAYOR CLARK AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

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

**SUBJECT: PUBLIC HEARING - FORMING AND SPREADING ASSESSMENTS TO
NORTHFIELD ESTATES STREET LIGHTING LOCAL IMPROVEMENT
DISTRICT**

ISSUE:

On April 20, 2015 the Keizer City Council adopted Resolution R2015-2568 Initiating Northfield Estates Street Lighting District and directing the City Engineer to make a survey and file a report. On May 18, 2015 the City Council approved the City Engineer's report and set a public hearing to consider remonstrances to the project and objections to the proposed assessments. Notice of public hearing stating the intention to form the district and to assess for the lighting improvements was published in the Keizertimes and mailed to the property owners as required under City of Keizer Ordinance 94-278.

FISCAL IMPACT:

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

RECOMMENDATION:

Open the public hearing to first consider oral objections and written remonstrances to formation of Northfield Estates Street Lighting Local Improvement District. If valid remonstrances of the owners of two-thirds of the land to be specially assessed for the lighting district are presented to the Council at the public hearing, close the hearing and suspend formation of the district for six months. If remonstrances are not received, close the public hearing and consider adoption of the Resolution forming the lighting district. If Council forms the district, consider adoption of the proposed assessment ordinance.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2015-____

FORMING NORTHFIELD ESTATES STREET LIGHTING

LOCAL IMPROVEMENT DISTRICT

WHEREAS, the City of Keizer has adopted a Resolution initiating the formation of Northfield Estates Street Lighting Local Improvement District; and

WHEREAS, the City Council has adopted a Resolution approving the City Engineer's Report for Northfield Estates Street Lighting Local Improvement District; and

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

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

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

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon the date of its passage.

PASSED this _____ day of _____, 2015.

SIGNED this ____ day of _____, 2015.

Mayor

City Recorder

A BILL FOR

**AN ORDINANCE SPREADING ASSESSMENTS TO
NORTHFIELD ESTATES STREET LIGHTING LOCAL
IMPROVEMENT DISTRICT**

Section 1. FINDINGS. The City Council of the City of Keizer makes the following findings:

a. The City Council did heretofore declare its intention to install street lights to serve an area known as Northfield Estates Street Lighting Local Improvement District which is described as follows:

Northfield Estates - identified on the assessors
map 06 3W 23DC -lots 1-12 in the City of Keizer,
County of Marion, State of Oregon;

which includes the installation of eight (8) 47-watt LED luminaries at 30' mounting height on a 35' heavy duty gray direct burial fiberglass pole with 6' aluminum mast arm located within the subject local improvement district, all in accordance with the City Engineer's Report for Northfield Estates Street Lighting Local Improvement District.

b. The total initial estimated cost of Northfield Estates Street Lighting Local Improvement District is \$1,669.68.

c. The per space/lot assessment formula was used for this district.

d. The improvements in the district have been or will be constructed as provided in the Engineer's Report.

e. Notice was duly mailed to the benefited property owners on June 1, 2015.

f. A meeting of the City Council was held at the time and place fixed by public notice for the purpose of considering any such written objections to the proposed assessments.

g. No written objections to the proposed assessments were filed.

h. The Council has considered the matter and determined that construction of said improvements was and is of material benefit to the City, and all the property to be assessed therefore will be specially benefited by the improvements in the amounts shown on the assessment roll.

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

Section 2. ASSESSMENTS.

a. First Annual Assessment. It is hereby determined that the share of the cost of the improvements for Northfield Estates Street Lighting Local Improvement District for each parcel and property benefited thereby for the first annual assessment is the amount set opposite the description of each piece or parcel of land as described in Northfield Estates Street Lighting District Assessment Roll as set forth in Exhibit "A" attached, and that each piece or parcel of land benefited by the improvements, to the full extent of the amount so set opposite such piece or parcel and that the respective amounts represent the proportionate benefits of said improvements to said respective parcels of property, and the Council does hereby declare that each of the parcels of property described in Northfield Estates Street Lighting District Roll as set forth in Exhibit "A" attached is hereby assessed the first annual assessment amount set opposite each respective description.

i. Summary of first annual assessment costs for formation of the lighting district to serve the area known as "Northfield Estates Street Lighting Local Improvement District":

8 – Pole and 47 Watt Luminaries	\$1,404.48
Engineering Costs	\$ 168.00
Administrative Fee	<u>\$ 97.20</u>
Total Estimated Assessments	\$1,669.68

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

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

c. Mode of Collecting Assessments. Assessments for Northfield Estates Street Lighting Local Improvement District shall be collected pursuant to ORS 223.866.

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

PASSED this _____ day of _____, 2015.

SIGNED this _____ day of _____, 2015.

Mayor

City Recorder

PRELIMINARY ASSESSMENT ROLL

NORTHFIELD ESTATES
STREET LIGHTING DISTRICT

*Assessors Maps 06 3W 23DC01500

<u>Lot #</u>	<u>Owner</u>	<u>Cost (per lot)</u>
1-12	LYDON DEVELOPMENT INC. C/O LYDON HOMES CO. 4676 COMMERCIAL ST. SE P.O. BOX 458 SALEM, OR 97302	\$139.14 (first year)

TOTAL ASSESSMENT: \$1,669.68

CITY COUNCIL MEETING: July 6, 2015

AGENDA ITEM NUMBER:_____

TO: MAYOR CLARK AND COUNCIL MEMBERS

THROUGH: CHRISTOPHER C. EPPLEY, CITY MANAGER

FROM: E. SHANNON JOHNSON, CITY ATTORNEY

**SUBJECT: AGREEMENT TO CONNECT TO PUBLIC WATER SYSTEM
(MARTIN)**

Keizer water rules generally require a property owner to extend the water main the entire frontage of their property before being allowed to connect to City water. The logic behind this rule is similar to the rule requiring extensions of sidewalks; it allows the next property in line to connect.

We have a rather unique situation in the Clear Lake area regarding this rule. Jonny and Leanne Martin own the 1.42 acre parcel at 1620 Clear Lake Road. The water line in that area comes from the west and ends at the west boundary of the Martin property. See attached water line map.

The property is served by a well, but the Martins would prefer City water for its quality and reliability. The Martins have no intention of selling or developing their property. There is no indication that the people across Clear Lake Road will develop, if so, they probably would have done so already. The property to the east of the Martin property is outside the City limits and the Urban Growth Boundary (UGB). See map. It is somewhat speculative to make a determination of when and where the UGB may be expanded.

It appears unlikely that the water main will be needed at any time in the near future. In addition, building the line now is not preferable, as there is no practical way to “loop” the line to connect to another water line. This is strongly preferred to provide constant pressure and avoid stagnation.

The Martins’ predecessor (Bahnsen family) had asked Bill Lawyer’s predecessor (Rob Kissler) about an exception to the water main rule quite some time ago, but the Bahnsens had let the matter drop. They sold the property to the Martins who were aware of the issue and they had renewed the request.

Staff believes that in this very unique situation a waiver of the water rules is appropriate, as long as the City can be assured that if necessary in the future, the water main is extended. This extension could be by the Martins if they developed the property, or by another developer, in which case the Martins would be required to contribute to the cost.

To that end, we have prepared and the Martins have signed an agreement to connect to city water services that calls for the following:

1. The City would grant the necessary approvals for water service to the single residence on the Martins' property and only the one residence could be served.
2. The Martins would pay all costs for connection to the water line, including System Development Charges, meter costs, etc.
3. Any development whatsoever of the Martin property would require the extension of the water main across the entire frontage of the Martin property.
4. If other development takes place in the area that requires the construction of the water main, the Martins must pay their share of the construction within sixty (60) days of written demand.
5. The agreement would be recorded, along with the trust deed to ensure compliance with the agreement. This would allow foreclosure by the City if the line was not built or costs were not paid.

The Martins have signed the agreement, and are in a position to sign the trust deed should the Council approve this action.

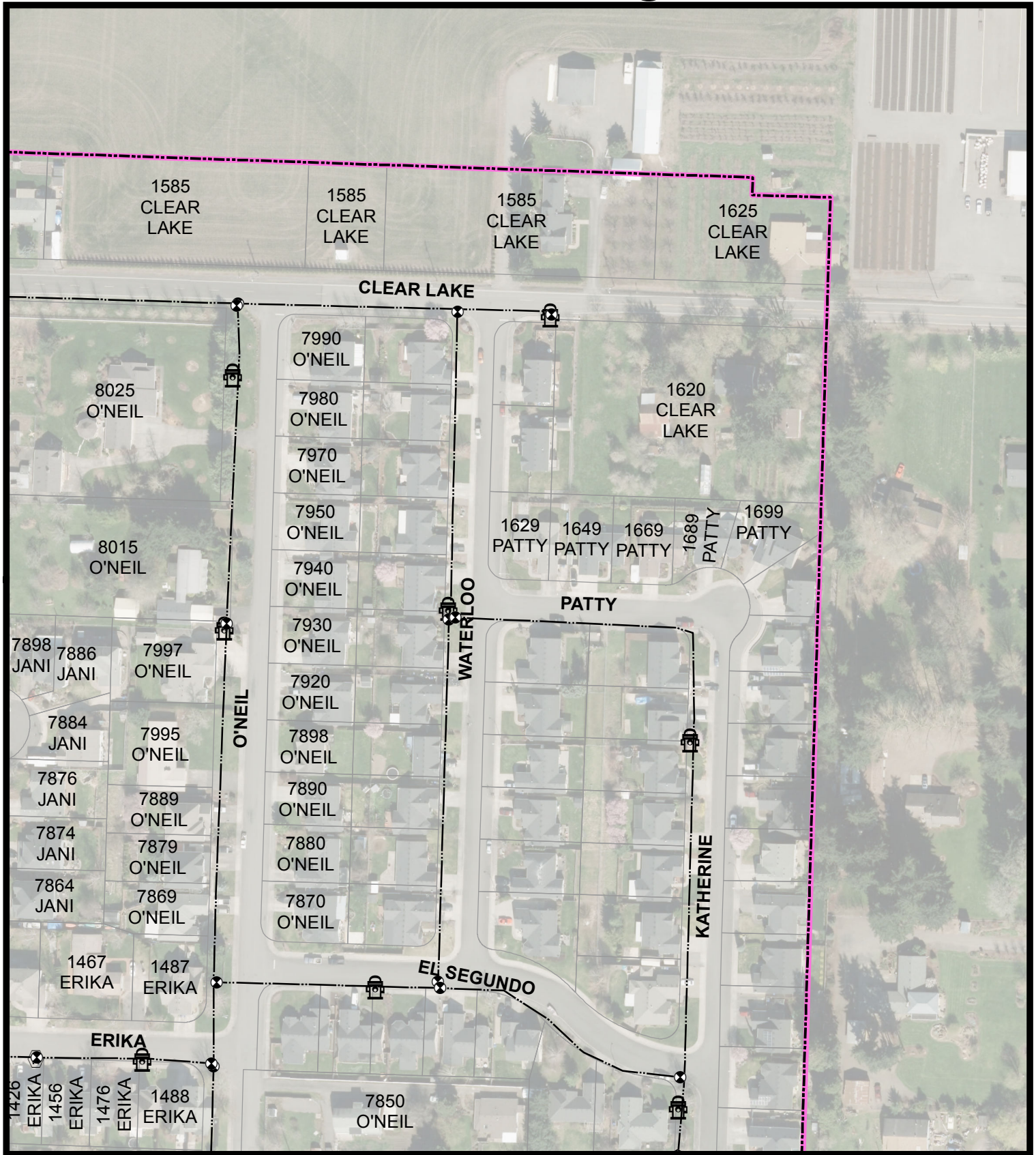
RECOMMENDATION:

Review the matter, and unless there are questions, adopt the attached Resolution Authorizing the City manager to Sign Agreement to Connect to Public Water System and Covenants Running with the Land with Jonny A. Martin and Leanne D. Martin (Clear Lake Road).

Please contact me if you have any questions. Thank you.

ESJ/tmh

Martin Water Line Agreement



Date: 7/2/2015

-  Water Valve
-  Fire Hydrant
-  Water Main
-  Keizer Urban Growth Boundary
-  Keizer City Limits

0 150 300
Feet

"This product is provided as is, without warranty. In no event is the City of Keizer liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited."

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2
3 Resolution R2015-____

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6 AUTHORIZING THE CITY MANAGER TO SIGN AGREEMENT TO
7 CONNECT TO PUBLIC WATER SYSTEM AND COVENANTS
8 RUNNING WITH THE LAND WITH JONNY A. MARTIN AND
9 LEANNE D. MARTIN (CLEAR LAKE ROAD)

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11
12 WHEREAS, Jonny A. Martin and Leanne D. Martin own property located at 1620
13 Clear Lake Rd NE, Keizer, Oregon;

14 WHEREAS, Mr. and Mrs. Martin requesting connection of the home on the
15 property to public water facilities;

16 WHEREAS, it is the policy of the City to require properties wishing to connect to
17 the public water system to construct and extend the public waterline across the entire
18 frontage of the subject property;

19 WHEREAS, construction and extension of the waterline across the entire frontage
20 of the Martins' property is not necessary at this time because only the one residence will
21 be using the waterline and because the location of the property is such that future
22 extension is unlikely to be necessary to serve other properties;

23 WHEREAS, the parties have reached agreement to allow the Martins to connect
24 to the public water system currently while preserving the City's policy relating to
25 construction and extending the public waterline in the future;

26 NOW, THEREFORE,

1 BE IT RESOLVED by the City Council of the City of Keizer that the City Manager
2 is authorized to sign the Agreement to Connect to Public Water System and Covenants
3 Running with the Lane, a copy of which is attached as Exhibit "A" and by this reference
4 incorporated herein.

5 BE IT FURTHER RESOLVED that the relevant Water Department rules and
6 standards are hereby waived for this unique case only.

7 BE IT FURTHER RESOLVED that the City Manager is authorized to take any
8 further action contemplated, or appropriate and necessary with regard to consummating
9 the agreement.

10 BE IT FURTHER RESOLVED that this Resolution shall take effect immediately
11 upon the date of its passage.

12 PASSED this _____ day of _____, 2015.

13

14 SIGNED this _____ day of _____, 2015.

15

16

17

18

Mayor

19

20

21

City Recorder

AFTER RECORDING,
RETURN TO:

E. Shannon Johnson
Keizer City Attorney
PO Box 21000
Keizer, OR 97307

UNTIL FURTHER NOTICE,
SEND ALL TAX NOTICES TO:

NO CHANGE

AGREEMENT TO CONNECT TO PUBLIC WATER SYSTEM
AND COVENANTS RUNNING WITH THE LAND

DATE: _____, 2015

PARTIES: JONNY A. MARTIN and LEANNE D.
MARTIN, as tenants by the entirety (hereinafter "Martin")

CITY OF KEIZER, an Oregon
Municipal corporation (hereinafter "City")

WITNESSETH

WHEREAS, Martin owns property located at 1620 Clear Lake Rd NE, Keizer, Oregon, and more particularly described as follows:

Commencing at the East Quarter Corner of Section 23 in Township 6 South, Range 3 West, Willamette Meridian, Marion County, Oregon; thence South 00°00'00" West along the East line of said Section 23, a distance of 20 feet to the Point of Beginning; thence continuing South 00°00'00" West along the East line of said Section 23, a distance of 210.00 feet; thence North 89°44'30" West 309.41 feet; thence North 00°00'39" East 210.00 feet; thence South 89°44'30" East 309.37 feet, to the point of beginning.

EXCEPTING THEREFROM that portion conveyed to the City of Keizer for right-of-way purposes as described in Warranty Deed, recorded November 5, 1998, in Reel 1538, Page 741.

WHEREAS, Martin desires to connect to public water facilities to serve the existing home or a single replacement home on the property.

WHEREAS, it is the policy of the City to require properties wishing to connect to the public water system to construct and extend the public waterline across the entire frontage of the subject property.

WHEREAS, it is the policy of the City to require properties wishing to connect to the public water system to pay the then-current costs of connection to the public water line, including, but not limited to system development charges, meter costs, and applicable front foot assessment charges.

WHEREAS, construction and extension of the waterline across the entire frontage of the subject property is not necessary at this time because only the Martin residence will be using the waterline and because the location of the property is such that future extension is unlikely to be necessary to serve other properties.

WHEREAS, Martin wishes to proceed immediately with connection to the public water facilities that abuts the subject property.

NOW, THEREFORE, in consideration of the mutual covenants and agreements between them, the parties hereto agree by and between themselves as follows:

1. City agrees to grant the approvals necessary to allow Martin to connect the current residence located at 1620 Clear Lake Rd NE, Keizer, Oregon to the existing water line that abuts the property. Martin may use the new water service for a replacement residence, but in no event may there be more than one residence served by the new water service.

2. Martin agrees to pay all the then current costs of connection to the public water line, including, but not limited to system development charges, meter costs, and applicable front foot assessment charges. Such charges must be paid prior to initiation of meter service.

3. Prior to the new water meter being turned on, Martin shall abandon the existing private well on the property to the standards of the Water Resources Department or install an appropriate backflow device at the City water meter connection. Martin shall be liable for all work and costs regarding the abandonment of the existing private well or the installation of the backflow device. In addition, Martin shall be liable for all work and costs to connect the subject property to the public water line.

4. Martin agrees that any lot line adjustment, partition or subdivision of the subject property will require the extension of the water main across the entire frontage of the property and reconnection of the current residence to the extended water main. Martin agrees to cause such extension to be constructed prior to recording the lot line adjustment, subdivision or partition plat. Martin agrees that this shall be a condition of the lot line adjustment, partition, subdivision, or other land use permit or approval. Martin agrees to pay all costs associated with said extension and connection including, but not limited to, design, engineering, and construction.

5. If additional development takes place in the area that requires other property owners to construct the extension of the water main across the frontage of the subject property, Martin shall pay to City Martin's share of construction of the water line extension. The City shall certify the costs of the extension and forward the itemized accounting to Martin. Martin shall pay its share within sixty (60) days of written demand upon Martin by City.

6. Martin agrees that City may require Martin to reconnect the current residence to the water main at a location determined by City upon construction of the water main extension. Martin agrees to pay all the then current costs of reconnection to the water main extension.

7. All work hereunder to construct public improvements must meet the standards of the City of Keizer. If any licenses or permits are required to meet the terms of this Agreement, Martin agrees to obtain them.

8. Martin agrees to be bound by the terms hereof and to be liable for the obligations set forth herein.

9. Martin agrees to bind the land described above and agrees that the covenants and agreements contained herein shall run with said land and shall be an obligation thereof and agree that this Agreement shall be recorded with the county recorder. If the terms and conditions of this Agreement are not met in a timely manner, City may deny building, construction, development, use, siting, occupancy, connection, or other permits and services to the subject property in addition to any other remedies available to City as provided by law. Time and strict performance are of the essence of this Agreement. Failure of Martin to make any payment required under this Agreement or perform any other obligation under this Agreement shall be an event of default and shall render the entire balance of the payments required or to be required of Martin under this Agreement and the fair market value of all obligations of Martin under this Agreement immediately due and payable to City at City's option. This obligation is secured by a trust deed with power of sale, of even date herewith, and is subject to all of the terms and conditions of such trust deed.

10. Any party aggrieved by a breach of the provisions of this Agreement may bring an action at law or a suit in equity to obtain redress, including specific performance, injunctive relief, or any other available equitable remedy. Time and strict

performance are of the essence of this Agreement. Such remedies shall be cumulative and not exclusive, and shall be in addition to any other remedy which the parties may have. In addition, should Martin not pay amounts owed under Section 5 in a timely manner, or fail to pay other amounts due under this Agreement, City may bring any legal or equitable cause of action, and/or may foreclose its trust deed as allowed by State law.

11. Upon completion of the obligations as set forth herein, the City agrees to execute and record a release document removing this document from the chain of title.

12. In the event of a default under this Agreement, the defaulting party shall reimburse the nondefaulting party for all costs and expenses reasonably incurred by the nondefaulting party in connection with the default, including without limitation attorney fees. Additionally, in the event a suit or action is filed to enforce this Agreement or with respect to this Agreement, the prevailing party shall be reimbursed by the other party for all costs and expenses incurred in connection with the suit or action, including without limitation reasonable attorney fees at the trial level and on appeal.

13. This Agreement sets forth the entire understanding of the parties with respect to the subject matter hereof and supersedes all existing agreements between the parties with respect to such subject matter.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first appearing above.

CITY OF KEIZER, an Oregon
municipal corporation

Jonny A. Martin

By: _____
Christopher C. Eppley,
City Manager

Leanne D. Martin

STATE OF OREGON, County of Marion) ss.

The foregoing instrument was acknowledged before me this _____ day of _____, 2015, by Johnny A. Martin.

NOTARY PUBLIC FOR OREGON
My Commission Expires: _____

STATE OF OREGON, County of Marion) ss.

The foregoing instrument was acknowledged before me this _____ day of _____, 2015, by Leanne D. Martin.

NOTARY PUBLIC FOR OREGON
My Commission Expires:_____

STATE OF OREGON, County of Marion) ss.

The foregoing instrument was acknowledged before me this _____ day of _____, 2015, by Christopher C. Eppley, City Manager of the City of Keizer, an Oregon municipal corporation, on behalf of the corporation.

NOTARY PUBLIC FOR OREGON
My Commission Expires:_____

CITY COUNCIL MEETING:_____

AGENDA ITEM NUMBER:_____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

**FROM: BILL LAWYER
PUBLIC WORKS DIRECTOR**

SUBJECT: ANNUAL STREET RESURFACING

DATE: July 1st, 2015

BACKGROUND:

The Department of Public Works in conjunction with Marion County Public Works solicited bids for resurfacing various streets in Keizer. This project consists of 5 streets totaling approximately 2.7 miles. See attachment "A" for maps showing the selected streets. A total of four bids were received and opened June 30th 2014. Bids ranged from \$942,916.30 to \$917,516.40.

All of the bids came in higher than anticipated and over available funding therefore one street, Stonehedge Drive between 14th Avenue and McLeod Drive (project #2), was deleted from the contract. This brings the approximate street mileage to 2.4 miles to be resurfaced this year.

FISCAL IMPACT:

Funds for this project are available in the Fiscal Year 2015/2016 Street Fund Budget line 76 and line 80.

RECOMMENDATION:

Staff recommends the City Council adopt the attached resolution authorizing the City Manger to enter into a contract with Roy Houck Construction LLC in the amount of \$850,580.65 for the resurfacing of Various City Streets.

Please contact me with any questions or concerns.

C:\Engineering\ProjectCentral\Project\Resurfacing\2015\K2\DWG-Other\Overlay\2015.dwg, 6/3/2015 9:24:37 PM

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2
3 Resolution R2015-____

4
5 AUTHORIZING THE CITY MANAGER TO AWARD AND ENTER
6 INTO AN AGREEMENT WITH ROY HOUCK CONSTRUCTION
7 LLC FOR ANNUAL STREET RESURFACING PROJECT (2015)
8

9 WHEREAS, the Public Works Department in conjunction with Marion County Public
10 Works Department resurfaces streets annually;

11 WHEREAS, bids were solicited for resurfacing various streets in Keizer;

12 WHEREAS, funds available to complete this project are in the 2015/16 Street Fund;

13 WHEREAS, four bids for this project were received. Roy Houck Construction LLC
14 submitted the low bid for a total amount of \$850,580.65. This bid has been reviewed and certified
15 by the Marion County Public Works Department;

16 NOW, THEREFORE,

17 BE IT RESOLVED by the City Council of the City of Keizer that the City Manager is
18 hereby authorized to award the contract to, and if no objections are received, enter into an
19 agreement with Roy Houck Construction LLC for a total cost of \$850,580.65 to resurface various
20 city streets in Keizer. Funding for this project is from the Street Fund.

21 BE IT FURTHER RESOLVED that this Resolution shall take effect immediately
22 upon the date of its passage.

23 PASSED this _____ day of _____, 2015.

24 SIGNED this _____ day of _____, 2015.

25
26 _____
27 Mayor

28
29 _____
30 City Recorder



MINUTES
KEIZER CITY COUNCIL
Monday, June 15, 2015
Keizer Civic Center, Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Clark called the meeting to order at 7:00 pm. Roll Call was taken as follows:

Present:

Cathy Clark, Mayor
Dennis Koho, Council President
Marlene Parsons, Councilor
Roland Herrera, Councilor
Amy Ripp, Councilor
Brandon Smith, Councilor
Kim Freeman, Councilor

Staff:

Chris Eppley, City Manager
Shannon Johnson, City Attorney
Nate Brown, Community Development
Bill Lawyer, Public Works Director
John Teague, Police Chief
Jeff Kuhns, Deputy Police Chief
Tim Wood, Assistant Controller
Tracy Davis, City Recorder

FLAG SALUTE

Mayor Clark led the pledge of allegiance.

**SPECIAL ORDERS
OF BUSINESS**

- a. **Life Saving Award – Keizer Police Officer Andrew Phelps:** Chief Teague acknowledged Officer Phelps for his part in saving the life of Mr. Clason. He noted that Officer Phelps was responsible for keeping Mr. Clason alive until Keizer Fire arrived on the scene. Mayor Clark added her thanks as well.
- b. **Oath of Office for Keizer Reserve Officers – Daniel Rierson and Greg Harrison:** Chief Teague introduced both new Reserve Officers and City Attorney Shannon Johnson issued the Oaths of Office.
- c. **PROCLAMATION: Parks and Recreation Month:** Mayor Clark read the Proclamation proclaiming July as Parks & Recreation Month and presented it to Clint Holland of the Parks Advisory Board and Parks Board Council Liaison Marlene Parsons.

**COMMITTEE
REPORTS**

Clint Holland, Keizer, thanked everyone involved in the Big Toy build at Keizer Rapids, and specifically thanked Dave Bauer and the food preparation volunteers. He reported that the Parks Advisory Board had awarded a grant to Hans Schneider for volleyball courts at Keizer Rapids Park with construction starting in July; Jerry Nuttbrock will be starting on amphitheater support building improvements. He also reviewed the schedule for the summer free concert series.

Councilor Smith reminded everyone that the Big Toy project began October 22, 2012 when Will Stitt sent an email to Bill Lawyer and then came to the Parks Board meeting. Council contributed \$100,000 of SDC funds (less than 1/3 of the total cost with the rest coming from donations and volunteers) to make this happen. Mayor Clark also thanked Shelly Paddock for her volunteer efforts in caring for the children of volunteers during the build. Mr. Holland added that Big Toy volunteers will be honored at the amphitheater on June 27.

**PUBLIC
TESTIMONY**

None

**PUBLIC
HEARINGS**

None

**ADMINISTRATIVE
ACTION**

**a. ORDINANCE -
Amending the
Ordinance
Adopting Waste
Water
Collection and
Disposal
System Rules
and
Regulations –
Declaring an
Emergency –
Amending
Ordinance 90-
163 (Second
Reading)**

City Attorney Shannon Johnson reminded Council that this matter had not passed unanimously at the previous meeting so was being brought back for a second reading. He explained that it has to do with delinquent 'sewer only' accounts and the process wherein the delinquencies are sent to the County and the amount is added to the tax bill. The recommendation is to adopt the Ordinance which allows for the fee; the resolution actually sets the fee.

Councilor Ripp announced that her question had been answered by Finance Director Susan Gahlsdorf so she would be voting to approve the Ordinance.

Councilor Koho moved that the Keizer City Council adopt a Bill for an Ordinance on second reading Amending the Ordinance Adopting Waste Water Collection and Disposal System Rules and Regulations – Declaring an Emergency – Amending Ordinance 90-163. Councilor Parsons seconded. Motion passed unanimously as follows:

AYES: Clark, Koho, Parsons, Freeman, Smith, Ripp and Herrera (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**RESOLUTION –
Amending Fees
for Certain
Administrative
Services;
Amending
Resolution
2014-2453;
Repealing
Resolution
2014-2482**

Councilor Koho moved that Keizer City Council adopt a Resolution Amending Fees for Certain Administrative Services; Amending Resolution 2014-2453; Repealing Resolution 2014-2482. Councilor Parsons seconded. Motion passed unanimously as follows:

AYES: Clark, Koho, Parsons, Freeman, Smith, Ripp and Herrera (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

- b. RESOLUTION - Certification of Delinquent Sewer Accounts** Assistant Controller Tim Wood explained that this is the annual certification of the delinquent 'sewer only' accounts done in conjunction with the previous action. The delinquent amounts will be added to Marion County property tax statements.
- Councilor Koho moved that Keizer City Council adopt a Resolution – Certification of Delinquent Sewer Accounts. Councilor Parsons seconded. Motion passed unanimously as follows:
- AYES: Clark, Koho, Parsons, Freeman, Smith, Ripp and Herrera (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)
- c. RESOLUTION - Amending Administrative Services Fund; Amending R2010-2017; Repealing R2014-2461** Mr. Wood explained that the Finance Department is recommending a simple change to how administrative service costs are allocated. Historically the Finance Department has included all expenditures for certain funds; the recommendation is to exclude debt service payments.
- Councilor Koho moved that the Keizer City Council adopt a Resolution Amending Administrative Services Fund; Amending R2010-2017; Repealing R2014-2461. Councilor Parsons seconded. Motion passed unanimously as follows:
- AYES: Clark, Koho, Parsons, Freeman, Smith, Ripp and Herrera (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)
- d. ORDER – In the Matter of the Amendment Rates for Franchise Solid Waste Collection Within City of Keizer, Effective as of August 1, 2015** Mr. Johnson reminded Council of a recent Public Hearing wherein Council chose the option of adding the weekly organics or green cart service and a Consumer Price Index increase. He provided explanation regarding automatic increases related to CPI, a 'presumed rate', transparency and public input and noted a correction on page 3. Councilor Koho made corrections on page 1, lines 17 & 19, and page 2 lines 3, 8 & 10.
- Councilor Koho moved that the Keizer City Council adopt an Order In the Matter of the Amendment Rates for Franchise Solid Waste Collection Within City of Keizer, Effective as of August 1, 2015 as amended. Councilor Parsons seconded. Motion passed unanimously as follows:
- AYES: Clark, Koho, Parsons, Freeman, Smith, Ripp and Herrera (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)
- e. ORDINANCE – Amending Ordinance** City Attorney Shannon Johnson reminded Council that an ordinance was adopted requiring annual permits expiring June 30 of each year. The owner of Alpha Alternative Solutions, Ben Robison, feels this is unfair because he didn't get a full year from his application and is therefore

**Adopting the
Keizer Medical
Marijuana
Facility Permit
Process;
Amending
Ordinance No.
2014-702**

asking that the permit be effective for one year from issuance. He provided details on the ordinance and noted that Mr. Robison has already paid the fee for his renewal in accordance with the existing ordinance. Mr. Johnson then fielded questions regarding the cost of issuing the permit, city permit expiration dates being concurrent with state permit expiration dates, background checks, and information on the application.

Councilor Koho moved that Keizer City Council adopt a Bill for an Ordinance Amending Ordinance Adopting the Keizer Medical Marijuana Facility Permit Process; Amending Ordinance No. 2014-702. Councilor Smith seconded (permit valid one year from issuance). Motion passed unanimously as follows:

AYES: Clark, Koho, Parsons, Freeman, Smith, Ripp and Herrera (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Councilor Koho moved that Keizer City Council grant the request for a refund by Alpha Alternatives Solutions, LLC, and authorize the issuance of a refund of \$926.10 to Alpha Alternatives Solutions, LLC. Councilor Ripp seconded. Motion passed as follows:

AYES: Clark, Koho, Ripp and Herrera (4)

NAYS: Freeman, Smith and Parsons (3)

ABSTENTIONS: None (0)

ABSENT: None (0)

Councilor Smith inquired where the \$926 would come from. Mr. Wood responded that it will likely be a refund of the money they recently gave to the City. It will impact the working capital carryforward for next year.

**f. ORDINANCE –
Terminating the
North River
Road Economic
Development
Area Urban
Renewal Plan**

Mr. Johnson reminded Council that the Urban Renewal Agency had passed a resolution at the last meeting directing the Finance Director to terminate the collection of tax increments, transfer the assets of the agency and declare the urban renewal plan complete. This Ordinance accepts the assignment from the Urban Renewal Agency and terminates the North River Road Economic Development Area Urban Renewal Plan.

Councilor Koho moved that Keizer City Council adopt an Ordinance Terminating the North River Road Economic Development Area Urban Renewal Plan. Councilor Parsons seconded. Motion passed unanimously as follows:

AYES: Clark, Koho, Parsons, Freeman, Smith, Ripp and Herrera (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

- g. ORDINANCE – Granting Authority to Issue Citations for City of Keizer Infractions to Code Enforcement Officer and Community Services Officer**
- Mr. Johnson explained that this ordinance provides clarification that the code enforcement officer is authorized to issue citations. The community service officer has been added as well. This does not include traffic violations; traffic is covered under state statute.
- Councilor Koho moved that the Keizer City Council adopt a Bill for an Ordinance Granting Authority to Issue Citations for City of Keizer Infractions to Code Enforcement Officer and Community Services Officer; Declaring an Emergency. Councilor Parsons seconded. Motion passed unanimously as follows:
- AYES: Clark, Koho, Parsons, Freeman, Smith, Ripp and Herrera (7)
 NAYS: None (0)
 ABSTENTIONS: None (0)
 ABSENT: None (0)
- h. RESOLUTION – Authorization for Supplemental Budget and Transfer of Appropriation – Community Center Transfer and Water Facility Transfer**
- Mr. Wood explained that there are two budget adjustments; the first in response to the revenue shortfall in the community center fund which is supported by the general fund, the second is in response to additional resources available in the water fund. Rather than taking out a bank loan and paying interest, the City can transfer to the water facility fund to support the capital improvement plan.
- Councilor Koho moved that the Keizer City Council adopt a Resolution Authorization for Supplemental Budget and Transfer of Appropriation – Community Center Transfer and Water Facility Transfer. Councilor Parsons seconded. Motion passed unanimously as follows:
- AYES: Clark, Koho, Parsons, Freeman, Smith, Ripp and Herrera (7)
 NAYS: None (0)
 ABSTENTIONS: None (0)
 ABSENT: None (0)
- i. RESOLUTION – Authorizing the City Manager to Terminate the Agricultural Lease for Filbert Orchards Located at 1590 Chemawa Road North, Keizer, Oregon**
- Mr. Johnson reminded Council that in 2012 the City and Willamette Mission Farm, Inc., entered into an agricultural lease with an expected termination of February 2017, but due to concerns regarding the Big Toy structure location, termination of the lease has been requested.
- Discussion took place regarding removal of the trees prior to this termination and the loss of revenue.
- Councilor Koho moved that the Keizer City Council adopt a Resolution Authorizing the City Manager to Terminate the Agricultural Lease for Filbert Orchards Located at 1590 Chemawa Road North, Keizer, Oregon. Councilor Parsons seconded. Motion passed unanimously as follows:
- AYES: Clark, Koho, Parsons, Freeman, Smith, Ripp and Herrera (7)
 NAYS: None (0)
 ABSTENTIONS: None (0)
 ABSENT: None (0)

CONSENT CALENDAR

- a. RESOLUTION – Authorizing the City Manager to Enter Into Agreement with Hicks Striping and Curbing Inc. for Repainting of Pavement Legends
- b. RESOLUTION – Relating to the Pay of the City Manager
- c. RESOLUTION – Granting Pay Increase to the City Attorney
- d. RESOLUTION – Authorizing the City Manager to Enter Into Subscription Services Contract with Chaves Consulting , Inc. (Master Software Agreement – Electronic Records)
- e. RESOLUTION – Amending the ICMA Retirement Corporation’s Vantagecare Retirement Health Savings Plan
- f. RESOLUTION – Amending the Keizer Personnel Policy Manual Regarding Cell Phones (Section 8, Pages 41 and 42); Amending R2010-2040
- g. RESOLUTION – Authorizing City Manager to Enter Into Intergovernmental Agreement with Salem-Keizer School District 24J (School Resource Officers)
- h. Approval of May 18, 2015 Regular Session Minutes
- i. Approval of June 1, 2015 Regular Session Minutes
- j. Approval of June 8, 2015 Work Session Minutes

Councilor Smith pulled Item h.

Councilor Koho moved to approve the Consent Calendar except Item h. Councilor Parsons seconded. Motion passed unanimously as follows:

AYES: Clark, Koho, Parsons, Freeman, Smith, Ripp and Herrera (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Councilor Koho moved for approval of Item h of the Consent Calendar. Councilor Parsons seconded. Motion passed as follows:

AYES: Clark, Koho, Parsons, Freeman and Herrera (5)

NAYS: None (0)

ABSTENTIONS: Smith and Ripp (2)

ABSENT: None (0)

COUNCIL LIAISON REPORTS

All Councilors and Mayor Clark expressed gratitude and appreciation to all the volunteers who worked on the Big Toy Project.

Councilor Freeman announced that the Volunteer Coordinating Committee meeting was cancelled for June.

Councilor Ripp reported that the Art Commission was moving forward with the mural on the bowling alley and would be installing placards at the statues. The Traffic/Bikeways Committee is working on educating the driving public regarding use of roundabouts. She also reported on Keizer

Chamber news, noted the upcoming Bark for Life event, and congratulated McNary graduates.

Councilor Koho reported that the Planning Commission was reviewing text amendments relating to Infill. The Public Hearing has been continued to the July meeting. He also reported that he had attended the Keizer United meeting.

Councilor Herrera reported that he had attended the McNary High School graduation and the Kennedy volunteer program. He announced that the Volcanoes are back in town and opening day is Wednesday.

Mayor Clark announced that a recognition party for the Big Toy will be held on June 27 at the Keizer Rotary Amphitheater.

OTHER BUSINESS

City Manager Chris Eppley praised City staff and support staff for their participation in the Big Toy build, noted that the build 'ran like clockwork', and predicted that participants would be doing more for the City in the future.

Deputy Chief Kuhns provided an update on the upcoming Blast (Bringing Law Enforcement and Students Together) Camp and announced that National Night Out is August 4.

Public Works Director Bill Lawyer thanked all the captains and their families for the five 15-hour days that they gave, Dino and Mary for participating all day every day, Will Stitt for starting this project, Bob Shackelford and Seth K, all the wheel barrow operators and all other volunteers. He then read a card given to him by 16-year old, Sarah, noting that these kids are our next generation.

Community Development Director Nate Brown expressed gratitude for being able to participate in the project with his church youth group.

City Attorney Shannon Johnson announced that the Executive Session scheduled for after the meeting was cancelled.

City Recorder Tracy Davis announced that the Community Center would be the site for a conference for a women's religious organization Sunday through Friday for 800 to 1,000 people.

Tim Wood expressed gratitude for being able to work on the Big Toy with 'some of the finest of Keizer'.

Machell DePina announced that she was at the Big Toy in spirit, watching on line and she was proud of the volunteer effort.

WRITTEN COMMUNICATIONS

None

AGENDA INPUT

July 6, 2015

7:00 p.m. – City Council Regular Session

July 13, 2015

5:45 p.m. – City Council Work Session

August 3, 2015

7:00 p.m. – City Council Regular Session

August 10, 2015

5:45 p.m. – City Council Work Session

- Tour of Career Technical Education School

ADJOURNMENT

Mayor Clark adjourned the meeting at 8:50 p.m.

MAYOR:

APPROVED:

Cathy Clark

Debbie Lockhart, Deputy City Recorder
COUNCIL MEMBERS

Councilor #1 – Dennis Koho

Councilor #4 – Roland Herrera

Councilor #2 – Kim Freeman

Councilor #5 – Amy Ripp

Councilor #3 – Marlene Parsons

Councilor #6 – Brandon Smith

Minutes approved: _____