



MINUTES
KEIZER CITY COUNCIL
Tuesday, July 6, 2004
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER Mayor Christopher called the regular meeting to order at 7:03 pm.
Roll Call was taken as follows:

Present:

Lore Christopher, Mayor
Jacque Moir, Council President
Richard Walsh, Councilor
Chuck Lee, Councilor
Michel Gaynor, Councilor
Jim Taylor, Councilor
Crisel Perez, Youth Councilor

Staff:

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

Absent:

Judy K. Smith, Councilor

FLAG SALUTE Councilor Lee commended Chris Eppley for his performance as City Manager of the City of Keizer and asked him to lead the flag salute.

PUBLIC TESTIMONY None

PUBLIC HEARINGS Community Development Director, Nate Brown, explained that the amendment to the IBP Zone would remove the word "contiguous" on the limitation of the allowable retail space. Staff recommends removal of the word "contiguous", and addition of "within the Keizer Station", and "In no case shall each contiguously zoned IBP district within the Keizer Station exceed 32,000 square feet of flexible use space as set forth in subsections 1.a through d." This recommendation was approved by the Planning Commission. Additionally Northwest

a. Text
Amendment –
Case No. 10-08 –
Industrial
Business Park
(IBP) Zone

FMAGIC

National has indicated no objection to the change.

Mr. Brown fielded questions from Council members.

Mayor Christopher opened the Public Hearing.

Eric Scott, 7905 Slabb Creek Road, Neskowin, representing Chemawa LLC, reported that he felt the recommended limitation is fair and equitable.

Mayor Christopher closed the Public Hearing.

Councilor Moir moved to direct staff to prepare an Ordinance for Council approval, modifying the text of the Keizer Development Code, Section 2.113 Industrial Business Park Zone, as set forth in the Staff Recommendation. Councilor Lee seconded.

Motion passed unanimously as follows:

AYES: Christopher, Gaynor, Taylor, Walsh, Moir, and Lee (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Smith (1)

**b. Liquor License
Application -
Expressions**

City Manager Chris Eppley reported that an application was submitted for a Full Off-Premises Sales Liquor License for Expressions, 3632 River Road North, Keizer, Oregon. A public hearing was scheduled, notice published, necessary notification given, a background check was done on the applicant, and Keizer Planning Department finds the location of the establishment to be properly zoned and has no comment on the application. Staff recommends that following a public hearing Council approve the application.

Mayor Christopher opened the Public Hearing.

Cathryn Thiesen, 3632 North River Road, Keizer – appeared to respond to Council questions. She explained that Expressions is a gift shop located on River Road across from Burger King and added that she is planning on becoming part of the “Responsible Vendor” program.

Mayor Christopher closed the Public Hearing.

Councilor Moir moved to approve the application for an Off-Premises Liquor License for Expressions under the guidelines as established by ORS 471.178 and the ordinances of the City of Keizer and that the

recommendation be forwarded to the Oregon Liquor Control Division. Councilor Taylor seconded.

Motion passed unanimously as follows:

AYES: Christopher, Gaynor, Taylor, Walsh, Moir, and Lee (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Smith (1)

**c. Liquor License
Application –
Radiance Salon
& Spa**

City Manager Chris Eppley reported that an application was submitted for a Limited On-Premises Sales Liquor License for Radiance Salon & Spa, 3632 River Road North, Keizer, Oregon. A public hearing was scheduled, notice published, necessary notification given, a background check was done on the applicant, and Keizer Planning Department finds the location of the establishment to be properly zoned and has no comment on the application. Staff recommends that following a public hearing Council approve the application.

Mayor Christopher opened the Public Hearing.

Cathryn Thiesen, 3632 North River Road, Keizer – appeared to respond to Council questions. She explained that Radiance is a Spa located on River Road across from Burger King and that sample glasses of wine will be offered with some of the services. This is the first spa in the state to go before the OLCC with this request.

Mayor Christopher closed the Public Hearing.

Councilor Moir moved to approve the application for a Limited On-Premises Liquor License for Radiance Salon and Spa under the guidelines as established by ORS 471.178 and the ordinances of the City of Keizer and that the recommendation be forwarded to the Oregon Liquor Control Division. Councilor Taylor seconded.

Motion passed unanimously as follows:

AYES: Christopher, Gaynor, Taylor, Walsh, Moir, and Lee (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Smith (1)

**d. RESOLUTION –
Forming
Everwood
Meadows Street**

City Manager, Chris Eppley, provided a history of the formation of a Street Lighting Local Improvement District and noted that the Public Hearing was to consider remonstrances to the project and objections to proposed assessments. He explained the billing process for the Lighting District and recommended the City Council open a Public

Lighting District

Hearing to consider oral objections and written remonstrances to the formation of Everwood Meadows Subdivision Street Lighting Local Improvement District and, if there are no objections, close the public hearing and consider adoption of the resolution forming the district and the proposed assessment ordinance.

Mayor Christopher opened the Public Hearing.

Hearing no testimony, Mayor Christopher closed the Public Hearing.

Councilor Moir moved to adopt Resolution R2004 forming Everwood Meadows Street Lighting District Local Improvement District. Councilor Lee seconded.

Motion passed unanimously as follows:

AYES: Christopher, Gaynor, Taylor, Walsh, Moir, and Lee (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Smith (1)

ORDINANCE – Spreading Assessments to Everwood Meadows Street Local Improvement District

Councilor Moir moved to adopt a Bill for an Ordinance Spreading Assessments to Everwood Meadows Street Lighting Local Improvement District. Councilor Gaynor seconded.

Motion passed unanimously as follows:

AYES: Christopher, Gaynor, Taylor, Walsh, Moir, and Lee (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Smith (1)

COMMITTEE REPORTS

a. Salem Area Transit District Presentation – High Priority Transit District

City Manager, Chris Eppley, explained that River Road had been designated by the Transit District as a “high priority transit corridor” which means improvements have been planned to facilitate better traffic flow in relation to public transit and its relationship with the automobile. He then introduced Mr. Glen Hadley from the Salem Area Transit District to update Council on the status of the project.

Mr. Hadley gave a Power Point presentation explaining that the North River Road/Broadway corridor is a high ridership corridor that has difficulty staying on schedule. He reviewed several different options which are being investigated to alleviate this issue.

The total cost of this project is estimated at 5.6 million dollars, of which 2 million dollars now exists. The project consists of 5 different pieces which would be implemented in 2005-2006 through 2015.

Responding to questions, Rob Kissler explained that the currently planned improvements for Chemawa Road would not be affected by

the Transit District Plans, but property would most likely have to be purchased for right-of-way. He added that options such as relocation of sidewalks, internal sidewalks, easements, etc. could be considered before loss of parking was considered. Mr. Hadley added that many questions would be answered after the preliminary engineering and design. He concluded that the concept is a mix of traffic and transit improvements to promote transit use while preserving the stable flow of traffic.

Councilor Taylor questioned the safety of the bus turnouts and suggested taking the buses off River Road. Mr. Hadley responded that the turnout issue is being investigated, but studies have shown that they are not necessarily effective and that taking the bus off the River Road was not a reasonable alternative because the neighborhoods would not want the buses on their streets and ridership would drop because transit time would increase. He encouraged everyone to view buses as an aid to reducing traffic congestion because there are fewer cars on the road, rather than a detriment to traffic.

Responding to school buses vs. city buses Mr. Handley noted that usage of city buses by the high school youths would occur during peak ridership times of the city system, so there is limited capacity for the riders. Some buses have been scheduled specifically to assist the children in commuting to and from school. Councilor Taylor encouraged the system to consider increasing vehicles so that the school buses would not be necessary for high school students. This would also encourage the students to use the buses for personal use. Mr. Hadley responded that the school district has investigated the option of using city buses for high school student transport, but determined that it was more economical to use their in-house system.

Mr. Hadley explained the radio pulse system which operates with given buses staying in a particular area and one "corridor bus" connecting the buses to downtown allowing buses to run more frequently and make transfers within their specific neighborhood. This system is called 3C's: Circulators, Corridors and Centers and it is being considered for Keizer, South Salem and East Salem.

City Manager Chris Eppley pointed out that the Keizer route is one of the busiest routes in the entire transit district system so it is important to support the efforts of the district by showing support for the portions of the project within the Keizer city limits by a formal recommendation.

Discussion continued on the transportation system and possible concepts and plans.

OTHER BUSINESS

- New Business
- Old Business

Councilor Walsh reported:

- **Salem-Keizer Area Transportation Study (SKATS)** ~ The city's application for a multi-use path grant is in the number one position with this committee. Additionally, some of the money promised to the City for the Chemawa Road bridge project will be used to cover shortfalls because it has not been spent. Mr. Kissler added that Richard Schmidt, who is in charge of State Transportation Improvement Project money through Council of Governments, has assured him that Chemawa Bridge is the number one priority when the federal budget year begins October 1. Mr. Walsh explained that there has been additional discussion on the Willamette bridge and an environmental impact study.
- **Marion Polk County Regional Tourism Promotion Summit** was attended by several people. It was a very good summit. The promotion slogan was "Naturally Inspired" yet their basic statement had nothing about promoting natural resources so that was added.
- **RIVERR (Regional Intergovernmental Visions Enhancing River Resources)** ~ has met with Marion County Commissioners and the project is now the only one being considered for the projected grant funds from the sale of Detroit Lake timber property. This grant should be \$350,000 to \$450,000. The project has received attention from other organizations. Elise Holland who is the Western Water programmer from San Francisco will be flying in for a meeting in July. Additionally the project has received a \$2,500 grant for public relations from Willamette River Navigator. A float on the Willamette will be taking place on Saturday from Independence to Salem. Interested parties should call 503-223-6418. Finally, on June 28 a grant application was put in with the National Park Service Rivers and Trails Conservation Assistance Program. The Salem, Independence and Keizer Region will be formulating a plan of amenities for the Keizer section of the river. This would be a pilot project.

Councilor Taylor reported that the Points of Interest Committee meeting has been postponed for a month.

Councilor Moir pointed out that all Councilors had received copies of the Emergency Operations Plan. Additionally, Parks Board is anticipating a Parks Tour with Council. Mayor Christopher interjected that the date needed to be changed. Members agreed to have it on August 30 at 5:30pm.

Councilor Lee reported:

- **Keizer Education Committee** met on June 28 and established a calendar for the year outlining plans such as the honoring of a

Business Student of the Month at the Keizer Chamber luncheons and honoring of an area School of the Month. The main focus will again be on mentoring. He encouraged anyone interested to contact him or Christine Deiker at the Chamber.

- **Meth, Not in Our Neighborhood Task Force** continues to be busy. The group is in the process of trying to find an organization to hook up with so that funds could be acquired and staff hired. September will focus on neighborhood activism and he encouraged vendors and patrons to support checking of identification to build the community and prevent I.D. theft.
- **Today's Choices Tomorrows Communities** has had two meetings to establish a budget for the next year. It has been in a crisis situation because funding received from Marion County in the past was not granted in this budget. This group is also interested in supporting the Meth, Not in Our Neighborhood project.

Community Development Director, Nate Brown reported that Area D of Keizer Station has been submitted.

Chief Adams reminded everyone that August 3 is National Night Out. Questions should be directed to Lance Inman at 503-390-3713.

City Attorney Shannon Johnson presented an order approving the Master Plan for Area A - Village Center which was prepared pursuant to direction of Council. He explained his recommended corrections:

ADMINISTRATIVE ACTION

a. ORDER –

**Approving
Master
Plan/Subdivision,
Major Variance
and Sign
Variance for
Keizer Station
Area A – Village
Center**

Page 4 In the top paragraph, following the sentence beginning with "In addition, Tepper Lane...." Should be removed and replaced with the following two sentences: "In addition, Tepper Lane shall have facilities to safely accommodate eastbound and westbound bicycle and pedestrian traffic. The sidewalk on the south side of Tepper Lane shall be separated from vehicular traffic."

Page 4, Item 18: Change station to stadium.

Page 4, Item 22: Remove the word "new" in the second to the last sentence.

Page 5, Item 26: Shall read as follows: "Facility phasing plans shall be approved by the Keizer Department of Public Works. Arrangements for reimbursing developers for providing additional capacity to serve future developments shall be approved by the Keizer Department of Public Works and the City Council."

Page 6, Item 34: Last sentence, change "should" to "shall".

Page 7, Item 47: Sixth bullet – replace “such as” with “including, but not limited to”.

Shannon Johnson added that the section of conditions from the staff report need to be added into Exhibit “E” and numbered progressively to add onto the end of the condition section. Under Number 3, Public Facility Improvements insert the word “all applicable systems development charges” after “including” and delete the words “for sewer, water, parks and other facilities”.

Councilor Moir questioned the Lowery issue, regarding the fact that the Lowerys still own part of the property being addressed in the Master Plan and Subdivision. Attorney Johnson stated that the issue is addressed because the Master Plan and Subdivision and Partitioning are all combined. On Page 6 of the “Evidence” Mayor Christopher suggested that “Mr. Day alleged” precede the words “The Lowerys still own.....” Councilor Lee voiced concern over the replacement of Radiant, the intentions of the lease and the ingress/egress from the stadium. City Manager Chris Eppley responded that this issue has not yet been finalized, but the Walkers will be working closely with City staff and the transportation engineer towards a design which is agreeable to all parties. Regarding lessee responsibilities for the parking lot, City Attorney Johnson noted that the lease did not require the City to make any changes that might be necessary from reconfiguration of the parking lot. Chris Eppley suggested that no action be taken until a final plan for the parking lot is established.

Councilor Moir moved to adopt an Order in the Matter of the Application of Northwest National LLC for Approval of the Keizer Station Master Plan/Subdivision (Area A - Village Center), Major Variance and Sign Variance. Councilor Taylor seconded.

Councilors Walsh and Moir commended Mr. Eppley, Mr. Brown and Mr. Johnson on their efforts in this matter. Mr. Eppley replied that Mr. Brown and Mr. Johnson made a Herculean effort to accomplish this task in a timely manner and expressed appreciation of their dedication.

Motion passed unanimously as follows:

AYES: Christopher, Gaynor, Taylor, Walsh, Moir, and Lee (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Smith (1)

**River Road
North Speed
Reduction
(Lockhaven to
Northern City
Limits)**

Public Works Director, Rob Kissler, reported that Public Works Department requested a speed investigation along River Road North to the northernmost city limits. Upon conclusion of the speed investigation, the reduction request was denied. However the department contested the results and ODOT granted and recommends the speed zone change. Staff recommends Council deliberate the issue and direct staff accordingly.

Councilor Walsh reviewed the sequence of events culminating in the reduced speed. Mr. Eppley added that the information ODOT used in its preliminary decision was not current and after reviewing more current data, they acquiesced. Mr. Kissler explained that ODOT would accept whatever direction Council directs. Chief Adams stated that he didn't think a lower speed limit would change traffic patterns and that there were not a lot of speed related accidents on this stretch of River Road. Councilor Moir noted that the lower speed limit was requested by several residents concerned about the school children and also recommended by the Traffic Safety Commission. Mr. Kissler added that KURB wished to lower the speed limit as well.

Councilor Moir moved to direct staff to impose a 5 mph speed reduction as granted by ODOT on River Road north of Lockhaven to the northern city limits. Councilor Lee seconded.

Councilors Gaynor, Taylor and Walsh voiced concern about traffic congestion and stated that this would impede traffic, especially because there did not seem to be a safety issue related to the speed.

Motion failed as follows:

AYES: Christopher and Moir (2)

NAYS: Lee, Taylor, Gaynor and Walsh (4)

ABSTENTIONS: None (0)

ABSENT: Smith (1)

**CONSENT
CALENDAR**

- A. RESOLUTION – Authorizing Mayor to Sign City Manager Contract Amendment**
- B. RESOLUTION – Appointing City Recorder Pro Tem**
- C. RESOLUTION – Authorizing the City Manager to Enter Agreement for Annual Street Resurfacing Project**
- D. RESOLUTION – Approving Engineer's Report for Megan Lee Properties Street Lighting District**

Councilor Moir moved to approve the Consent Calendar. Councilor Gaynor seconded.

Councilor Moir withdrew her motion and moved to approve Consent Calendar Items B, C and D. Councilor Gaynor withdrew his previous second and seconded this motion.

Motion passed unanimously as follows:

AYES: Christopher, Gaynor, Taylor, Walsh, Moir, and Lee (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Smith (1)

Councilor Moir moved to adopt Resolution R2004 Authorizing the Mayor and Council President to enter into the City Manager Contract Amendment and change the review date to December or January of each year and adding a \$250,000 life insurance benefit that was agreed to last year and never implemented. Councilor Gaynor seconded.

AYES: Christopher, Gaynor, Taylor, Walsh, Moir, and Lee (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Smith (1)

WRITTEN COMMUNICATIONS

Mayor Christopher read:

- A card from the Chamber of Commerce thanking Council and city staff for the leadership and assistance in the Keizer Iris Festival.
- An invitation for July 8 or 9 to tour a portion of 90,000 acres destroyed by fire in 2003 and on July 13 and 15 tour lower Columbia River and Northern Oregon Coast focusing on forest landscapes viewed by the Lewis & Clark Expedition. For additional information, contact Chris Eppley.

AGENDA INPUT

July 12, 2004

12:00 p.m. City Council Work Session

➤ Water Rates/COSA

July 19, 2004

7:00 p.m. City Council Regular Session

➤ Review of City Noise Ordinance – Variance Process

August 2, 2004

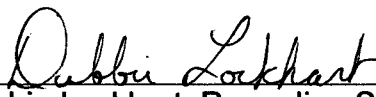
7:00 p.m. City Council Regular Session

ADJOURNMENT

Mayor Christopher adjourned the meeting at 9:45 p.m.

APPROVED:

MAYOR:


Debbie Lockhart, Recording Secretary

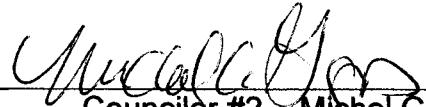
Lore Christopher

COUNCIL MEMBERS

~ Absent ~

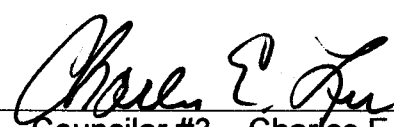
Councilor #1 – Judy K. Smith

Councilor #4 – Jacque Moir



Councilor #2 – Michel Gaynor

Councilor #5 – Richard Walsh



Councilor #3 – Charles E. Lee

Councilor #6 – James Taylor

Minutes approved:

8-2-04