

CITY OF KEIZER MISSION STATEMENT
**KEEP CITY GOVERNMENT COSTS AND SERVICES TO A MINIMUM BY
PROVIDING CITY SERVICES TO THE COMMUNITY IN A
COORDINATED, EFFICIENT AND LEAST COST FASHION**

A G E N D A
KEIZER CITY COUNCIL

Tuesday, July 5, 1994
7:00 p.m.

Robert L. Simon Council Chambers
Keizer City Hall
Keizer, Oregon 97303

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PUBLIC TESTIMONY**

This time is provided for citizens to address the Council on matters not scheduled for public hearing.

4. **COMMITTEE REPORTS**

- a. Keizer Police Reserve - Swearing In Ceremony
- b. Keizer Community Policing Report
- c. Community Oriented Policing Audit Report

5. **PUBLIC HEARINGS**

- a. **ORDINANCE** - Northrup/Northshire Street Lighting LID (Cont. from 6-6-94)
- b. **ORDINANCE** - Street Vacation - Portion of Dearborn Ave. (E. Drees)
- c. **ORDINANCE** - Honeysuckle Street Lighting LID
- d. **ORDINANCE** - Fircone Street Lighting LID
- e. **ORDINANCE** - Clearview Street Lighting LID

6. **ADMINISTRATIVE ACTION**

- a. **ORDINANCE** - Abatement of Graffiti
RESOLUTION - Intent to Work with Citizens to Abate Graffiti
- b. **RESOLUTION** - Amendments to the Compensation and Classification Plan

7. CONSENT CALENDAR

- a. RESOLUTION - Initiating Larsen Park Street Light LID
- b. RESOLUTION - Hidden Creek Phase I Street Light LID (Engineer's Report)
- c. Approval of June 20, 1994 Regular Session Minutes

8. OTHER BUSINESS

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

9. WRITTEN COMMUNICATIONS

To inform the Council of significant written communications and petitions.

10. AGENDA INPUT

JULY 12, 1994

6:00 p.m. City Parks Tour

JULY 18, 1994

7:00 p.m. City Council Meeting

Zone Change/Variance Case 94-4 (Whittenburg) Public Hearing

McNary Estates Police Patrols

Viacom Cable Agreement

AUGUST 1, 1994

5:30 p.m. Council Worksession

7:00 p.m. City Council Meeting

Vehicle For Hire Ordinance Amendments

11. ADJOURN

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

KEIZER CITY COUNCIL MEETING: JULY 5, 1994

AGENDA ITEM NUMBER: 4a

TO: MAYOR KOHO AND CITY COUNCIL MEMBERS

THROUGH: DOTTY TRYK *Dotty*
CITY MANAGER

FROM: CHARLES R. STULL
CHIEF OF POLICE

SUBJECT: KEIZER POLICE RESERVE - SWEARING IN CEREMONY

The following Keizer Police Department Reserve Officers will be sworn in during the July 5, 1994 City Council meeting:

Matt McCowan
Jeff Wise
Carrie Anderson
Kara Berkeland

City Attorney, Shannon Johnson will issue the oath to these individuals.

CITY COUNCIL MEETING: July 5, 1994

AGENDA ITEM NUMBER: 4b

DATE: June 28, 1994

TO: City Council

THRU: Dotty Tryk, City Manager *Dotty*

FROM: Charles R. Stull, Chief of Police *CRS*

SUBJECT: **COMMUNITY POLICING COMMITTEES REPORT**

At the July 5, 1994 City Council Meeting, Ed Davis, Chairman of the Main Community Policing Group will be giving a presentation on a six month review of the Community Policing Committee.

DATE: June 28, 1994
TO: City Council
THRU: Dotty Tryk, City Manager *DT*
FROM: Charles R. Stull, Chief of Police *CRS*
SUBJECT: **COMMUNITY ORIENTED POLICING (COP) AUDIT
COMMITTEE REPORT**

At the July 5, 1994 City Council Meeting, Jodi Sherwood, Community Policing Coordinator and Sergeant Kent Barker will be giving a presentation on the enclosed COP Audit Report.

This report is a 6-month report detailing the activities of Community Policing since November of 1993. The report also reviews the progress of community oriented policing in the Keizer Police Department and includes recommendations on improving the effectiveness of this program.

KEIZER CITY COUNCIL MEETING: July 5, 1994

AGENDA ITEM NUMBER: 5a

TO: MAYOR KOHO AND CITY COUNCIL MEMBERS

THROUGH: DOTTY TRYK *Dotty*
CITY MANAGER

FROM: TRACY L. DAVIS *Tracy*
CITY RECORDER

**SUBJECT: NORTHRUP/NORTHSHIRE STREET LIGHTING LOCAL
IMPROVEMENT DISTRICT**

BACKGROUND:

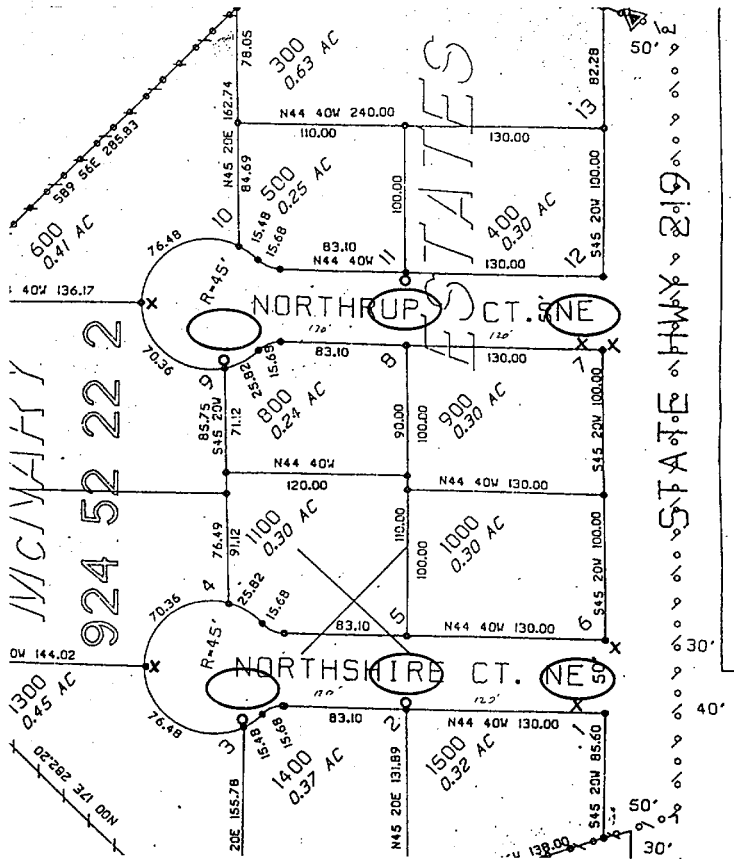
In March of this year, the residents of Northrup and Northshire Courts area filed a petition to form a street lighting local improvement district. The Council initiated the district and directed the City Engineer to make a survey of the area and file a written report. The Council adopted the Engineer's report on May 16, 1994 and scheduled a public hearing. Notice of the June 6th hearing was sent to all residents of the area. At the hearing, area resident Mary Hardison appeared before the Council to voice her concern for the location and number of proposed street lights on Northshire Court. The Council continued the hearing to July 5th to allow Ms. Hardison to discuss this matter with other residents of the area. A letter was mailed on June 10th to the residents advising the hearing had been continued.

RECOMMENDATION:

Staff recommends the following:

- Reopen the public hearing to consider written or oral remonstrances to formation of the Northrup/Northshire Street Lighting Local Improvement District.
- If valid remonstrances of the owners of two-thirds of the land to be specifically assessed for the lighting district are presented to the Council at the public hearing, close the hearing and suspend the formation of the district.
- If valid remonstrances of the owners of two-thirds of the land are not presented, close the hearing and consider adoption of the attached Ordinance spreading assessments to the District
- Consider the proposed petition of the residents in this area regarding the amount and location of the lights and direct staff to revise the Ordinance and assessment costs.

**NORTHROP / NORTHSHIRE
STREET LIGHTING
LOCAL IMPROVEMENT DISTRICT
KEIZER, OREGON**



INSTALL SIX 70 WATT HPS STREETLIGHTS AND FOUR SLO WOOD POLES.

MICHAEL D. CROSSLAND
PGE STREETLIGHT SPECIALIST
APRIL 15, 1994

1 BILL NO. _____

ORDINANCE NO. 94- _____

2
3
4 A BILL FOR

5
6 AN ORDINANCE SPREADING ASSESSMENTS TO
7 NORTHROP/NORTHSHIRE STREET LIGHTING LOCAL
8 IMPROVEMENT DISTRICT
9

10
11 SECTION 1.

12 WHEREAS, the City Council did heretofore declare its intention to install street lights to
13 serve an area known as Northrup/Northshire Street Lighting Local Improvement District which
14 is described as follows:

15 Northrup Court, Tax Lots 400, 500, 600, 700, 800, 900, 1000 and 1100 and
16 Northshire Court, Tax Lots 1200, 1300, 1400 and 1500 in Section 26, Township
17 6 South, Range 3 West, Willamette Meridian, in the city of Keizer, Marion
18 County, Oregon
19

20 which includes the installation of six (6) 70-watt high pressure sodium luminaries on eight-foot
21 long mast arms, and attached to 25-foot wood poles located within the subject local improvement
22 district, all in accordance with the City Engineer's report for Northrup/Northshire Street
23 Lighting Local Improvement District and estimates heretofore duly and regularly adopted by the
24 City Council, which are hereby referred to and made a part hereof, and did fix the time and
25 place for hearing protests against the installation of said improvements, and the assessment and
26 the cost thereof, as aforesaid and

27 WHEREAS, notice was duly mailed on May 19, 1994 as required by Ordinance; and

28 WHEREAS, a meeting of the City Council was held at the time and place fixed by public
29 notice for the purpose of considering any such protest and at that time heard and considered all
30 protests submitted relating to the proposed improvements and assessment thereof, and said
31 Council has considered the matter and deeming that construction of said improvements was and

1 is of material benefit to the City, and all the property to be assessed therefore will be benefitted
2 by the improvements to the extent of a per parcel first annual assessment estimated at \$67.06 at
3 the time of the City Engineer's report, did order the construction of said improvements; and

4 WHEREAS, the estimated annual cost of said improvements has been preliminarily
5 determined to be the sum of \$53.06 per parcel.

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

7 **SECTION 2.**

8 (a) First Annual Assessment. It is hereby determined that the first annual estimated
9 proportionate share of the cost of said improvements, on each parcel and property benefitted
10 thereby, is the amount set opposite the description of each piece or parcel of land as described in
11 Northrup/Northshire Street Lighting District Assessment Roll as set forth in Exhibit "A"
12 attached, and that each piece or parcel of land benefitted by the improvements, to the full extent
13 of the amount so set opposite such piece or parcel and that the respective amounts represent the
14 proportionate benefits of said improvements to said respective parcels of property, and the
15 Council does hereby declare that each of the parcels of property described in
16 Northrup/Northshire Street Lighting District Roll as set forth in Exhibit "A" attached is hereby
17 assessed the first annual estimated amount set opposite each respective description.

18 (1) Summary of first annual estimated costs assessed for formation of the lighting
19 district to serve the area known as "Northrup/Northshire Street Lighting Local
20 Improvement District":

21	6 - 70 Watt Luminaries & Wood Poles	\$ 586.80
22	Engineer Report	168.00
23	Annual Administrative Costs @8.5%	<u>49.92</u>
24	Total First Annual Costs	\$ 804.72

(2) 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 the Ordinance levying the first annual installments has been passed, and to publish notice of the first annual assessment in a newspaper of general circulation in the city.

(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 said lighting district shall be collected pursuant to ORS 223.866.

PASSED this _____ day of _____, 1994.

SIGNED this _____ day of _____, 1994.

Mayor

City Recorder

NORTHROP AND NORTHSHIRE COURT
STREET LIGHTING DISTRICT
Assessor's Map 6 3W 26 DB

TAX LOT	Owner's Name and Address [Contract Buyer]	Cost per Lot	Total Assessment
400	Robert G. & Susan P. Mc Clellan 1089 Northrup Ct. NE Keizer, OR 97303	\$67.06	\$67.06
500	Richard B. & Brenda Bearden 1079 Northrup Ct. NE Keizer, OR 97303	\$67.06	\$67.06
600	Gale & Trudy L. DeHutt 1059 Northrup Ct. NE Keizer, OR 97303	\$67.06	\$67.06
700	David D. & Marcia King 1058 Northrup Ct. NE Keizer, OR 97303	\$67.06	\$67.06
800	Richard T. & Catherine Sjolander 1078 Northrup Ct. NE Keizer, OR 97303	\$67.06	\$67.06
900	Phillip K. Weaver 1098 Northrup Ct. NE Keizer, OR 97303	\$67.06	\$67.06
1000	Roger C. & Corrine M. Obershaw 1097 Northshire Ct. NE Keizer, OR 97303	\$67.06	\$67.06
1100	Richard I. & Jacqueline K. Goad 1077 Northshire Ct. NE Keizer, OR 97303	\$67.06	\$67.06

**NORTHROP AND NORTHSHIRE COURT
STREET LIGHTING DISTRICT
Assessor's Map 6 3W 26 DB**

TAX LOT	Owner's Name and Address	Cost per Lot	Total Assessment
1200	Margie Ruth Gilliam Bennett 1057 Northshire Ct. NE Keizer, OR 97303	\$67.06	\$67.06
1300	David P. & Sharon R. Moomaw 1056 Northshire Ct. NE Keizer, OR 97303	\$67.06	\$67.06
1400	Dallas & Mary E. Hardison 1076 Northshire Ct. NE Keizer, OR 97303	\$67.06	\$67.06
1500	Christopher J. & Sally Hallstrom 1096 Northshire Ct. NE Keizer, OR 97303	\$67.06	\$67.06

TOTAL ASSESSABLE COSTS**\$804.72**

COUNCIL MEETING: July 5, 1994

AGENDA ITEM NUMBER: 5b

TO: MAYOR AND CITY COUNCIL

FROM: WILLIAM I. PETERSON, P.E., CITY ENGINEER,
WALLY MULL, PUBLIC WORKS DIRECTOR

THROUGH: DOROTHY TRYK, CITY MANAGER *Tryk*

SUBJECT: VACATION OF UNUSED PORTION OF DEARBORN AVENUE RIGHT
OF WAY- EVELYN DREES

ISSUE Shall the City of Keizer vacate a portion of unused right of way along Dearborn Avenue near its intersection with Verda Lane. The unused right of way referred to lies south of the currently improved portion of Dearborn Avenue.

BACKGROUND Prior to incorporation of the City of Keizer, Marion County acquired additional property for the realignment of Dearborn Avenue. The realignment created a small remnant of un-used right of way that is currently "sandwiched" between tax lots owned by Evelyn Drees. Mrs. Drees is seeking to have the remnant right of way vacated by the City of Keizer and deeded to her, creating one parcel of approximately one acre (see attached copy of a portion of the assessor's map for this area). Apparently Mrs. Drees thought that the parcel had already been vacated due to earlier actions by Marion County and is seeking the City's assistance in correcting the problem.

At its regularly scheduled June 6, 1994 Council Meeting the Keizer City Council determined that a public hearing should be called to discuss the potential vacation of the above referenced right of way. The council also requested that Staff look into future needs of the City regarding right of way in this area.

The Drees property has frontage along both Verda Lane and Dearborn Avenue. The right of way width of Verda Lane varies from a minimum of 40' to a maximum of 70' in this general area (Please see Exhibit 1). Verda Lane is classified in the comprehensive plan as a minor arterial. Due to the traffic volume anticipated in the area of Keizer it is possible that the ultimate width of Verda Lane could be 68'. The staff feels it is important for the City to obtain right of way equal to 34' from the existing centerline along the Drees frontage of Verda Lane. (Please see Exhibit 2).

Dearborn Avenue is classified as a collector street in the comprehensive plan. The standard width for a collector street in the City of Keizer is 68'. Currently there is a 70' right of way along a portion of this property's Dearborn frontage, with the remainder a 60' right of way (Exhibit 1). Staff feels the City should acquire right of way equal to one-half of the standard 68' improvement for a collector street at this time (Exhibit 2).

FISCAL IMPACT Assuming that the City can obtain additional right of way along Verda Lane and Dearborn Avenue to equal the above recommended width the fiscal impact of vacating the unused portion of Dearborn Avenue would be negligible.

RECOMMENDATION Staff recommends City Council adopt the attached ordinance granting the vacation of a portion of Dearborn Avenue with the exception of the area within 34' of the centerline on Dearborn Ave. and 34' of centerline on Verda Lane. In addition, staff recommends the acquisition of right of way on the Drees property that will equal one-half of the standard street width on Verda Lane and Dearborn Avenue as set forth in the comprehensive plan.

DREES VACATION
EXHIBIT 1
(EXISTING R.O.W.)

6500

70'

60'

6600

30'

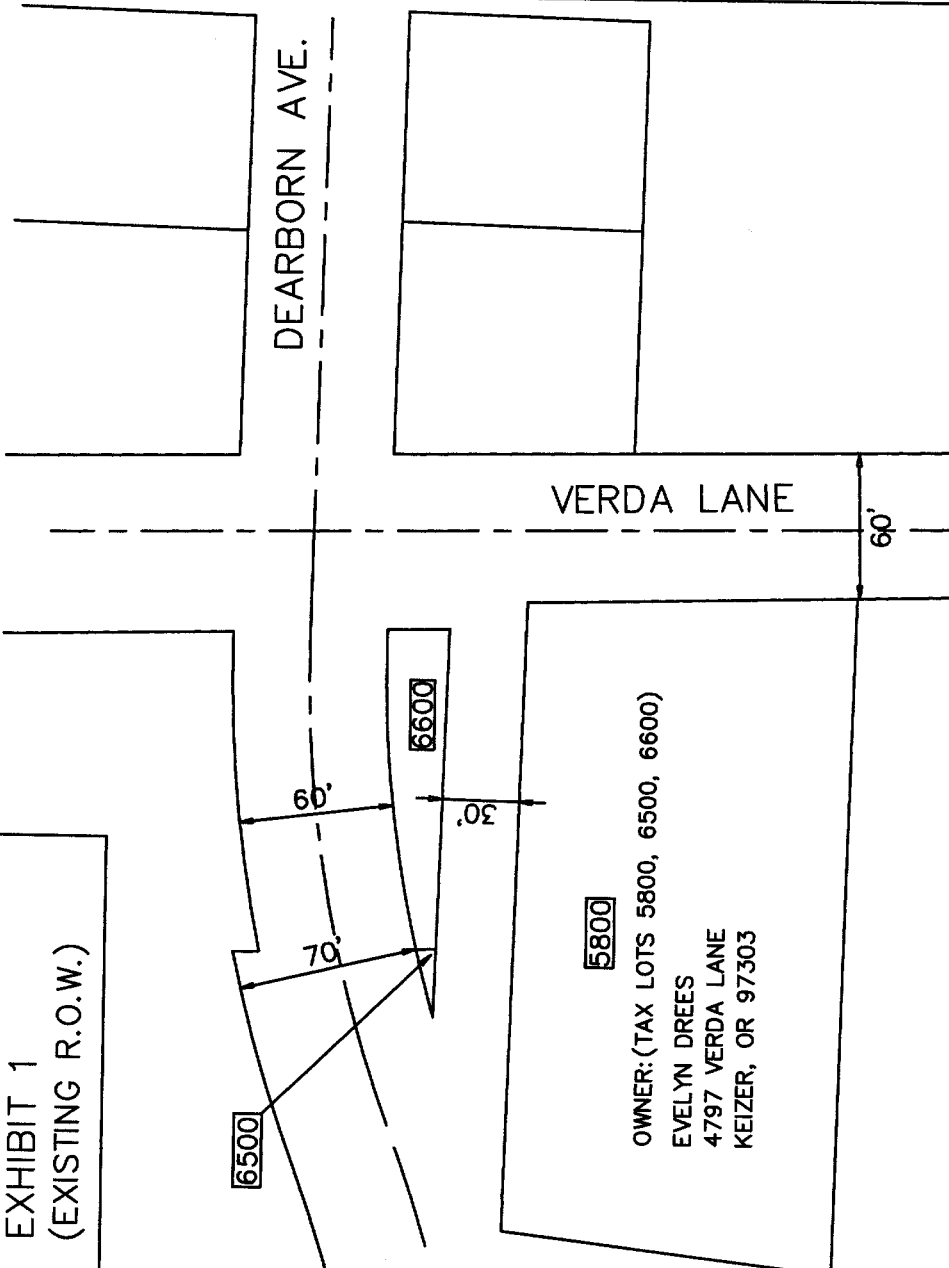
5800

OWNER: (TAX LOTS 5800, 6500, 6600)
EVELYN DREES
4797 VERDA LANE
KEIZER, OR 97303

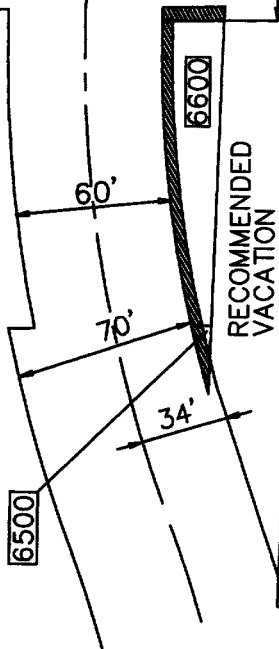
DEARBORN AVE.

VERDA LANE

60'



DREES VACATION
EXHIBIT 2



5800
OWNER: (TAX LOTS 5800, 6500, 6600)
EVELYN DREES
4797 VERDA LANE
KEIZER, OR 97303

DEARBORN AVE.

VERDA LANE

RECOMMENDED
AREA FOR
RIGHT-OF-WAY
ACQUISITION



60'

1 BILL NO. _____

2 A BILL
3 FOR

ORDINANCE NO.
94-_____

4 AN ORDINANCE TO VACATE A PORTION OF DEARBORN AVENUE
5 IN THE CITY OF KEIZER, STATE OF OREGON
6
7

8 The City of Keizer ordains as follows:

9 Section 1 - Public Hearing. The City Council held a public hearing on the
10 above matter on the 5th day of July, 1994. At that time, the vacation question and
11 any objections or remonstrances were heard. The time for filing objections or
12 remonstrances has fully expired.

13 Section 2 - Notice of Street Vacation. The City Council determines that the
14 required legal notice has been published in the City official newspaper once each
15 week for two consecutive weeks prior to the date of the hearing; and the legal notice
16 was posted at or near each end of the proposed vacated street in at least two
17 conspicuous places in the proposed vacation area within five days of the first
18 publication notice. Further, the Council determines that the posting of notice was
19 completed and the first publication of notice appeared at least 14 days prior to the
20 hearing.

21 Section 3 - Consent of Real Property Owners. The City Council determines
22 that the proposed vacation will not substantially affect the market value of the
23 abutting property. Further, the City Council determines that the City has not
24 received written objections from owners of a majority of the area affected,
25 computed on the basis provided in ORS 271.080.

Section 4 - Public Interest Served. The Council determines that the public interest is served and not prejudiced by the proposed vacation.

Section 5 - Land Use Considerations. The Council determines that the proposed vacation would not constitute a significant impact on present or future land uses.

Section 6 - Vacation. The Council ordains that:

A parcel of land lying in Section 2, Township 7 South, Range 3 West, Willamette Median, Marion County, Oregon and being a portion of Dearborn Avenue that was dedicated for roadway purposes by HERBER'S ADDITION, as recorded in Marion County Plat Book Volume 17, Page 3, save and except the realigned Dearborn Avenue right of way established by Board Order 1421 on November 27, 1962 and recorded in volume 584, Page 159 of the Deed Records of Marion County, Oregon. This parcel contains approximately 0.13 acres.

be vacated.

Section 7 - Conditions of Vacation. Nothing contained herein shall cause or require the removal or abandonment of any sewer, water line, conduit of any kind, wires or poles which are now installed in said street and used or intended to be used for any public service, and owned or used by any public or private utility, and the right is hereby reserved to maintain and continue to repair, reconstruct, renew, replace, rebuild or enlarge any and all such facilities.

PASSED this _____ day of July, 1994.

SIGNED this _____ day of July, 1994.

Mayor

City Recorder

COUNCIL MEETING: July 5, 1994

AGENDA ITEM NO: 5c

TO: MAYOR KOHO AND CITY COUNCIL

FROM: DOTTY TRYK *Doty*
CITY MANAGER

THROUGH: TRACY L. DAVIS *Tracy*
CITY RECORDER

SUBJECT: PUBLIC HEARING - To consider remonstrances to an Ordinance spreading assessments to Honeysuckle Street Lighting Local Improvement District

ISSUE

Scheduled is a public hearing to receive remonstrances to Honeysuckle Street Lighting Local Improvement District and subsequent consideration of an Ordinance spreading assessments to the district.

BACKGROUND

In March, 1994 the Keizer City Council adopted Ordinance 94-278 relating to formation of street lighting local improvement districts within the City of Keizer.

On April 1, 1994, the residents of the Honeysuckle area filed a petition to form a street lighting local improvement district. In response to this petition, the City Council adopted Resolution R94-728 on May 2, 1994 to initiate a street lighting local improvement district and directing the City Engineer to make a survey and file a written report with the City Recorder. On June 6, 1994 the City Council approved the City Engineer's report and set a public hearing to consider remonstrances to the project. On June 21, 1994 notice of the public hearing and intention to assess for the lighting improvements, as required under Ordinance 94-278, were provided by mail to the property owners.

ANALYSIS

Included within the agenda packet is the Ordinance to spread assessments to the properties benefitted by the lighting district. The Ordinance provides for first annual estimated assessments and the method for determining second and future annual assessments. Following the City Council's adoption of the Ordinance spreading assessments, the City authorizes the appropriate utility company to install the poles and lights. Depending on the type of poles requested by the City, it takes the utility company from two to six months to have the lights on site and operational.

FISCAL IMPACT

The operating cost of the lights will be billed to the property owners on an annual basis, recovering the City's costs in paying the bills throughout the year. In addition, the bills include the cost of the Engineer's report in the first year, and a 8.5% 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

1. Open the public hearing to consider oral and written remonstrances to formation of Honeysuckle Street Lighting Local Improvement District.
2. 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.
3. If valid remonstrances of the owners of two-thirds of the land to be specially assessed for the lighting district are not presented to the Council at the public hearing, close the hearing and consider adoption of the ordinance spreading assessments to the district.

1 BILL NO. _____

ORDINANCE NO. 94- _____

2
3
4 A BILL FOR

5
6 AN ORDINANCE SPREADING ASSESSMENTS TO
7 HONEYSUCKLE STREET LIGHTING LOCAL
8 IMPROVEMENT DISTRICT
9

10
11 SECTION 1.

12 WHEREAS, the City Council did heretofore declare its intention to install street lights to
13 serve an area known as Honeysuckle Street Lighting Local Improvement District which is
14 described as follows:

15 Section 10AA, Township 7 South, Range 3 West, Willamette Meridian, Tax Lots
16 5300, 11500, 11600, 11700, 11800, 11900, 11400, 11200, 11100, 11000, 10900,
17 10800, 10700, 10600, 10500, 10400, 10300, 10200, 10100, 10000, 9900, 9800,
18 9700, 9600, 9500, 9400 in the city of Keizer, Marion County, Oregon
19

20 which includes the installation of eight (8) 100-watt high pressure sodium luminaries on eight-
21 foot long mast arms, and attached to 25-foot fiberglass poles located within the subject local
22 improvement district, all in accordance with the City Engineer's report for Honeysuckle Street
23 Lighting Local Improvement District and estimates heretofore duly and regularly adopted by the
24 City Council, which are hereby referred to and made a part hereof, and did fix the time and
25 place for hearing protests against the installation of said improvements, and the assessment and
26 the cost thereof, as aforesaid and

27 WHEREAS, notice was duly mailed on June 21, 1994 as required by Ordinance; and

28 WHEREAS, a meeting of the City Council was held at the time and place fixed by public
29 notice for the purpose of considering any such protest and at that time heard and considered all
30 protests submitted relating to the proposed improvements and assessment thereof, and said

Council has considered the matter and deeming that construction of said improvements was and is of material benefit to the City, and all the property to be assessed therefore will be benefitted by the improvements to the extent of a per parcel first annual assessment estimated at \$39.27 at the time of the City Engineer's report, did order the construction of said improvements; and

WHEREAS, the estimated annual cost of said improvements has been preliminarily determined to be the sum of \$25.26 per parcel.

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

SECTION 2.

(a) First Annual Assessment. It is hereby determined that the first annual estimated proportionate share of the cost of said improvements, on each parcel and property benefitted thereby, is the amount set opposite the description of each piece or parcel of land as described in Honeysuckle Street Lighting District Assessment Roll as set forth in Exhibit "A" attached, and that each piece or parcel of land benefitted 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 Honeysuckle Street Lighting District Roll as set forth in Exhibit "A" attached is hereby assessed the first annual estimated amount set opposite each respective description.

(1) Summary of first annual estimated costs assessed for formation of the lighting district to serve the area known as "Honeysuckle Street Lighting Local Improvement District":

8 - 100-Watt Luminaries & Poles	\$ 605.44
Engineer Report	364.00
Annual Administrative Costs @8.5%	<u>51.46</u>
Total First Annual Costs	\$ 1020.90

(2) 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 the Ordinance levying the first annual installments has been passed, and to publish notice of the first annual assessment in a newspaper of general circulation in the city.

(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 said lighting district shall be collected pursuant to ORS 223.866.

PASSED this _____ day of _____, 1994.

SIGNED this _____ day of _____, 1994.

Mayor

City Recorder

PRELIMINARY ASSESSMENT ROLL
 HONEYSUCKLE AREA
 STREET LIGHTING DISTRICT
 Assessor's Map 7-3W-10AA

940317.wq1

TAX LOT	Owner's Name and Address [Contract Buyer]	Cost per Lot	Total Assessment
5300	Hinsdale, O.H. Jr. & Connie R. 3875 Rivercrest Dr. N Keizer, OR 97303	\$39.27	\$39.27
11500	Radosevich, Harry C. & Evelyn 3865 Rivercrest Dr. N Keizer, OR 97303	\$39.27	\$39.27
11600	Brown, Ronald E. & Judith L. 3855 Rivercrest Dr. N Keizer, OR 97303	\$39.27	\$39.27
11700	Prentice, Leland E. & Sharon A. 3845 Rivercrest Dr. N Keizer, OR 97303	\$39.27	\$39.27
11800	Martin, Edgar B. & Gloria A. 3835 Rivercrest Dr. N Keizer, OR 97303	\$39.27	\$39.27
11900	Nopp, Richard R. & Barbara 3825 Rivercrest Dr. N Salem, OR 97301	\$39.27	\$39.27
11400	Reagan, William L. <Emmett, Leland R. & Mary Jo> 3870 Rivercrest Dr. N Keizer, OR 97303	\$39.27	\$39.27
11200	Nickerson, Ralph C. & Antoinette 3850 Rivercrest Dr. N Keizer, OR 97303	\$39.27	\$39.27

PRELIMINARY ASSESSMENT ROLL
HONEYSUCKLE AREA
STREET LIGHTING DISTRICT
Assessor's Map 6 3W 26 CD

94-0318.VWQ1

TAX LOT	Owner's Name and Address	Cost per Lot	Total Assessment
11100	ASAP, Inc. 316 California Ave. # 711 Reno, NV 89509	\$39.27	\$39.27
11000	Kernan, Allan & Leona M. 697 Honeysuckle N Keizer, OR 97303	\$39.27	\$39.27
10900	Duncan, H. Jack & Robin 687 Honeysuckle N Keizer, OR 97303	\$39.27	\$39.27
10800	Varney, Clay D. 677 Honeysuckle N Keizer, OR 97303	\$39.27	\$39.27
10700	Morris, Russel L. & Katharina L. 657 Honeysuckle N Keizer, OR 97303	\$39.27	\$39.27
10600	Cravinho, Doris G. 607 Honeysuckle N Keizer, OR 97303	\$39.27	\$39.27
10500	Gannon, Wilma R. & Susan K., et al. 597 Honeysuckle N Keizer, OR 97303	\$39.27	\$39.27
10400	Schnider, Michael Ernest 567 Honeysuckle N Keizer, OR 97303	\$39.27	\$39.27
10300	Hellbusch, Norman F. & Rebecca L. 537 Honeysuckle N Keizer, OR 97303	\$39.27	\$39.27

PRELIMINARY ASSESSMENT ROLL
 HONEYSUCKLE AREA
 STREET LIGHTING DISTRICT
 Assessor's Map 6 3W 26 CD

94-0318.WQ1

TAX LOT	Owner's Name and Address	Cost per Lot	Total Assessment
10200	Baugher, William E. & Dana C. 507 Honeysuckle N Keizer, OR 97303	\$39.27	\$39.27
10100	Prettyman, Gerald L. & Zoe Ann 506 Honeysuckle N Keizer, OR 97303	\$39.27	\$39.27
10000	Dunlap, Richard C. & Bertha I. 536 Honeysuckle N Keizer, OR 97303	\$39.27	\$39.27
9900	Morse, Steve E. & Tami S. 566 Honeysuckle N Keizer, OR 97303	\$39.27	\$39.27
9800	Zupan, Peter & Delores W. 596 Honeysuckle N Keizer, OR 97303	\$39.27	\$39.27
9700	Crossler, Lillian G. 606 Honeysuckle N Keizer, OR 97303	\$39.27	\$39.27
9600	Swinehart, Rodney E. & Elizabeth J. 626 Honeysuckle N Keizer, OR 97303	\$39.27	\$39.27
9500	Eyerly, David K. & Maria E. 656 Honeysuckle N Keizer, OR 97303	\$39.27	\$39.27
9400	Johnson, Donald H. & Renata A. 686 Honeysuckle N Keizer, OR 97303	\$39.27	\$39.27

TOTAL ASSESSABLE COSTS

\$1,020.89

COUNCIL MEETING: July 5, 1994

AGENDA ITEM NO: 5d

TO: MAYOR KOHO AND CITY COUNCIL

FROM: DOTTY TRYK *Dotty*
CITY MANAGER

THROUGH: TRACY L. DAVIS *Tracy*
CITY RECORDER

SUBJECT: PUBLIC HEARING - To consider remonstrances to an Ordinance spreading assessments to Fircone Street Lighting Local Improvement District

ISSUE

Scheduled is a public hearing to receive remonstrances to Fircone Street Lighting Local Improvement District and subsequent consideration of an Ordinance spreading assessments to the district.

BACKGROUND

In March, 1994 the Keizer City Council adopted Ordinance 94-278 relating to formation of street lighting local improvement districts within the City of Keizer.

On April 11, 1994, the residents of the Fircone/Laguna Drive area filed a petition to form a street lighting local improvement district. In response to this petition, the City Council adopted Resolution R94-730 on May 2, 1994 to initiate a street lighting local improvement district and directing the City Engineer to make a survey and file a written report with the City Recorder. On June 6, 1994 the City Council approved the City Engineer's report and set a public hearing to consider remonstrances to the project. On June 21, 1994 notice of the public hearing and intention to assess for the lighting improvements, as required under Ordinance 94-278, were provided by mail to the property owners.

ANALYSIS

Included within the agenda packet is the Ordinance to spread assessments to the properties benefitted by the lighting district. The Ordinance provides for first annual estimated assessments and the method for determining second and future annual assessments. Following the City Council's adoption of the Ordinance spreading assessments, the City authorizes the appropriate utility company to install the poles and lights. Depending on the type of poles requested by the City, it takes the utility company from two to six months to have the lights on site and operational.

FISCAL IMPACT

The operating cost of the lights will be billed to the property owners on an annual basis, recovering the City's costs in paying the bills throughout the year. In addition, the bills include the cost of the Engineer's report in the first year, and a 8.5% 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

1. Open the public hearing to consider oral and written remonstrances to formation of Fircone Street Lighting Local Improvement District.
2. 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.
3. If valid remonstrances of the owners of two-thirds of the land to be specially assessed for the lighting district are not presented to the Council at the public hearing, close the hearing and consider adoption of the ordinance spreading assessments to the district.

1 **BILL NO. _____**

ORDINANCE NO. 94- _____

2
3
4 **A BILL FOR**

5
6 **AN ORDINANCE SPREADING ASSESSMENTS TO**
7 **FIRCON STREET LIGHTING LOCAL**
8 **IMPROVEMENT DISTRICT**
9

10
11 **SECTION 1.**

12 **WHEREAS,** the City Council did heretofore declare its intention to install street lights to
13 serve an area known as Fircone Street Lighting Local Improvement District which is described
14 as follows:

15 Section 26CD; Township 6, Range 3 West; Tax Lots 4500, 4401, 4300, 4200,
16 4100, 3800, 2000, 1101, 1000, 1201, 1401, 1501, 1801, 1701, 2900, 2800,
17 2700, 2600, 2500, 2300, 2200, 3700, 3601, 3501, 3400, 4800, 4700, 4600,
18 4501 in the City of Keizer, Marion County, Oregon.

19
20 which includes the installation of nine (9) 100-watt high pressure sodium luminaries on eight-foot
21 long mast arms, and attached to 25-foot fiberglass poles located within the subject local
22 improvement district, all in accordance with the City Engineer's report for Fircone Street
23 Lighting Local Improvement District and estimates heretofore duly and regularly adopted by the
24 City Council, which are hereby referred to and made a part hereof, and did fix the time and
25 place for hearing protests against the installation of said improvements, and the assessment and
26 the cost thereof, as aforesaid and

27 **WHEREAS,** notice was duly mailed on June 21, 1994 as required by Ordinance; and

28 **WHEREAS,** a meeting of the City Council was held at the time and place fixed by public
29 notice for the purpose of considering any such protest and at that time heard and considered all
30 protests submitted relating to the proposed improvements and assessment thereof, and said
31 Council has considered the matter and deeming that construction of said improvements was and

1 is of material benefit to the City, and all the property to be assessed therefore will be benefitted
2 by the improvements to the extent of a per parcel first annual assessment estimated at \$46.93 at
3 the time of the City Engineer's report, did order the construction of said improvements; and

4 WHEREAS, the estimated annual cost of said improvements has been preliminarily
5 determined to be the sum of \$32.93 per parcel.

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

7 **SECTION 2.**

8 (a) First Annual Assessment. It is hereby determined that the first annual estimated
9 proportionate share of the cost of said improvements, on each parcel and property benefitted
10 thereby, is the amount set opposite the description of each piece or parcel of land as described in
11 Fircone Street Lighting District Assessment Roll as set forth in Exhibit "A" attached, and that
12 each piece or parcel of land benefitted by the improvements, to the full extent of the amount so
13 set opposite such piece or parcel and that the respective amounts represent the proportionate
14 benefits of said improvements to said respective parcels of property, and the Council does hereby
15 declare that each of the parcels of property described in Fircone Street Lighting District Roll as
16 set forth in Exhibit "A" attached is hereby assessed the first annual estimated amount set opposite
17 each respective description.

18 (1) Summary of first annual estimated costs assessed for formation of the lighting
19 district to serve the area known as "Fircone Street Lighting Local Improvement
20 District":

21	9 - 100-Watt Luminaries & Poles	\$ 880.200
22	Engineer Report	406.00
23	Annual Administrative Costs @8.5%	<u>74.82</u>
24	Total First Annual Costs	\$ 1361.02

(2) 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 the Ordinance levying the first annual installments has been passed, and to publish notice of the first annual assessment in a newspaper of general circulation in the city.

(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 said lighting district shall be collected pursuant to ORS 223.866.

PASSED this _____ day of _____, 1994.

SIGNED this _____ day of _____, 1994.

Mayor

City Recorder

EXHIBIT "A"

PRELIMINARY ASSESSMENT ROLL

94-0318.wq1

FIR CONE AREA
STREET LIGHTING DISTRICT
Assessor's Map 6-3W-26CD

TAX LOT	Owner's Name and Address [Contract Buyer]	Cost per Lot	Total Assessment
4500	Ashley, Helen L. 884 Fircone Dr. NE Keizer, OR 97303	\$46.93	\$46.93
4401	Brundidge, Leslie D. & Sophia H. 904 Fircone Dr. NE Keizer, OR 97303	\$46.93	\$46.93
4300	Markland, William C. & Dorothy 954 Fircone DR. NE Keizer, OR 97303	\$46.93	\$46.93
4200	Harrison, Daryl A. & Marta K. 994 Fir Cone Dr. NE Keizer, OR 97303	\$46.93	\$46.93
4100	Cook, Carol Sue & Byers, Norma J. 995 Fir Cone Dr. NE Keizer, OR 97303	\$46.93	\$46.93
3800	Ballweber, Ray D. & Mary E. 6635 Joseph St. S Salem, OR 97301	\$46.93	\$46.93
2000	Mc Ewen, Richard T. & Teresa A. 6744 Harvest Dr. NE Keizer, OR 97303	\$46.93	\$46.93
1101	Ruiz, Lawrence E. & Kelly J. 797 Laguna Dr. NE Keizer, OR 97303	\$46.93	\$46.93

PRELIMINARY ASSESSMENT ROLL

94-0318.WQ1

FIR CONE AREA
STREET LIGHTING DISTRICT
Assessor's Map 6 3W 26 CD

TAX LOT	Owner's Name and Address	Cost per Lot	Total Assessment
1000	Smith, Billy F. & Marolyn J. 707 Laguna Dr. NE Keizer, OR 97303	\$46.93	\$46.93
1201	Bebout, Donna Lee 607 Laguna Dr. N Keizer, OR 97303	\$46.93	\$46.93
1401	Beal, Melissa L. 837 Laguna DR. NE Keizer, OR 97303	\$46.93	\$46.93
1501	Simmons, Michael D. & Julia A. 847 Laguna Dr. NE Keizer, OR 97303	\$46.93	\$46.93
1801	Buntjer, Dan J. & Carol A. 877 Laguna Dr. N Keizer, OR 97303	\$46.93	\$46.93
1701	Koger, Dale L. & Alice J. 857 Laguna Dr. NE Keizer, OR 97303	\$46.93	\$46.93
2900	Huston, Gregory A. & Karen S. 706 Laguna Dr. NE Keizer, OR 97303	\$46.93	\$46.93
2800	Larsen, Steven H. & Mary E. 796 Laguna Dr. NE Keizer, OR 97303	\$46.93	\$46.93

PRELIMINARY ASSESSMENT ROLL

94-0318.WQ1

FIR CONE AREA
STREET LIGHTING DISTRICT
Assessor's Map 6 3W 26 CD

TAX LOT	Owner's Name and Address	Cost per Lot	Total Assessment
2700	Hamblin, Robert C. & Nova L. 806 Laguna Dr. NE Keizer, OR 97303	\$46.93	\$46.93
2600	Stanley, Bill J. & Betty R. 826 Laguna Dr. NE Keizer, OR 97303	\$46.93	\$46.93
2500	Weathers, Anthony C. & Susan Kay 846 Laguna Dr. NE Keizer, OR 97303	\$46.93	\$46.93
2300	Jones, William F. & Betty L. 866 Laguna Dr. NE Keizer, OR 97303	\$46.93	\$46.93
2200	Elliot, Dennis J. & Marcia M. 6753 Harvest Dr. NE Keizer, OR 97303	\$46.93	\$46.93
3700	Raffensperger, Parke A. & Corrine 895 Fir Cone Dr. NE Keizer, OR 97303	\$46.93	\$46.93
3601	White, Norman E. & Tamura L. 885 Fir Cone Dr. NE Keizer, OR 97303	\$46.93	\$46.93

PRELIMINARY ASSESSMENT ROLL

94-0318.WQ1

FIR CONE AREA
STREET LIGHTING DISTRICT
Assessor's Map 6 3W 26 CD

TAX LOT	Owner's Name and Address	Cost per Lot	Total Assessment
3501	Arnold, William R. Jr. & Robin T. 865 Fir Cone Dr. NE Keizer, OR 97303	\$46.93	\$46.93
3400	Chambers, James E. Jr. & Connie J. 845 Fir Cone Dr. NE Keizer, OR 97303	\$46.93	\$46.93
4800	Treece-Carmichael, Nina 814 Fir Cone Dr. NE Keizer, OR 97303	\$46.93	\$46.93
4700	Vliet, Gene & Sue PO Box 20694 Keizer, OR 97307	\$46.93	\$46.93
4600	Murray, Hans S. & Taunie M. 864 Fir Cone Dr. NE Keizer, OR 97303	\$46.93	\$46.93
4501	Hustead, Rodney & Kazuko 874 Fir Cone Dr. NE Keizer, OR 97303	\$46.93	\$46.93

TOTAL ASSESSABLE COSTS

\$1,361.02

COUNCIL MEETING: July 5, 1994

AGENDA ITEM NO: 5e

TO: MAYOR KOHO AND CITY COUNCIL

FROM: DOTTY TRYK *Dotty*
CITY MANAGER

THROUGH: TRACY L. DAVIS *Tracy*
CITY RECORDER

SUBJECT: PUBLIC HEARING - To consider remonstrances to an Ordinance spreading assessments to Clearview Street Lighting Local Improvement District

ISSUE

Scheduled is a public hearing to receive remonstrances to Clearview Street Lighting Local Improvement District and subsequent consideration of an Ordinance spreading assessments to the district.

BACKGROUND

In March, 1994 the Keizer City Council adopted Ordinance 94-278 relating to formation of street lighting local improvement districts within the City of Keizer.

On March 31, 1994, the developer of Clearview Drive area filed a petition to form a street lighting local improvement district. In response to this petition, the City Council adopted Resolution R94-729 on May 2, 1994 to initiate a street lighting local improvement district and directing the City Engineer to make a survey and file a written report with the City Recorder. On June 6, 1994 the City Council approved the City Engineer's report and set a public hearing to consider remonstrances to the project. On June 20, 1994 notice of the public hearing and intention to assess for the lighting improvements, as required under Ordinance 94-278, were provided by mail to the property owner.

ANALYSIS

Included within the agenda packet is the Ordinance to spread assessments to the properties benefitted by the lighting district. The Ordinance provides for first annual estimated assessments and the method for determining second and future annual assessments. Following the City Council's adoption of the Ordinance spreading assessments, the City authorizes the appropriate utility company to install the poles and lights. Depending on the type of poles requested by the City, it takes the utility company from two to six months to have the lights on site and operational.

FISCAL IMPACT

The operating cost of the lights will be billed to the property owners on an annual basis, recovering the City's costs in paying the bills throughout the year. In addition, the bills include the cost of the Engineer's report in the first year, and a 8.5% 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

1. Open the public hearing to consider oral and written remonstrances to formation of Clearview Drive Street Lighting Local Improvement District.
2. 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.
3. If valid remonstrances of the owners of two-thirds of the land to be specially assessed for the lighting district are not presented to the Council at the public hearing, close the hearing and consider adoption of the ordinance spreading assessments to the district.

1 BILL NO. _____

ORDINANCE NO. 94- _____

2
3
4 A BILL FOR

5 AN ORDINANCE SPREADING ASSESSMENTS TO
6 CLEARVIEW DRIVE STREET LIGHTING LOCAL
7 IMPROVEMENT DISTRICT
8

9
10
11 SECTION 1.

12 WHEREAS, the City Council did heretofore declare its intention to install street lights to
13 serve an area known as Clearview Drive Street Lighting Local Improvement District which is
14 described as follows:

15 Clearview Drive, Tax Lot 5000 (lots 1 thru 10) in Section 11AB, Township 7
16 South, Range 3 West, Willamette Meridian, in the city of Keizer, Marion County,
17 Oregon
18

19 which includes the installation of two (2) 100-watt high pressure sodium luminaries on eight-foot
20 long mast arms, and attached to 25-foot fiberglass poles located within the subject local
21 improvement district, all in accordance with the City Engineer's report for Clearview Drive
22 Street Lighting Local Improvement District and estimates heretofore duly and regularly adopted
23 by the City Council, which are hereby referred to and made a part hereof, and did fix the time
24 and place for hearing protests against the installation of said improvements, and the assessment
25 and the cost thereof, as aforesaid and

26 WHEREAS, notice was duly mailed on June 20, 1994 as required by Ordinance; and

27 WHEREAS, a meeting of the City Council was held at the time and place fixed by public
28 notice for the purpose of considering any such protest and at that time heard and considered all
29 protests submitted relating to the proposed improvements and assessment thereof, and said
30 Council has considered the matter and deeming that construction of said improvements was and

1 is of material benefit to the City, and all the property to be assessed therefore will be benefitted
2 by the improvements to the extent of a per parcel first annual assessment estimated at \$38.63 at
3 the time of the City Engineer's report, did order the construction of said improvements; and

4 WHEREAS, the estimated annual cost of said improvements has been preliminarily
5 determined to be the sum of \$24.63 per parcel.

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

7 **SECTION 2.**

8 (a) First Annual Assessment. It is hereby determined that the first annual estimated
9 proportionate share of the cost of said improvements, on each parcel and property benefitted
10 thereby, is the amount set opposite the description of each piece or parcel of land as described in
11 Clearview Drive Street Lighting District Assessment Roll as set forth in Exhibit "A" attached,
12 and that each piece or parcel of land benefitted by the improvements, to the full extent of the
13 amount so set opposite such piece or parcel and that the respective amounts represent the
14 proportionate benefits of said improvements to said respective parcels of property, and the
15 Council does hereby declare that each of the parcels of property described in Clearview Drive
16 Street Lighting District Roll as set forth in Exhibit "A" attached is hereby assessed the first
17 annual estimated amount set opposite each respective description.

18 (1) Summary of first annual estimated costs assessed for formation of the lighting
19 district to serve the area known as "Clearview Drive Street Lighting Local
20 Improvement District":

21	2 - 100-Watt Luminaries & Poles	\$ 227.04
22	Engineer Report	140.00
23	Annual Administrative Costs @8.5%	<u>19.30</u>
24	Total First Annual Costs	\$ 386.34

PRELIMINARY ASSESSMENT ROLL

940319.wq1

CLEARVIEW DRIVE
STREET LIGHTING DISTRICT
Assessor's Map 7-3W-11AB - Tax Lot 5000
(Keizer Homestead Subdivision)

LOT	Owner's Name and Address [Contract Buyer]	Cost per Lot	Total Assessment
1	Manzanita Development Corp. PO Box 20322 Keizer, OR 97307	\$38.63	\$38.63
2	Manzanita Development Corp. PO Box 20322 Keizer, OR 97307	\$38.63	\$38.63
3	Manzanita Development Corp. PO Box 20322 Keizer, OR 97307	\$38.63	\$38.63
4	Manzanita Development Corp. PO Box 20322 Keizer, OR 97307	\$38.63	\$38.63
5	Manzanita Development Corp. PO Box 20322 Keizer, OR 97307	\$38.63	\$38.63
6	Manzanita Development Corp. PO Box 20322 Keizer, OR 97307	\$38.63	\$38.63
7	Manzanita Development Corp. PO Box 20322 Keizer, OR 97307	\$38.63	\$38.63

PRELIMINARY ASSESSMENT ROLL

94-0319.WQ1

CLEARVIEW DRIVE
STREET LIGHTING DISTRICT
Assessor's Map 7-3W-11AB - Tax Lot 5000

TAX LOT	Owner's Name and Address	Cost per Lot	Total Assessment
8	Manzanita Development Corp. PO Box 20322 Keizer, OR 97307	\$38.63	\$38.63
9	Manzanita Development Corp. PO Box 20322 Keizer, OR 97307	\$38.63	\$38.63
10	Manzanita Development Corp. PO Box 20322 Keizer, OR 97307	\$38.63	\$38.63

10 Parcels

TOTAL ASSESSABLE COSTS

\$386.34

DATE: June 28, 1994

TO: City Council

THRU: Dotty Tryk, City Manager *Dotty*FROM: Charles R. Stull, Chief of Police *CRS***SUBJECT: GRAFFITI ORDINANCE AND RESOLUTION**

ISSUE:

Shall the City of Keizer adopt an ordinance and a resolution addressing the graffiti issues affecting the city?

BACKGROUND:

Over the last few years the City of Keizer has seen an increasing amount of graffiti related incidents. These incidents are either indirectly or directly associated with gang activities. The history of gang activity shows that their philosophy with putting their name or street monikers on walls, fences and signs is a way of marking their territory. It is their way of telling other gangs and the community of their presence and that they have "ownership" of that property or area.

In March of 1994 the Community Policing committee recommended the formation of an Anti-Graffiti Sub-Committee. This committee has spent 3 months researching the issue of how to discourage graffiti and how to assist the victim (property owner). They have reviewed video tapes, pictures and incidents of graffiti and also what other cities are doing with graffiti. The committee has also researched how insurance companies can help and what they offer for the business owner as well as options for clean-up programs.

FISCAL IMPACT:

There is a possibility of fiscal impact due to the cooperative efforts by the city to provide, if economically capable, fifty percent of the cost of cleanup to include the anti-graffiti paint to victims of graffiti. Also, the resolution calls for a reward program that will encourage persons to report possible suspects involve in graffiti incidents. This program could allow the Chief of Police to offer a reward of One Hundred Dollars (\$100.00) or such other sum for information leading to the arrest and conviction of any individual. These impacts will be reviewed with the City Manager as the incidents occur.

RECOMMENDATION:

The Anti-Graffiti Committee has recommended that the enclosed Ordinance and Resolution be passed. This Ordinance and Resolution will portray the City's philosophy towards graffiti related incidents. Due to the research and findings by the Anti-Graffiti Committee I would like to recommend that the Keizer City Council pass the proposed Graffiti Ordinance and Resolution as submitted.

1 BILL NO. ____

A BILL

ORDINANCE NO.

94-_____

2
3 FOR

4 AN ORDINANCE

5 RELATING TO THE ABATEMENT OF GRAFFITI
6 AND DECLARING A PUBLIC NUISANCE

7 WHEREAS, the City of Keizer is experiencing a dramatic increase in
8 incidents of graffiti being placed on public and private property;

9 WHEREAS, the City Council of the City of Keizer finds that graffiti
10 constitutes a public nuisance and must be abated to avoid the detrimental impact
11 of vandals who place additional graffiti on neighboring properties;

12 WHEREAS, the City Council of the City of Keizer finds that eliminating
13 graffiti will discourage future graffiti and will decrease the likelihood of criminal
14 activity; NOW, THEREFORE,

15 The City of Keizer ordains as follows:

16 Section 1. SHORT TITLE. This ordinance shall be known as the
17 "Keizer Graffiti Abatement Ordinance" and shall be so cited and pled.

18 Section 2. DEFINITIONS.

19 a. Graffiti: The unauthorized spraying of paint or
20 marking of paint, ink, chalk, dye or other similar substances on,
21 or the etching or defacing of, property of any kind, including, but
22 not limited to structures, fences, parking lots, or vehicles.

23 ///

24 ///

PAGE 1 - ORDINANCE NO. 94-_____

LIEN, HOBSON & JOHNSON

Attorneys at Law
4855 River Rd. N.
Keizer, Oregon 97303
(503) 390-1635

1 b. Graffiti Instruments: Paint or other substances, ink,
2 chalk, dye, or any other instrument or article designed or adapted
3 for spraying, marking, etching, scratching, or carving surfaces.

4 c. "Intentionally" or "With Intent": This term is given
5 the meaning set forth in ORS 161.085(7).

6 d. "Knowingly" or "With Knowledge": This term is
7 given the meaning set forth in ORS 161.085(8).

8 e. Lawful Custodian: The parent, guardian, or other
9 person responsible by authority of law for the care, custody or
10 control of another.

11 f. Responsible Person: The equitable or legal owner of
12 the subject property.

13 g. Working Days: Any day which is not a Saturday,
14 Sunday or Legal Holiday as defined in ORS 187.010 and ORS
15 187.020.

16 Section 3. DECLARATION OF NUISANCE. Graffiti is hereby
17 declared to be a public nuisance.

18 Section 4. POSSESSION OF GRAFFITI INSTRUMENTS. It is a
19 violation of this Ordinance to:

20 a. Possess any Graffiti Instrument with the intent to
21 violate ORS 164.345 (Criminal Mischief III), ORS 164.354
22 (Criminal Mischief II), and/or ORS 164.365 (Criminal Mischief I).

23 ///

1 b. Possess any Graffiti Instrument with the intent to
2 promote, facilitate, solicit or command another person to commit
3 the crime of criminal mischief as defined in ORS 164.345 (Criminal
4 Mischief III), ORS 164.354 (Criminal Mischief II), and/or ORS
5 164.365 (Criminal Mischief I).

6 Section 5. VIOLETION BY A LAWFUL CUSTODIAN. A Lawful
7 Custodian is liable for a violation of this Ordinance if the person over which the
8 Lawful Custodian has responsibility violates Section 4 of this Ordinance. Proof
9 of a culpable mental state of the Lawful Custodian is not required for a
10 conviction.

11 Section 6. GRAFFITI PROHIBITED.

12 a. When Graffiti is visible from any public right-of-way,
13 any other public or private property, or from any premises open to
14 the public, no Responsible Person may maintain, permit or allow
15 such Graffiti to remain upon their property in excess of five (5)
16 working days after notice by the City is given to such Responsible
17 Person.

18 b. Upon written request to the City Manager, the City
19 Manager or his/her designee may grant an extension to the
20 Responsible Person for a period of time not to exceed fourteen (14)
21 additional calendar days.

22 ///

23 ///

Section 7. PENALTIES. A violation of this Ordinance is a City infraction under Civil Infraction Ordinance No. 86-063. The burden of proof for the City shall be a preponderance of the evidence. In addition to the forfeitures that may be assessed under the Civil Infraction Ordinance, the Municipal Court may order the violator or the Lawful Custodian to pay restitution or perform community service.

Section 8. ABATEMENT OF NUISANCE. If the City Manager or his/her designee determines that there is a violation of this Ordinance, he or she may proceed to abate the nuisance pursuant to the Keizer Nuisance Abatement Procedure (Ordinance No. ____) or may seek any other legal or equitable remedy provided by law for the abatement of the nuisance or for the enforcement of the provisions of this Ordinance.

Section 9. SUNSET CLAUSE. This Ordinance shall automatically be withdrawn and repealed three (3) years after the date of its passage.

Section 10. EFFECTIVE DATE. This ordinance shall be effective thirty (30) days after its passage.

PASSED this _____ day of _____, 1994.

SIGNED this _____ day of _____, 1994.

Mayor

City Recorder

824FCOK2.005

PAGE 4 - ORDINANCE NO. 94-_____

LIEN, HOBSON & JOHNSON
Attorneys at Law
4855 River Rd. N.
Keizer, Oregon 97303
(503) 390-1635

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2 Resolution R94-_____

3 **DECLARING THE CITY'S INTENT TO WORK TOGETHER WITH THE CITY'S**
4 **CITIZENS TO ABATE GRAFFITI**

5
6 **WHEREAS**, the Council and the majority of the City's citizens believe that the
7 unauthorized spraying of paint, the marking with paint, ink, chalk, dye, or other
8 marking or graffiti instruments on any buildings, structure or place, public or private,
9 without authorization from the owner, creates visual blight and threatens the City's
10 character and integrity and constitutes a public nuisance; and

11 **WHEREAS**, the City, through the Department of Police, Public Works, and City
12 Employees, together with concerned citizens are making all reasonable efforts to prevent
13 the application of graffiti before it occurs, and to see that persons applying unauthorized
14 graffiti are prosecuted and punished for doing so; and

15 **WHEREAS**, the Council intends to call attention to property owners who suffer damage
16 as a result of the application of unauthorized graffiti by minors that an Oregon State
17 Statute, ORS 30.765 makes a parent of an emancipated minor child liable for actual
18 damages, to the extent of \$7,500, to property caused by the intentional act of a minor;
19 and

20 **WHEREAS**, the Council, as a means to deter the unauthorized application of graffiti,
21 intends to encourage property owners who suffer damage from unauthorized graffiti
22 caused by minors, to consider and if feasible, to recover damages from the minors
23 parents in ORS 30.765; and
24

1
2 **WHEREAS**, the Council intends to encourage all citizens to assist in the enforcement of
3 these criminal statutes by being on the lookout for the unauthorized application of graffiti
4 and by reporting to the Police Department, or any representative of the City , any
5 incident that appears to involve the unauthorized application of graffiti; and

6 **WHEREAS**, the Council intends to encourage the cooperation and assistance of all
7 establishments that sell merchandise that can be used to apply graffiti in an
8 unauthorized manner, to take all legal and responsible means to reduce and stop sales of
9 such merchandise to the people who would use the merchandise in an unauthorized and
10 unlawful manner; and

11 **WHEREAS**, ORS164.345, ORS 164.354 and ORS 164.365 make it a crime, of varying
12 degrees of seriousness (Class C Misdemeanor, and Class C Felony) to tamper, interfere
13 with or damage property; and

14 **WHEREAS**, the Council believes that the Juvenile Court can deter the unauthorized
15 application of graffiti by juveniles by using its power and authority by imposing
16 sanctions on juvenile graffiti offenders, and involving the juveniles' parents in
17 supervising the sanction imposed by the juvenile Court; for example, by imposing as a
18 condition of community service, that the parent or parents supervise the juvenile in
19 performing the community service.

20 **NOW, THEREFORE**, be it resolved, that the City, its Department of Public Works, its
21 Police Department, all City employees and all concerned citizens shall make all
22 reasonable efforts to prevent the application of graffiti before it occurs and to see that
23 persons applying unauthorized graffiti are prosecuted and punished for doing so.
24

1 **BE IT FURTHER RESOLVED**, that the City of Keizer calls to the attention of all
2 property owners who suffer damages as a result of the application of unauthorized
3 graffiti by minors, that an Oregon Statue, ORS30.765, makes a parent of an
4 emancipated minor liable for the actual damages to the extent of \$7,500 to property
5 caused by the intentional act of the minor. As a means of deterring the unauthorized
6 application of graffiti, the City of Keizer encourages property owners who suffer damage
7 from the unauthorized graffiti caused by minors to consider, and if appropriate and
8 feasible, to recover damages from the minor's parents, as provided by the statue.

9 **BE IT FURTHER RESOLVED**, that the City of Keizer encourage all citizens to assist
10 in the enforcement of all statues that make the unauthorized application of graffiti a
11 crime, by being on the lookout for the unauthorized application of graffiti and by
12 reporting to the Police Department or any other City employee any incidents that appear
13 to involve the unauthorized application of graffiti.

14 **BE IF FURTHER RESOLVED**, that through its Departments, the City is willing to
15 cooperate with owners of property damaged by graffiti by establishing a Community
16 Assistance Program. This program will establish a paint reserve through donations from
17 the city's citizens, business members and other interested parties. The Community
18 Assistance Program will arrange through Municipal Court to receive revenue from
19 graffiti related incidents that are brought through the court system. They will also work
20 with the Marion County Juvenile System, social, academic clubs and area schools in an
21 effort to provide a work force in graffiti removal efforts. In addition to the Community
22 Assistance Program the City may provide, if economically capable, fifty percent of the
23 cost of cleanup which would include anti-graffiti paint to victims of graffiti. The Police
24

1 Department will establish a reporting line for graffiti incidents. Any person wishing to
2 report possible suspects will be encouraged to call. The Chief of Police may offer a
3 reward of One Hundred Dollars (\$100.00) or such other sum for information leading to
4 the arrest and conviction of any individual.

5 **BE IT FURTHER RESOLVED**, that the City of Keizer call on all establishments that
6 sell merchandise that can be used to apply graffiti, through a responsible retailer plan,
7 to take all legal and responsible means to reduce and stop sales so such merchandise to
8 persons who would use it in an unauthorized manner to apply graffiti.

9 **BE IT FURTHER RESOLVED**, that the City of Keizer requests the Juvenile Court of
10 Marion County to assist in deterring unauthorized graffiti by using the power and the
11 authority of the courts to impose sanctions on juveniles graffiti offenders which involve
12 the juveniles parents in supervising the sanctions, for example, by imposing as a
13 condition of community service, that the parents supervise the juvenile in performing the
14 community service.

CITY COUNCIL MEETING: _____

AGENDA ITEM NUMBER: _____

TO: Mayor Koho and Council Members

THROUGH: Dotty Tryk, City Manager *Dotty*

FROM: Lynn Owen, Administrative Assistant/Personnel Officer *Lynn Owen*

SUBJECT: Resolution Amending the City's Classification and Compensation Plan to Include Salary and Deferred Compensation Benefit Changes for All Employees and to Amend Two Classifications.

BACKGROUND:

Salary Changes for Employees:

At the December 20, 1993 City Council meeting, members approved a resolution giving the City Manager authority to sign a three year collective bargaining agreement between the Keizer Police Association and the City of Keizer. The agreement prescribes a cost of living adjustment scheduled for July 1, 1994. That adjustment amounted to a 2% increase and it is recommended that salary grades for represented and unrepresented employees, except the City Manager be adjusted by that amount. (Sections 2 through 7)

Retirement Benefit Change:

The Keizer Police Association agreement allows for a deferred compensation program in which the City will match represented employee contributions up to 2% of base salary. It is recommended that this benefit be given to all city employees. (Section 19)

Classification Amendments:

Adoption of the FY95 Budget authorized the allocation of a street maintenance position. After analyzing the minimum qualifications of this new position, it was decided to create a Municipal Utility Worker Classification where this position and the current Water Utility Worker positions will be allocated. Both functions require the same minimum qualifications and will be compensated at the same rate. Additionally, this type of classification will contribute toward a more manageable and logical classification system. (Section 3)

The FY95 Budget also authorized two permanent Community Services Officer positions. This resolution changes the limited duration status of that classification to a permanent status. (Section 5)

RECOMMENDATION:

Adopt the Resolution which amends the compensation and classification plan.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R94- _____

**SETTING FORTH A CHANGE IN THE CLASSIFICATION AND COMPENSATION PLAN BY
AMENDING CERTAIN UNREPRESENTED CLASSIFICATIONS; A CHANGE IN COMPENSATION
FOR ALL EMPLOYEES EFFECTIVE JULY 1, 1994; AND REPEALING R94-722**

The City Council of the City of Keizer does hereby resolve as follows:

SECTION 1. That Resolution R94-722 is hereby repealed in its entirety.

SECTION 2. Salary grades for certain management employees have been adjusted based upon a cost of living increase as recommended by the City Manager and approved by the City Council, and are hereby assigned to the following management classifications, effective July 1, 1994:

<u>CLASS TITLE</u>	<u>FLAT</u>	<u>BASE MONTHLY PAY RANGES</u>				
	1	2	3	4	5	
City Manager	\$4,950					
Chief of Police		\$3,971	\$4,170	\$4,378	\$4,597	\$4,827
City Recorder		\$2,306	\$2,421	\$2,542	\$2,669	\$2,803
Community Development Director		\$3,923	\$4,119	\$4,325	\$4,541	\$4,769
Police Lieutenant		\$3,434	\$3,606	\$3,786	\$3,975	\$4,175
Police Sergeant		\$2,920	\$3,066	\$3,219	\$3,380	\$3,549
Public Works Director		\$3,940	\$4,137	\$4,344	\$4,561	\$4,789

SECTION 3. The following salary grades have been adjusted based upon a cost of living increase as recommended by the City Manager and approved by the City Council, and are currently assigned to the following Public Works Department classifications, effective July 1, 1994:

<u>CLASS TITLE</u>	<u>FLAT</u>	<u>BASE MONTHLY PAY RANGES</u>				
		1	2	3	4	5
Municipal Utility Worker		\$1,658	\$1,741	\$1,828	\$1,919	\$2,015
Waterworks Operator		\$2,050	\$2,152	\$2,260	\$2,373	\$2,492
Waterworks Supervisor		\$2,733	\$2,869	\$3,012	\$3,163	\$3,321
Water Production/Quality Technician		\$2,733	\$2,869	\$3,012	\$3,163	\$3,321
Parks Superintendent/Cross Connection Supervisor		\$2,733	\$2,869	\$3,012	\$3,163	\$3,321

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SECTION 4. The following salary grades have been adjusted based upon a contracted cost of living increase as recommended by the City Manager and approved by the City Council, and are hereby assigned to the following Police Department classifications, effective July 1, 1994:

<u>CLASS TITLE</u>		<u>BASE MONTHLY PAY RANGES</u>				
	FLAT	1	2	3	4	5
Police Officer		\$2,375	\$2,492	\$2,619	\$2,750	\$2,888
Support Specialist		\$1,758	\$1,846	\$1,938	\$2,035	\$2,137

SECTION 5. The following salary grades have been adjusted based upon a cost of living increase as recommended by the City Manager and approved by the City Council, and are currently assigned to the classifications of the following full-time, permanent classifications, effective July 1, 1994:

<u>CLASS TITLE</u>	<u>BASE MONTHLY OR HOURLY PAY RANGES</u>					
	FLAT	1	2	3	4	5
Administrative Assistant		\$1,916	\$2,012	\$2,113	\$2,219	\$2,330
Associate Planner		\$2,493	\$2,618	\$2,749	\$2,886	\$3,030
Clerical Specialist		\$1,486	\$1,560	\$1,638	\$1,720	\$1,806
Community Services Officer		\$1,758	\$1,848	\$1,938	\$2,037	\$2,139
Finance Officer		\$3,105	\$3,260	\$3,423	\$3,594	\$3,774
Municipal Court Clerk		8.84	9.28	9.74	10.23	10.74
Utility Billing Clerk I		\$1,486	\$1,560	\$1,638	\$1,720	\$1,806
Utility Billing Clerk II		\$1,617	\$1,698	\$1,783	\$1,872	\$1,966
Water Office Supervisor		\$2,232	\$2,344	\$2,460	\$2,584	\$2,713

SECTION 6. The following salary grades have been adjusted based upon a cost of living increase as recommended by the City Manager and approved by the City Council, and are hereby assigned to the following permanent, part-time classifications, effective July 1, 1994:

<u>CLASS TITLE</u>	<u>BASE HOURLY PAY RANGES</u>					
	FLAT	1	2	3	4	5
Accounting Clerk		8.57	9.00	9.45	9.92	10.42
Accounting Technician		11.14	11.70	12.29	12.90	13.55
Maintenance Worker		7.81	8.20	8.61	9.04	9.49
Recording Clerk		8.40	8.82	9.26	9.72	10.21

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SECTION 7. The following salary grades have been adjusted based upon a cost of living increase as recommended by the City Manager and approved by the City Council, and are currently assigned to the following seasonal classifications, effective July 1, 1994:

<u>CLASS TITLE</u>	<u>BASE HOURLY PAY RANGES</u>					
	FLAT	1	2	3	4	5
Street Sweeper	\$7.81					

SECTION 8. A City employee who is determined to be fluent in a second language which is deemed to be of benefit to the City, shall receive a maximum incentive of \$50.00 per month. Determination of whether the second language is of benefit to the City, will be at the discretion of the City Manager. Fluency will be determined by the City Manager, based upon a standard and testing program which the City will implement by policy with the assistance of high school and/or college faculty members and/or court-approved translators.

SECTION 9. Holiday schedules for all non-represented employees, except Sergeants, are as follows:

New Years Day	Labor Day	1- Personal Leave Day
Martin Luther King's Birthday	Veterans Day	1- Floating Holiday
Presidents Day	Thanksgiving Day	Independence Day
Memorial Day	Christmas Day	

SECTION 10. Sergeants shall be entitled to take twelve (12) paid floating holidays per fiscal year. A holiday shall accrue on the first of each month and be taken or paid as earned. Holiday time off shall be scheduled at the request of the employee who may accrue no more than four (4) holidays at any time and who shall make every effort to schedule all of the holidays off during that fiscal year. Should the employee be unable to obtain this schedule because of a request denial by the City, then the employee shall be allowed to accumulate additional holiday time and carry over to the next fiscal year, or be paid for the accrued holiday time at the City's option.

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SECTION 11. Vacation schedules for all full time non-represented employees are as follows:

REGULAR EMPLOYEES

DEPARTMENT HEADS

1-2 yrs. @ 6.7 hours

1-4 yrs. @ 10 hours

3-4 yrs. @ 8 hours

5-9 yrs. @ 12 hours

5-9 yrs. @ 10 hours

10-14 yrs. @ 13.33 hours

10-14 yrs. @ 12 hours

15 + yrs. @ 16.67 hours

15 + yrs. @ 16.67 hours

Note: 6.7 hours = 10 days; 8 hours = 12 days; 10 hours = 15 days; 12 hours = 18 days;

13.33 hours = 20 days; 16.67 hours = 25 days. Half-time employees accrue vacation at one-half the above rate;

three-quarter time employees accrue at three-quarter the above rate.

SECTION 12. Sick-leave shall accrue at the rate of 8 hours per month for full-time employees, and shall be prorated accordingly for part-time employees. Sick-leave may be accumulated to a maximum of 960 hours and carried over to the next year. Provided, however, that the employee in the classification of Public Works Director hired prior to June 30, 1985 who has excess of 960 hours of accumulated sick leave shall be entitled to carry up to 1460 hours. The 1460 hours shall be reduced based upon sick leave usage.

SECTION 13. Compassionate Leave: 5-days for each death in the immediate family.

SECTION 14. The City shall pay an incentive of \$50.00 per month to a Sergeant holding an Associate of Arts Degree. The City shall pay \$100.00 per month to a Sergeant holding a Bachelor of Arts or Bachelor of Science degree from an accredited college or university.

SECTION 15. Standby pay for Water Department is \$100.00 per week for 24-hour standby.

SECTION 16. The City shall pay an incentive of:

\$0.10 per hour for Waterworks Certification I;

\$0.25 per hour for Waterworks Certification II;

\$0.75 per hour for Waterworks Certification III;

\$50.00 per month for an Intermediate BPST Certificate;

\$100.00 per month for an Advanced BPST Certificate.

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SECTION 17. Mileage reimbursement for all employees is \$.27 per mile.

SECTION 18. Medicare withholding for all employees will be paid by the City.

SECTION 19. RETIREMENT PLAN:

Management employees: If eligible for PERS, employer contribution will be based upon the actuarial report received from PERS but not more than 19% of gross salary. If eligible for deferred compensation (ICMA) employer contribution equaling 11% of base salary.

Non-management employees: If eligible for PERS, employer contribution will be based upon the actuarial report received from PERS. If eligible for deferred compensation (ICMA), employer contribution in an amount equaling 11% of base salary.

In addition, the City will match employee deferred compensation contributions up to 2% of salary for unrepresented employees.

SECTION 20. HEALTH AND WELFARE

Management benefit package: An amount equal to 32% over and above base monthly pay. For those eligible for deferred compensation, an amount equal to an additional 1% of base monthly pay toward deferred compensation.

PASSED this _____ day of _____, 1994.

SIGNED this ____ day of _____, 1994.

Mayor

City Recorder



Revised 6-6-94

JOB DESCRIPTION:

MUNICIPAL UTILITY WORKER

JOB SUMMARY

Positions in this classification perform a variety of semi-skilled tasks involved in operation, maintenance, repair and quality of the City's water distribution system; and in cleaning, clearing, maintaining storm drains and all public right-of-way surfaces within the City.

DUTIES, RESPONSIBILITIES AND ESSENTIAL FUNCTIONS

Water Distribution and Quality Assurance:

Installs, maintains and replaces water meters, mains and valves, fire hydrants, service lines and other appurtenances; and conducts valve tests; assists in locating and marking water lines in systems for construction activity as directed; identifies and assists with maintenance and repair planning and scheduling; monitors predetermined quantities of fluoride to city pump stations, takes samples and records readings/test results; conducts routine and ongoing flushing of watermains to clean lines.

Street Maintenance:

Performs minor maintenance and repairs to asphalt and concrete surfaces; responds to emergency calls regarding public safety in the City right-of-ways, including after-hour response; cleans streets; maintains, installs and replaces signs; installs and maintains temporary traffic barricades used during special events; identifies and assists with maintenance and repair scheduling.

Storm Drain Maintenance:

Cleans and repairs catch basins; inspects and repairs manhole vaults and covers; performs minor repair and replacement of storm drain infrastructure; identifies and assists with maintenance and repair scheduling.

Related Functions:

Reads and records water meters and connects and disconnects services; maintains inventory of parts and materials used on daily work orders; performs other duties as assigned.

Jobsite Safety:

Maintains job-site safety for workers and the general public. This includes, but is not limited to, the safe operation of heavy and specialized equipment; control of worksite hazards.

MINIMUM QUALIFICATIONS:

Experience and Training:

High school diploma or equivalent plus one year of experience which demonstrates the knowledge, skills and abilities to perform the essential functions listed in this description.

Certifications and Licenses:

Must possess a valid Oregon drivers license and within 90 days be able to obtain an Oregon commercial drivers license and OROSHA Competent Person certification; and a First Aid/CPR certification within one year of hire.

Additional Special Requirements:

Emergency on-call as directed by supervisor on an annually scheduled basis; residence must be within 10 minute response time to City shops.

Knowledge, Skills and Abilities:

Knowledge of principals and practices of operation, repair, maintenance, construction and installation work normally performed in water distribution systems; safe operation of tools and equipment required in position; work-related safety practices and environmental rules and regulations particularly in regards to work in confined and/or hazardous conditions

Skill in the operation of tools, equipment and vehicles required to perform duties, responsibilities and the essential functions of the job.

Ability to perform the duties, responsibilities and essential functions listed above in a variety of diverse work areas manual and equipment operation work in safe manner for extended periods of time in adverse weather conditions; understand and follow oral and written instructions; establish and maintain effective working relationships with other employees and the public; sufficiently perform the physical requirements of the classification; to learn new technology and effectively apply the technology to the job situation.

Approved By: _____
City Manager



JOB TITLE: Municipal Utility Worker

PHYSICAL ACTIVITY, WORKING CONDITIONS & ESSENTIAL FUNCTIONS

Instructions: Use this form to identify the physical requirements, working conditions, environment and essential functions of the job. The essential functions of a job are those duties that cannot be modified, eliminated or given to others to perform.

Section I

Physical Activity

Check the column A box if a specific physical activity is employed on the job. Check the column B box if the activity is essential to job.

PHYSICAL ACTIVITY	A	B	PHYSICAL ACTIVITY	A	B	PHYSICAL ACTIVITY	A	B
1. Walking	☒	☒	16. Climbing Inclines	☒	☐	31. Close Vision	☒	☒
2. Walking Rough Terrain	☒	☐	17. Lifting & Carrying 0-14 lbs.	☒	☒	32. Far Vision	☒	☒
3. Bending	☒	☒	18. Lifting & Carrying 15-34 lbs.	☒	☒	33. Side Vision-Depth Perception	☒	☒
4. Stooping	☒	☒	19. Lifting & Carrying 35-60 lbs.	☒	☒	34. Night Vision	☒	☒
5. Crouching	☒	☒	20. Mopping	☐	☐	35. Maintaining Balance	☒	☒
6. Sitting	☒	☒	21. Shoveling-Digging	☒	☒	36. Operating Heavy Trucks	☒	☒
7. Standing	☒	☒	22. Hammering	☒	☒	37. Operating Passenger Vehicles	☒	☒
8. Standing - Long Periods	☒	☒	23. Reaching	☒	☐	38. Operating Heavy Trucks	☒	☒
9. Kneeling	☒	☒	24. Sense of Touch	☒	☒	List Others Below		
10. Twisting Body	☒	☒	25. Gripping-Hands & Fingers	☒	☒	39. _____	☐	☐
11. Pushing	☒	☒	26. Finger Dexterity	☒	☒	40. _____	☐	☐
12. Pulling	☒	☒	27. Hearing Alarms	☒	☐	41. _____	☐	☐
13. Running	☒	☐	28. Hearing Voice Conversation	☒	☒	42. _____	☐	☐
14. Climbing Stairs	☒	☒	29. Speaking	☒	☒	43. _____	☐	☐
15. Climbing Ladders	☒	☒	30. Color Identification	☒	☒	44. _____	☐	☐

Section II

Working Conditions

Check the column A box if working conditions are typical to the job. Check column B box if exposure or experience is unavoidable or essential to the job.

WORKING CONDITIONS	A	B	WORKING CONDITIONS	A	B	WORKING CONDITIONS	A	B
1. Exposure to Sun	☒	☒	20. Work with Patients	☐	☐	39. Exposure to Noxious Odor	☐	☐
2. Exposure to inside Temp. Ext.	☐	☐	21. Work w/Mentally Retarded(A)	☐	☐	40. Handling Soiled Laundry	☐	☒
3. Exposure to outside Temp. Ext.	☒	☒	22. Work w/Mentally Retarded(C)	☐	☐	41. Cleaning Rest Rooms	☐	☐
4. Dampness	☒	☒	23. Work with Farm Chemicals	☐	☐	42. Wear Chemical Resistant	☒	☒
5. High Humidity	☒	☒	24. Work with Electricity	☒	☐	43. Wear Hard Hats	☒	☒
6. Exposure to Intense Light	☐	☐	25. Fighting Fires	☐	☐	44. Wearing Safety Glasses	☒	☒
7. Noisy Work Area	☒	☒	26. Working with Machinery	☒	☒	45. Wearing Ear Plugs-Muffs	☐	☐
8. Work at Heights	☒	☐	27. Work w/Solvents, Grease etc.	☒	☒	46. Wearing Respirators	☐	☐
9. Work in Confined Space	☐	☐	28. Exposure to Bee Stings	☒	☐	47. Wearing Rubber/Plastic Gloves	☒	☒
10. Work in Crowded Areas	☒	☐	29. Exposure to Poison Oak	☐	☐	48. Wearing Rubber Boots	☒	☒
11. Work in Water	☒	☒	30. Exposure to Epoxy Chemicals	☐	☐	49. Working Long Hours	☒	☐
12. Work on High Ladders	☒	☒	31. Exposure to Dust or Pollen	☒	☒	50. Working Night Shifts	☒	☒
13. Work in Remote Locations	☐	☐	32. Exposure to Fumes	☒	☒	51. Working Day Shifts	☒	☒
14. Working Underground	☒	☒	33. Exposure to Raw Sewage	☐	☐	52. Working Weekends	☒	☒
15. Working at High Elevations	☐	☐	34. Exposure to X-rays	☐	☐	List Others Below		
16. Scuba Diving	☐	☐	35. Exposure to other Radiation	☐	☐	53. _____	☐	☐
17. Air Travel	☐	☐	36. Exposure to Smoke	☐	☐	54. _____	☐	☐
18. Working Alone	☒	☒	37. Exposure to Detergents	☒	☒	55. _____	☐	☐
19. Working on Ships	☐	☐	38. Exposure to Chemicals	☒	☒	56. _____	☐	☐

COUNCIL MEETING: July 5, 1994

AGENDA ITEM NUMBER: 7a

TO: MAYOR KOHO AND CITY COUNCIL

THROUGH: DOTTY TRYK *Dotty*
CITY MANAGER

FROM: TRACY L. DAVIS *Tracy*
CITY RECORDER

SUBJECT: INITIATING LARSEN PARK STREET LIGHTING LOCAL
IMPROVEMENT DISTRICT

ISSUE:

Shall the City Council initiate the Larsen Park Street Lighting Local Improvement District?

DISCUSSION:

A petition was filed on June 29, 1994 by Marvin Larsen to form a local improvement district for street lights in Larsen Park in Keizer. The petition contained the required signatures of the property owner as outlined by City of Keizer Ordinance 94-278.

RECOMMENDATION:

It is recommended that the City Council approve the Resolution initiating Larsen Park Street Lighting Local Improvement District and direct the City Engineer to prepare a survey of the area.

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Resolution R94-_____

**DECLARING THE CITY'S INTENT TO INITIATE A STREET LIGHTING
LOCAL IMPROVEMENT DISTRICT (LARSEN PARK) AND
DIRECTING THE CITY ENGINEER TO MAKE A SURVEY AND FILE A
WRITTEN REPORT WITH THE CITY RECORDER**

WHEREAS, the City Council of the City of Keizer has received a petition from the developer to initiate a street lighting district in the Larsen Park area in the City of Keizer, Oregon; and

WHEREAS, pursuant to City of Keizer Ordinance 94-278, the necessary signatures of
land owner comprising two-thirds of the property to be included within Larsen Park Street
Lighting District have requested the formation of the district; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Keizer that:

1. The City Council declares its intent to initiate the Larsen Park Street Lighting District;
2. The City Engineer is hereby directed to make a survey of the District;
3. The City Engineer shall file a written report with the City Recorder to be considered by the City Council on August 1, 1994.

PASSED this ____ day of _____, 1994.

SIGNED this _____ day of _____, 1994.

Mayor

City Recorder

COUNCIL MEETING: July 5, 1994

AGENDA ITEM NUMBER: 7b

TO: MAYOR KOHO AND CITY COUNCIL

THROUGH: DOTTY TRYK *Dotty*
CITY MANAGER

FROM: TRACY L. DAVIS *Tracy*
CITY RECORDER

SUBJECT: HIDDEN CREEK PHASE I STREET LIGHTING LOCAL
IMPROVEMENT DISTRICT

ISSUE:

The Council should review the City Engineer's report filed for Hidden Creek Phase I Street Lighting Local Improvement District and consider a Resolution to adopt this report and to set a public hearing date to receive remonstrances to the project.

BACKGROUND:

On June 20, 1994, the City Council adopted Resolution R94-748 initiating the Hidden Creek Phase I Street Lighting Local Improvement District and directed the City Engineer to make a survey and file a written report with the City Recorder. This Council action was taken in response to a petition from the property owner requesting the formation of a lighting district in this area.

FISCAL IMPACT:

The costs for establishing the district in the first year include a fee for the engineers report and an 8.5% administrative fee to cover the costs for advertising and staff time in establishing the district. The City receives reimbursement from the property owners for these costs and the actual electricity used through assessments placed on the tax rolls. All activity is budgeted through the Utility Fund.

RECOMMENDATION:

It is recommended City Council adopt the Resolution setting the public hearing for July 18, 1994 and directing the City Recorder to provide notice of the public hearing and notice of proposed assessments to the property owners.

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2 Resolution R94-_____

3
4
5 HIDDEN CREEK PHASE I STREET LIGHTING LOCAL
6 IMPROVEMENT DISTRICT
7

8
9 BE IT RESOLVED by the City Council of the City of Keizer, Oregon:

10 Section 1. That the City Council hereby finds the preliminary plans, an estimate of
11 probable costs contained in the City Engineer's report for Hidden Creek Phase I Street
12 Lighting Local Improvement District which was filed with the City Recorder on June 30,
13 1994, to be satisfactory, and the same are hereby approved and adopted.

14 Section 2. That the City Council hereby declares its intention to make the lighting
15 district improvements to serve Hidden Creek Phase I Street Lighting Local Improvement
16 District and hereby declares that the improvements to be made shall consist of sixteen (16)
17 100 watt high pressure sodium luminaries and mounted on 8 foot long mast arms and attached
18 to 25 foot gray fiberglass poles within the district, all in accordance with the aforesaid
19 preliminary plans with the initial cost of installation to be borne by Portland General Electric
20 and the operational and electrical power costs estimated at \$2271.80 the first year and
21 \$1697.80 in subsequent years to be assessed against the properties benefitting from the
22 improvements.

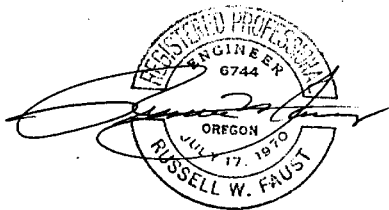
23 Section 3. That the City Council hereby directs the City Recorder to give notice of
24 intention to make the improvements by sending notice to the property owners within the
25 district stating a public hearing will be held on July 18, 1994, said notice to also provide that



3851 River Rd. N.
Keizer, OR 97303
(503) 390-7402
FAX (503) 390-7461

ENGINEER'S REPORT
FOR
HIDDEN CREEK ESTATES PHASE 1
STREET LIGHTING DISTRICT

For City Council Action July 5, 1994



PREPARED BY:

Date: June 28, 1994

William I. Peterson
Engineering Consultants, Inc.
3851 River Rd. N
Keizer, OR 97303
(503) 390-7402

Project File 94-0328

June 29, 1994

TO: The Hon. Mayor and City Council

FROM: Russell W. Faust, PE
City of Keizer Engineer's Office

SUBJECT: Street Lighting District for Hidden Creek Estates Phase 1

Authority and Purpose: This report is submitted in accordance with the requirements of City of Keizer **Ordinance No. 94-278** and Council **Resolution 94-748** for the purpose of creating the subject Street Lighting District. The area has recently been subdivided as the Hidden Creek Estates Phase 1 subdivision.

District Boundaries and Map: A Map of the proposed District is attached showing the areas benefited by the street lights proposed to be installed.

Lighting Plan: The lighting improvements will consist of 16, 100 Watt, high pressure Sodium luminaires mounted on 8 foot long mast arms and attached to 25 foot gray fiberglass poles. This design is selected to be consistent with other lighted areas within the City of Keizer.

It is recommended that installation be accomplished by the following method:

Portland General Electric (PGE) would supply, install and maintain the luminaires, poles and underground or overhead wiring. PGE would also supply the electrical power to the District.

Estimated Costs:

Initial Cost and Annual costs -

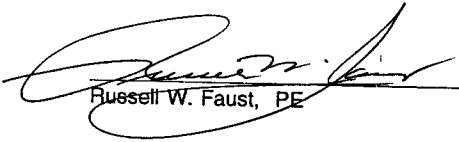
16 Poles & luminaires @ \$8.15 per month each x 12 mos.	\$ 1564.80
Administrative Fee @ 8.5% ¹	133.00
Engineering @ \$14.00 /Lot	<u>574.00</u>
Total Assessment	\$ 2271.80

(1) Includes tax roll preparation, audit, delinquencies and miscellaneous administrative costs to the City as authorized by Res. 94-716.

Method of Assessment: It is recommended that the costs be assessed equally to each lot or parcel in the district. The first year assessment would include the one time costs for District formation and engineering. In subsequent years the assessments would be reduced to \$41.41 per lot.

Assessment Roll: The attached preliminary assessment roll identifies the benefited properties and the first year assessments to be levied against each.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Russell W. Faust", is written over a horizontal line. The signature is fluid and cursive, with a large loop at the end.

Russell W. Faust, PE

PRELIMINARY ASSESSMENT ROLL

HIDDEN CREEK ESTATES PHASE 1
STREET LIGHTING DISTRICT
(Assessors Map 6 3W 26D)

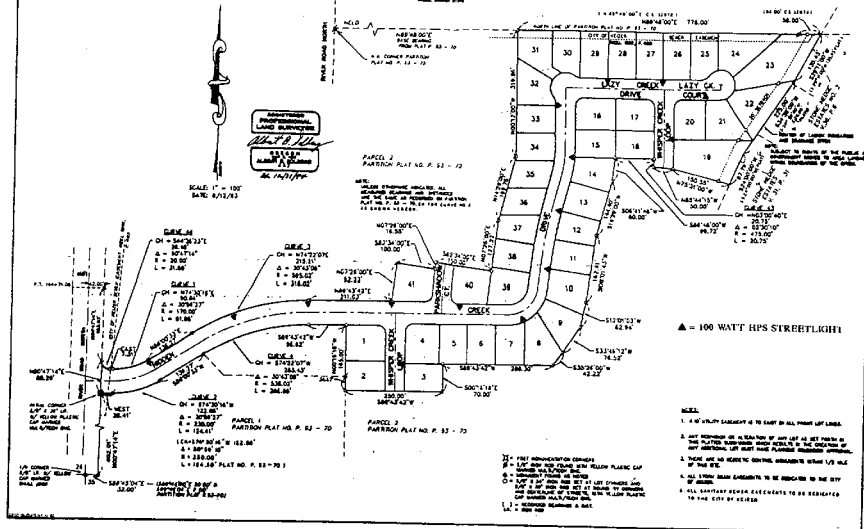
Tax Lot	Owner's Name and Address	Cost per Lot	Number of Lots	Total Assessment
200	Hidden Creek Properties 5309 River Rd. NE Keizer, Or. 97303	\$55.41	41	\$2,271.80
TOTAL ASSESSABLE COSTS				\$2,271.80

HIDDEN CREEK ESTATES PHASE 1

A PLANNED UNIT DEVELOPMENT
IN S.E. 1/4 SEC. 26 T. 6 S., R. 3 W., W.M.
CITY OF KEIZER, MARION COUNTY, OREGON

WATER DIVISION STREETLIGHTS
NOT SHOWN

SCALE: 1" = 100'
DATE: 8/15/83



▲ = 100 WATT HPS STREETLIGHT

- NOTES:
1. A 6" UTILITY EASEMENT IS TO EXIST IN ALL THESE LOT LINES.
 2. ANY CHANGING OR VARIATION OF LOT LINES OR LOT TOTALS IN THIS PLATTING REQUIREMENTS SHALL BE IN THE HANDS OF THE CITY ENGINEER, CITY PLANNING DEPARTMENT, AND THE CITY OF KEIZER.
 3. TOTAL USE OF EXISTING EASEMENTS TO BE PROVIDED TO THE CITY OF KEIZER.
 4. ALL EXISTING EASEMENTS TO BE PROVIDED TO THE CITY OF KEIZER.
 5. ALL EXISTING EASEMENTS TO BE PROVIDED TO THE CITY OF KEIZER.

- LEGEND:
- 1. 1" = 100' SCALE
 - 2. 1" = 100' SCALE
 - 3. 1" = 100' SCALE
 - 4. 1" = 100' SCALE
 - 5. 1" = 100' SCALE
 - 6. 1" = 100' SCALE
 - 7. 1" = 100' SCALE
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 - 9. 1" = 100' SCALE
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 - 11. 1" = 100' SCALE
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 - 25. 1" = 100' SCALE
 - 26. 1" = 100' SCALE
 - 27. 1" = 100' SCALE
 - 28. 1" = 100' SCALE
 - 29. 1" = 100' SCALE
 - 30. 1" = 100' SCALE
 - 31. 1" = 100' SCALE
 - 32. 1" = 100' SCALE
 - 33. 1" = 100' SCALE
 - 34. 1" = 100' SCALE
 - 35. 1" = 100' SCALE
 - 36. 1" = 100' SCALE
 - 37. 1" = 100' SCALE
 - 38. 1" = 100' SCALE

MINUTES

KEIZER CITY COUNCIL

Monday, June 20, 1994

Robert L. Simon Council Chambers
Keizer City Hall

CALL TO ORDER

Mayor Dennis Koho called the regular meeting to order at 7:08 p.m. Roll call was taken as follows:

Present

Dennis Koho, Mayor
Jim Keller, Councilor
Jerry McGee, Councilor
Al Miller, Councilor
Chet Patterson, Councilor
Marlene Wellin, Councilor

Absent

Jerry Watson, Councilor

Staff

Dotty Tryk, City Manager
John Morgan, Community Development Director
Charles R. Stull, Chief of Police
Wally Mull, Public Works Director
Kim Krause, Finance Officer
Shannon Johnson, City Attorney
Tracy L. Davis, City Recorder

PUBLIC TESTIMONY COMMITTEE REPORTS

There was not any public testimony to come before the Council.

Introduction of Finance Officer

City Manager, Dotty Tryk introduced Kim Krause as the newly appointed Finance Officer.

The Council welcomed Ms. Krause to Keizer.

Backyard Burning Committee Report

Councilor Jerry McGee thanked the members of the Backyard Burning Committee for their work in this matter. Being recognized were June Abbott, Cathy Clark, Greg Frank, Jeff Kuhns, Bill Malone, John Morgan, Wayne Swick, Wayne Thackery, Marlene Wellin and Mike Willis.

Councilor McGee summarized the background and issues the Committee discussed during their meetings. The Committee's direction for action fall into three areas; education and burning etiquette, clean-up days and law enforcement. Councilor McGee discussed these items in detail and forwarded the following recommendations to the Council for consideration:

- coordinated information campaign;
- develop community standards of burning etiquette;
- expansion of the clean-up days;
- enforcement by the Police Department; and
- adopt parallel ordinances to existing laws.

Councilor McGee stated a supplemental report was drafted exploring curbside pick-up of yard debris in order to reduce the amount of backyard burning. Councilor McGee added the final recommendation is for the Community Development Department become actively involved with the garbage haulers of Keizer to continue planning and evaluating one or more variations of curbside pick up.

Councilor McGee added the Committee report contained a annotative bibliography to allow future groups studying this issue a basis in which to build upon.

Mayor Koho thanked Councilor McGee and members of the Committee for their work on this issue.

Councilor Keller expressed his concern with the Committee's recommendations the Police Department enforce backyard burning restrictions.

Councilor McGee moved to receive the report from the Committee on backyard burning; refer to staff the development of an informational program regarding the "do's and don'ts of safe, effective, considerate and legal open burning and to coordinate such efforts with the staff of the Keizer Fire

Department; to direct staff to prepare a budget proposal for the ongoing support of the fall/spring citywide clean-up days; to refer to staff and legal counsel for research and recommendation regarding a backyard burning ordinance(s) which replicates existing ORS and OAR; request of Councilor McGee to draft for Council consideration a City Resolution on community standards and etiquette of backyard burning in Keizer; and refer to staff the development of a strategic plan for the implementation of a curbside yard debris program. Mayor Koho seconded the Motion.

The Motion passed as follows:

AYES: Keller, Koho, McGee, Miller, Patterson and Wellin (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Watson (1)

PUBLIC HEARINGS

Amendments to Manufactured Homes Standards

Mayor Koho opened the hearing.

John Morgan, Community Development Director reported the Planning Commission, upon referral of this matter by the Council, has drafted proposed amendments to the Zoning Ordinance, section 12.03(e) to create more clarity of what type of siding may be used on manufactured homes located on individual lots. Mr. Morgan noted these amendments give the applicant a choice to use the standard lap siding or go through a review process to allow a varying standards which are used on the five closest houses within 250 feet. Mr. Morgan noted the applicant has the responsibility to provide the information to staff.

City Attorney, Shannon Johnson stated Don Miner of the Oregon Manufactured Housing Association is present to speak on this issue tonight. Mr. Miner submitted a letter to the Council and a copy of the state statute with regards to this matter. (These items were marked as exhibits 1 and 2) Mr. Johnson noted the Brewster case, which is presently on appeal to the Land Use Board of Appeals, may also help the Council decide this issue.

Councilor McGee asked if these restrictions for manufactured homes differ from those regulating stick built homes. Mr. Johnson stated the statute allows treatment to differ on siding and roofing issues for manufactured homes.

Presenting testimony was:

Don Miner, Oregon Manufactured Housing Association, 2255 State Street, Salem stated the law states the City may choose to regulate siding on manufactured homes. It also allows the applicant the choice of siding which is similar to exterior sidings generally used within the community or siding which is comparable to on surrounding dwellings. Mr. Miner suggested the City allow the applicant the choice of what type of siding materials may be used.

Mr. Miner noted the two most commonly used sidings in the community are horizontal lap siding and T-111 lap siding. He showed examples of these and other sidings used on newly built homes in the area. Mr. Miner noted the disadvantage of lap siding is that it costs 42% more than T-111 and 100% more in labor to install. This could create a financial hardship if an ordinance is adopted requiring this as the standard siding for manufactured homes.

Mr. Miner suggested the ordinance include options for other types of sidings currently being used; T-111, wood sidings and stucco as some examples. He cautioned the Council when developing the definitions which are included in the Ordinance.

Mayor Koho believes the amendment states lap siding or whatever is being used in the surrounding neighborhood will be allowed. Mr. Miner interprets the statute to state the applicant has the choice.

In response to a question from Councilor Patterson, Mr. Johnson stated the goal is to make the City's process much more objective than the language contained in the statute. Councilor Patterson suggested the inclusion of other siding types in the ordinance.

Glen Putman, 745 Orchard Street, Keizer questioned how the City will determine the standard siding when five houses within 200-feet have different siding material. He cited examples of the houses in his neighborhood. He hopes the City will take this point into consideration.

Mayor Koho recessed the public hearing until August 1, 1994.

**ORDINANCE -
Street Design
Standards and
Subdivision
Amendments**

Mayor Koho opened the hearing.

Community Development Director, John Morgan presented a proposed Ordinance dealing with revisions to the subdivision standards and street design standards. These changes were determined by the Community Development Department, Public Works Department and the Marion County and Keizer Fire District. One of the major changes include revisions to the right-of-way width. Other changes include mini-subdivision standards, corner lot dimension requirements and improvements for private multi-residence driveways.

Presenting testimony to the Council was:

Stuart Crosby, Multi-Tech Engineering, 1155 13th Street, Salem asked the Council to consider more flexibility than a 70x70 dimension on a corner lot. He suggested the wording be amended to read the corner lot shall total not less than 140 feet street frontage.

Mayor Koho closed the public hearing.

In response to a question from Councilor McGee, Mr. Morgan stated the current restrictions on corner lots are excessive and therefore many variances have been sought and granted. Mr. Morgan noted the setback requirements determine how far back the home shall be.

Councilor Keller moved for an Ordinance Amending the Keizer Subdivision and Partitioning Ordinance (Ordinance 87-079).
Councilor Patterson seconded the Motion.

The Motion passed as follows:

AYES: Keller, Koho, McGee, Miller, Patterson and Wellin (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Watson (1)

**ADMINISTRATIVE
ACTION**

**RESOLUTION -
Awarding Bid -
Fillmore / Orchard
Street Local
Improvement
District**

Public Works Director, Wally Mull reported in February, 1994 the Council initiated the Fillmore and Orchard Street Local Improvement Districts. On June 10th, five bids were received for the improvements to these streets. Low bidder was MOCON Construction with a bid of \$118,663.50. This bid was approximately \$25,000 over the engineer's original estimate. Mr. Mull listed three alternatives for the Council to consider; reject all bids, hold a hearing to notify the affected residents of the cost increase or proceed with projects with the City picking up the additional costs. Mr. Mull recommended the Council award the bid to MOCON construction, fix the property owners amount to the original estimate and cover the additional amount with City funds.

In response to a question from Councilor Patterson, Mr. Mull indicated there are funds to cover the extra amount from gas tax money.

Mr. Mull stated the financial impact on the property owners would be approximately \$275.00 to \$450.00 more than the original estimate.

Councilor Keller asked if the City picked up the additional amount if it would impact any other projects. Mr. Mull indicated it would not.

Ed McCallister, 750 Orchard Street, Keizer stated he is not in favor of dropping the bids and starting over with this project. He wants the street paved as soon as possible. Mr. McCallister also asked for the installation of stop signs at Newberg, Chehalis and Jones Streets.

Glen Putman, 745 Orchard Street, Keizer concurred with Mr. McCallister and stated the street needs to be paved because of safety factors. He gave examples of some of the dangerous occurrences that have happened during the last year. Mr. Putnam stated he is willing to pay the extra money in order to have the street paved.

Mr. Putman stated this matter falls under the Council goal to improve the safety around McNary High School.

Councilor McGee stated there is no question the street should be paved. His only concern is the additional costs being picked up by the City.

Mayor Koho moved for a Resolution Awarding the Bid for Fillmore and Orchard Street Local Improvement Districts. Councilor McGee seconded the Motion.

The Motion passed as follows:

AYES: Keller, Koho, McGee, Miller, Patterson and Wellin (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Watson (1)

Mayor Koho moved to have the citizens in the local improvement district pay the estimated 50% and the City pick up any additional costs between the estimate and low bid. Councilor Patterson seconded the Motion.

Councilor McGee disagreed with this motion stating the City and residents should split the costs 50/50 as originally decided.

Councilor Patterson stated this is a significant increase but should proceed with the improvements, absorb the extra costs and get the project behind us.

Councilor Miller said the project should not be delayed and the additional amount be paid by the residents as originally decided by the Council.

Mayor Koho said he would hate to see this project delayed any further by the bureaucratic process.

The Motion failed as follows:

AYES: Koho and Patterson (2)

NAYS: Keller, McGee, Miller and Wellin (4)

ABSTENTIONS: None (0)

ABSENT: Watson (1)

Councilor Keller stated the Council now has the option to impose the actual amount or hold a public hearing at a later date before assessing the actual costs.

Mr. Putnman stated the consensus of the residents is to get the street paved. He understands the amount earlier determined was an estimate and he would be willing to pay his share of the additional amount.

Mr. McCallister hoped the Council will agree to pick up the additional amount but in order to get the street paved would be willing to pay the extra amount.

Councilor Miller moved to proceed with the project and spread the assessments of 50% of the costs in accordance with the bids. Councilor Keller seconded the Motion.

The Motion passed as follows:

AYES: Keller, Koho, McGee, Miller, Patterson and Wellin (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Watson (1)

Public Works Director, Wally Mull indicated stop signs will be placed at Chehalis, Jones and Newberg on Orchard Street after the paving project is completed.

**RESOLUTION -
Adoption of 1994-95
Budget, Making
Appropriations and
Levying Taxes**

City Manager, Dotty Tryk stated a budget document was prepared based upon the recommendation of the Budget Committee and the modifications made by the Council earlier this year after the defeat of the three-year levy in March. In addition to those changes, she had made two modifications in the sewer system development charges and the assessment payments in the utilities fund. City Manager Tryk recommended adoption of the modified budget.

Councilor McGee moved for a Resolution Adopting the FY '95 Budget, Making Appropriations and Levying Taxes. Councilor Wellin seconded the Motion.

The Motion passed as follows:

AYES: Keller, Koho, McGee, Miller, Patterson and Wellin (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Watson (1)

**RESOLUTION -
Transferring
Appropriations for
Fiscal Year 1993-94**

City Manager, Dotty Tryk stated because of unanticipated events in fiscal year 1994, a Resolution transferring appropriations is necessary. These involve transfers for Police Department overtime, increased legal expense in the Community Development Department and unexpected court assessments in the Municipal Court budget.

Councilor McGee inquired why the additional assessments are not being taken from the increased revenues rather than the contingency fund. City Manager Tryk stated this would require the adoption of a supplemental budget. These transfers are required in order to keep the budget process legal.

Councilor Keller moved for a Resolution Transferring Appropriations for Fiscal Year 1993-94. Mayor Koho seconded the Motion.

The Motion passed as follows:

AYES: Keller, Koho, McGee, Miller, Patterson and Wellin (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Watson (1)

**ORDINANCE -
Granting a License
to Gas Utilities**

City Manager Tryk advised the previous agreement with Northwest Natural Gas expired on May 15, 1994. Ms. Tryk highlighted the changes to the agreement and noted this agreement is for a period of ten years.

Councilor Keller moved for a Bill for an Ordinance Relating to Gas Utilities in the City of Keizer Establishing Utility License Fees and Declaring an Emergency. Councilor Patterson seconded the Motion.

The Motion passed as follows:

AYES: Keller, Koho, McGee, Miller, Patterson and Wellin (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Watson (1)

**ORDINANCE -
Granting a License
to Electric
Companies**

City Manager Dotty Tryk stated this Ordinance was negotiated with Portland General Electric and Salem Electric for a ten year period. She highlighted the proposed changes from the previous agreement.

Mayor Koho declared a possible conflict of interest in this matter due to his position on the Board of Directors for Salem Electric.

Speaking on this matter was:

Art Krueger, Portland General Electric, 121 SW Salmon Street, Portland stated he is very supportive of the proposed Ordinance. He complimented Ms. Tryk on the excellent job during the negotiation period.

Councilor Keller moved for a Bill for an Ordinance Relating to Electric Utilities in the City of Keizer Establishing Utility License Fees and Declaring an Emergency. Councilor Patterson seconded the Motion.

The Motion passed as follows:

AYES: Keller, McGee, Miller, Patterson and Wellin (5)

NAYS: None (0)

ABSTENTIONS: Koho (1)

ABSENT: Watson (1)

**ORDINANCE -
Granting a License
to US West for
Telecommunication
Services**

City Manager Tryk stated this agreement is a franchise ordinance rather than a license as previously adopted for gas and electric utilities. It is a mutual agreement as opposed to a unilateral license granted by the City. This ordinance is also for a ten-year period.

Councilor Keller moved for a Bill for an Ordinance Granting US West Communications, Incorporated, the Right and Privilege to do a General Communications Business and to Operate within the City of Keizer. Councilor Patterson seconded the Motion.

The Motion passed as follows:

AYES: Keller, Koho, McGee, Miller, Patterson and Wellin (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Watson (1)

**RESOLUTION -
Calling Up Zone
Change/Variance
Case No. 94-4
(Whittenburg)**

Community Development Director, John Morgan stated this matter involves the Foulger property located on River Road. Mr. Whittenburg needs several zone changes and is dealing with a time issue. Mr. Morgan recommended the Council call the zone change up and schedule a public hearing for July 18, 1994.

Councilor Patterson moved for adoption of a Resolution Calling Up Zone Change/Variance Case No. 94-4 (Whittenburg) and scheduling a public hearing for July 18, 1994. Mayor Koho seconded the Motion.

Councilor McGee inquired if this is a common practice for the Council to proceed in this matter. Mr. Morgan noted the Council has initiated matters previously.

The Motion passed as follows:

AYES: Keller, Koho, McGee, Miller, Patterson and Wellin (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Watson (1)

CONSENT CALENDAR

The Consent Calendar consisted of the following:

- a. RESOLUTION - Certifying the City Provides Four or More Services
- b. RESOLUTION - Declaring City's Election to Receive State Revenue Sharing
- c. RESOLUTION - Initiate Hidden Creek Phase I Street Lighting Local Improvement District
- d. RESOLUTION - Initiate Country Glen Street Lighting Local Improvement District
- e. Approval of June 6, 1994 Regular Session Minutes

Councilor Keller moved for approval of the items on the Consent Calendar. Councilor Patterson seconded the Motion.

The Motion passed with the following votes:

AYES: Keller, Koho, McGee, Miller, Patterson and Wellin (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Watson (1)

OTHER BUSINESS

Schedule Time for Annual Parks Tour

The Council agreed to schedule the annual tour of the Parks for Tuesday, July 12, 1994 at 6:00 p.m.

City Manager Tryk informed the Council the agreement with the City of Salem for 911 Services expires in June, 1995. In order to study and examine alternatives, a notice needs to be given one-year prior to expiration.

The Council agreed by consensus to allow Ms. Tryk an opportunity to investigate options in this matter and report back to the Council.

In response to a question from Councilor Miller, City Manager Tryk advised the Council of the resignation of Skip Wendolowski, Associate Planner.

There was no other business to come before the Council.

EXECUTIVE SESSION

The Council recessed to Executive Session pursuant to ORS 192.660(1)(e) at 9:15 p.m.

The Executive Session was adjourned at 9:35 p.m.

WRITTEN COMMUNICATION

There was no written communication to come before the Council.

AGENDA INPUT

Mayor Koho noted the agenda input items listed.

Councilor Wellin stated she will be absent at the July 5, 1994 meeting.

ADJOURNMENT

The meeting was adjourned at 9:40 p.m.

TRACY L. DAVIS
City Recorder

APPROVED:

MAYOR:

(Jerry Watson absent)

PUBLIC TESTIMONY

IF YOU ARE INTERESTED IN ADDRESSING THE COUNCIL ON AN ISSUE NOT LISTED ON THE AGENDA OR AN ITEM ON THE AGENDA NOT SCHEDULED FOR A PUBLIC HEARING, PLEASE FILL OUT THE INFORMATION BELOW AND GIVE TO THE CITY RECORDER OR STAFF GREETER PRIOR TO THE START OF THE MEETING. THE MAYOR WILL RECOGNIZE YOU AND ASK FOR YOUR TESTIMONY AT EITHER THE PUBLIC TESTIMONY SECTION OF THE MEETING OR THE APPROPRIATE AGENDA ITEM.

EACH PERSON'S COMMENTS WILL BE LIMITED TO FIVE MINUTES.

Name: DALE CRAWFORD

Address: 5355 VERDA L.N. M.E.
VERBEN

Subject or Agenda Item Number: _____

SIDEWALKS

Your Comments:

Proponent _____ Opponent _____ General _____

Date 7-5-94

PUBLIC TESTIMONY

IF YOU ARE INTERESTED IN ADDRESSING THE COUNCIL ON AN ISSUE NOT LISTED ON THE AGENDA OR AN ITEM ON THE AGENDA NOT SCHEDULED FOR A PUBLIC HEARING, PLEASE FILL OUT THE INFORMATION BELOW AND GIVE TO THE CITY RECORDER OR STAFF GREETER PRIOR TO THE START OF THE MEETING. THE MAYOR WILL RECOGNIZE YOU AND ASK FOR YOUR TESTIMONY AT EITHER THE PUBLIC TESTIMONY SECTION OF THE MEETING OR THE APPROPRIATE AGENDA ITEM.

EACH PERSON'S COMMENTS WILL BE LIMITED TO FIVE MINUTES.

Name: _____

Susy Riches

Address: _____

1141 Chemawa Rd NE
Kenner OR 97303

Subject or Agenda Item Number: _____

Graffiti

Your Comments:

Proponent _____ Opponent _____ General _____

Date _____

7-5-94

PUBLIC TESTIMONY

IF YOU ARE INTERESTED IN ADDRESSING THE COUNCIL ON AN ISSUE NOT LISTED ON THE AGENDA OR AN ITEM ON THE AGENDA NOT SCHEDULED FOR A PUBLIC HEARING, PLEASE FILL OUT THE INFORMATION BELOW AND GIVE TO THE CITY RECORDER OR STAFF GREETER PRIOR TO THE START OF THE MEETING. THE MAYOR WILL RECOGNIZE YOU AND ASK FOR YOUR TESTIMONY AT EITHER THE PUBLIC TESTIMONY SECTION OF THE MEETING OR THE APPROPRIATE AGENDA ITEM.

EACH PERSON'S COMMENTS WILL BE LIMITED TO FIVE MINUTES.

Name: _____

MANNY MARTINEZ

Address: _____

1747 MEADOWLARK DR. NE.

Subject or Agenda Item Number: _____

GRAPEVILL

Your Comments:

Proponent ☒

Opponent ☐

General ☐

Date 7/5/94



PUBLIC HEARING SIGN UP SHEET

PUBLIC HEARING REGARDING: Honeysuckle Street Lighting LID

DATE: July 5, 1994 TIME: 7:00 p.m. AGENDA ITEM # 5c

BEFORE THE: KEIZER CITY COUNCIL PLACE: ROBERT L. SIMON COUNCIL CHAMBERS

[illegible]



SIGN UP SHEET

PUBLIC HEARING REGARDING:

Street Vacation - Portion of Dearborn Ave

DATE: July 5, 1994

TIME: 7:00 p.m.

AGENDA ITEM # 5b

BEFORE THE: KEIZER CITY COUNCIL

PLACE:

ROBERT

SIMON C

UNCILGH

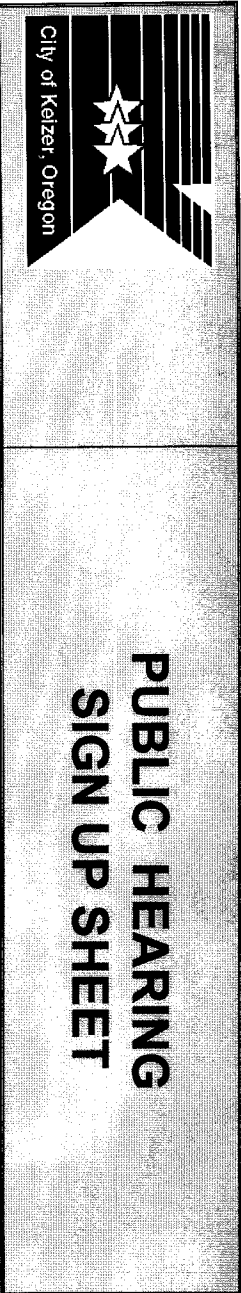
BERSNAME

ADDRESS

GENERAL

PROPOSER

OPPONENT



City of Kelzer, Oregon

**PUBLIC HEARING
SIGN UP SHEET**

[illegible]



Phone 393-9111

3700 River Rd. N. #4
Keizer, Oregon 97303

June 30, 1994

TO: KEIZER CITY COUNCIL

RE: PROPOSED ORDINANCE RELATING TO THE ABATEMENT OF GRAFFITI
AND DECLARING IT A PUBLIC NUISANCE.

Councilors:

The Board of Directors of the Keizer Chamber of Commerce has voted unanimously to support the proposed graffiti ordinance drafted by the Community Policing Task Force. This ordinance lets offenders know that Keizer will not tolerate this visual blight on our environment; gangs will be notified that they cannot mark their territory in our community; and businesses will have the support they need to repair their property when marred by graffiti.

This ordinance has also been reviewed and is unanimously supported in its entirety by the Chamber of Commerce's Governmental Affairs Committee. It has had extraordinary citizen input from the members of the Community Policing Task Force, and survived extensive discussions at two Chamber Board meetings. We know of nothing more that can be added or changed to improve this document. Therefore, the Keizer Chamber of Commerce Board of Directors urges the Keizer City Council to pass the proposed graffiti ordinance as presented.

Sincerely,

Shirley Stull
Shirley Stull
President

**CITY OF KEIZER EMPLOYEES
BENEFITS PACKAGE
July 5, 1994**

CURRENT PACKAGE

	<u>POLICE</u>	<u>NON-UNION</u>	<u>WATER XFERS</u>
HEALTH	FULL COVERAGE	FULL COVERAGE	FULL COVERAGE
DISABILITY	YES	YES	YES
RETIREMENT			
PERS			
MANDATORY	9.8%	NONE	6%
VOLUNTARY	6.0%	NONE	6%
SSI-Medicare	1.45%	1.45%	1.45%
Retirement	NONE	NONE	NONE
DEFERRED COMP			
457*	7% /1 yr	7%/6 mo	N/A
457 MATCHED	UP TO 2%	NONE	NONE
401	NONE	11%	NONE

PROPOSED

457 MATCHED	N/A	UP TO 2%	UP TO 2%
-------------	-----	----------	----------

* Required Retirement coverage during probation for non SSI Employers.

We, the undersigned, request City Council to install two street lights on Northshire Court NE instead of the three street lights as originally proposed in Resolution R94-732. Furthermore, we request the two street lights be installed on the existing utility poles on Northshire Court NE, located on the southside of Northshire Court NE west of North River Road and at the westerly end of the cul-de-sac.

<u>Name</u>	<u>Address</u>	<u>Date</u>
DALLAS HARDISON	1076 NORTHSHIRE CT KEIZER	6/27/94
<u>Della Hardison</u> <u>May E Hardison</u>	_____	6/27/94
<u>Richard J. Ford</u>	1071 Northshire Ct Keizer, OR	6/28/94
<u>Jacqueline Kyle Ford</u>	1077 Northshire Ct Keizer, OR	6/28/94
<u>Chris Hallstrom</u>	1096 Northshire Ct Keizer, OR	6/28/94
DYLAN HALLSTROM	1096 NORTHSHIRE CT KEIZER	6/28/94
<u>Sally Hallstrom</u>	1096 Northshire Ct Keizer, OR	6/28/94
<u>DP Moomaw</u>	1056 Northshire Ct. N.E.	6/29/94
<u>Sharon Moomaw</u>	_____	_____

Name

Address

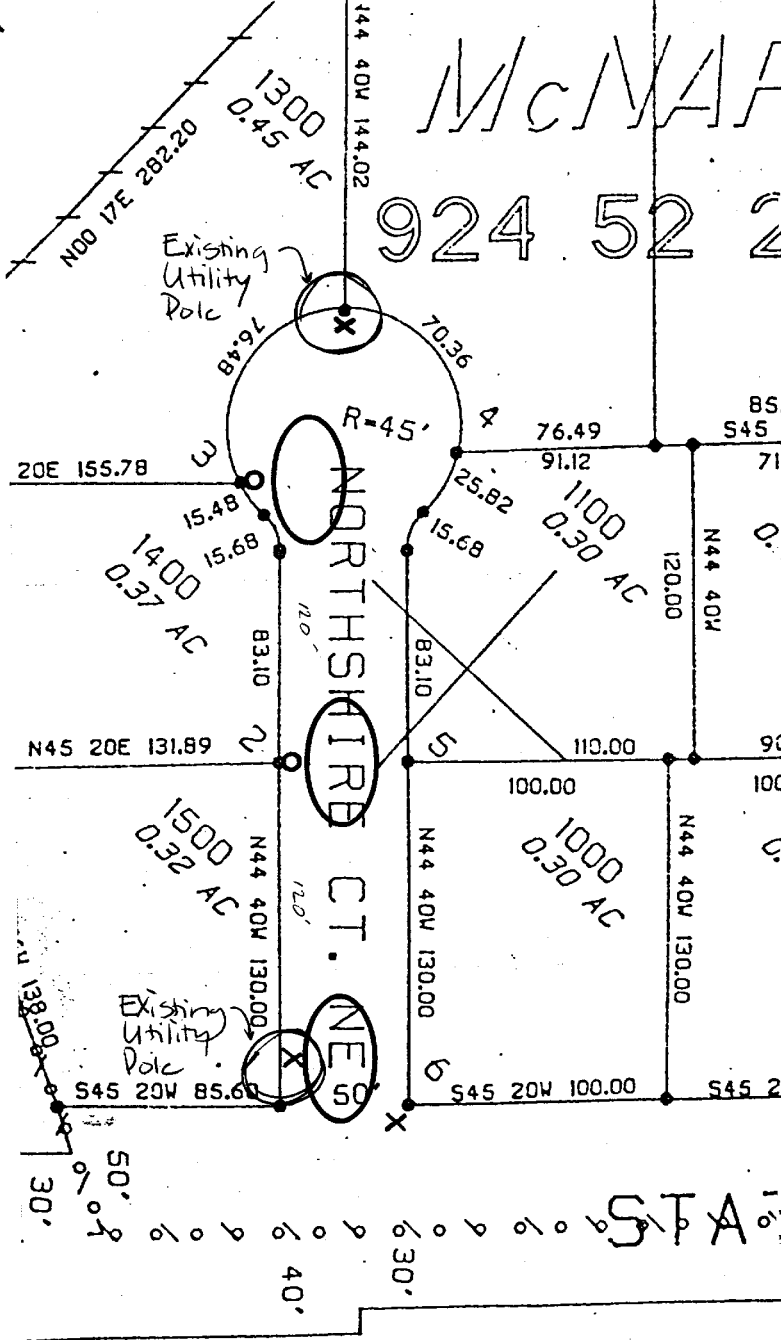
Date _____

Roberson

1097 Northshore of NE

6/29/94

924 52 2



INSTALL SIX 70 WATT HPS STREETLIGHTS AND FOUR SLO WOOD POLES.

MICHAEL D. CROSLAND

PGE STREETLIGHT SPECIALIST

APRIL 15, 1994