

M I N U T E S

KEIZER CITY COUNCIL
Monday, July 2, 1990
Keizer City Hall

Robert L. Simon City Council Chambers

CALL TO
ORDER

The meeting was called to order at 7:33 p.m. by Mayor Andy Orcutt.

ROLL
CALL

The following Council members were present: Mike Hart, Bob Newton, Joe Van Meter, Bob Pritchard, Yvonne Fischer and Mayor Andy Orcutt. Councilor Phil Bay was absent.

PUBLIC
TESTIMONY

Mike Gardner, 849 Chemawa Road N.E., testified he is the father of the son that picked up the syringe needle this past month. His story was recently run in the local newspaper. He questioned what type of pressure could be placed upon the owner of the complex at 861 Chemawa Road N.E. to clean up the area. Mr. Gardner was under the impression the owner/manager would stand liable for such activity to take place on private property. In addition, Mr. Gardner said this problem exists along Chemawa Road at large. He stressed that clean up of such items must be addressed. He stated 9 to 12 people occupy each unit and questioned the ratio between residents and restroom facilities at each dwelling unit. In addition, Mr. Gardner questioned what is being done to ensure the needles are not being discarded in the public telephone booths along Chemawa Road, parks and road sides. Mr. Gardner said the people utilizing the needles for drug purposes must discard the needles in such a fashion that they do not endanger the local children or pets. Mr. Gardner summed up his statement by requesting feedback from the Council as to what can be done to eliminate this situation.

Mayor Orcutt questioned the City Manager regarding occupancy permits and zoning permits for occupants in an apartment dwelling. Mr. Otterman responded by saying a definition of a family is defined in the Zone Code as those members related by blood or marriage or five unrelated individuals, with a maximum of one family per dwelling unit. Mr. Otterman assured the Mayor and Council staff would follow up on this complaint by contacting the property owner to ascertain the number of tenants

who are living in each unit. If there is a discrepancy, staff will require the property owner to reduce the number of residents living in any over crowded unit to no more than five persons.

Mr. Otterman said he has seen it happen in the past where the city has requested residents to leave the dwelling, only to have them reappear within a few days. Mr. Gardner said this over crowding is a seasonal problem while the migrant farm workers are in town.

On behalf of Mrs. Gardner, Mr. Gardner said she is concerned about the way the situation was handled at the Police Department's level. In addition, they both questioned whether or not the syringe they turned over to the Police Department was tested for the AIDS virus. Mr. Gardner testified that the physician handling the case assured him that the testing results did not, at this time, reveal any AIDS virus, however, the needle could have transmitted Hepatitis.

Lloyd Weathers, 4747 Lowell, testified he has lived in Keizer for almost 70 years. Mr. Weathers testified that his neighbor has left a vacant home on his property for over two years and fails to maintain the property. Mr. Weathers suggested the City of Keizer incorporate an Ordinance, fashioned after a City of Salem Ordinance, which states that any property owner who fails to maintain any dwelling/parcel should be fined. The City of Salem fines such property owners \$200 each quarter. In addition, Mr. Weathers said the neighbors on the other side of his property have trees which align his fence have encroached onto his property, covering half of his garden area. He feels this vegetation is trespassing his "air space". He feels this neighbor, in such cases, should be given two weeks notice to trim the vegetation back to the property line or a contracted service should be contacted and the property owner billed for the work.

Mayor Orcutt responded by saying vegetation on private property does not pose a health or fire hazard, the city does not have any jurisdiction to make the property owner eliminate the vegetation. He explained the only time the city can become involved is when the vegetation encroaches into a public thoroughfare. City Attorney Lien recommended that Mr. Weathers contact his private legal counsel to resolve the civil matter. Mr. Joseph Trembl, 4737 Caroline N.E., testified he

is the property owner of the apartment complex that Mr. Gardner previously testified about. Mr. Trembl said he constantly keeps a surveillance on his property in order to clean up any signs of drug activity. However, to date, Mr. Trembl testified he has yet to find any evidence of drug activity occurring on or near his apartment complex. Mr. Trembl questioned why the property owner is not informed whenever tenants are in violation of any particular law.

Mayor Orcutt stated that city staff will pass along the results of the investigation to the Zoning Administrator. He recommended that Mr. Trembl pay more attention to the activities taking place on his property.

Mrs. Gardner, 849 Chemawa Road N.E., testified that the reason Mr. Trembl does not find any needles on his side of the property is because the hypodermic needles are tossed onto her property. Mrs. Gardner explained the stress a parent goes through when a child may have contacted Hepatitis through contact with a contaminated hypodermic needle.

Brad Archibald, 839 Chemawa Road N.E., testified he is a neighbor of the Gardners. He called the Governor's office and various other officials, including those in the City of Keizer, and State, Salem and County Police agencies. In addition, Mr. Archibald contacted the Health Department due to the numerous bags of garbage strewn along the fence line. Mr. Archibald testified the Health Department has received numerous complaints at property owned by Mr. Trembl. Mr. Archibald contacted Mr. Trembl who stated he was unaware of any difficulties occurring at the site. Mr. Archibald said the Health Department did clean up the garbage and the only time Mr. Trembl is present at the site is to collect rent payments.

Mayor Orcutt assured Mr. Archibald that this matter will be investigated.

Bob French, 1384 Manzanita St. N.E., as Chairman of the "Yes for Keizer Committee", wished to express his public appreciation for the efforts of the City Council and city staff. Mr. French singled out Councilors Fisher and Hart, Mayor Orcutt, Don Otterman and Chief Stull for the major roles they played to ensure the passage of the recent levy. Mr. French assured the audience that city staff participated in the committee's efforts on their own time, not on paid city time, which meant long

and arduous hours of effort, working towards the passage of the levy. In addition, Mr. French commended the Police Officers for all of their efforts in this endeavor.

COMMITTEE

REPORTS

Oath of
Office

Chief Charles Stull stated the new Reserve Officers began their Police Academy work in October, 1989. After nine months of continuous training, they have recently graduated from the Academy on June 9, 1990.

Chief Stull introduced the Reserve Officers, prior to the swearing-in ceremonies. Those Reserve Officers are:

Richard M. Cummings
Karen L. Hilfiker
David M. Moir
Brian G. Richards

City Attorney John Lien swore in the Reserve Officers with Mayor Orcutt at his side.

PUBLIC

HEARING

Fir Cone
Drive
Vacation

Mayor Orcutt opened the Public Hearing relating to the Fir Cone Drive Street Vacation. Bill Peterson, City Engineer, said Fir Cone Drive is a street in a large subdivision that was platted many years ago. Mr. Peterson said if the right-of-way is vacated, an easement must remain for access to the adjoining properties, in addition to possibly barricades placed along Wheatland Road.

Nina Treece, 814 Fir Cone Drive N.E., testified she was also speaking on behalf of Mr. & Mrs. Al Friesen, who reside at 805 Fir Cone Drive N.E. Mrs. Treece is in favor of the street closure on Wheatland Road, providing there is an easement provided for her three lots. She is in opposition of closing the street, on the cul-de-sac portion, because the street would need to be changed in order to eliminate confusion, especially for emergency vehicles. Mrs. Treece assured the Council that the property owners would install gravel at their own expense.

Mrs. Friesen, 805 Fir Cone Drive N.E., requested a "Dead End" sign be placed at the intersection of

Harvest and Fir Cone Drive.

Mayor Orcutt closed the Public Hearing and agreed with those who testified that this is a dangerous intersection at Fir Cone and Wheatland Road.

Councilor Hart agreed the intersection is dangerous. In addition, those residents who live south of this site, sometimes park their cars along the side of the road, making it extremely difficult for vehicular traffic travelling north on Wheatland Road. Councilor Hart strongly urged the Council to agree to close off Fir Cone, at Wheatland Road.

Councilor Mike Hart moved to close off Fir Cone Drive, at the Wheatland Road intersection. The motion was seconded.

Councilor Van Meter was concerned with the type of barricade the city would utilize, especially with the future installation of a bike path along Wheatland Road.

Bob Pritchard agreed with the previous suggestion that a "Dead End" sign be installed at this intersection.

Public Works Director Mull commented that the city must obtain an actual vacation Order from City Attorney, contact the various other utilities and acquire the necessary easements involved.

The motion was put to a vote and passed unanimously. (Councilor Bay absent.)

DISCUSSION

River Road

Urban Renewal

Update City Manager Otterman announced that two public forums have been conducted by the Advisory Committee to take input regarding the proposed River Road Urban Renewal Project. Unfortunately, the turn out was minimal. At this time, it was felt the Council should be informed as to the status of the project.

John Spencer, Planning Consultant, reported on the River Road Urban Renewal Project. He stated the boundary of the area that is under consideration for this project includes all commercial and industrial properties with direct frontage on both sides of River Road North, both sides of Cherry Avenue and the area between Cherry Avenue extending from the city limits on the south and past the

intersection of Wheatland Road. The total area under analysis is approximately 640 acres. This area, along with a possible renewal area out in the Chemawa area, would be well within the 25% criteria established for urban renewal districts. Vacant or residential properties that have a direct frontage along River Road North have also been included in the boundary.

The analysis has consisted of what type, if any, problems exist along the corridor and what solution will be needed in order to correct those problems. Mr. Spencer said the automobile oriented uses along River Road corridor serve the auto traffic, although the businesses along River Road do not service the community at large. The heavy traffic along the corridor was identified as a problem, especially making left turns at some of the major intersections along the corridor. Overall, the committee and consultants feel the visual quality of the corridor, such as overhead utility wires, billboards, and unorganized signage, are problems that must be dealt with. The major problems have been identified in the south end of the corridor, especially due to the deterioration of buildings along Cherry Avenue and River Road North, since they are the "gateways" to the community. Therefore, the committee felt the main thrust of improvements should begin in the southern region of the community.

Public improvements have been divided into three different phases. The first phase will focus on the southern end of the corridor. It involves some pavement overlays along River Road North, interconnecting the signals along River Road North, "street scape" improvements along River Road North, and west side overhead utility lines be placed underground. Cherry Avenue improvements would include making it into a four lane street with curbs, sidewalks and possibly trees planted along curb side. Sanitary sewer lines will need to be upgraded along the corridor which will cost approximately \$250,000. City entry signs have also been planned to be installed. The cost of all said improvements for Phase I will run approximately \$2.6 million. It is anticipated that in the first five years of the program, the majority of the projects can be completed.

Phase II, which would run year 6 to year 10, would move to the center section of the corridor. This would include some reconstruction work and additional traffic lanes added at the River Road

North/Lockhaven intersection. This latter project would have a price tag of approximately \$500,000 to continue street-scape improvements, underground utilities, tree plantings, and sidewalks along River Road through the Chemawa area and the Manbrin/Alder area. Improvements also are projected at Lockhaven, from the intersection at River Road to 14th Street; widen the section of River Road to where it tapers down at Wheatland Road to two lanes to at least four lanes up to the northern part of the project boundary; upgrade water lines in the area; and sewer line expansions near the Epping property. \$30,000 has been earmarked to eliminate the billboards that have been erected. Also included in Phase II has been \$250,000 to begin a rehabilitation loan program that could be made available for commercial property owners along the corridor. The total cost for Phase II is approximately \$4.4 million.

Phase III is focusing improvements primarily on the northern third of the corridor. Those improvements include improvements to Chemawa Road, both on the east and west side of the corridor; on the east side to extend an improvement with curbs, sidewalks, street trees to the main entrance to the Keizer City Hall complex; to extend the street-scape and utilities project up to Wheatland Road; to do some overall improvements to the Trail Avenue/Harmony Street to bring them up to city standards, which would include curbs, gutters, drainage, and sidewalks. Water lines need to be upgraded along River Road. There are a number of storm drainage improvements that are a part of the storm drainage master plan that could be built in this phase. A community center is also a possibility. The total budget for Phase III is approximately \$4.8 million. The total budget for all three phases is \$11.8 million.

An analysis has been conducted regarding the impact of an urban renewal program on taxes. State statutes require this analysis and more information will be forthcoming.

Mr. Spencer stated that the city, as a whole, is increasing in value at a rate of 12% per year (1989-90-91) whereas the corridor increased only 3%. Therefore, the corridor is not increasing in value and is not contributing its proportional share of property taxes in our community. To turn that around, the city must create additional value and support improvements to existing businesses and encourage redevelopment of underdeveloped property

and to encourage new development that will add new values to the southern corridor.

Mr. Spencer said it is much less expensive for the residents in the community to pursue these improvements using an urban renewal program, which results in an approximately .17 cent per \$1,000 assessed value increase, over a .42 cents per \$1,000 of assessed value if a bond issue was utilized to pay for these improvements. The average increase, assuming the .17 cent increase, would average approximately \$10.20 per year for a \$60,000 home. Using the bond to finance the same project, residents would realize a \$25.20 per year increase. Mr. Spencer's recommendation is approval from the Council to begin the preparation for the urban renewal planning report, based upon the overall strategy discussed earlier.

Regarding the street-scaping project, Mike Hart questioned whether appropriate room is available for tree plantings. Mr. Spencer said the existing right-of-way along River Road varies. Eighty feet is needed to implement this improvement. Therefore, some sections of roadways will need to be acquired in order to execute this improvement.

Bob Newton questioned whether the Salem/Keizer Transportation Plan network has been considered as improvements are planned? Mr. Spencer answer in the affirmative.

Mr. Spencer feels within the first ten years of the program, at least \$8 million can be raised through tax increment financing. That would be enough money to sell bonds that would assist in the financing for the \$11.8 million needed.

Regarding the three mile corridor, Bob Newton questioned the significance of each of the areas having their own identity. Mr. Spencer said one of the problems discovered was that River Road is a three mile strip that extends the entire length of the community. The committee is attempting to create segments along that corridor that the immediate surrounding community would have access to and identification with. Each district could then create its own identity by choosing a particular street tree and/or street lighting etc., in an effort to distinguish one district from another.

Bob Newton voiced his strong approval for the project and suggested the city strengthen its

argument as to the benefits such an endeavor would bring to the city.

Mr. Spencer announced that the next phase of this endeavor will be to prepare a draft urban renewal plan and report that will incorporate many of the technical background materials. He anticipates that will be completed sometime in August, 1990. The Planning Commission will then hear the proposal and will hold a public hearing on the matter and are expected to ensure that the urban renewal program conforms with the Comprehensive Plan. After the Commissioner's have reviewed the plan, the City Council will receive the plan from the Commission for adoption by non-emergency ordinance, which means at least two public hearings must be held. Therefore, at least three formal public hearings will be held on the matter within the next few months. Mr. Spencer is hopeful the Council will adopt the plan by October, 1990.

Joe Van Meter commented on the low turn-out rate at the public forums. He is hoping this low attendance rate is one of lack of information and not one of a lack of enthusiasm within the community. In addition, Mr. Van Meter requested examples where other cities have reduced taxes for the home owners, based on a revitalization plan such as the one proposed by Mr. Spencer. Mr. Kupper will conduct such research.

CONSENT CALENDAR

The Consent Calendar consisted of:

- June 18, 1990 Regular Session Minutes
- June 28, 1990 Special Session Minutes
- Resolution certifying delinquent sewer assessments

It was moved to approve the Consent Calendar agenda items as presented.

Joe Van Meter requested it be noted he was not present at the June 28, 1990 Special Session Minutes.

The motion was seconded and put to a vote. The motion passed with Councilor Van Meter abstaining. (Councilor Bay absent.)

OTHER
BUSINESS

Trail Avenue
Realignment

City Manager Otterman said the City Council asked at their last meeting for an update on the Trail Avenue realignment project. City Engineer Peterson said the project is out to bid. The bid opening is Monday, July 9, 1990, beginning at 11:00 a.m. The bidding will be done in four schedules. Schedule A is the Manzanita Street improvement, including closing off Trail Avenue, proposing a curb, sidewalk and barricades. Wheatland Road is another schedule that will be bid separately because some resident property owners have responsibilities towards paying a portion of the costs of improvements. A third schedule is a construction of a sanitary sewer line through that major intersection. Another alternate schedule to be bid is a complete street overlay of the entire project. This latter alternate schedule may be postponed for implementation for another year because the sewer line is deep and may endure some settlement during the inclement winter months facing us. Mr. Peterson is hopeful that at the July 16, 1990 City Council meeting a recommendation for award of bid will be on the agenda.

An entirely separate schedule will incorporate the signalization of the project. That bid opening has been scheduled for July 16, 1990. Mr. Peterson will report to the Council the outcome of the bids at the Council meeting later that evening.

Bob Newton questioned the target date for completion. Mr. Peterson said 85 calendar days is targeted. Mr. Peterson said if the bids do not come in favorably to the city, the city could elect to build the sewer line and delay the street improvements.

Street
Resurfacing

Mayor Orcutt said a committee was formed, consisting of Councilor Newton (who was absent), Councilor Bay, Mayor Orcutt, Wally Mull and Bill Peterson. The committee reviewed the Master Plan book and selected through streets that maintain heavy traffic and streets that were in the worst state of repairs. The list the committee came up with for resurfacing consist of portions of:

McLeod Lane N.E. - from Manzanita to Tepper Lane

Windsor Island Road - from Chemawa to Wildwood
Villa

Shoreline Drive - from Cummings to Chemawa North
Newberg North - from McArchur to Lockhaven North
Elizabeth North - from Evans to Dearborn North
Arnold/Harcourt - from Beebe to Dearborn N.E.
Beebe N.E. - from Gary to Arnold Street
Dearborn N.E. - from verda Lane to River Road
Thorman N.E. - from dearborn NE to end of curb
8th St N.E. - from chemawa NE to Claggett NE
Allendale Way - from Hasbrook to end of pavement
Hasbrook NE - from Keizer Rd to Allendale NE
Pettygrove Ct - from Hasbrook to cul-de-sac
Cranberry - from Hasbrook to cul-de-sac
Gable Court - from Hasbrook to cul-de-sac
Keizer Court - from Allendale Way to cul-de-sac
Pleasant Court - from Allendale to cul-de-sac
Appleblossom North - from River Road to Potts Drive

Mr. Otterman said this matter will be brought to the Council either July 16, 1990 or August 6, 1990 for award of contract.

CPR

Classes

Mr. Otterman said city staff will be conducting mandatory CPR classes on July 11 and July 25 for city staff. They will be administered by city staff and Keizer Fire employees. Keizer Police employees have already attended these classes. Mr. Otterman feels all city employees should be certified and will obtain a Red Cross certification upon completion of the class. Mr. Otterman offered attendance to any interested Councilors.

WRITTEN

COMMUNICATIONS

There were no written communications to come before Council this evening.

OTHER

BUSINESS

Bike

Path

Joe Van Meter questioned the status of the bike path along Wheatland Road. Mr. Mull responded by saying the reason the city did not receive a grant for this project was because the bicycle path does not go anywhere. According to the Bicycle Advisory Committee, a bike path is needed that continues from Lockhaven, either north on River Road or around Trail through the new intersection. This path would then be connected onto Wheatland Road and would meet the grant criteria. He said parts of River Road are not wide enough to install a bike path. The alternative is to install a bike path

along Trail Avenue.

ADJOURN Mayor Orcutt adjourned the meeting.

Respectfully Submitted By:

Chris Thoreland
Chris Moreland
Administration Secretary

APPROVED:

[Signature]
MAYOR

[Signature]
[Signature]
(COUNCILOR BAY ABSENT)

[Signature]
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Note: Minutes have been reviewed by City Manager Otterman.