

**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**  
**SPECIAL SESSION**

**Monday, June 23, 2003**  
**12:00 p.m. (Noon)**

**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 on the agenda.**

**4. ADMINISTRATIVE ACTION**

- a. ORDINANCE – Amending the Utility License Fees for Sewer Utilities in the City of Keizer (Amending Ordinance No. 2002-468) Second Reading**
- b. Improvement Options for Chemawa Road N.E.**

**5. OTHER BUSINESS**

**6. ADJOURNMENT**

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



# PUBLIC MEETING NOTICE

PAID  
\$1.00  
JUN 24 2003

## KEIZER CITY COUNCIL SPECIAL SESSION

The Keizer City Council will meet in a special session on **Monday, June 23, 2003 beginning at 12:00 p.m. - Noon** This meeting will be held in the Robert L. Simon Council Chambers, Keizer City Hall, 930 Chemawa Road NE, Keizer, Oregon. Agenda items will include a second reading of an Ordinance Amending the Utility License Fee for Sewer Utilities in the City of Keizer and discussion of road improvements to Chemawa Road N.

The location of the meeting is accessible to the disabled. Please contact the City Recorder at (503) 390-3700, extension 108 at least 48 hours prior to the hearing if you will need any special accommodations to attend the meeting.

If you have any questions regarding this meeting, please contact Chris Eppley, City Manager at (503) 390-3700, extension 102.

DATED this 19<sup>th</sup> day of June, 2003.

Tracy L. Davis, CMC  
City Recorder

***Notice for Informational Purposes Only***

KEIZER CITY COUNCIL SPECIAL MEETING: June 23, 2003

AGENDA ITEM NUMBER: \_\_\_\_\_

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

THROUGH: CHRIS EPPLEY  
CITY MANAGER

FROM: TRACY L. DAVIS, CMC   
CITY RECORDER

SUBJECT: **ORDINANCE** – Amending the Utility License Fees for Sewer Utilities in the City of Keizer (Amending Ordinance No. 2002-468) Second Reading

**ISSUE:**

On June 16, 2003 an Ordinance Amending the Utility License Fees for Sewer Utilities in the City of Keizer – Amending Ordinance No. 2002-468 was presented to the Council for public hearing, discussion and adoption. The public hearing was opened, testimony accepted, and the hearing was closed. Discussion followed with the following motion being made.

Council President Moir moved a Bill For An Ordinance Amending the Utility License Fees for Sewer Utilities in the City of Keizer and Declaring an Emergency (Amending Ordinance No. 2002-468). Councilor Gaynor seconded the Motion.

The Motion passed with the following votes:

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

NAYS: Smith (1)

ABSTENTIONS: None (0)

ABSENT: None (0)

The Charter states "*an ordinance of the Council shall, before being put upon its final passage, be read fully and distinctly in open council meeting on two different dates. The exception to this is an ordinance may be enacted at a single meeting of the Council by unanimous vote of all councilors present.* Since the vote was not unanimous on June 16<sup>th</sup>, the Ordinance is before the Council for a second reading.

**RECOMMENDATION:**

It is recommended the Council move for adoption of a bill for an Ordinance Amending the Utility License Fees for Sewer Utilities in the City of Keizer and Declaring an Emergency (Amending Ordinance No. 2002-468). – second reading.

**COUNCIL MEETING:**

**June 16, 2003**

**AGENDA ITEM NUMBER:** \_\_\_\_\_

**TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS**

**THROUGH: CHRIS EPPLEY  
CITY MANAGER**

**FROM: SUSAN GAHLSDORF, CPA  
FINANCE DIRECTOR**



**SUBJECT: INCREASE IN SEWER LICENSE FEE**

**BACKGROUND:**

Tonight a public hearing is scheduled to discuss an increase in the sewer license fee from 2% to 5% of sewer charges. Revenue from this fee was provided for in the General Fund Long-Range Plan adopted by the Council on June 18, 2001. The amended plan provided for a 2% fee beginning July 1, 2002 and increasing to a 5% fee beginning July 1, 2003.

**ISSUE:**

The Sewer License Fee supports the City's general services including police, community development, parks and administration and applies to all sewer charges. The 5% fee is consistent with the license and franchise fees charged on other utilities including electricity, natural gas, sanitation, cable television and water. Telephone utilities have a 7% franchise fee per agreement.

**FISCAL IMPACT:**

The increase in the fee from 2% to 5% is expected to generate approximately \$111,000 in FY04. This fee increase is reflected in the Committee Approved Budget passed on May 8, 2003 and is necessary to fund expenditures as appropriated.

**RECOMMENDATION:**

Staff recommends council open the public hearing on the increase of a sewer license fee to 5% of revenues generated on the sewer bills. After testimony staff recommends council close the public hearing and deliberate on this issue. After which, staff recommends the council adopt the attached ordinance, if it so chooses.

In the event the license fee is not increased to 5% by the council, staff requests Council to direct the City Manager to bring a supplemental budget to the Council for the FY04 budget to recognize the anticipated revenue shortfall.

1 BILL NO. \_\_\_\_

A BILL

ORDINANCE NO.

2

2003-\_\_\_\_

3

FOR

4

AN ORDINANCE

5

AMENDING THE UTILITY LICENSE FEES FOR SEWER UTILITIES

6

IN THE CITY OF KEIZER AND DECLARING AN EMERGENCY

7

(AMENDING ORDINANCE NO. 2002-468)

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WHEREAS, the City Council of the City of Keizer has adopted Ordinance No.

9

2002-468 which establishes utility license fees for sewer utilities;

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WHEREAS, an amendment to increase the right-of-way use or business license

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fee from two percent (2%) to five percent (5%) has been brought to the City Council of

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the City of Keizer for consideration;

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WHEREAS, the City Council held a public hearing with regard to the proposed

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increase from two percent (2%) to five percent (5%) on June 16, 2003;

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WHEREAS, the City Council finds that it is appropriate to increase the right-of-

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way use or business license fee from two percent (2%) to five percent (5%) for all sewer

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utilities in the City of Keizer;

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NOW THEREFORE, the City of Keizer ordains as follows:

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Section 1. AMENDMENT OF ORDINANCE NO. 2002-468. Ordinance No.

20

2004-468 (An Ordinance Relating to Sewer Utilities in the City of Keizer Establishing

21

Utility License Fees; Declaring an Emergency) is hereby amended at Section 2 as

22

follows:

Page 1 - ORDINANCE NO. 2003-\_\_\_\_\_

**Lien & Johnson**

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

1 Section 2. Fee Required. Each Municipal Public Sewer Utility shall pay  
2 to the City of right-of-way use or business license fee as follows: five  
3 percent (5%) paid monthly of any and all gross revenues of such public  
4 utility received for sewer service within the City for the users thereof.  
5 "Gross Revenue" as the term is used herein will include any and all  
6 revenues for providing Sanitary Sewer Services, including any one-time  
7 miscellaneous charges.

8 Section 2. EFFECTIVE DATE. This Ordinance being necessary for the  
9 immediate preservation of the public health, safety and welfare, an emergency is  
10 declared to exist and this Ordinance shall take effect on July 1, 2003.

11 PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

12 SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

13 \_\_\_\_\_  
14 Mayor

15 \_\_\_\_\_  
16 City Recorder

1 BILL NO. 447

A BILL

ORDINANCE NO.

2002-468

3 FOR

4 AN ORDINANCE RELATING TO SEWER UTILITIES

5 IN THE CITY OF KEIZER ESTABLISHING UTILITY

6 LICENSE FEES; DECLARING AN EMERGENCY

7 The City of Keizer ordains as follows:

8 Section1. Municipal Public Sewer Utility. The term "Municipal Public Sewer  
9 Utility" as used in this Ordinance shall be construed to mean any individual, partnership,  
10 corporation, cooperative, municipal corporation or other association and all other legal  
11 entities installing, owning, operating, or maintaining any sewer systems, sewer  
12 equipment, and appliances in, upon, under, over, or along the public streets, alleys, and  
13 other public ways within the City of Keizer for the purpose of providing Sanitary Sewer  
14 Services to any of the residents of the City, or outside the City which sewer is paid for  
15 wholly or in part by the users thereof.

16 Section 2. Fee Required. Each Municipal Public Sewer Utility shall pay to the  
17 City of right-of-way use or business license fee as follows: two percent (2%) paid  
18 monthly of any and all gross revenues of such public utility received for sewer service  
19 within the City for the users thereof. "Gross Revenue" as the term is used herein will  
20 include any and all revenues for providing Sanitary Sewer Services, including any one-  
21 time miscellaneous charges.

22 Section 3. Payment of Use or License Fee. Each Municipal Public Sewer Utility  
23 shall file with the Finance Director on or before the twentieth (20<sup>th</sup>) day of each calendar

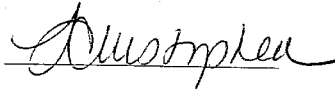
1 month, the monthly fee and statement showing the amount of Gross Revenue of the  
2 Municipal Public Sewer utility for the month immediately preceding the date upon which  
3 such statement is required to be filed.

4 Section 4. Ordinance Does Not Constitute Grant or Franchise. This Ordinance  
5 shall not be construed as being a grant or franchise.

6 Section 5. Effective Date. This Ordinance being necessary for the immediate  
7 preservation of the public health, safety, and welfare, an emergency is declared to exist  
8 and this Ordinance shall take effect on July 1, 2002.

9 PASSED this 17th day of June, 2002

10 SIGNED this 17th day of June, 2002.

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13 MAYOR

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15

16 CITY RECORDER