MINUTES
KEIZER CITY COUNCIL
Monday, June 19, 2006
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Christopher called the regular meeting to order at 7:37 pm. Roll Call was taken as follows:

Present:	**Staff:**
Lore Christopher, Mayor	Shannon Johnson, City Attorney
Richard Walsh, Council President	Chris Eppley, City Manager
Jim Taylor, Councilor	Susan Gahlsdorf, Finance Director
Chuck Lee, Councilor	Nate Brown, Community Development
David McKane, Councilor	Rob Kissler, Public Works
Jacque Moir, Councilor	Tracy Davis, City Recorder
Troy Nichols, Councilor	
A.J. Perez, Youth Councilor	

FLAG SALUTE

Susan Gahlsdorf led the pledge of allegiance.

PUBLIC TESTIMONY

Prior to any public testimony, Mayor Christopher noted that staff had requested additional time to prepare for the issue (Item 6b on the agenda) *In the Matter of the Application of Scott and Sharon White to Annex a Portion of Property Located at 7029 Fir Grove North, Keizer to the City Limits of the City of Keizer (Case No. 2005-35).* By consensus Council agreed to postpone this issue to the July 10, 2006 Council meeting.

Sheri Wahrgren, City of Salem, reported that inadvertently Salem had submitted for adoption the 2005-2006 One-Year Action Plan instead of the 2006-2007 Plan. Upon review, it was noted that the dates on the Consent Calendar Resolution were incorrect. Council members agreed to pull this item, amend it and adopt it as amended.

Rich Ford, Keizer, Oregon, explained that the Parks Advisory Board is beginning the process for updating the master plan. Four categories have been decided upon:

1) Identify needs and opportunities
2) Consolidate all plans/master plan all parks
3) Better promotion of parks/recreation
4) Consolidate/Update Policies-Ordinances

Mr. Ford gave details on each of these categories and added that, with the substantial addition of Keizer Rapids Park, the future budget needs of the Parks Department will most likely increase.

Further discussion took place regarding the recently held Charette for Keizer Rapids Park planning. Nate Brown explained that 150 ballots were submitted; the votes and written responses will be compiled and a staff recommendation submitted to Council along with copies of the scenarios. When Council determines the park of choice, this scenario would be submitted to the Marion County Planning for a land use determination and public hearing. Nate concluded that he hopes that within the next three months an application would be submitted to Marion County. He then reviewed in detail the process which took place at the Charette adding that the scenarios will be placed on the website for viewing and any questions or concerns can be submitted to the Community Development Department.

Mr. Brown also explained that the Task Force needs to establish interim policies prior to land use approval by Marion County. He concluded that he will submit a proposal at August meeting regarding the cessation of the Task Force.

Council members voiced appreciation to Nate Brown, Sam Litke and the park hosts, Shane and Maleah Witham, for all their work.

PUBLIC HEARINGS

a. Mario's Bar Liquor License Application

City Manager Chris Eppley reported that an application was submitted for a Full On Premises Sales Liquor License for Mario's Bar at 5179 River Road North in Keizer, Oregon. A public hearing was scheduled, notice published, necessary notification given, a background check was done, and Keizer Planning Department finds the location of the establishment to be properly zoned and has no comment on the application. Staff recommends that following a public hearing Council approve the application.

Councilor Taylor stated that he had a possible conflict of interest because he wife works in the area, but that he would be voting on the issue.

Mayor Christopher opened the Public Hearing.

Rich Giddens, Petitioner and Executive Chef fielded questions regarding parking, proximity to neighborhood and school, outdoor seating, music, and the Responsible Vendor Program.

Virginia McClure, Keizer, voiced opposition to the granting of the liquor license because of the increased traffic in the Sandy Drive neighborhood, overflow parking, and the fact that liquor just does not, in her opinion, fit into the neighborhood. She encouraged the Council to reconsider the issuance of this liquor license.

Mayor Christopher pointed out that the final authority rests with the OLCC and that Council simply makes a recommendation.

Marcella Oldenberg, Keizer, echoed Ms. McClure's comments.

With no further testimony Mayor Christopher closed the Public Hearing.

Councilor Walsh moved to approve the application for a Full On Premises Liquor License for Mario's Bar under the guidelines as established by ORS 471.178 and the Ordinances of the City of Keizer, and to forward the recommendation to the Oregon Liquor Control Commission for final approval. Councilor Moir seconded.

Discussion took place regarding parking, the noise ordinance and traffic. Councilor Walsh noted that this business has received an award as one of the best restaurants and welcomed the business owners. Councilor Lee echoed Councilor Walsh and encouraged the owners to be good neighbors. Nate Brown urged the neighbors opposed to the granting of this liquor license to contact the OLCC for the process in this matter.

Motion passed as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir and Nichols (6)
NAYS: Taylor (1)
ABSTENTIONS: None (0)
ABSENT: None (0)

b. Cost Plus World Market Liquor License Application

City Manager Chris Eppley reported that an application was submitted for an Off Premises Sales Liquor License for Cost Plus World Market, 6160 Ulali Drive NE, in Keizer, Oregon. A public hearing was scheduled, notice published, necessary notification given, a background check was done, and Keizer Planning Department finds the location of the establishment to be properly zoned and has no comment on the application. Staff recommends that following a public hearing Council approve the application.

Mayor Christopher opened the Public Hearing.

With no testimony, Mayor Christopher closed the Public Hearing.

Councilor Walsh moved to approve the application for an Off Premises Liquor License for Cost Plus World Market under the guidelines as established by ORS 471.178 and the Ordinances of the City of Keizer, and to forward the recommendation to the Oregon Liquor Control Commission for final approval. Councilor Moir seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

c. ORDINANCE ~ Setting Water Rates (2006) Repealing Ordinance 2005-528

Susan Gahlsdorf explained how Finance Department researched the various fees charged to customers and citizens of Keizer, how this will be organized and how the fee review and change will become uniform. Mayor Christopher reminded citizens that the cost of Service Analysis done in 2002 resulted in an agreed upon annual tax increase for a period of 8 years which will raise $87,000 to build into the system the capital improvement projects: new wells, replacement wells, reservoirs and water line replacements. She noted that there will be three more annual increases. Rob Kissler explained this in more detail. An analysis is done every year because the increase is related to usage.

Ms. Gahlsdorf explained that staff is proposing increased charges for various services including Shut-off Processing, After Hours Fees and Tampering Fees.

Mayor Christopher opened the Public Hearing.

With no testimony, Mayor Christopher closed the Public Hearing.

Rob Kissler explained what would happen if this issue was not passed. Councilor Taylor pointed out that Keizer has some of the best and purest water in the west due to the diligence of staff in keeping the system up to date. Councilor Walsh added that this is a safety, health and fire issue.

Councilor Walsh moved to adopt Ordinance No. 2006 Setting Water Rates (2006); Repealing Ordinance 2005-528. Councilor Taylor seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

d. Proposed Land Use, Sign Permits, Plan Check and Construction Permit Fee Increases

Finance Director Susan Gahlsdorf reviewed the background, issues and fiscal impact of the recommended change in fees adding that this was primarily a "housekeeping" issue. Discussion took place regarding tying fees to an "index". Mayor Christopher suggested tying the Land Use Application Fee to an index with the understanding that if a greater increase was necessary it could be adjusted. Ms. Gahlsdorf agreed to this and suggested that it be reviewed and adjusted every three years.

Discussion then took place regarding the various fees and sign permits.

Mayor Christopher opened the Public Hearing.

With no testimony, Mayor Christopher closed the Public Hearing.

Councilor Walsh moved to adopt Resolution 2006, Sign Permit Fees (Repealing R90-465). Councilor Nichols seconded.

Director Gahlsdorf inquired if Council wished to amend these resolutions to include indexing methodology.

Councilor Walsh withdrew his motion and moved to adopt Resolution R2006 Sign Permit Fees (Repealing R90-465) amended to include automatic adjustments for Portland CPI every three years. Councilor Taylor seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

Councilor Walsh moved to adopt Resolution R2006 Land Use Fee Schedule (Amending R2004-1492) amended to include automatic adjustments for Portland CPI every three years. Councilor Taylor seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

Councilor Walsh moved to adopt Resolution R2006 Plan Check and Construction Permit Fees (Amending R200-1163). Councilor Taylor seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

e. Proposed Police Impounds, City Hall Room Rental, Park Reservation and Administrative Service Fee Increases

Director Gahlsdorf reviewed the fees which affect the general fund: Administrative Fees, Police Impound Fees, City Hall Rental Fees and Park Reservation Fees. She stated that none of these fee increases were included in the revenue forecasts for the upcoming 2006-07 budget and then fielded questions from Council. A correction ($11.00 to $12.00 on line 15) was made on the Park Reservation Fee Resolution.

Mayor Christopher opened the Public Hearing.

With no testimony, Mayor Christopher closed the Public Hearing.

Councilor Walsh moved to adopt Resolution R2006 Establishing Fees for Certain Administrative Services (Repealing R2003-1404 and R2003-1437). Councilor Moir seconded.

Susan Gahlsdorf pointed out that this resolution calls for review every three years but does not specify the Cost of Living Index.

Councilors Walsh and Moir withdrew their motion and second.

Councilor Walsh moved to adopt Resolution R2006 Establishing Fees for Certain Administrative Services (Repealing R03-1404 and R03-1437) amended to include automatic adjustments for the Portland CPIW every three years. Councilor Moir seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

Councilor Walsh moved to adopt Resolution R2006 Policy for Community Use of City Hall Facilities (Repealing R2001-1287) amended to include automatic adjustments for the Portland CPIW every three years. Councilor Moir seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

Councilor Walsh moved to adopt Resolution R2006 Keizer Park Reservation Fees and the Amounts of Those Fees (Amending R99-1112) amended to include automatic adjustments for the Portland CPIW every three years and amended to include the correction on line 15 ($11.00 to $12.00). Councilor Moir seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

Councilor Walsh moved to adopt a Bill for an Ordinance Increasing the Administrative Fee for Vehicles that are Uninsured or Driven by Drivers without Driving Privileges; Amending Ordinance No. 94-310; repealing Ordinance No. 98-396 and Ordinance No. 2001-453 amended to include automatic adjustments for the Portland CPIW every three years. Councilor Moir seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

Councilor Walsh moved to adopt a Bill for an Ordinance Increasing the Administrative Fee for Vehicles Operated by Persons Under the Influence of Intoxicants; amending Ordinance No. 95-322; Repealing Ordinance No. 98-395 and Ordinance No. 2001-454 amended to include automatic adjustments for the Portland CPIW every three years. Councilor Moir seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

f. RESOLUTION – Application Fee for Public Improvements Reimbursement Districts (Amending R2003-1443)

Finance Director Susan Gahlsdorf reviewed the background, issues and fiscal impact of this resolution and fielded questions from Council.

Mayor Christopher opened the Public Hearing.

With no testimony, Mayor Christopher closed the Public Hearing.

Councilor Walsh moved to adopt Resolution R2006 Application Fee for Public Improvements Reimbursement Districts (Amending R2003-1443). Councilor Lee seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

g. RESOLUTION – Change in Sewer Administration Fee

Finance Director Susan Gahlsdorf reviewed the background, issues and fiscal impact of this resolution.

Mayor Christopher opened the Public Hearing.

With no testimony, Mayor Christopher closed the Public Hearing.

Councilor Walsh moved to adopt Resolution R2006 Change in Sewer Administration Fee (Repealing R2003-1413). Councilor Lee seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

h. RESOLUTION – Authorization for Resolution Transfer (Supplemental Budget)

Finance Director Susan Gahlsdorf explained that staff has identified the following items for supplemental budget: General Fund, Street Fund, 9-1-1 Fund, Public Education Government Fund, Keizer Station LID Fund, Park Improvement Fund, Sewer Reserve Fund and Street Lighting District Fund. She added that these adjustments were anticipated in preparing the fiscal year 2006-2007 Budget.

Mayor Christopher opened the Public Hearing.

With no testimony, Mayor Christopher closed the Public Hearing.

Councilor Walsh moved to adopt Resolution R2006 Authorization for Resolution Transfer. Councilor Nichols seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

i. RESOLUTION ~ Adopting FY 2006-2007 City of Keizer Budget, Making Appropriations and Imposing and Categorizing Taxes

Finance Director Susan Gahlsdorf reviewed the background, issues and fiscal impact of the 2006-2007 Budget. She noted that since the Budget Committee Approved Budget passed, new information has become available that affects various funds. She then reviewed recommended adjustments to the fiscal year 2006-2007 Budget.

Mayor Christopher opened the Public Hearing.

With no testimony, Mayor Christopher closed the Public Hearing.

Councilor Walsh moved to adopt Resolution R2006 Adopting the FY2007 Budget, Making Appropriations and Imposing and Categorizing Taxes with staff recommended changes. Councilor Moir seconded.

Councilor McKane offered a friendly amendment to revise the general fund under Administration, line number 52, removing $6,000 for the Library Grant.

Councilor Walsh did not accept the amendment.

Councilor McKane moved to amend the budget to revise the general fund under Administration, line number 52, removing $6,000 for the Library Grant. Councilor Nichols seconded.

Councilor Walsh pointed out that the $6,000 is a matching portion; if the grant is received the City would contribute $6,000 and the state would contribute approximately $35,000 to hire a professional to work on this project.

Motion failed as follows:

AYES: Nichols, McKane and Moir (3)
NAYS: Christopher, Walsh, Taylor and Lee (4)
ABSTENTIONS: None (0)
ABSENT: None (0)

Mayor Christopher restated the original motion: To adopt Resolution R2006 Adopting the FY2007 Budget, Making Appropriations and Imposing and Categorizing Taxes with staff recommended changes.

Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

ADMINISTRATIVE ACTION

a. ORDINANCE – Amending Keizer Development Code

City Attorney, Shannon Johnson, noted that his copy was not in color but the language is all correct and it amends the various sections.

Councilor Walsh moved to adopt a Bill for an Ordinance Amending Keizer Development Code Regarding Section 2.303 (Off-Street Parking and Loading), Section 2.309 (Site and Landscaping Design), Section 2.312 (Yard and Lot Standards), and Section 3.111 (Text Amendments); Amending Ordinance 98-389. Councilor Moir seconded.

Councilors Walsh and Taylor voiced opposition to the parking reductions.

Motion passed as follows:

AYES: Christopher, Lee, McKane, Moir, Nichols (5)
NAYS: Walsh and Taylor (2)
ABSTENTIONS: None (0)
ABSENT: None (0)

This issue will be brought back for a second reading at the July 10 Council meeting.

CONSENT CALENDAR

A. **RESOLUTION – Declaring the City's Election to Receive State Shared Revenue**
RESOLUTION – Certifying the City of Keizer Provides Four or More Municipal Services
B. **Postponement of July 3, 2006 Regular Session to July 10, 2006**
C. **RESOLUTION – Authorizing the City Manager to Sign Contract with Houck Construction for 2006 Street Overlay projects**
D. **Approval of May 15, 2006 Regular Session Minutes**
E. **RESOLUTION – Adopting the Housing and Community Development Action Plan One Year Use of Funds – Salem and Keizer 2005-2006 and Housing and Community Development Consolidated Plan FY 2005-2006 (Repealing R2006-1692)**

Councilor Walsh pulled item E. Councilor Moir pulled item D.

Councilor Walsh moved to approve items A, B, and C on the Consent Calendar. Councilor Nichols seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

Councilor Moir corrected "Salem Waterways Task Force" to "Salem Water Wastewater Task Force" and moved approve the May 15, 2006 Regular Session Minutes as amended. Councilor Nichols seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

Councilor Walsh moved to approve Resolution R2006 Adopting the Housing and Community Development Action Plan One Year Use of Funds – Salem and Keizer, as amended (Amending R2006-1692) Councilor Nichols seconded. Motion passed unanimously as follows:

AYES: Christopher, Walsh, Lee, McKane, Moir, Nichols and Taylor (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

COMMITTEE REPORTS

a. Volunteer of the Quarter Award – A.J. Perez

Mayor Christopher explained that the Volunteer Coordinating Committee had created a new volunteer recognition program to recognize the youth volunteers within the community and A.J. Perez was the first recipient of this award. The award was presented to him along various other gifts from Council. Council members praised A.J. and wished him well.

OTHER BUSINESS

a. New Business

b. Old Business

Councilor Walsh reported that the RIVERR Task Force would not be meeting again until August.

Councilor Taylor stated that he hoped to have a report about "Nessie" the lost train at the next meeting.

Councilor Moir reported that the Wallace House Task Force would be meeting the next day and she would have a report at the next Council meeting.

Mayor Christopher reported that submissions were in for the Mayors Association contest (essays and posters) and winners will be coming to the next meeting with the winning essay and poster being forwarded on to the final competition.

Chief Marc Adams reported on staffing changes in the department and reported that extensive damage was caused to a police car over the weekend but it will be repaired.

Rob Kissler reminded Council of the Public Works Strategic Plan Work Session on June 26 at 5:45 p.m.

Nate Brown reported that June River Task Force was cancelled but the next meeting will be in July.

Youth Councilor Perez thanked Council adding that he had learned a lot during his year with the Council.

WRITTEN COMMUNICATIONS

Mayor Christopher read a letter from a recent graduate of Keizer Elementary who just received an award as the Fifth Grader Most Likely to Become the President of the United States, Kevin Walsh.

AGENDA INPUT

July 3, 2006
Meeting Postponed to July 10, 2006
July 10, 2006
7:00 p.m. City Council Regular Session
July 17, 2006
7:00 p.m. City Council Regular Session

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

APPROVED:

MAYOR:

Debbie Lockhart

Debbie Lockhart, Deputy City Recorder

Lore Christopher

COUNCIL MEMBERS

David McKane

Councilor #1 – David McKane

Jacque Moir

Councilor #4 – Jacque Moir

Councilor #2 – Troy Nichols

Councilor #5 – Richard Walsh

Charles E. Lee

Councilor #3 – Charles E. Lee

Councilor #6 – James Taylor

Minutes approved:

July 10, 2006