MINUTES

KEIZER CITY COUNCIL
Monday, June 19, 1995
Robert L. Simon Council Chambers
Keizer City Hall
Keizer, Oregon

CALL TO ORDER

Mayor Koho called the regular meeting to order at 7:00 p.m. Roll call was taken as follows:

Present
Dennis Koho, Mayor
Carl Beach, Councilor
Jim Keller, Councilor
Jerry McGee, Councilor
Al Miller, Councilor
Chet Patterson, Councilor

Absent
Jerry Watson, Councilor

Staff
Dotty Tryk, City Manager
John Morgan, Community Development Director
Charles R. Stull, Chief of Police
Kim Krause, Finance Director
Wally Mull, Public Works Director
Shannon Johnson, City Attorney
Nona Oxe', Recording Secretary

PUBLIC TESTIMONY

Presenting testimony was:

Alan Hershey expressed his appreciation for the excellent response from the Keizer Police Department on the night of Robert Simon's passing.

There was no other testimony to come before the Council.

COMMITTEE REPORTS

VOLUNTEER OF THE QUARTER AWARD

Police Chief Stull introduced Glenn and Laurie Putnam as the recipients of the Volunteer of the Quarter Award.

Mayor Koho presented a clock to Mr. and Mrs. Putnam in recognition of their contributions to the City.

BUDGET COMMITTEE APPOINTMENT

City Manager Tryk reported that the Volunteer Coordinating Committee has recommended the appointment of Jim Nightengale to fill the unexpired term of Richard Inman on the Budget Committee.

Councilor Keller moved to appoint Jim Nightengale to fill the unexpired term of Richard Inman on the Keizer Budget Committee. Councilor McGee seconded the Motion.

The Motion passed as follows:

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

PLANNING COMMISSION APPOINTMENT

City Manager Tryk reported that the Volunteer Coordinating committee has recommended the appointment of Manny Martinez to fill the unexpired term of Denny Muchmore on the Planning Commission.

Councilor Patterson moved to appoint Manny Martinez to fill the unexpired term of Denny Muchmore on the Keizer Planning Commission. Councilor Keller seconded the Motion.

The Motion passed as follows:

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

CHEMAWA ACTIVITY CENTER BRIEFING

Community Development Director Morgan briefly reviewed the planning activities done to date in an effort to create a definitive land use and transportation plan for the area. He pointed out the importance of the planning activities in determining the focus for the area, and also ensuring the ability to finance, and hopefully grant fund much of the infrastructure. He explained how the Transportation and Growth Management grant received in conjunction with Salem's Kuebler Boulevard interchange grant provided for

one consultant to work consecutively on both interchanges, and independently focus on each.

Mr. Morgan noted that the consultant, Kampe Associates, has taken the lead on the project, including conducting several public forums. There has been good turnout for the public forums and strong participation. Mr. Morgan noted that he has also met independently with property owners in small groups representing land along Radiant Drive and land south of Chemawa/Lockhaven north of the Little League field. He pointed out that the strong citizen involvement effort will come to a culmination in the next few weeks with the release of the draft plan.

Larry Lewis of Kampe Associates, representing the Chemawa Activity Center consulting team, reported that the overall purpose of the study was to provide land use and transportation recommendations for the study area. He recognized the other members of the consulting team; Kittelson & Associates, Spencer & Kupper, and Mayer/Reed.

Mr. Lewis described the planning process undertaken by the consulting team, including the public involvement. He pointed out that the consultants are now in the final stages where the implementation strategies will be put together as the land use and transportation recommendations are finalized. The implementation strategies and draft final report should be completed within the next two to three weeks.

Mr. Lewis outlined the following project goals initially established by the consultants:

- Develop a land use and transportation plan for the interchange area.
- Develop a plan that promotes a multi-modal transportation system and contributes to reduced reliance on the single occupant vehicle.
- Preserve the existing transportation facilities in the existing interchange level of service and design.
- Identify public facilities, services, and utilities necessary to accomplish the planned land uses and transportation.
- Throughout the planning process, provide the opportunity for involvement by residents, property owners, citizens

and affected public agencies.

- Determine the appropriateness of including the land west of the Burlington Northern Rail Road in the study area.

Referring to map drawings, Mr. Lewis pointed out and described the different land uses proposed for each quadrant within the study area boundaries. The Northwest quadrant was divided into two parts; area east of the Burlington Northern Rail Road, and area between the Burlington Northern Rail Road and McLeod. For the lower portion of the area east of the rail road, the recommendation was for hotel, conference, restaurant and retail uses. The area to the north of the PGE lines was identified for industrial park type uses. For developments within these areas it was recommended that a site master plan for the entire land unit be submitted by the developer and approved by the City before allowing development to occur. The area west of the Burlington Northern Rail Road was recommended for mixed use.

The Southwest quadrant west of the Burlington Northern Rail Road was proposed for mixed use consisting of multi-family, single family, office and retail. One area of exception was one small industrial area designated for warehouses. One other major piece of property between the rail road and I-5, currently Chemawa Indian School Property, was identified for commercial uses on the northerly portion, and a park-n-ride on the southern end.

Mayor Koho expressed disapproval with some of the recommendations. He disapproved of the area within the triangle currently owned by the Chemawa Indian School being developed as commercial. Also, for the area just to the west, he was displeased with the recommendation for mixed use. He pointed out that Keizer is a residential community. He objected to tearing down the single-family homes and replacing them with mixed-uses.

Councilor Miller had heard that the mini-storage project was abandoned. He wondered what would happen with the area proposed for warehouses. Mr. Morgan confirmed that the project appeared to be defunct. If so, the expectation was that the recommendation for the area would no longer be for industrial uses, but the same uses as the surrounding

property.

Councilor Miller asked if the turn from residential to mixed-use was because people thought they could get more for their land, or if they had some other concern. Mr. Morgan recalled how property owners had previously petitioned the Council regarding the land use designation, and then changed their minds. He could only speculate that possibly they felt things happening around them made their property not as desirable for single-family use.

Councilor Miller asked if Mr. Morgan could confirm rumors that purchase of the land adjacent to the Little League park was being pursued for Little League purposes. Mr. Morgan indicated that talks were taking place and it was a possibility.

Councilor McGee asked if his assumption was correct that in rezoning the residential properties, the new zoning would apply only as a property changes hands. Mr. Morgan answered that the zoning would probably change, but a property would be legally nonconforming until the owner is finished with it. Councilor McGee could see nothing wrong with a property owner improving his/her situation.

Mr. Lewis emphasized that the consultants were very sensitive to the fact that Keizer is essentially a residential community. In looking at a 20-year plan, however, they had to acknowledge that the area adjacent to a major road as well as I-5 was more appropriate for a different kind of use.

In looking at the transportation issues, Mr. Lewis noted that Kittelson & Associates came up with recommendations based on what they felt the optimum solution would be. They looked at the fact that Chemawa is a major road, and there is a need to have access management control. They also looked at the spacing of signals. Mr. Lewis noted that the proposed plan is different from previous recommendations. He explained the recommendation for a Chemawa grade separation to provide access into the northwest and southwest parcels and eliminate the need for a traffic signal. He reviewed other recommended changes to the traffic plan.

Discussion followed regarding the proposed changes. Mr. Lewis responded to questions regarding access to the Little

League field, the proposed bus-only on-ramp from the park-n-ride to Salem Parkway, and other traffic movements within the plan.

Mayor Koho felt the plan called for an incredibly intense development of pavement next to the rail road tracks. He suggested that the previous plan was far cleaner and less intense.

Councilor McGee noted that the recommendations allowed multiple entry to the Little League park. He felt that it would be an advantage in disbursing traffic.

Mayor Koho asked if in the event the property is developed as planned, had thought been given to all the intense traffic at the interchange. He indicated that he would like to see development occur more to the north and to the south. Mr. Lewis agreed that the anticipated development would generate a lot of traffic.

Councilor Keller expressed concern about the planned new street from Chemawa to Ridge Drive. Previous discussions had indicated that if this was done the City would have to take some land. He indicated that his preference would be to do something other than that process. He also wondered if the new street would be sufficient to handle the traffic anticipated for the area. Mr. Lewis answered that it would handle the traffic. He agreed that the proposed configuration would consume more land.

Councilor Patterson pointed out that the proposed new road from Ridge to Keizer Road could become an alternate route to I-5. He asked what consideration had been given to the likely increase in traffic near Kennedy School. Mr. Lewis answered that specific traffic counts were not done. He was unsure what the effect on the school would be. The plan for the street called for one lane in each direction, with a center lane.

Councilor Beach indicated that he would like to see other alternatives for traffic flow. He suggested the need to compare the proposed plan with the previous plan to allow Council to take into consideration some of the tradeoffs before giving direction for the final draft.

Councilor Patterson asked about funding sources. Mr. Lewis answered that funding would be addressed as part of the implementation strategy.

As a final note, Mr. Morgan advised Council of an air quality problem related to the transportation portion of the plan. He reviewed the provisions of the National Air Quality Act requiring that "In the urban area nothing shall happen to the regional transportation system that creates a net degradation of the air shed." He pointed out that the proposed project is considered "dirty."

Mr. Morgan explained a provision in air quality regulations allowing for offsetting projects whereby a clean project can be considered an offset for a dirty project. He noted that the task force is questioning the validity of the Transportation Model for the Salem/Keizer area, and is also looking for clean projects that would provide acceptable offsets. He speculated that the plan presented tonight would probably be considered clean, but suggested that there may be other less expensive things that could be done. He explained how passing of the Salem Bond for street improvements could result in a net improvement in the regional air shed, possibly making way for this project. He noted that the issues will be before the SKATS Policy Committee toward the end of July.

PUBLIC HEARINGS

CLAGGETT CREEK CEMETERY - COMP PLAN/ZONE CHANGE

Mayor Koho opened the Public Hearing.

Community Development Director Morgan recalled that the proposed Comprehensive Plan Amendment and Zone Change was initiated by the Council in March of this year. The proposed changes, involving two pieces of property, would bring the existing Claggett Cemetery into conformance with both the Comp Plan and the zoning, and provide for an expansion of the Cemetery.

Mr. Morgan noted that the existing cemetery, while zoned Public, is designated Low Density Residential on the Comprehensive Plan. To conform with the existing Public Zone and reconcile the conflict, it is recommended that the Comprehensive Plan be changed to designate the existing cemetery property as Civic.

Mr. Morgan pointed out that the cemetery is essentially full. The Cemetery Association has been working with Alice and Leon Croteau, the property owners to the north, to expand the site. Mr. Morgan noted that the Croteaus owned the land the Ridge Subdivision was built upon, but retained a large lot at the south end (lot 23) specifically for the purpose of providing expansion land for the cemetery.

Mr. Morgan noted that lot 23 is currently designated Low Density Residential on the Comprehensive Plan and is zoned Single Family Residential. The proposed designation would change the Comp Plan designation to Civic, and the zoning to Public, allowing the cemetery to expand into the area.

Mr. Morgan called attention to Findings and Conclusions prepared on behalf of the Claggett Creek Cemetery Association and the property owners, the Croteaus. He noted that no conditions of approval are proposed by staff for the cemetery facility. Staff recommended that Council, after receiving public testimony, hold the hearing over until July 17, and direct the staff to return on that date with an order for Council consideration approving the zone and Comprehensive Plan changes.

Mayor Koho read into the record a letter dated June, 19, 1995, from Lon Clemens, 6758 Westridge Court North, an owner of property bordering the subject property. Mr. Clemens indicated that he was unable to attend tonight's meeting, but expressed his opposition to any change without seeing additional details applying to setbacks, visual blocking, etc.

Presenting testimony to the Council was:

Tim Smith, currently residing at 7234 Woodgrove Court N, Keizer, and latter this month moving to 6779 Westridge Court, Keizer, indicated that he was present as a proponent of the proposal. He noted that he had worked for the development company that built the Ridge Subdivision and was familiar with lot 23 and its intended use for expansion of the cemetery. He ask that the Council consider some buffering between the Ridge Subdivision and the cemetery. He requested that trees and lawn be put at the end of Westridge Court where it meets the cemetery.

Betty Stanley, moving to 6759 Westridge Court, Keizer towards the end of the month, also had no objections to the proposed cemetery expansion. However, she also requested that a buffer zone be required between the cemetery and the subdivision.

Martin Hunter, owner of property adjacent to lot 23, shared the concerns of Mr. Smith and Ms. Stanley. He also was not opposed to the proposed Comp Plan and Zone changes, but indicated that he would like to see a buffer along the property line.

There was no further testimony to come before the Council.

Councilor Keller asked staff if the Cemetery Association anticipated putting another driveway into cemetery. Mr. Morgan answered that access into lot 23 would come off Bolf Terrace, the current entrance to the cemetery.

Councilor McGee asked how much land would be needed for a visual sight barrier. Mr. Morgan explained the provisions of the zoning ordinance with regard to buffering between uses, and always applied between commercial and residential. It calls for a 5-foot yard that must contain a fence, wall or hedge. He suggested that application of this standard might be appropriate.

Discussion followed regarding preferences for the type and height of a divider. Mayor Koho suggested that staff come back with alternatives for a buffer.

Tim Smith stated that he was not looking for a tall divider, just for a divider, possibly with some green space and trees. He indicated that he was thinking in terms of cyclone fencing. He suggested that he would like to get the neighbors together with the Cemetery Association to discuss the buffer.

Betty Stanley suggested that if the fence matched up with the current fence on the east side of the development, with the addition of some landscaping, it would be more pleasing to the eye. She was somewhat concerned that as the cemetery expands people will be coming into her cul-de-sac to gain

access to the cemetery, causing congestion.

Mayor Koho directed staff to work with the applicants and the neighbors, and bring back alternatives for a buffer at the July 17 meeting.

Mayor Koho recessed the public hearing until July 17, 1995.

CONDITIONAL USE PERMIT CASE NO. 95-1 - KEIZER CITY HALL/KEIZER HERITAGE

Mayor Koho opened the Public Hearing.

Councilor Keller disclosed a potential conflict of interest in connection with the proposal. He explained that he has been working with the Keizer Heritage Foundation as a member of the committee looking at moving the School House building, and is Chairman of the committee in charge of the actual move. He felt that his interest would not preclude him from discussion or voting. Mayor Koho agreed.

Community Development Director Morgan advised that approval of the proposed Conditional Use Case would allow the placement of the Old Keizer School, for use as a community center building, on City Hall property currently zoned RM (Residential Multi-Family). He pointed out that in a separate hearing tonight Council would also be considering a zone change to rezone the property to Public.

Mr. Morgan noted that the issue before Council was to consider the appropriateness of the proposed Conditional Use and the attachment of any conditions that would allow the building to best be located on the property. He explained that normally conditional uses are handled administratively with an appeal to the hearings officer and then a second appeal to the Council. However, in cases involving City of Keizer owned property the tradition has been to bring the request to Council as the first and only hearing.

Mr. Morgan presented the staff report and reviewed the findings that the placement of the building in accordance with the proposed site plan meets the intent of the RM zone as well as the Public zone. The proposed use at this site greatly accents the City Hall property. It is well located in it's relationship to Chemawa Road and provides an anchor to an east/west expansion of a downtown or focal area from Chemawa and River Road. And, the site can be developed

with minimal impact on surrounding property.

Mr. Morgan pointed out that there is some question over exactly where the property line is between the City Hall property and the privately-owned house located immediately to the west of the proposed building location. In the event the issue is not settled before the matter comes back to Council, staff will include in the Order a recommendation that that the point be settled before construction occurs. The recommendation also calls for appropriate buffering between the adjacent uses.

Staff recommended that the Council receive public testimony, then recess the public hearing until July 17, and direct staff to return on July 17 with an order for Council consideration approving the conditional use.

City Attorney Johnson reviewed the applicable criteria and procedures in this case. He asked if any other Councilors wished to declare a possible conflict of interest.

Mayor Koho stated that he has had some conversations regarding the potential lease of the land. While not directly affecting the land use decision, he wished to have it made known.

Councilor McGee stated that he has been involved with a variety of activities with the Heritage Foundation, none of which would cause bias in any of his decisions.

Presenting testimony to the Council was:

Bob French, 1384 Manzanita Street, Keizer, stated that he wrote the justification for the request. He emphasized the role and vision of Keizer's late mayor, Bob Simon, in preserving the Old Keizer School. He noted that since that time many dedicated people have donated time and effort toward the cause.

Mr. French pointed out the role of the Keizer Art Association in raising funds and generating support for the project. He noted that if at any time the Heritage Foundation could not or did not choose to run the facility, the City has agreed that the Keizer Art Association will have the right of first refusal to run the facility.

Mr. French reviewed some of the planned uses for the facility. He pointed out the cultural and historical benefit to the City, and spoke about the quality of leadership on the Keizer Heritage Foundation Board and the various committees working on the project.

There was no further testimony to come before the Council.

Councilor Keller referred to page 3 of the staff report under Conditions, that states, "These hours may be extended with advance approval of the majority of the surrounding property owners for special events." He asked staff what area was intended. Mr. Morgan surmised that the intent was City Hall and the property owners on either side.

Councilor Keller expressed interest that once in place, the school building have the ability to generate enough funds for its ongoing upkeep and operation. He wondered if the Conditional Use would limit any commercial or retail endeavor that the Foundation might undertake at the site. Mr. Morgan answered that any commercial use of the property would have to be in conjunction with one of the community-based uses. He noted, for example, that the Art Association could sell art generated by the Association. The building could not be rented out for a private commercial venture. He confirmed that a gift shop related to Keizer Heritage, weddings, etc. would be acceptable.

Councilor Patterson asked if landscaping would be tied in with the rest of the property. Mr. Morgan confirmed that the landscaping would have to fit in with the existing master plan.

Councilor Patterson also noted that the Conditions and Requirements spoke of improvements within the Chemawa Road right-of-way. He asked what kind were being referred to. Mr. Morgan replied that the City is not holding the Heritage Foundation responsible for doing an improvement to the street. Extension of utility services, or the driveway approach, etc. might be required of them. Mr. Morgan confirmed that the City will do any improvements to the street. City Manager Tryk interjected that the City would expect to participate in some fashion in many of the

infrastructure improvements. She noted that it might be a function of the Urban Renewal Agency, similar to the participation at the Salem Senior Center.

Councilor Miller indicated that he was supportive of the project, but felt that it might be inappropriate to approve anything to do with moving the school or the construction until a written agreement between the Foundation and the City is signed. He asked if a requirement for a signed agreement prior to the move would need to be included in the Order as a condition. Mr. Morgan answered that granting the land use approval doesn't give the Foundation permission to move the building. He noted, however, that the land use approval and agreement could be done simultaneously. City Attorney Johnson agreed, and noted that nothing can happen to move the structure, notwithstanding any land use decision, without the Council's consent. He anticipated that the agreement would be on the July 17 agenda for Council's consideration.

Councilor McGee recalled that Council passed a resolution that there would be a signed agreement prior to the move.

Mayor Koho moved to direct staff to return on July 17 with an Order for Council consideration that would approve the conditional use. The motion was seconded by Councilor Miller.

The motion passed as follows:

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

Mayor Koho recessed the public hearing until July 17, 1995.

PERIODIC REVIEW - UT ZONE CHANGE

Mayor Koho opened the Public Hearing.

Community Development Director Morgan advised that the Land Conservation and Development Commission granted approval on June 10, 1993 to Keizer's Periodic Review Order, with conditions. One of the conditions had to do with the procedure for rezoning residential property. The opinion

of the Land Conservation and Development Commission was that little should stand in the way of rezoning necessary to provide for needed housing. The LCDC felt that the City's criteria for zone changing, especially for multi-family zone changing, was not adequate to allow a swift decision.

Mr. Morgan continued that the LCDC gave the City a choice to either adopt clear and objective approval processes and standards for upzoning land, or to upzone sufficient land to meet these needs in advance. Mr. Morgan advised that the Planning Commission, after considering the choices, chose the latter. He noted that the Planning Commission's reasoning was that the focus of the upzoning was on potential multi-family properties. Land currently designated UT was already designated Medium to High Density Residential on the Comp Plan, but would require a zone change to RM when the time came for development.

Mr. Morgan pointed out that when the Planning Commission inventoried the UT zoned properties they found that there were only two significant pieces of ground. They decided that it wasn't worth creating a new set of approval criteria just for two zone changes at some time in the future.

Mr. Morgan reviewed the implementation of the UT Zone in Keizer, and the reasoning behind its creation to provide a transition between rural use and urban use. He pointed out several difficulties relating to the allowed uses in the UT Zone.

Mr. Morgan reported that the Planning Commission, in reviewing the UT zoning, felt that it had outlived its usefulness. However, in looking at the properties in detail, it was their feeling that the land north of Barnick Road in the Clearlake area should remain UT zoned. Mr. Morgan explained the Planning Commission's reasons for recommending that that land not be rezoned at this time.

Mr. Morgan advised that for the balance of the community the Planning Commission recommended four different types of zone changes. The largest number of properties affected would be land currently zoned UT, but designated low-density residential. The recommendation is to change the zoning from UT to RS (Residential Single Family). Mr. Morgan pointed out the benefits of rezoning the properties.

Mr. Morgan noted that the second recommended change is for multi-family properties. The properties are designated Medium/High-Density Residential on the Comp Plan and currently zoned UT. He pointed out on a map five properties that would be affected by the zone change from UT to RM. He noted that the two major development properties are at the St. Edwards Catholic Church, and property at the corner of Trail and Lockhaven. Mr. Morgan explained the Planning Commission's reasons for recommending the change for the two properties.

Mr. Morgan reported that the remaining two recommendations are cleanup work. The Planning Commission recommended that Gubser School and Whitaker School be changed from UT to Public to bring their zoning into conformance with the Comp Plan and the existing use. And finally, as a matter of general clean up, that the City Hall property which is designated Civic on the Comp Plan but zoned Multi-Family be rezoned to Public.

Mr. Morgan noted no conditions of approval are recommended on any of the changes. Staff recommended that after receiving public testimony, the hearing be held over until July 17, and that staff be directed to return on July 17 with an Order for the Council's action approving the proposed changes.

Councilor Keller noted that the bulk of the land at the St. Edwards Church is currently being farmed. He asked if the zone change would have an impact on that use. Mr. Morgan answered that it would not. He also confirmed that there would be no problem with the use of the property for the Keizerfest.

Mayor Koho asked why the St. Edwards Church would be changed to Multi-Family. He wondered why it was felt that apartments should be permitted there. Mr. Morgan explained that the Comp Plan designates the entire property as Medium/High Density Residential. The zoning will be in conformance with the Comp Plan.

Councilor Beach expressed concerns about the proposed rezoning for the Keizer Christian Church on Wheatland Road. Mr. Morgan explained how the new Development

Code regulations would address his concerns.

Presenting testimony to the Council was:

Don Kuhns, 795 Claggett Street, Keizer, advised that he owns and resides at property currently zoned UT. He asked Mr. Morgan if the rezoning of his property to RS would be considered down zoning. He was concerned that the rezoning might lessen his ability to do what he wants with his property.

Mr. Morgan answered that the UT Zone is a holding zone. It only allows development to occur through a conditional use process and it must be found that the development that occurs is in keeping with the future urbanization of the property. He explained that the only things allowed in the UT Zone different from those allowed in the Single Family Zone are auto repair, a home occupation business occupying a detached structure, and farm use. He noted that on the flip side, the UT zone doesn't permit subdividing or partitioning.

Mr. Kuhns advised that he is a licensed landscape contractor and has a home business and a detached building where he stores his equipment. If the zoning is changed to Single Family Residential, he wondered if his use would be nonconforming. Mr. Morgan confirmed that his use would be legally nonconforming. The zone change would have no practical impact.

There was no other testimony to come before the Council.

Mayor Koho moved that Council direct staff to return on July 17 with an Order approving the proposed changes. The motion was seconded by Councilor Beach.

The motion passed as follows:

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

Mayor Koho recessed the public hearing until July 17, 1995.

ADMINISTRATIVE ACTION

RESOLUTION - ADOPTION OF FY 1995-96 BUDGET, MAKING APPROPRIATIONS, LEVYING TAXES

City Manager Tryk presented the proposed FY 1995-96 Budget for the City of Keizer. She noted that after approval by the Budget Committee, a public hearing was held on January 17, 1995, at which time Council made several revisions, reducing the budget by $125,000, and set a levy election for March. She reviewed the changes made by Council at the January 17 hearing.

Ms. Tryk noted that the levy election passed resulting in a levy of $1.6 million and an estimated tax rate of $1.49/thousand. She recalled that at that time Council expressed concern about the impact of current activities on ending fund balance projections. She noted that at the last Council workshop she reviewed the budget status and reported to Council a projected FY '96 $100,000 beginning fund balance shortfall. Council directed staff to pursue some cost saving and revenue producing possibilities and return to Council in August with a recommendation.

Ms. Tryk noted that other budget modifications were recommended at the workshop relative to anticipated higher Revenue Sharing collection, and the 911 Unappropriated Fund Balance. Those modifications are included in the budget resolution now being submitted. She reviewed two other administrative changes included in the budget resolution. The proposed changes are: addition of a fund dedicated to receiving and appropriating any sewer SDCs that may be received if property in the Clear Lake area develops; and, modification of the Utility Fund and the Street Fund Budgets to recognize the loan from the Street Fund to the Utility Fund.

City Manager Tryk recommended adoption of the modified budget.

Councilor McGee moved for a Resolution Adopting the FY'96 Budget, Making Appropriations and Levying Taxes. Councilor Miller seconded the Motion.

The Motion passed as follows:

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

RESOLUTION - ADOPTING SUPPLEMENTAL BUDGET AND MAKING APPROPRIATIONS

City Manager Tryk advised that a supplemental budget process is used to recognize unanticipated events which cannot be covered by a contingency or allowable funds transfers and when there is unexpected additional revenue to fund the budget requirements.

Ms. Tryk outlined the following three activities authorized by the proposed supplemental budget: (1) Receipt of a planning grant from LCDC to pay for outside consulting in writing the new zoning ordinance. (2) An interfund loan from the Street Fund to the Utility Fund to repay the assessment fund for LID cash that had been inappropriately included in the utility fund balance. (3) Unanticipated 911 excise tax revenue to pay for materials and services for appropriate 911 emergency expenses. City Manager Tryk recommended adoption of the resolution adopting a supplemental budget and making appropriations.

Mayor Koho moved for a Resolution Adopting a Supplemental Budget and Making Appropriations for Fiscal Year 1994-95. The Motion was seconded by Councilor McGee.

The Motion passed as follows:

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

RESOLUTION - TRANSFERRING APPROPRIATIONS FOR FISCAL YEAR 1994-95

City Manager Tryk stated that due to unanticipated events in Fiscal Year 1995, a Resolution transferring appropriations is necessary. The transfers are required to cover unbudgeted legal fees in the Police Department Budget; repayment to the Assessment Fund cash that was inappropriately included in the Utility Fund balance; and, a loan from the Street Fund to the Utility Fund together with a transfer of LID collections from the Street Fund to the Assessment Fund.

City Manager Tryk recommended adoption of the Resolution transferring the appropriations for FY 94-95.

Mayor Koho moved for a Resolution Transferring Appropriations for Fiscal Year 1994-95. The Motion was

seconded by Councilor Miller.

The Motion passed as follows:

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

CONSENT CALENDAR

The consent calendar consisted of the following:

a. RESOLUTION - Election to Receive State Shared Revenues

b. RESOLUTION - Certify the City Provides Four or More Services

c. RESOLUTION - Awarding Bid for 1995 Street Resurfacing Schedule

d. Approval of June 5, 1995 Regular Session Minutes

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

The Motion passed as follows:

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

OTHER BUSINESS

City Manager Tryk reported that a couple weeks ago Councilor McGee had asked if she had any information regarding a SAIF dividend. At that time she had no information, but today she received a phone call and visit from the City's insurance agent, and was presented with a $6,200 check.

Councilor Miller asked why Council meetings were no longer listed in the Statesman Journal. The newspaper's reporter indicated that he would speak with Councilor Miller after the meeting.

There was no other business to come before the Council.

WRITTEN COMMUNICATION

There was no written communication to come before the Council.

AGENDA INPUT

City Manager Tryk confirmed that there would be no worksession on July 31. She advised that the school siting report would be presented at the July 10, 5:30 p.m. worksession. At the end of the worksession it will be necessary to have a short Council meeting to consider a planning action and some property transactions.

ADJOURNMENT

The meeting was adjourned at 8:50 p.m.

Tracy L. Davis, City Recorder

By Nona M. Oxe'
Nona M. Oxe'
Recording Secretary

APPROVED:

MAYOR:

Dennis Koho
Dennis Koho

COUNCIL MEMBERS:

(absent)
Councilor #1 - Jerry Watson

Carl E. Beach
Councilor #4 - Carl Beach

Councilor #2 - Chet Patterson

Al Miller
Councilor #5 - Al Miller

Jim Keller
Councilor # 3 - Jim Keller

Councilor # 6 - Jerry McGee

Minutes approved: