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

AGENDA

KEIZER CITY COUNCIL
EXECUTIVE SESSION

Monday, June 18, 2001
5:15 p.m.
Keizer City Hall
Keizer, Oregon 97303

1. CALL TO ORDER

2. ROLL CALL

3. DISCUSSION

   a. 5:15 p.m. - Pursuant to ORS 192.660(1)(d) (*Labor Negotiations*)

   b. 5:45 p.m. - Pursuant to ORS 192.660(1)(i) (*City Manager Evaluation)*

4. ADJOURN

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.

The Oregon Public Meeting Law authorizes governing bodies to meet in executive session in certain limited situations. An executive session is defined as any meeting or part of a meeting of a governing body which is closed to certain persons for deliberations on certain matters as defined by ORS 192.660. These sessions are closed to the public and under certain circumstances the media also. The governing body is not allowed to take any final action or make any final decisions during the executive sessions. Any final action or decision must be made after returning or at the next regularly scheduled meeting.

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

AGENDA

URBAN RENEWAL AGENCY OF THE CITY OF KEIZER

Monday, June 18, 2001
6:30 p.m.
Robert L. Simon Council Chambers
Keizer, Oregon 97303

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC TESTIMONY
   This time is provided for citizens to address the Urban Renewal Agency on any matter not scheduled for public hearing.

4. PUBLIC HEARING

5. ADMINISTRATIVE ACTION

   a. RESOLUTION - Adoption of 2001-2002 Urban Renewal Agency Budget, Making Appropriations, Imposing and Categorizing Taxes

   b. RESOLUTION – Authorizing City Manager to Purchase Property at 4960 Bailey Road, Keizer, Oregon

6. CONSENT CALENDAR

   a. RESOLUTION – Authorization of Payment of Debt Service

   b. Approval of June 4, 2001 Urban Renewal Agency Regular Session Minutes

7. OTHER BUSINESS

   This time is provided to allow Urban Renewal Agency members the opportunity to bring matters before the Agency that are not on tonight's agenda.

8. ADJOURN

Upon request, auxiliary aids and/or special services will be provided to participants with disabilities. To request services, please contact us at (503) 390-3700 at least two working days (48 hours) in advance.

City of Keizer, Oregon

URBAN RENEWAL AGENCY BOARD
June 18, 2001

AGENDA ITEM 5a

RESOLUTION – ADOPTION OF 2001-2002 URBAN RENEWAL AGENCY BUDGET

URBAN RENEWAL MEETING: June 18, 2001

AGENDA ITEM NUMBER: ______________

TO: CHAIR CHRISTOPHER AND BOARD MEMBERS

THROUGH: CHRIS EPPLEY
CITY MANAGER

FROM: SUSAN GAHLSDORF, CPA
FINANCE DIRECTOR

SUBJECT: RESOLUTION ADOPTING FISCAL YEAR 2001-02 BUDGET, MAKING APPROPRIATIONS, IMPOSING AND CATEGORINZING TAXES

BACKGROUND:

The Budget Committee, comprised of the Board and seven citizens, reviewed, modified and, on May 15, 2001, approved the Manager's Recommended Budget for Fiscal Year 2001-02, as amended. The Committee Approved Budget was published in a local newspaper as required by Oregon Budget Law. After publication, the law requires the governing body to conduct a public hearing on the Committee Approved Budget. This hearing was held on May 15, 2001. The Board must adopt the upcoming fiscal year budget by June 30.

RECOMMENDATION:

Staff recommends that the City Council deliberate on the Urban Renewal Budget as shown on the attached resolution, and adopt the budget with amendments, if any.

CITY OF KEIZER, STATE OF OREGON

RESOLUTION UR01-______

ADOPTING THE FY'02 BUDGET, MAKING APPROPRIATIONS, AND IMPOSING AND CATEGORIZING TAXES

BE IT RESOLVED, that the Keizer Urban Renewal Agency hereby adopts the budget for fiscal year 2001-02 in the sum of $6,280,207 now on file at Keizer City Hall.

BE IT FURTHER RESOLVED that the amounts for the fiscal year beginning July 1, 2001, and for the purposes shown below are hereby appropriated:

Tax Increment Fund			
	Debt Service	$2,514,098	
	Reserves	777,225	
TOTAL TAX INCREMENT FUND			**$3,291,323**
Project Fund			
	Personal Services	$ 158,851	
	Materials & Services	138,843	
	Capital Outlay	2,016,190	
	Contingency	275,000	
	Reserves	400,000	
TOTAL PROJECT FUND			**2,988,884**
TOTAL ALL FUNDS			**$6,280,207**

BE IT FURTHER RESOLVED that the Urban Renewal Board for the Keizer Urban Renewal District hereby resolves to certify to the county assessor for the North River Road Plan Area a request for the maximum amount of revenue that may be raised by dividing the taxes under section 1c, Article XI, of the Oregon Constitution with no amount to be raised through the imposition of a special levy.

BE IT FURTHER RESOLVED that no taxes will be imposed from a Special Levy.

PASSED this _____ day of ___________________________, 2001.

SIGNED this _____ day of ___________________________, 2001.

____
Chair

____
City Recorder

City of Keizer, Oregon

URBAN RENEWAL AGENCY BOARD
June 18, 2001

AGENDA ITEM 5b

RESOLUTION – AUTHORIZING THE CITY MANAGER TO PURCHASE PROPERTY AT 4960 BAILEY ROAD

URBAN RENEWAL AGENCY MEETING: June 18, 2001

AGENDA ITEM NUMBER: ____________

TO: **URBAN RENEWAL AGENCY**

THROUGH: **CHRISTOPHER C. EPPLEY, CITY MANAGER**

FROM: **E. SHANNON JOHNSON, CITY ATTORNEY**

SUBJECT: ***PURCHASE OF TRICHAK PROPERTY***

It is my understanding that the Urban Renewal Agency is interested in purchasing property adjacent to the City Hall Complex at 4960 Bailey Road N. Such property is owned by Eva M. Trichak.

The City Manager has been in contact with Mrs. Trichak regarding the purchase and has reached preliminary verbal agreement with her. I have prepared a Sale Agreement for use in the transaction, however as of packet deadline Mrs. Trichak has not reviewed and approved such agreement.

Because of the timing of the Urban Renewal Agency meeting, I have prepared a Resolution to approve the Sale Agreement and authorize the City Manager to consummate the transaction.

RECOMMENDATION:

Approve the attached Resolution.

If you have any questions in this regard, please contact me. Thank you.

ESJ/tmh
attachment

URBAN RENEWAL AGENCY, CITY OF KEIZER, STATE OF OREGON

Resolution UR2001-_____

AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENT TO PURCHASE PROPERTY AT 4960 BAILEY ROAD NORTH, KEIZER, OREGON (EVA M. TRICHAK)

WHEREAS, it is appropriate for the Urban Renewal Agency to purchase property at 4960 Bailey Road North, Keizer, Oregon; NOW, THEREFORE,

BE IT RESOLVED by the Urban Renewal Agency of the City of Keizer that the City Manager is authorized to enter into that certain Sale Agreement and Receipt for Earnest Money, a copy of which is attached hereto and by this reference incorporated herein.

BE IT FURTHER RESOLVED that the City Manager is directed and authorized to take all action necessary and appropriate to consummate such transaction.

PASSED this __________ day of _________________, 2001.

SIGNED this __________ day of _________________, 2001.

____
Agency Chair

____
City Recorder

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

SALE AGREEMENT AND
RECEIPT FOR EARNEST MONEY

DATE: ______________________, 2001

SELLER: EVA M. TRICHAK
4960 Bailey Road N.
Keizer, OR 97303

BUYER: URBAN RENEWAL AGENCY OF
THE CITY OF KEIZER, OREGON,
an Oregon municipal corporation
PO Box 21000
Keizer, OR 97307

RECITAL:

Seller desires to sell to Buyer and Buyer desires to purchase from Seller certain real property with all improvements located on it commonly known as 4960 Bailey Road N., Keizer, Marion County, Oregon, having the following legal description (the "Property"): (Exact legal to follow from title company.)

AGREEMENT:

Now, therefore, for valuable consideration, the parties agree as follows:

1. Sale and Purchase. Buyer agrees to purchase the Property from Seller and Seller agrees to sell the Property to Buyer for the sum of $97,500.00 (the "Purchase Price").

2. Earnest Money. Seller hereby acknowledges receipt of the sum of $500.00 paid by Buyer as earnest money. The earnest money shall be applied to the Purchase Price on the Closing Date, as that term is defined below.

3. Payment of Purchase Price. The Purchase Price shall be paid as follows:

3.1 At closing, the earnest money shall be credited to the Purchase Price.

3.2 At closing, Buyer shall pay the balance of the purchase price in cash.

4. **Closing.** Closing shall take place on or before June 28, 2001 (the "Closing Date"), at the offices of Fidelity National Title.

5. **Preliminary Title Report.** Within five (5) days after full execution of this Agreement, Seller shall furnish to Buyer a preliminary title report showing the condition of title to the Property, together with copies of all exceptions listed therein (the "Title Report"). Buyer will have three (3) days from receipt of the Title Report to review the Title Report and to notify Seller, in writing, of Buyer's disapproval of any exceptions shown in the Title Report. Buyer shall not be required to notify Seller with regard to any trust deed or mortgage or other monetary lien which will be presumed disapproved. Those exceptions not objected to by Buyer are referred to below as the "Permitted Exceptions." Zoning ordinances, building restrictions, taxes due and payable for the current tax year, and reservations in federal patents and state deeds shall be deemed Permitted Exceptions. If Buyer notifies Seller of disapproval of any exceptions, Seller shall have fifteen (15) days after receiving the disapproval notice to either remove the exceptions or provide Buyer with reasonable assurances of the manner in which the exceptions will be removed before the transaction closes. If Seller does not remove the exceptions or provide Buyer with such assurances, Buyer may terminate this Agreement by written notice to Seller given within fifteen (15) days after expiration of such 15-day period, in which event the earnest money shall be refunded to Buyer and this Agreement shall be null and void.

6. **Condition**

6.1 Buyer's obligation to purchase the Property is contingent on satisfaction of each of the following conditions:

6.1.1 Buyer's written acceptance of any adverse conditions noted in any inspections, studies, surveys or tests conducted on the Property. Buyer shall have the right, at its expense, to conduct any such inspections, studies, surveys and tests, and Seller agrees to reasonably accommodate such inspectors.

The foregoing condition is for the benefit of Buyer and may be waived, in whole or in part, by Buyer only. Any waiver must be in writing. Unless waived, if any condition is not satisfied by the date specified, this Agreement may be terminated, at the option of Buyer, by written notice, in which event the earnest money shall be refunded to Buyer.

7. **Deed.** On the Closing Date, Seller shall execute and deliver to Buyer a statutory warranty deed, conveying the Property to Buyer, free and clear of all liens and encumbrances except the Permitted Exceptions.

8. Title Insurance. Within fifteen (15) days after closing, Buyer shall be furnished at its expense with an owner's policy of title insurance in the amount of the purchase price, standard form, insuring Buyer as the owner of the Property subject only to the usual printed exceptions and the Permitted Exceptions.

9. Costs and Expenses. Buyer shall pay for all premiums for the title insurance policy, all document recording charges, all escrow fees and costs, and Buyer's share of prorations. Seller shall pay for Seller's share or prorations. Buyer and Seller shall each pay their own legal and professional fees respectively. All other costs and expenses shall be allocated between Buyer and Seller in accordance with the customary practice in Marion County, Oregon.

10. Taxes; Prorates. Real property taxes for the current tax year and other usual items shall be prorated as of the Closing Date.

11. Possession. Buyer shall be entitled to possession no later than August 15, 2001.

12. Property Included. All built-in appliances, floor coverings, window and door screens, storm doors and windows, irrigation, plumbing, ventilation, cooling and heating fixtures and equipment, water heaters, attached electric light fixtures (except the kitchen light fixture), window coverings, awnings, attached television antenna, planted shrubs, plants and trees, and all fixtures are part of the Property and shall be left on the Property by Seller. Seller may remove up to ten (10) plants or shrubs at any time before the possession date.

13. Personal Property. No personal property is included as part of the Property being sold to Buyer. Seller specifically shall retain the stove and refrigerator.

14. Seller's Representations. Seller represents and warrants to Buyer as follows:

(1) Seller knows of no material structural defects with respect to the Property.

(2) All electrical wiring, heating, cooling, and plumbing systems are in good working order and the balance of the Property, including the yard, will be in substantially its present condition on the Closing Date.

(3) Seller has received no written notice of any liens to be assessed against the Property.

(4) Seller has received no written notice from any governmental agency of any violation of any statute, law, ordinance, or deed restriction, rule, or regulation with respect to the Property.

(5) Seller is not a "foreign person" as that term is defined in IRC §1445. On the Closing Date, Seller will execute and deliver to Buyer a certification of nonforeign status on a form required by the IRS.

(6) The Property has never been used for the storage or disposal of any hazardous material or waste. There are no environmentally hazardous materials or wastes contained on or under the Property and the Property has not been identified by any governmental agency as a site upon which environmentally hazardous materials or wastes have been or may have been located or deposited. There are no underground storage tanks, whether in use or not, on the property including, but not limited to heating oil tanks.

All representations and warranties contained in this Agreement will survive closing and the conveyance of the Property to Buyer.

Pursuant to ORS 105.465(1)(a), Buyer hereby indicates to the Seller, and such indication is conclusive, that the real property, will be used for purposes other than a residence for the Buyer or the Buyer's spouse, parent or child. Therefore, a statutory seller's disclosure or disclaimer form is not required.

15. Binding Effect/Assignment Restricted. This Agreement is binding on and will inure to the benefit of Seller, Buyer, and their respective heirs, legal representatives, successors, and assigns.

16. Remedies. TIME IS OF THE ESSENCE REGARDING THIS AGREEMENT. If the conditions described in Section 6 above are satisfied or waived by Buyer and the transaction does not thereafter close, through no fault of Seller, before the close of business on the Closing Date, Buyer shall forfeit the earnest money deposit to Seller as liquidated damages, and this Agreement shall be of no further effect, it being the intention of the parties that Buyer may forfeit the earnest money and be free of any further obligations under this Agreement. If Seller fails to deliver the deed described in Section 7 above on the Closing Date or otherwise fails to consummate this transaction, the earnest money shall be refunded to Buyer, but acceptance by Buyer of the refund will not constitute a waiver of other remedies available to Buyer.

17. Attorney Fees. If an action is instituted to enforce any term of this Agreement, the prevailing party shall recover from the losing party reasonable attorney fees incurred in such action as set by the trial court and, in the event of appeal, as set by the appellate courts.

18. Notices. All notices and communications in connection with this Agreement shall be given in writing and shall be delivered personally or transmitted by certified or registered mail, return receipt requested, to the appropriate party at the address first set forth above. Any notice so transmitted shall be deemed effective on the date delivered personally or it is placed in the United States mail, postage prepaid. Either party may, by written notice, designate a different address for purposes of this Agreement.

19. **Entire Agreement.** This Agreement sets forth the entire understanding of the parties with respect to the purchase and sale of the Property. This Agreement supersedes any and all prior negotiations, discussions, agreements, and understandings between the parties. This Agreement may not be modified or amended except by a written agreement executed by both parties.

20. **Applicable Law.** This Agreement shall be construed, applied, and enforced in accordance with the laws of the state of Oregon.

21. **Required Statutory Warning.** THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE AND WHICH LIMIT LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 IN ALL ZONES. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

22. **Agreement Preparation.** Seller understands that the law firm of Lien & Johnson prepared this Agreement on behalf of the Buyer and in no way represents the Seller.

SELLER:

Dated:____________________

____
Eva M. Trichak

BUYER:

Dated:____________________

Urban Renewal Agency of
The City of Keizer, Oregon
an Oregon municipal corporation

By:________________________
Christopher C. Eppley, City Manager

City of Keizer, Oregon

URBAN RENEWAL AGENCY BOARD
June 18, 2001

AGENDA ITEM 6a

RESOLUTION – AUTHORIZATION OF PAYMENT OF DEBT SERVICE

BOARD MEETING: June 18, 2001

AGENDA ITEM NUMBER:______________

TO: **CHAIR CHRISTOPHER AND COUNCIL MEMBERS**

THROUGH: **CHRIS EPPLEY**
CITY MANAGER

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

SUBJECT: Authorization for Payment of Debt Service

BACKGROUND:

Each year the Urban Renewal District issues overnight debt as a mechanism to bring money into the Project Fund. This transaction is authorized in the annual budget. This year the amount of loan payments exceeded the budgeted amount by approximately $525,000.

Oregon Budget Law (294.483) states that expenditures to pay debt service on certain bonds which are authorized and issued during the fiscal year may be made without adopting a supplemental budget. The Law further provides that a resolution or ordinance be passed to appropriate the payment.

RECOMMENDATION:

Staff recommends the council adopt the attached resolution to increase the appropriation for the overnight Loan Payment in the Tax Increment Fund.

URBAN RENEWAL, CITY OF KEIZER, STATE OF OREGON

Resolution UR2001

AUTHORIZATION FOR PAYMENT OF DEBT SERVICE

WHEREAS, the Keizer Urban Renewal District issued debt during fiscal year 2000-2001 above that anticipated prior to the adoption of the budget;

WHEREAS, ORS 294.483 provides for expenditures to pay debt service on certain bonds which are authorized and issued during the fiscal year without adopting a supplemental budget; NOW, THEREFORE,

BE IT RESOLVED by the Board of the Keizer Urban Renewal Agency, that appropriations for the fiscal year ending June 30, 2001 be authorized in the amounts indicated below:

TAX INCREMENT FUND	Increase	Increase
Loan Payments – Tax increment Fund	$525,000	
Loan Proceeds – Project Fund		$525,00

PASSED this _____ day of ___________________, 2001.

SIGNED this _____ day of ___________________, 2001.

____
Chair

____
City Recorder

City of Keizer, Oregon

URBAN RENEWAL AGENCY BOARD
June 18, 2001

AGENDA ITEM 6b

APPROVAL OF JUNE 4, 2001 AGENCY MINUTES

MINUTES
KEIZER URBAN RENEWAL AGENCY
Monday, June 4, 2001
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Chair Christopher called the regular meeting to order at 6:09 p.m. Roll Call was taken as follows:

Present:
Lore Christopher, Chair
Charles E. Lee
Jerry McGee
Jacque Moir
Richard Walsh

Absent:
Ray Kelly

Staff:
Chris Eppley, City Manager
Maria Meier, Planning Director
Rob Kissler, Public Works Director
Dianne Hunt, Human Resources Director
Susan Gahlsdorf, Finance Director
Marc Adams, Chief of Police
Tracy Davis, City Recorder

PUBLIC TESTIMONY

No public testimony was brought before the Urban Renewal Agency.

PUBLIC HEARING

a. 2001-2002 Urban Renewal Agency Budget

City Manager Eppley reported that the Agency would be reviewing the Budget Committee's Approved Budget for fiscal year 2001-2002.

Staff recommended that the Board conducts the public hearing and approves the recommended budget as presented by the Budget Committee.

Chair Christopher opened the public hearing.

With no one wishing to testify Chair Christopher closed the public hearing.

<u>Jacque Moir moved to approve the 2001-2002 Urban Renewal Agency Budget. Judy Smith seconded the</u>

motion.

Public Works Director Rob Kissler and City Manager Eppley answered questions from Agency members.

Jerry McGee addressed page 4, line 75 Water System Infrastructure. He asked whether this was part of the Ten-Year Plan and the Urban Renewal Budget.

Mr. Kissler indicated that it was and agreed to remove this portion of the funding from the Ten-Year Plan.

Jacque Moir withdrew her motion, as adoption of the budget would take place at the June 18, 2001 meeting.

ADMINISTRATIVE ACTION

CONSENT CALENDAR

a. Approval of the May 7, 2001 Urban Renewal Agency Regular Session Minutes

Jacque Moir moved for Approval of the Consent Calendar. Judy Smith seconded the motion.

The motion passed as follows:

AYES: Christopher, Lee, McGee, Moir, Smith and Walsh (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Kelly (1)

OTHER BUSINESS

City Manager Eppley reported that a property owner on Bailey Road had approached him and was interested in selling her home to the City. He requested permission from the Agency to negotiate with the property owner for fees and the purchase of the property not to exceed $100,000.

The Agency discussed this and it was the consensus of the Agency to allow the City Manager to negotiate up to $100,000 total costs for the property.

ADJOURNMENT

The meeting was adjourned at 6:26 p.m.

Cindy Perry
Recording Secretary

APPROVED:
CHAIR:

Lore Christopher

AGENCY MEMBERS:

Judy K. Smith

Jacque Moir

ABSENT
Ray Kelly

Charles E. Lee

Richard Walsh

Jerry McGee

Minutes approved:

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

AGENDA

KEIZER CITY COUNCIL
REGULAR SESSION
Monday, June 18, 2001
7:00 p.m.
Robert L. Simon Council Chambers
Keizer, Oregon 97303

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **PUBLIC TESTIMONY**

This time is provided for citizens to address the Council on any matters other than those on the agenda scheduled for public hearing.

4. **COMMITTEE REPORTS**

a. Council Liaison Reports
- Parks Advisory Board – Mayor Christopher
- Traffic Safety Commission – Councilor Smith
- Salem-Keizer Area Transportation System (SKATS) – Councilor Smith
- Mid-Willamette Valley Area Transp System (MWACT) – Councilor Smith
- Willamette River Crossing Study – Councilor Smith
- Emergency Operations Committee – Council President Moir
- Claggett Creek Watershed Council – Council President Moir
- Planning Commission – Council President Moir
- Keizer Urban Renewal Board – Councilor Walsh

4. **OTHER BUSINESS**

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

a. New Business

b. Old Business

6. **PUBLIC HEARINGS**

a. RESOLUTION – Adoption of Master Plan for Country Glen/Hidden Creek Park

b. Solid Waste Franchise Fee Increase for 2002

c. ORDINANCE – Increasing Privilege or License Tax for QWest, Inc (cont from 6-4-01)

d. ORDINANCE – Development Code Text Amendment Adding Pet Grooming

e. **Legislative Amendment to Redesignate Chalmers Jones Park and Clarify Boundaries**

f. **RESOLUTION – Forming Fultz Estates Street Lighting District**
ORDINANCE – Spreading Assessments to Fultz Estates Street Lighting District

7. **ADMINISTRATIVE ACTION**

a. **RESOLUTION – Adoption 2001-2002 City of Keizer Budget, Making Appropriations, and Imposing and Categorizing Taxes**

b. **RESOLUTION – Adoption of Long Range Financial Plan**

8. **CONSENT CALENDAR**

a. **RESOLUTION – Certifying the City Provides Four or More Services**

b. **RESOLUTION – Authorization of Expenditures of Specific Purpose Funds**

c. **RESOLUTION - Declaring the City's Election to Receive State Revenues**

d. **RESOLUTION – Extending Worker's Compensation Insurance Coverage to City of Keizer Volunteers**

e. **RESOLUTION – Authorizing the City Manager to Enter Agreement for Slurry Seals on Various Streets in the City of Keizer**

f. **Approval of June 4, 2001 Regular Session Minutes**

9. **WRITTEN COMMUNICATIONS**
To inform the Council of significant written communications.

10. **AGENDA INPUT**

July 2, 2001

7:00 p.m. City Council Regular Session
- **Establishing No Parking Zone and Traffic Safety Improvements for Shoreline/Wayne Drive**
- **Planning Commission Appointments**
- **False Alarm Ordinance**

July 9, 2001

5:30 p.m. City Council Work Session
- **City Boards and Commission Appointment Process**

July 16, 2001

7:00 p.m. City Council Regular Session

11. **ADJOURN**

Upon request, auxiliary aids and/or special services 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.

City of Keizer, Oregon

June 18, 2001

AGENDA ITEM 6a

RESOLUTION - ADOPTION OF COUNTRY GLEN – HIDDEN CREEK PARK MASTER PLAN

CITY COUNCIL MEETING:____________________

AGENDA ITEM NUMBER:________________

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

THROUGH: CHRIS EPPLEY
CITY MANAGER

FROM: ROB KISSLER
DIRECTOR OF PUBLIC WORKS

SUBJECT: FINAL DRAFT COUNTRY GLEN PARK MASTER PLAN

DATE: JUNE 14, 2001

BACKGROUND:

The 2000/2001 budget allows for development of a Parks Master Plan for the recently acquired properties known as Country Glen and Hidden Creek Parks. Council directed staff to solicit vendors for developing this master plan. The City Attorney determined that vendors must be certified landscape Architects to design and write the plan, or develop the plan in house. City Staff and the Parks Board decided to take on this task. The Parks Advisory Board held a series of Public Open Houses soliciting input from citizens and several associations. Attachment 1 is the draft plan developed by Staff, Parks Advisory Board, Country Glen Park Task Force, Gubser Neighborhood Association and Claggett Creek Watershed Council. Attachment 2 was the timeline expended to receive input on the proposed plan. Attachment 3 is supporting letters of the plan.

Suggestions made at the City Council meeting June 4, 2001 have been incorporated into the final plan

FISCAL IMPACT:

Costs to develop a Master Plan for Country Glen Park were included in the Revenue Sharing portion of the 2000/2001 City budget. The budgeted amount is $20,000.00. Current expenditures to date are $1500.00. Document printing of $500.00 is the anticipated final costs to complete the plan.

RECOMMENDATION:

City Staff recommends City Council conducts a Public Hearing June 18 2001 at 7:00 pm to allow for final public testimony and adopt the attached Resolution adopting the Country Glen-Hidden Creek Park Master Plan.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2001- ___________

ADOPTING A MASTER PLAN FOR COUNTRY GLEN – HIDDEN CREEK PARK

WHEREAS, the City of Keizer acquired property in 1997 in the Country Glen subdivision and additional property in the Hidden Creek subdivision in 2000 to be designated as a neighborhood park;

WHEREAS, the Parks Advisory Board held a series of public meetings to solicit input on the creation of the master plan for Country Glen-Hidden Creek Park from the citizens, neighborhood associations, and other interested parties;

WHEREAS, the City Council reviewed the draft master plan on June 4, 2001 and scheduled a public hearing for June 18, 2001 to receive final comment on the plan;

WHEREAS, ORS 223.309 allows governmental units to prepare a plan for capital improvements which will be financed by system development charges; NOW, THEREFORE

BE IT RESOLVED by the City Council of the City of Keizer that the Country Glen-Hidden Creek Park Master Plan, attached hereto marked exhibit "A" and by this reference incorporated herein, is hereby adopted pursuant to ORS 223.309.

PASSED this _____ day of _________________, 2001.

SIGNED this _____ day of _________________, 2001.

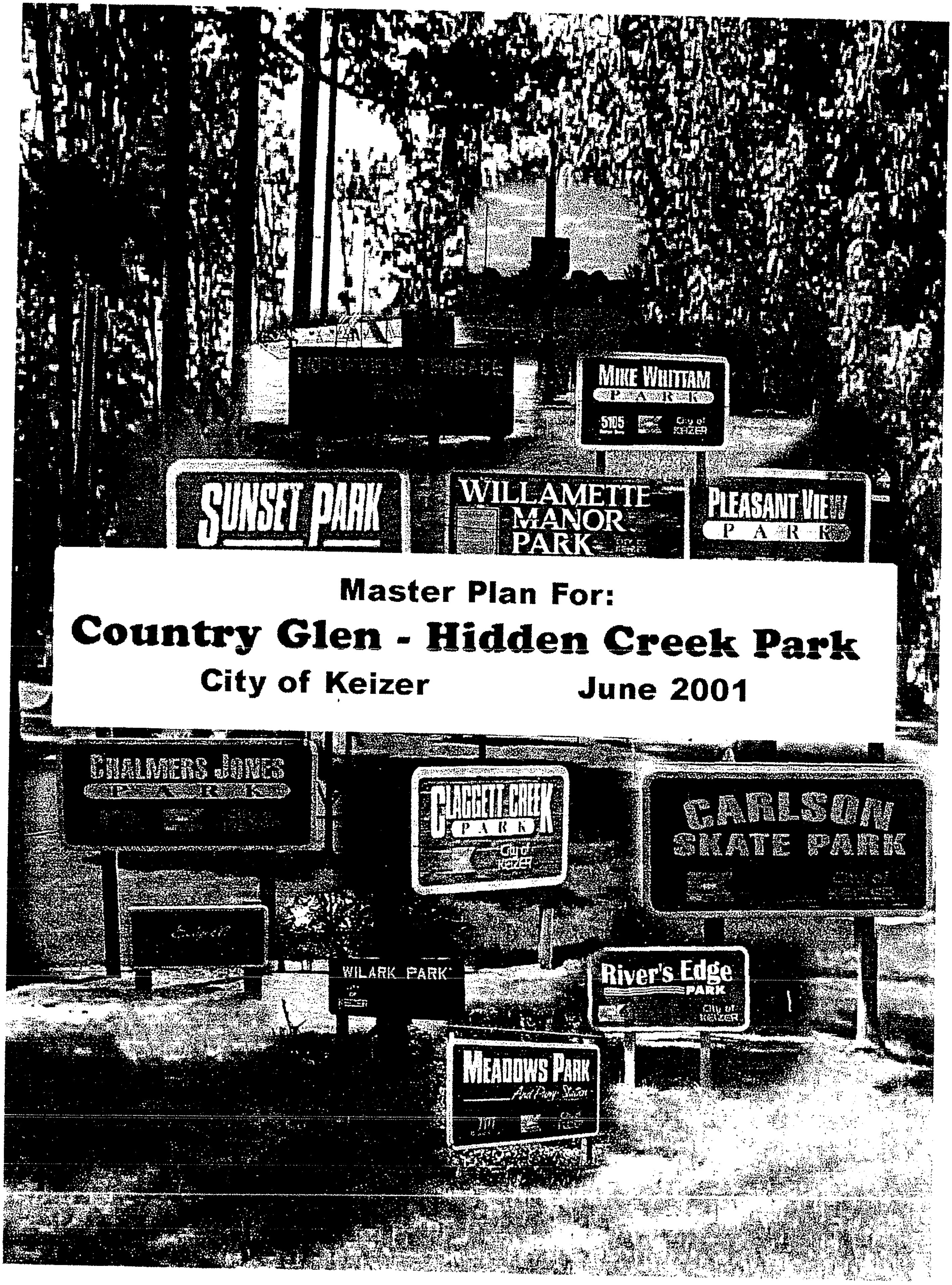
____
Mayor

____
City Recorder

Master Plan For:

Country Glen - Hidden Creek Park

City of Keizer **June 2001**



Master Plan For:

Country Glen - Hidden Creek Park

Prepared By:

City of Keizer Parks Maintenance Supervisor

Terry Witham

City of Keizer Public Works Superintendant

Bill Lawyer

Parks and Recreation Advisory Board

Jim Taylor : Chair
Clark Williams : Vice-Chair
Richard Ford
Kenny Perry
Ed Bartlett
Ron Burns

Signifigant Input Provided By:

Country Glen Park Task Force

Brian Flannigan : C.G.N.A. President
Chris Mickelsen : C.G.N.A. Vice President
Ali Hassoun : Area Representative
Robert James : Area Representative

Gubser Neighborhood Association

Beth Daniel : Representative

Claggett Creek Watershed Council

Gary Miller : President

Country Glen - Hidden Creek Park

Contents:

Country Glen - Hidden Creek Park

Introduction

Country Glen Park was acquired in 1997 after several years of negotiations with Epping Construction. The time of these negotiations were influenced by the flooding of 1996 and 1997. Hidden Creek Park was acquired in 2000 to complete the property. At the direction of the Keizer City Council, City staff began compiling a Master Plan in Autumn 2000. This document is the result.

Country Glen - Hidden Creek Park is located in North Keizer, to the South of Parkside Court and Whisper Creek Loop. It is bordered on the South by Labish Creek. It is designated as a neighborhood Park, and as such will generally serve those residents within walking distance. There will be some parking available, but it will be limited to curbside spaces.

The purpose of this Master plan is to establish a direction for development of this Park. This plan is a compilation of the desires of the neighborhood citizens, the vision of the Parks Advisory Board and the recommendations of City staff.

Scope of Improvements

This Master Plan is to be used as a guideline for the development of this property. It is not meant to dictate any particular order of development or to be used as a binding document. Specific siting issues and logistical planning will be considered as funding availability, volunteer resources, donations and staff recommendations dictate.

Flooding Issues

All development will proceed with the flood control measures and plans developed by the City Engineer as the foremost priority.

Landscaping Issues

The development of the landscaping will start with irrigation. A system will be installed prior to grass being planted. This system will be designed so as to minimize any effect on the flood control area.

Trees will be added as funds or grants become available, but with consideration given to allowing for open spaces for un-organized sports activities.

Play Areas

The play area will include a "*big toy*" type apparatus that can be added to as time and funds warrant.

A concrete "*Sport Court*" will provide for basketball and associated activities.

All play area amenities will meet A.D.A. and safety standard requirements.

Miscellaneous

Picnic tables and benches will be added at appropriate areas throughout the Park. Tables will be placed in sunny and shady sites.

An A.D.A. accessible drinking fountain will be placed convenient to the play areas. A restroom pad will also be provided in an area convenient to Park users and for ease of servicing.

A walking/running trail will be developed as appropriate with the flood control measures. A permanent surface such as asphalt or concrete is preferable, but any surface used must be compatible with the adopted flood control measures and funds available.

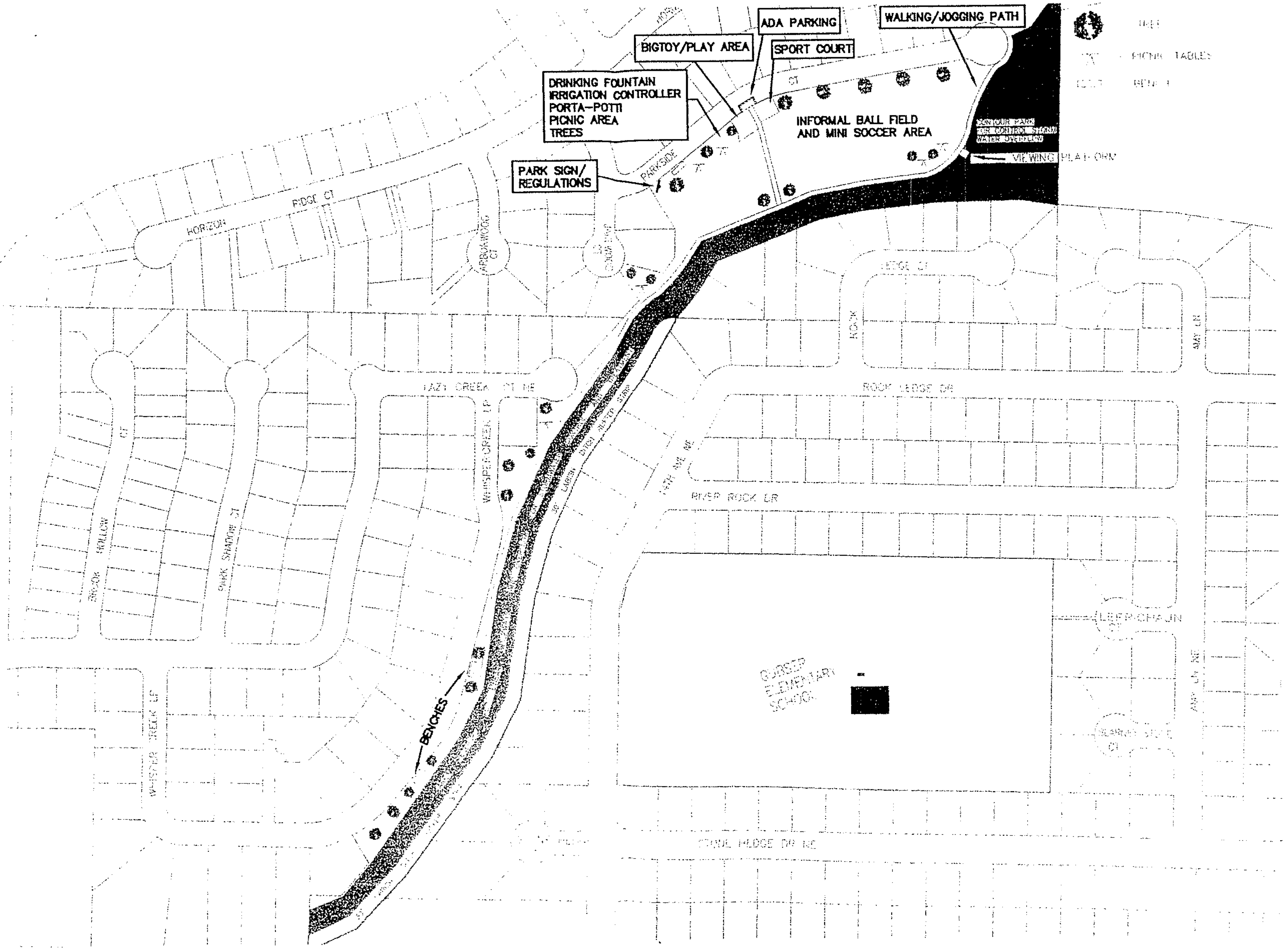
Other amenities may be added as are appropriate at the discretion of the City Staff and the Parks Advisory Board.

Due consideration for future development will be given to the requests and volunteer efforts of civic groups, neighborhood associations, special projects and Eagle Scout projects.

Country Glen - Hidden Creek Park

Capital Improvements:

1. *Flooding/ Storm Water Control - (funding by other sources)*
2. *Irrigation - $5000.00*
3. *Lawn/Turfgrass - $5000.00*
4. *Parking - $1500.00*
5. *Pathway - $8000.00 (hard surface)*
   $4500.00 (wood chips, gravel, etc.)
6. *Picnic Tables - $2500.00*
7. *Drinking Fountain - $2000.00*
8. *Portable Restrooms - $400.00 (concrete pad)*
9. *Bike Rack - $500.00*
10. *Big Toy/Playstructure/Swings - $ 60,000.00*
11. *Viewing Platform - $2500.00*
12. *Tetherball - $100.00*
13. *Soccer Field - $1500.00*
14. *Baseball/Softball Backstop - $1500.00*
15. *Sportcourt (Basketball, Tennis, etc.) - $15,000.00*
16. *Practice Wall - $8,000.00*
17. *Bridge - (funding by other sources)*



WALKING/JOGGING PATH
ADA PARKING
BIGTOY/PLAY AREA
SPORT COURT
DRINKING FOUNTAIN
IRRIGATION CONTROLLER
PORTA-POTTI
PICNIC AREA
TREES
INFORMAL BALL FIELD
AND MINI SOCCER AREA
PARK SIGN/
REGULATIONS
PARKSIDE
VIEWING PLATFORM
TREE
PICNIC TABLES
BENCH
HORIZON
RIDGE CT
LAZY CREEK CT NE
WHISPER CREEK LP
BROOK HOLLOW CT
PARK SHADOW CT
ROCK LEDGE DR
RIVER ROCK LR
BENCHES
ELEMENTARY SCHOOL
STONE RIDGE DR NE

Country Glen - Hidden Creek Park

Chronology/Timeline for Master Plan

<u>August 2000:</u> *City Council directs staff to pursue vendors for developing Country Glen - Hidden Creek Park Master Plan.*

<u>September-October 2000:</u> *Sent request for proposal letters to three vendors. (Two responded with quotes.)*

<u>November 2000:</u> *City Attorney advises that a licensed Landscape Architect <u>must</u> be used unless Master Plan is done by City Staff in house as a conceptual plan. With this in mind, staff and Parks Board agree to host an open house in December 2000 to acquaint public with the project and to seek input.*

<u>December 12, 2000:</u> *Open House at City Hall with invitations sent to all residents of the Country Glen - Hidden Creek area. A conceptual plan/map designed by Cascade Landscape Service was presented as a starting point for the Master Plan.*

<u>January 9, 2001:</u> *Country Glen Park Task Force and Gubser Neighborhood Association representatives meet with Parks Board and Staff to report on wishes ands priorities for the Master*

Plan. They were encouraged by Parks Board and Staff to include the Hidden Creek citizens.

<u>February 13, 2001:</u> *Parks Board and Staff discussed original conceptual plan from 12/12/2000 open house. The consensus was to have Staff develop plan and bring back to Parks Board for approval, revision, etc.*

<u>March 13, 2001:</u> *Country Glen Park Task Force reports that Hidden Creek citizens not responding to requests for their participation in Master Plan considerations. Mayor Christopher requests that they try one last time.*

<u>April 10, 2001:</u> *City Staff designed draft Master Plan presented to Parks Board, Country Glen Park Task Force and Gubser Neighborhood Association representatives. Revisions and changes to be made prior to next Parks Board meeting.*

<u>May 8, 2001:</u> *Revised Draft Master Plan for Country Glen - Hidden Creek Park approved and adopted by Parks Board with the agreement of Country Glen and Gubser Neighborhood Association representatives. (Country Glen Neighborhood Association official as of 4/16/01) Letters of support from Neighborhood Associations to be included in Master Plan.*

City of Keizer, Oregon

June 18, 2001

AGENDA ITEM 6b

SOLID WASTE FRANCHISE FEE INCREASE FOR 2002

CITY COUNCIL MEETING: June 18, 2001

AGENDA ITEM NUMBER:___________

TO: **MAYOR CHRISTOPHER AND COUNCIL MEMBERS**

THROUGH: **CHRISTOPHER C. EPPLEY, CITY MANAGER**

FROM: **E. SHANNON JOHNSON, CITY ATTORNEY**

SUBJECT: ***SOLID WASTE FRANCHISE FEE INCREASE FOR 2002***

It is my understanding that the long range finance plan calls for a franchise fee increase on the solid waste and recycling franchisees to a new rate of five percent (5%). Such rate would be effective July 1, 2002. However, the Council wanted to move forward to formally make such an increase although it would not be effective for quite some time.

The Council can increase the franchise fee by Order and it appears that though it is in the form of a franchise agreement, it can be done unilaterally. Unfortunately, due to my error we did not contact the franchise fee haulers until just a few days ago. Consequently, I would advise continuing the hearing to the next meeting.

RECOMMENDATION:

Open the public hearing and take any public testimony. Continue the public hearing to July 2, 2001.

Please let me know if you have any questions in this regard. Thank you.

ESJ/tmh

City of Keizer, Oregon

June 18, 2001

AGENDA ITEM 6c

ORDINANCE - INCREASING PRIVILEGE OR LICENSE TAX FOR QWEST INC.

CITY COUNCIL MEETING: June 18, 2001

AGENDA ITEM NUMBER:____________

TO: **MAYOR CHRISTOPHER AND COUNCIL MEMBERS**

THROUGH: **CHRISTOPHER C. EPPLEY, CITY MANAGER**

FROM: **E. SHANNON JOHNSON, CITY ATTORNEY**

SUBJECT: ***LICENSE/PRIVILEGE TAX INCREASE FOR TELEPHONE COMPANIES***

At its last meeting, the City Council opened and then continued the public hearing on the above referenced fee increase. As you may recall, the City received a letter from Greg Peden of Qwest objecting to the increase and questioning the City's authority to implement such increase. I have enclosed a copy of such letter for your review.

Following the last Council meeting, I talked with Mr. Peden. He indicates that the company stands by its letter and wanted to make sure it was part of the record. However, the indications were that Qwest does not want to engage in a legal battle with the City of Keizer.

Following further discussions, we both agreed to disagree and left the matter in that Keizer would move forward with adopting the increase, Qwest would be on the record as objecting to the authority of the City for the increase, and the City would acknowledge that any payment by Qwest is not to be deemed a waiver of any rights they may have to object in the future.

Mr. Peden also indicated that a July 15 effective date may be appropriate so I have revised the Ordinance accordingly.

RECOMMENDATION:

Adopt the enclosed Ordinance.

Please contact me if you have any questions in this regard. Thank you.

ESJ/tmh
enclosures

BILL NO. ____ | A BILL | ORDINANCE NO. 2001-________

FOR

AN ORDINANCE

INCREASING PRIVILEGE OR LICENSE TAX FOR QWEST, INC.; DECLARING AN EMERGENCY; **AMENDING ORDINANCE NO. 94-287**

WHEREAS, Ordinance No. 94-287 (Granting U S WEST Communications, Incorporated the Right and Privilege to Operate Within the City of Keizer) was adopted on June 20, 1994; and

WHEREAS, U S WEST Communication, Incorporated has succeeded to Qwest, Inc.; and

WHEREAS, the City Council of the City of Keizer finds it necessary and appropriate to increase the license or privilege tax for operating within the City of Keizer from four percent (4%) to seven percent (7%); and

WHEREAS, Qwest, Inc. was sent appropriate notice of this anticipated and proposed amendment as provided by Section 8 of Ordinance No. 94-287; and

WHEREAS, the home rule powers of the City of Keizer and state and federal law allow for this increase in license or privilege tax;

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

Section 1. <u>INCREASE IN LICENSE OR PRIVILEGE TAX.</u> Ordinance No. 94-287 (Granting U S WEST Communications, Incorporated the Right and Privilege to do

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a General Communication Business and to Operate Within the City of Keizer) is hereby amended in Section 6 as follows:

> Section 6. In consideration of the rights, privileges, and franchise hereby granted, said Grantee, U S WEST Communications, Incorporated, its successors and assigns, shall pay to the City of Keizer from and after the date of the acceptance of this franchise, and until its expiration, quarterly, ~~4~~ seven percent (~~4~~7%) per annum of its gross revenues derived from exchange access services as defined in ORS 401.710 within the corporate limits of the City of Keizer less net uncollectibles. Payment shall be made on a quarterly basis on or before April 30, July 31, October 31, and January 31 for the calendar quarters immediately preceding. Such payment made by the Grantee will be accepted by the City of Keizer from the Grantee, also in payment of any license, privilege or occupation tax or fee for revenue or regulation, or any permit or inspection fees or similar charges for street openings, installations, construction or for any other purpose now or hereafter to be imposed by the City of Keizer upon the Grantee during the term of this franchise.

Section 2. CHANGE OF NAME. Ordinance No. 94-287 (Granting U S WEST Communications, Incorporated the Right and Privilege to do a General Communication Business and to Operate Within the City of Keizer) is hereby amended in each place where appropriate to change the name of U S WEST Communication, Incorporated to Qwest, Inc.

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(503) 390-1635

Section 3. EFFECTIVE DATE. This Ordinance being necessary for the immediate preservation of the public health, safety and welfare, an emergency is declared to exist and this Ordinance shall take effect on July 15, 2001.

PASSED this ________ day of ____________________, 2001.

SIGNED this ________ day of ____________________, 2001.

____
Mayor

____
City Recorder

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Attorneys at Law
4855 River Road N
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(503) 390-1635

Qwest
421 Southwest Oak Street
Suite 880C
Portland, Oregon 97204
Phone 503-242-5508
FAX 503-242-8589
e-mail: gpeden@qwest.com

Greg Peden
Director
Policy and Law

ride the light
Qwest

May 31, 2001

Susan Gahlsdorf
Finance Director
City of Keizer
930 Chemawa Rd. N.E.
P.O. Box 21000
Keizer, OR 97307

Dear Ms. Gahlsdorf:

I am in receipt of your letters of December 22, 2000 and May 30, 2001 regarding the City of Keizer's intention to modify Keizer City Ordinance No. 94-287, the ordinance granting US West Communications (now Qwest Communications), the right to occupy the public rights of way within the City's jurisdiction.

Qwest Communications Inc. is very concerned that in light of the recent decision of the Federal Circuit Court for the 9th Circuit in *Qwest v. City of Auburn, et. Al, filed April 24, 2001*, the City's authority to charge any fee that is not based on the actual cost of management of the public rights of way is preempted by the Federal Telecommunications Act. Qwest believes that federal law now preempts the current fee charged by the City (4% of local exchange access revenue) and that a change to 7% would certainly be preempted as well.

Further, Section 8 of Keizer City Ordinance No. 94-287 states… "It is understood and agreed that either party may terminate or renegotiate this Agreement after 180 days notice in writing." The Ordinance does not contemplate nor allow for the unilateral modification that is suggested in your letter of December 22, 2000. Qwest believes at this time that the City of Keizer cannot take action on June 4, 2001 to increase the fee paid by Qwest to use the public rights of way within the City of Keizer. Qwest has received no notice of termination or re-negotiation. Nor have the parties to the Agreement entered into good-faith re-negotiations at this time.

However, if it is the City of Keizer's intent to re-negotiate a new fee for the use of the public rights of way with Qwest Communications, Qwest is willing to enter into such negotiations in light of the *Auburn* decision. If the City intends to terminate the existing Agreement, please notify me immediately.

Thank you for your attention to this matter.

Sincerely,

Greg Peden

City of Keizer, Oregon

June 18, 2001

AGENDA ITEM 6d

ORDINANCE – DEVELOPMENT CODE TEXT AMENDMENT ADDING PET GROOMING

MEMO TO: Mayor Christopher and City Councilors

FROM: Maria Meier, Planning Director

RE: Text Amendment regarding Pet Grooming Businesses (Standard Industrial Classification 0752).

DATE: May 1, 2001

BACKGROUND

The Keizer Development Code identifies specific uses to be permitted within zones. Uses are specifically identified through the use of the Federal Standard Industrial Classification (SIC) Manual, which identifies all uses by category numbers. Pet Grooming is identified as *Animal Specialty Services, Except Veterinary*, SIC 0752. The category 07 is described in the Federal Manual as *Agricultural Services*. This general category was not recognized as including "Dog Grooming" when the Code was adopted. Therein, uses categorized as 07 were only permitted to be located in the AI (Agriculture Industrial) zone.

On March 28, City Council initiated the review of a text amendment to the Keizer Development Code regarding allowing Pet Grooming businesses in commercial zones. On May 9, the Planning Commission conducted a public hearing and formulated a recommendation for the City Council's consideration on the matter. The Planning Commission recommends Dog Grooming to be permitted in the following zones: Mixed Use (MU), Commercial Retail (CR), Commercial Mixed (CM), Commercial General (CG), and Residential Commercial (RC).

RECOMMENDATION

Staff recommends the City Council open and conduct a public hearing on the proposed text amendment to the Keizer Development Code to allow Pet Grooming businesses in commercial zones identified by the Planning Commission. Furthermore, staff recommends closing the public hearing and deliberate the Planning Commission's recommendation.

Recommended Motion
Move a motion to adopt an ordinance to allow the use of Dog Grooming in the following zones: Mixed Use (MU), Commercial Retail (CR), Commercial Mixed (CM), Commercial General (CG), and Residential Commercial (RC) as recommended by the Planning Commission.

ATTACHMENT

Ordinance for Text Amendment regarding Dog Grooming Businesses

BILL NO. ____ A BILL ORDINANCE NO. 2001-________

FOR

AN ORDINANCE

ADDING PET GROOMING AS A PERMITTED USE IN THE MIXED USED (MU), COMMERCIAL RETAIL (CR), COMMERCIAL MIXED (CM), COMMERCIAL GENERAL (CG), AND RESIDENTIAL COMMERCIAL (RC) ZONE; AND DECLARING AN EMERGENCY; **AMENDING ORDINANCE NO. 98-398**

The City of Keizer ordains as follows:

Section 1. FINDINGS. The City of Keizer makes the findings attached as Exhibit "A," and by this reference incorporated herein.

Section 2. AMENDMENT OF ORDINANCE NO. 98-398 (KEIZER DEVELOPMENT CODE). Ordinance No. 98-398 (Keizer Development Code) is amended as follows:

A. The following section is hereby added as an additional permitted use in the Residential Commercial (RC) zone under KDC Section 2.106.02 as a new subsection F(11) as follows:

11. **Pet Grooming.**

B. The following section is hereby added as an additional permitted use in the Mixed Use (MU) zone under KDC Section 2.107.02 as a new subsection J(12) as follows:

12. **Pet Grooming.**

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C. The following section is hereby added as an additional permitted use in the Commercial Retail (CR) zone under KDC Section 2.109.02 as a new section I I I as follows:

I I I. Pet Grooming.

D. The following section is hereby added as an additional permitted use in the Commercial Mixed (CM) zone under KDC Section 2.110.02 as a new subsection J(20) as follows:

20. **Pet Grooming.**

E. The following section is hereby added as an additional permitted use in the Commercial General (CG) zone under KDC Section 2.112.02 as a new subsection J(8) as follows:

8. Pet Grooming.

Section 3. SAVINGS CLAUSE. Should any section or portion of this Ordinance be held unlawful or unenforceable by any court of competent jurisdiction, such decision shall apply only to the specific section, or portion thereof, directly specified in the decision. All other sections and portions of this Ordinance shall remain in full force and effect.

///

///

///

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Section 4. <u>EFFECTIVE DATE.</u> This Ordinance being necessary for the immediate preservation of the public health, safety and welfare, an emergency is declared to exist and this Ordinance shall take effect immediately upon its passage.

PASSED this ________ day of ____________________, 2001.

SIGNED this ________ day of ____________________, 2001.

____
Mayor

____
City Recorder

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EXHIBIT "A"

FINDINGS RELATING TO THE ADOPTION
OF PET GROOMING AS A PERMITTED USE
IN THE MIXED USE (MU), COMMERCIAL RETAIL (CR),
COMMERCIAL MIXED (CM), COMMERCIAL GENERAL (CG),
AND RESIDENTIAL COMMERCIAL (RC) ZONES
Criteria is listed in Section 3.111.03 of the Keizer Development Code

The City of Keizer finds the following:

1. Impact of the proposed amendment on land use and development patterns within the City. KDC 3.111.03(A).

   The proposed amendment will not impact land use and development patterns in the areas set forth in Section 3.111.03(A), except with regard to economic activities.

   With regard to economic activities, the proposed amendment will enhance economic opportunities by allowing pet grooming in a broader range of zones than is currently allowed.

2. A demonstrated need exists for the product of the proposed amendment. KDC 3.111.03(B).

   A demonstrated need exists for the proposed amendment in order to allow pet grooming as a needed service to the citizens in a range of zones convenient to the public.

3. The amendments to the Keizer Development Code complies with all applicable statewide land use goals and related administrative rules. KDC 3.111.03(C).

   GOAL 1: CITIZEN INVOLVEMENT

   Public hearings were conducted on this matter with the review and adoption proceedings consistent with local land use regulations and state law.

GOAL 2: LAND USE PLANNING

The Ordinance amends the Keizer Development Code. The adoption proceeding was conducted in a manner consistent with the requirements of the Keizer Comprehensive Plan, Keizer Development Code, and applicable state law.

GOALS 3 THROUGH 7: AGRICULTURE LAND; FOREST LANDS; OPEN SPACES, SCENIC AND HISTORIC AREAS, AND NATURAL RESOURCES; AIR, WATER AND LAND RESOURCES QUALITY; AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS

This amendment does not affect agriculture of forest lands, open spaces, resource quality, or natural disasters and hazards. Therefore, these goals are inapplicable in this amendment.

GOAL 8: RECREATIONAL NEEDS

This amendment will not impact recreational needs.

GOAL 9 ECONOMIC DEVELOPMENT

The amendment enhances opportunities for economic development by allowing pet grooming as a permitted use in a broad range of zones allowing for development of this type of business.

GOALS 10 THROUGH 14: HOUSING; PUBLIC FACILITIES AND SERVICES; TRANSPORTATION; ENERGY CONSERVATION; URBANIZATION

This amendment does not affect housing, public facilities, transportation, energy conservation, and urbanization. Therefore, these Goals are inapplicable in this instance.

GOAL 15: WILLAMETTE GREENWAY

The amendment will not impact the Willamette Greenway and this Goal is inapplicable in this instance.

GOALS 16, 17, 18 AND 19:
ESTUARINE RESOURCES, COASTAL SHORELANDS,
BEACHES AND DUNES, AND OCEAN RESOURCES

These goals do not apply as Keizer is not located in an ocean shoreland area.

4. This amendment is deemed by the City Council to be desirable, appropriate, and proper in order to provide for a broader range of zones to allow pet grooming as a permitted use and to enhance business opportunities therefore. KDC 3.111.03(D).

City of Keizer, Oregon

June 18, 2001

AGENDA ITEM 6e

LEGISLATIVE AMENDMENT TO REDESIGNATE CHALMERS JONES PARK AND CLARIFY BOUNDARIES

CITY COUNCIL MEETING: June 18, 2001

AGENDA ITEM NUMBER:____________

TO: **MAYOR CHRISTOPHER AND COUNCIL MEMBERS**

THROUGH: **CHRISTOPHER C. EPPLEY, CITY MANAGER**

FROM: **E. SHANNON JOHNSON, CITY ATTORNEY**

SUBJECT: ***LEGISLATIVE AMENDMENT TO REDESIGNATE CHALMERS JONES PARK AND CLARIFY ITS BOUNDARIES***

At the City Council meeting on April 2, 2001, the Council initiated a legislative amendment to consider changing the designation of Chalmers Jones Park from a neighborhood park to a community park and to clarify its boundaries.

The Planning Commission held a public hearing on this matter on May 9, 2001. The Commission felt that the redesignation was appropriate. However, the Commission was concerned regarding designating the boundaries of the Park due to possible future development of the City Hall Complex. I have set forth the exact portion of the minutes below:

> The Commission discussed the designation of the park, but had reservations on making the determination of the boundary of the park due to possible future development of the City Hall Complex.
>
> Members of the Commission did not feel it was their role to set boundaries for parks and suggested that this issue be forwarded to the Parks Board.
>
> Mr. Johnson suggested that the Commission's option would be to make a partial recommendation or continue the hearing. He noted the Council's wish to have the designation taken care of soon.
>
> After a brief discussion and with no one wishing to testify, Chair Anderson closed the public hearing.

> Mr. Compton moved a motion to recommend the change of designation to Chalmers Jones Park from a neighborhood park to a community park, but to defer the boundary recommendation back to the Council to obtain input from the Park Advisory Board. Mr. Inman seconded the motion and carried, all present voting eye.

RECOMMENDATION:

The Council is free to decide this matter without the Parks Board recommendation if it wishes. If the Council wishes to have the Parks Board recommendation, it would be appropriate to continue the hearing to the next meeting to allow for Parks Board input on the issue.

Please let me know if you have any questions in this regard. Thank you.

ESJ/tmh

City of Keizer, Oregon

June 18, 2001

AGENDA ITEM 6f

FULTZ ESTATES STREET LIGHTING DISTRICT

COUNCIL MEETING: May 21, 2001

AGENDA ITEM NO:___________ __

TO: **MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS**

FROM: **CHRIS EPPLEY**
CITY MANAGER

THROUGH: **TRACY L. DAVIS, CMC**
CITY RECORDER

SUBJECT: **PUBLIC HEARING - To consider remonstrances or objections to formation of the Fultz Estates Street Lighting Local Improvement District and objections to an Ordinance spreading assessments to Fultz Estates Street Lighting Local Improvement District**

ISSUE

1. Shall the City Council form Fultz Estates Street Lighting Local Improvement District after conducting a public hearing to receive objections or remonstrances to its formation?

2. Shall the City Council adopt an ordinance spreading assessments in Fultz Estates Street Lighting Local Improvement District after conducting a public hearing to receive written objections to the ordinance spreading those assessments to the district.

BACKGROUND

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

On March 20, 2001, the developer of Fultz Estates filed a petition to form a street lighting local improvement district. In response to this petition, the City Council adopted Resolution R2001-1257 on April 2, 2001 to initiate formation of a street lighting local improvement district and directing the City Engineer to make a survey and file a written report with the City Recorder. On June 4, 2001 the City Council approved the City Engineer's report and set a public hearing to consider remonstrances to the project and objections to proposed assessments. On June 13, 2001 notice of the public hearing and intention to form the district and assess for the lighting improvements, as required under Ordinance 94-278, were provided by mail to the property owners.

ANALYSIS

Included within the agenda packet is the proposed resolution forming Fultz Estates Street Lighting Local Improvement District and setting forth the time and manner of installing the street lights within that district. If the Council decides to form the street lighting district, the next step is to proceed with an ordinance spreading assessments.

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

FISCAL IMPACT

The City initially pays the street lighting expense to the utility company as it is billed throughout the year. The operating cost of the lights is then billed to the property owners on an annual basis, thereby recovering the City's costs for bills paid throughout the year. In addition, the bills include the cost of the City Engineer's Report in the first year, and an administrative charge in the first and subsequent years to recover the City's cost for administering the lighting districts. All funds are budgeted through the Utility Fund.

RECOMMENDATION

1. Open the public hearing to first consider oral objections and written remonstrances to formation of Fultz Estates Street Lighting Local Improvement District.

2. If valid remonstrances of the owners of two-thirds of the land to be specially assessed for the lighting district are presented to the Council at the public hearing, close the hearing and suspend formation of the district for six months.

3. Consider other objections to the formation of the district. The Council may suspend formation of the district without remonstrance of owners of two-thirds (2/3) of the land if the Council deems that action appropriate.

4. If valid remonstrances of the owners of two-thirds of the land to be specially assessed for the lighting district are not presented to the Council at the public hearing, or other valid objections to formation are not presented, then consider objections to the scope, design or equipment proposed for the district.

5. After consideration of objections of the plans for the district, and if it appears that the Council will form the district, Council should next consider written objections to the proposed assessments which were filed with the City.

6. Close the public hearing.

7. Consider adoption of the resolution officially forming the lighting district.

8. If council forms the district, consider adoption of the proposed assessment ordinance. Council may adopt, correct, modify or revise the assessment against each lot in the district according to special and peculiar benefits accruing to the lot.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2001-_____

FORMING FULTZ ESTATES STREET LIGHTING

LOCAL IMPROVEMENT DISTRICT

WHEREAS, the City of Keizer has adopted a Resolution initiating the formation of Fultz Estates Street Lighting Local Improvement District; and

WHEREAS, the City Council has adopted a Resolution approving the City Engineer's Report for Fultz Estates Street Lighting Local Improvement District; and

WHEREAS, notice of public hearing to consider formation of street lighting district was mailed as required by Ordinance 94-278; and

WHEREAS, the City Council conducted a public hearing to receive objections and remonstrances to the formation of the street lighting district; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Keizer that Fultz Estates Street Lighting Local Improvement District is hereby formed, and that the street lights shall be installed within a reasonable time and in the manner set forth in the City Engineer's Report for Fultz Estates Street Lighting Local Improvement District.

PASSED this _____ day of ________________, 2001.

SIGNED this _____ day of ________________, 2001.

____
Mayor

____
City Recorder

BILL NO.________ **ORDINANCE NO. 2001-______**

A BILL FOR

AN ORDINANCE SPREADING ASSESSMENTS TO FULTZ ESTATES STREET LIGHTING LOCAL IMPROVEMENT DISTRICT

Section 1. FINDINGS. The City Council of the City of Keizer makes the following findings:

a. The City Council did heretofore declare its intention to install street lights to serve an area known as Fultz Estates Street Lighting Local Improvement District which is described as follows:

> Fultz Estates - identified on the assessors map 6 3W 26AA tax lots 1900, 2000, 2500 – lots 1-17 in the City of Keizer, County of Marion, State of Oregon;

which includes the installation of four (4) - 100-watt high pressure sodium luminaries mounted on four-foot long mast arms and attached to 30-foot gray fiberglass poles and an additional 100-watt high pressure sodium luminary mounted on an existing wood distribution pole, located within the subject local improvement district, all in accordance with the City Engineer's Report for Fultz Estates Street Lighting Local Improvement District.

b. The total initial cost of Fultz Estates Street Lighting Local Improvement District is $955.96.

c. The per space/lot assessment formula was used for this district.

d. The improvements in the district have been or will be constructed as provided in the Engineer's Report.

e. Notice was duly mailed to the benefited property owners on June 13, 2001.

f. A meeting of the City Council was held at the time and place fixed by public notice for the purpose of considering any such written objections to the proposed assessments.

g. No written objections to the proposed assessments were filed.

h. The Council has considered the matter and determined that construction of said improvements was and is of material benefit to the City, and all the property to be assessed therefore will be specially benefited by the improvements in the amounts shown on the assessment roll.

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

Section 2. ASSESSMENTS.

a. First Annual Assessment. It is hereby determined that the share of the cost of the improvements for Fultz Estates Street Lighting Local Improvement District for each parcel and property benefited thereby for the first annual assessment is the amount set opposite the description of each piece or parcel of land as described in Fultz Estates Street Lighting District Assessment Roll as set forth in Exhibit "A" attached, and that each piece or parcel of land benefited by the improvements, to the full extent of the amount so set opposite such piece or parcel and that the respective amounts represent the proportionate benefits of said improvements to said respective parcels of property, and the Council does hereby declare that each of the parcels of property described in Fultz Estates Street Lighting District Roll as set forth in Exhibit "A" attached is hereby assessed the first annual assessment amount set opposite each respective description.

i. Summary of first annual assessment costs for formation of the lighting district to serve the area known as "Fultz Estates Street Lighting Local Improvement District":

4- Poles and 100 Watt Luminaries	$538.56
1 - 100 Watt Luminary on existing pole	$ 77.40
Engineering Costs	$238.00
Administrative Fee	$102.00
Total Assessments	$955.96

ii. The Recorder of the City of Keizer is hereby directed to send a notice of first annual assessment to each owner of assessed property by mail within ten (10) days after this Ordinance levying the first annual installments is passed. The notice shall include information that an application to make installment payments may be filed with the City if the assessment is collected directly from the property owner and not pursuant to ORS 223.866.

b. Second and Subsequent Annual Assessments. After a municipal lighting district has been formed in accordance with City of Keizer Ordinance 94-278, the second and subsequent annual assessments shall be spread by Resolution which may include changes in the mode of collecting the assessment. The method of assessment and notification for subsequent annual assessments shall be determined in accordance with City of Keizer Ordinance 94-278.

c. Mode of Collecting Assessments. Assessments for Fultz Estates Street Lighting Local Improvement District shall be collected pursuant to ORS 223.866.

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d. Lien on Property. The assessment shall be entered as a lien against the benefited property in the City Lien Docket.

PASSED this _______ day of _________________________, 2001.

SIGNED this _______ day of _________________________, 2001.

____
Mayor

____
City Recorder

City of Keizer, Oregon

June 18, 2001

AGENDA ITEM 7a

ADOPTION OF 2001-2002 CITY OF KEIZER BUDGET

CITY COUNCIL MEETING: June 18, 2001

AGENDA ITEM NUMBER: __________

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS

THROUGH: CHRIS EPPLEY
CITY MANAGER

FROM: SUSAN GAHLSDORF, CPA
FINANCE DIRECTOR

SUBJECT: RESOLUTION ADOPTING FISCAL YEAR 2001-02 BUDGET, MAKING APPROPRIATIONS, AND IMPOSING AND CATEGORIZING TAXES

BACKGROUND:

The Budget Committee, comprised of the Council and seven citizens, reviewed, modified and, on May 8, 2001, approved the Manager's Recommended Budget for Fiscal Year 2000-01, as amended. The Committee Approved Budget was published in a local newspaper as required by Oregon Budget Law. After publication, the law requires the governing body to conduct a public hearing on the Committee Approved Budget. This hearing was held on June 4, 2001. The Council must adopt the upcoming fiscal year budget by June 30.

RECOMMENDATION:

Staff recommends that the City Council deliberate on the City Budget as shown on the attached resolution, and adopt the budget with amendments, if any.

CITY OF KEIZER, STATE OF OREGON

RESOLUTION R2001-______

ADOPTING THE FY'02 BUDGET, MAKING APPROPRIATIONS AND IMPOSING AND CATEGORIZING TAXES

BE IT RESOLVED, that the City Council of the City of Keizer hereby adopts a budget for fiscal year 2001-02 in the sum of $15,692,957 now on file at City Hall.

BE IT FURTHER RESOLVED that the amounts for the fiscal year beginning July 1, 2001, and for the purposes shown below are hereby appropriated:

General Fund			
	Administration	481,813	
	Parks	127,347	
	Community Development	260,724	
	Municipal Court	254,751	
	Police	3,934,863	
	Stadium Operations	35,028	
	Contingency	50,000	
	Reserves	97,258	
TOTAL GENERAL FUND			**5,241,784**
Revenue Sharing			
	Capital Outlay	166,083	
	Transfer	45,821	
	Contingency	3,218	
TOTAL REVENUE SHARING			**215,122**
911 Communications			
	Materials & Services	164,604	
	Contingency	127,581	
TOTAL 911 COMMUNICATIONS			**292,185**
Housing Services			
	Materials & Services	115,178	
TOTAL HOUSING SERVICES			**115,178**
Street			
	Personal Services	197,417	
	Materials & Services	779,703	
	Capital Outlay	853,104	
	Transfer	1,696	
	Contingency	100,000	
	Reserves	85,000	
TOTAL STREET			**2,016,920**

City Hall Facility	Transfer	56,008	
TOTAL CITY HALL FACILITY			**56,008**
Parks Improvement	Capital Outlay	186,500	
TOTAL PARKS IMPROVEMENT			**186,500**
Utilities			
	Personal Services	131,832	
	Materials & Services	3,421,116	
	Capital Outlay	1,174	
	Debt Service	8,330	
	Transfers	40,729	
	Contingency	30,000	
TOTAL UTILITIES			**3,633,181**
Street Lighting Districts			
	Personal Services	32,386	
	Materials & Services	328,017	
	Capital Outlay	241	
	Transfers	238	
	Contingency	15,000	
TOTAL STREET LIGHTING			**375,882**
Water			
	Personal Services	781,738	
	Materials & Services	694,862	
	Capital Outlay	48,285	
	Transfers	553,844	
	Contingency	60,000	
	Reserves	35,000	
TOTAL WATER			**2,173,729**
Water Facility Replacement Reserve			
	Capital Outlay	478,500	
	Reserves	525,139	
TOTAL WATER FACILITY REPLACEMENT RESERVE			**1,003,639**
Sewer Reserve			
	Capital Outlay	270,000	
TOTAL SEWER RESERVE	Contingency	112,829	
			382,829
TOTAL ALL FUNDS			**15,692,957**

BE IT FURTHER RESOLVED that the City Council of the City of Keizer hereby imposes the taxes provided for in the adopted budget at the rate of $2.0838 per $1,000 of assessed value for operations; and that these taxes are hereby imposed and categorized for tax year 2001-02 upon the assessed value of all taxable property within the district.

	General Government
General Fund	$2.0838/$1000

PASSED this _____ day of __________________________, 2000.

SIGNED this _____ day of ___________________________, 2000.

____
Mayor

____
City Recorder

City of Keizer, Oregon

June 18, 2001

AGENDA ITEM 7b

ADOPTION OF LONG RANGE FINANCIAL PLAN

City of Keizer, Oregon

June 18, 2001

AGENDA ITEM 8a

RESOLUTION – CERTIFYING THE CITY PROVIDES FOUR OR MORE SERVICES

COUNCIL MEETING: June 18, 2001

AGENDA ITEM NUMBER:____________

TO: **MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS**

FROM: **CHRISTOPHER EPPLEY**
CITY MANAGER

SUBJECT: **CERTIFYING THE CITY PROVIDES FOUR OR MORE MUNICIPAL SERVICES**

ISSUE:

The law provides that a city located within a county having more than 100,000 inhabitants must provide four or more municipal services to be eligible to receive state-shared revenue.

RECOMMENDATION:

It is recommended the Council adopt the Resolution certifying the City of Keizer provides four or more municipal services.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2001-_____

CERTIFYING THAT THE CITY OF KEIZER PROVIDES FOUR OR MORE MUNICIPAL SERVICES

WHEREAS, ORS 221.760 provides as follows:

Section 1. The officer responsible for disbursing funds to cities under ORS 323.455, 366.785, 366.820 and 471.805 shall, in the case of a city located within a county having more than 100,000 inhabitants according to the most recent federal decennial census, disburse such funds only if the city provides four or more of the following services:

1) Police protection

2) Fire protection

3) Street construction, maintenance and lighting

4) Sanitary sewer

5) Storm sewers

6) Planning, zoning and subdivision control

7) One or more utility service

WHEREAS, city officials recognize the desirability of assisting the state officer responsible for determining the eligibility of cities to receive such funds in accordance with ORS 221.760; NOW THEREFORE,

/////

BE IT RESOLVED that the City of Keizer hereby certifies that it provides the following four or more municipal services enumerated in Section 1, ORS 221.760:

1) Police protection

2) Street construction, maintenance and lighting

3) Planning, zoning and subdivision control

4) One or more utility services

PASSED this ______ day of ______________________, 2001.

SIGNED this ______ day of ______________________, 2001.

____
Mayor

____
City Recorder

COUNCIL MEETING: June 18, 2001

AGENDA ITEM NUMBER:______________

TO: **MAYOR CHRISTOPHER AND COUNCIL MEMBERS**

THROUGH: **CHRIS EPPLEY**
CITY MANAGER

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

Susan

SUBJECT: Adoption of Long-Range Financial Plan

BACKGROUND:

During fiscal year 2000-2001 the City Council adopted new goals to provide a framework to meet the needs of our community. At the top of the list was the creation of a long-range plan for the City. Over the past several months the Budget Committee has worked diligently with staff to formulate a long-range plan for the General Fund. The objectives of the plan included sustaining existing services and creating an ending fund balance sufficient to meet the General Fund's cash flow needs. The plan will be used as a tool to evaluate the consequences of decisions made by the city as well as events that occur beyond our control.

The long-range Financial Plan presented in the City Manager's Recommended Budget achieved an adequate ending fund balance in FY06-07. The budget committee deliberated on the proposed plan, weighed the communities needs with the City's financial needs and amended the plan accordingly. The most noted changes include:

- Estimating Personal Services costs at 96% of the maximum liability instead of 100% of the maximum liability. The committee recognized that, from a practical standpoint, the city would not likely pay the maximum liability in any given year.
- The city needs a new telephone system that is estimated between $50,000 - $75,000 depending on when the system is replaced. This item has been included in the financial plan in FY 03-04 at an estimated cost of $75,000.
- The Sewer Franchise fee has been pushed out one year from FY 01-02 to FY 02-03 and will increase 1% each year for five years beginning July 1, 2002.

Furthermore, the City Council elected not to increase the Hotel/Motel tax from 6% to 9% at the June 4, 2001 public hearing. This item has also been removed from the long-range plan.

FISCAL IMPACT:

The result of these changes pushes the optimum ending fund balance out to FY 08-09. Furthermore, as the financial model shows, the plan anticipates a cash flow deficit in FY 02-03. Decisions will need to be made on how best to remedy this situation.

RECOMMENDATION:

City staff recommends the budget committee convene on a quarterly basis to discuss solutions to the cash flow needs and assess on-going events that change and shape the long-range plan.

Furthermore, staff recommends the council adopt the attached resolution adopting the long-range plan.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2001-_____

ADOPTION OF LONG-RANGE FINANCIAL PLAN

WHEREAS, the City of Keizer recognizes the need for a long-range financial plan and expressed its desire for a plan in the Council Adopted Goals (Resolution R2001-1263);

WHEREAS, the plan is to be reviewed and modified annually during the budget process;

BE IT RESOLVED that the City Council of the City of Keizer does hereby adopt the attached long-range financial plan.

PASSED this _____ day of __________________, 2001.

SIGNED this _____ day of __________________, 2001.

____
Mayor

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City Recorder

GENERAL FUND LONG RANGE FINANCIAL PLAN

	GROWTH	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2013	2014	2015	2016
				2%	2%	1%	1%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
	RESOURCES																
1	Net Working Capital	$ 294,851	$ 338,522	$ 139,572	$ 103,802	$ 146,234	$ 283,996	$ 452,444	$ 661,521	$ 837,090	$ 977,873	$ 1,082,550	$ 1,149,758	$ 1,178,090	$ 1,166,090	$ 1,443,051	$ 1,687,994
2																	
3	Taxes:	2,292,356	2,380,865	2,474,269	2,550,231	2,626,548	2,712,455	2,790,073	2,870,008	2,952,331	3,037,113	3,124,427	3,214,350	3,306,959	3,402,335	3,500,562	3,601,723
7	Dissolution of Urban Renewal District														813,961	632,380	651,351
8																	
9	Licenses & Fees: 1% inc. per yr	1,206,528	1,554,749	1,570,296	1,585,999	1,601,859	1,617,878	1,634,057	1,650,397	1,666,901	1,683,570	1,700,406	1,717,410	1,734,584	1,751,930	1,769,449	1,787,144
13	Increase Phone licenses 4% to 7%		68,775	68,776	68,775	68,775	68,775	68,776	68,775	68,775	68,775	68,775	68,775	68,775	68,775	68,775	68,776
14	Lorenz Sanitation 3% to 5%			31,319	31,945	32,264	32,587	32,587	32,587	32,587	32,587	32,587	32,587	32,587	32,587	32,587	32,587
15	Valley Garbage 3% to 5%			20,518	20,928	21,137	21,348	21,348	21,348	21,348	21,348	21,348	21,348	21,348	21,348	21,348	21,348
16	Sewer license 1% - 5% over 5 years			37,433	84,763	142,542	213,072	295,637	295,637	295,637	295,637	295,637	295,637	295,637	295,637	295,637	295,637
17																	
18	Intergovernmental:	548,226	514,226	500,708	501,587	494,263	502,100	506,573	511,179	515,924	520,811	525,845	531,030	536,370	541,871	547,536	553,372
22																	
23	Fines & Forfeits: 1% increase	378,966	352,463	355,988	359,548	363,143	366,774	370,442	374,147	377,888	381,667	385,484	389,338	393,232	397,164	401,136	405,147
24	City Unitary Assessment 2600 tickets/year		26,000	26,260	26,523	26,788	27,056	27,326	27,600	27,876	28,154	28,436	28,720	29,007	29,297	29,590	29,886
25	Tow Fee increase fm $75 to $100		11,170	11,282	11,395	11,508	11,624	11,740	11,857	11,976	12,096	12,216	12,339	12,462	12,587	12,713	12,840
26																	
27	Miscellaneous:	227,252	134,586	136,711	138,872	140,261	141,664	142,254	142,849	143,451	144,059	144,672	145,292	145,918	146,550	147,189	147,834
30																	
31	TOTAL RESOURCES	$ 4,948,179	$ 5,381,356	$ 5,373,131	$ 5,484,367	$ 5,675,323	$ 5,999,329	$ 6,353,256	$ 6,667,906	$ 6,951,784	$ 7,203,690	$ 7,422,384	$ 7,606,585	$ 7,754,970	$ 8,480,133	$ 8,901,953	$ 9,295,638
32																	
33	**EXPENDITURES**																
34																	
35	Personal Services @ 96% of cap + 3% COLA	$ 3,589,740	$ 3,918,356	$ 4,035,778	$ 4,156,851	$ 4,281,557	$ 4,410,004	$ 4,542,304	$ 4,678,573	$ 4,818,930	$ 4,963,498	$ 5,112,403	$ 5,265,775	$ 5,423,748	$ 5,586,461	$ 5,754,054	$ 5,926,676
36	Eliminate Building Permit Specialist Position							(28,153)	(28,998)	(29,868)	(30,764)	(31,686)	(32,637)	(33,616)	(34,625)	(35,663)	(36,733)
37	Materials & Services + .5% increase/year	1,019,917	1,176,170	1,182,051	1,187,961	1,193,901	1,199,870	1,205,870	1,211,899	1,217,959	1,224,048	1,230,169	1,236,319	1,242,501	1,248,714	1,254,957	1,261,232
38	Telephone upgrade				75,000												
39	Move Parks to Parks special revenue fund				(134,725)	(138,766)	(142,929)	(147,217)	(151,634)	(156,183)	(160,868)	(165,694)	(170,665)	(175,785)	(181,059)	(186,491)	(192,085)
40	Expenditures from Urban Renewal														283,169	290,226	297,487
41	Pick up 911 Expenditures						23,665	60,968	61,273	61,579	61,887	62,197	62,508	62,820	63,134	63,450	63,767
42	Payment for PEG Equipment		97,258														
43																	
44	TOTAL EXPENDITURES	$ 4,609,657	$ 5,191,784	$ 5,217,829	$ 5,285,088	$ 5,336,691	$ 5,490,610	$ 5,633,771	$ 5,771,113	$ 5,912,417	$ 6,057,801	$ 6,207,387	$ 6,361,300	$ 6,519,668	$ 6,965,794	$ 7,140,533	$ 7,320,343
45																	
46	CONTINGENCY +CPI-W	-	50,000	51,500	53,045	54,636	56,275	57,964	59,703	61,494	63,339	65,239	67,196	69,212	71,288	73,427	75,629
47	FUND BALANCE	338,522	139,572	103,802	146,234	283,996	452,444	661,521	837,090	977,873	1,082,550	1,149,758	1,178,090	1,166,090	1,443,051	1,687,994	1,899,665
48																	
49	TOTAL EXPENDITURES & FUND BAL	4,948,179	5,381,356	5,373,131	5,484,367	5,675,323	5,999,329	6,353,256	6,667,906	6,951,784	7,203,690	7,422,384	7,606,585	7,754,970	8,480,133	8,901,953	9,295,638
50																	
51	Fund Balance percentage of total revenues		2.77%	1.98%	2.72%	5.14%	7.92%	11.21%	13.94%	15.99%	17.39%	18.14%	18.25%	17.73%	19.73%	22.63%	24.97%
52																	
53	Cash Needed (15% of Revenues)		807,203	805,970	822,655	851,298	899,899	952,988	1,000,186	1,042,768	1,080,554	1,113,358	1,140,988	1,163,245	1,272,020	1,335,293	1,394,346
54	Beginning Fund Balance		338,522	139,572	103,802	146,234	283,996	452,444	661,521	837,090	977,873	1,082,550	1,149,758	1,178,090	1,166,090	1,443,051	1,687,994
55	Amount needed to be Borrowed		468,681	666,398	718,853	705,064	615,904	500,544	338,665	205,678	102,680	30,807	(8,771)	(14,844)	105,930	(107,758)	(293,648)
56																	
57	INTERNAL BORROWING SOURCES																
58	*Parks Improvement Fund*																
59	Beginning Fund Balance		$ 384,487	$ 310,027	$ 273,308	$ 238,874	$ 205,606	$ 173,516									
60	Revenues		112,040	114,281	116,566	117,732	118,909	118,909									
61	Expenditures		(186,500)	(151,000)	(151,000)	(151,000)	(151,000)	(151,000)									
62	Funds Available for Borrowing		$ 310,027	$ 273,308	$ 238,874	$ 205,606	$ 173,516	$ 141,425									
63																	
64	*Water Facility Replacement Reserve*																
65	Beginning Fund Balance		$ 402,939	$ 525,139	$ 72,853	$ (44,499)	$ (330,224)	$ (668,416)									
66	Revenues		50,700	51,714	52,748	53,275	53,808	53,808									
67	Transfer from Water Fund		550,000	381,000	381,000	381,000	381,000	381,000									
68	Expenditures:																
69	CIP Well Improvements		(318,500)	(725,000)	(391,100)	(560,000)	(193,000)	(725,000)									
70	CIP Distribution Improvements		(160,000)	(160,000)	(160,000)	(160,000)	(580,000)	(580,000)									
71	Funds Available for Borrowing		$ 525,139	$ 72,853	$ (44,499)	$ (330,224)	$ (668,416)	$ (1,538,608)									
72																	
73	911 Fund cash balances		$ 123,263	$ 86,531	$ 49,799	$ 13,067	$ (23,665)	$ (60,397)									
74	Parks Improvement Fund		310,027	273,308	238,874	205,606	173,516	141,425									
75	Water Facility Fund		525,139	72,853	*deficit*	*deficit*	*deficit*	*deficit*									
76																	
77	Amount needed to be Borrowed		468,681	666,398	718,853	705,064	615,904	500,544									
78	Excess/(Deficit)		$ 489,748	$ (233,706)	$ (430,180)	$ (486,391)	$ (466,053)	$ (419,516)									

City of Keizer, Oregon

June 18, 2001

AGENDA ITEM 8b

RESOLUTION – AUTHORIZATION OF EXPENDITURES OF SPECIFIC PURPOSE FUNDS

COUNCIL MEETING: June 18, 2001

AGENDA ITEM NUMBER:______________

TO: **MAYOR CHRISTOPHER AND COUNCIL MEMBERS**

THROUGH: **CHRIS EPPLEY**
CITY MANAGER

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

SUBJECT: Authorization of Expenditures of Specific Purpose Funds

BACKGROUND:

During fiscal year 2000-2001 the Police Department received a $12,069 Local Law Enforcement Block Grant. This grant was not anticipated at the time the 2000-2001 budget was adopted. At the December 18, 2000 Council Meeting the City Council approved the use of these funds for computer equipment.

During fiscal year 2000-2001 the Police Department received a $8,609 Juvenile Accountability Incentive Block Grant. This grant was not anticipated at the time the 2000-2001 budget was adopted. Expenditures for this grant are to be used to support the City's Peer Court program.

Additionally, Past Due Court collection revenues have exceeded the budgeted amount by an estimated $50,000. The city is required to expend a portion of these revenues for specific purposes. Four percent of these revenues are to be paid for a County Assessment, 19% of the fees are to be paid for a Unitary Assessment and 20% is to be paid to the collection agency as their fee.

Oregon Budget Law (ORS 294.326(3)) provides for expenditure in the year of receipt of grants, gifts, bequests or devises transferred to the local government in trust of a specific purpose. The Law further provides that a resolution or ordinance be passed to provide authority for the expenditure of these funds.

RECOMMENDATION:

Staff recommends the council adopt the attached resolution authorizing the expenditure of these specific purpose funds.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2001-_____

AUTHORIZATION OF EXPENDITURE OF SPECIFIC PURPOSE FUNDS

WHEREAS, the City of Keizer received funds during fiscal year 2000-2001 that were not anticipated prior to the adoption of the budget;

WHEREAS, such funds are to be used specifically for the expenditures identified below;

WHEREAS, ORS 294.326(3) provides for expenditure in the year of receipt of grants, gifts, bequests or devises transferred to the local government in trust for a specific purpose; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Keizer, that appropriations for the fiscal year ending June 30, 2001 be authorized in the amounts indicated below:

	Increase	Increase
CRIME PREVENTION GRANT FUND		
Capital Outlay	$12,050	
Revenue – LLEBGP		$12,050
GENERAL FUND		
County Assessment – Municipal Court	$ 2,000	
Unitary Assessment – Municipal Court	9,500	
Collection Costs	10,000	
Ending Fund Balance	28,500	
Past Due Collections		$50,000
GENERAL FUND		
Contractual Services – Police	$ 8,609	
Revenue – JAIBG Grant		$8,609

PASSED this _____ day of ___________________, 2001.

SIGNED this _____ day of ___________________, 2001.

____
Mayor

____
City Recorder

City of Keizer, Oregon

June 18, 2001

AGENDA ITEM 8c

RESOLUTION – DECLARING CITY'S ELECTION TO RECEIVE STATE REVENUES

COUNCIL MEETING: June 18, 2001

AGENDA ITEM NUMBER:________

TO: **MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS**

FROM: **CHRISTOPHER EPPLEY**
CITY MANAGER

SUBJECT: **CITY'S ELECTION TO RECEIVE STATE REVENUE SHARING**

ISSUE:

State Revenue Sharing Law, ORS 221.770 requires cities to pass a Resolution each year stating they want to receive state revenue sharing money. The law also requires the City to certify that the public hearings for the budget were held. The adoption of this Resolution will accomplish both of these items.

RECOMMENDATION:

It is recommended the Council adopt the Resolution declaring the City's election to receive state revenue sharing and certify the dates of the budget public hearings.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2001-_____

DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES

The City Council of the City of Keizer resolves as follows:

Pursuant to ORS 221.770, The City Council of the City of Keizer hereby elects to receive state revenues for fiscal year 2001-2002.

PASSED this _____ day of ____________________, 2001.

SIGNED this _____ day of ____________________, 2001.

____
Mayor

____
City Recorder

I certify that a public hearing before the Budget Committee was held on May 3, 2001 and a public hearing before the City Council was held on June 18, 2001, giving citizens opportunity to comment on use of State Revenue Sharing.

____
City Recorder

City of Keizer, Oregon

June 18, 2001

AGENDA ITEM 8d

RESOLUTION – EXTENDING WORKERS COMPENSATION COVERAGE TO CITY OF KEIZER VOLUNTEERS

COUNCIL MEETING: **June 18, 2001**

AGENDA ITEM NUMBER: ______________

TO: **MAYOR CHRISTOPHER AND CITY COUNCILOR MEMBERS**

THROUGH: **CHRIS C. EPPLEY**
CITY MANAGER

FROM: **TRACY L. DAVIS, CMC**
CITY RECORDER

SUBJECT: **RESOLUTION – ELECTING TO PROVIDE WORKERS COMPENSATION COVERATION FOR CITY OF KEIZER VOLUNTEERS**

ISSUE:

The City of Keizer carries Workers Compensation Insurance for their employees through City County Insurance Services. Beginning in 1993, the City elected to provide Workers Compensation Coverage to those serving the City in a volunteer capacity, such as Police Reserve Officers, Elected Officials, and Board and Commission Members. A Resolution was adopted indicating the City would cover all volunteers. City Council Insurance Services has requested we update the Resolution to specifically name the types of volunteers and the number of hours they serve the City. The Resolution incorporates the Volunteer Election Form that classifies the volunteers for the City of Keizer.

RECOMMENDATION:

It is recommended the City Council adopt the attached Resolution Electing to Provide Workers Compensation Insurance Coverage for City of Keizer Volunteers.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R99- 1155

ELECTING TO PROVIDE WOKERS' COMPENSATION INSURANCE COVERAGE
CITY OF KEIZER VOLUNTEERS
(REPEALING R93-657)

WHEREAS, the City of Keizer wishes to protect its volunteers from injuries arising out of or in the scope of their service to the City of Keizer:

WHEREAS, these volunteers include Keizer Police Reserve Officers, appointed and elected officials, volunteers serving the City on various boards and commissions, and other volunteer providing service to the City of Keizer. NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Keizer that the City of Keizer hereby elects, pursuant to ORS 656.031/656.041 to provide workers' compensation coverage to Keizer Police Reserve Officers at an assumed wage of $800 per month.

BE IT FURTHER RESOLVED that the City of Keizer elects pursuant to ORS 656.031/656.041 to provide workers' compensation coverage to appointed and elected officials, volunteers serving the City on various boards and commissions, and other volunteers providing service to the City of Keizer at an assumed rate of no less than the State of Oregon minimum wage.

BE IT FURTHER RESOLVED that Resolution R93-657 – Workers Compensation Coverage for Volunteers – is hereby repealed in its entirety.

PASSED this 6th day of December, 1999.

SIGNED this 6th day of December, 1999.

Please update your resolution. CIS is no longer accepting resolutions containing language intending to cover "all volunteers."

Mayor

City Recorder

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2001- _____

EXTENDING WOKERS' COMPENSATION INSURANCE COVERAGE TO CITY OF KEIZER VOLUNTEERS
(REPEALING R99-1155)

WHEREAS, the City of Keizer elects the following:

Pursuant to ORS 656.031, workers' compensation coverage will be provided to the class of volunteer workers listed on the attached Volunteer Election Form.

1. An assumed monthly wage of $800 per month will be used for public safety volunteers; and
2. Non-public safety volunteers will keep track of their hours and have their assumed payroll reported in the correct class code for the type of work being performed using Oregon minimum wage; and
3. Court-mandated community service workers/inmates on work release may be covered for workers' compensation benefits by the sentencing court. Coverage will be determined prior to work inception and stipulated to in writing between the City of Keizer and the respective sentencing court. Court-mandated volunteers will keep track of their hours and have their assumed payroll reported in Class Code 7720V using Oregon minimum wage; and
4. A roster of active volunteers (public safety, non-public safety, and community service workers/inmates will be kept monthly for reporting purposes. It is acknowledged that City/County Insurance Services may request copies of these rosters during year-end audit; and

5. Unanticipated volunteer projects or exposure not addressed herein will be added onto the City of Keizer's coverage agreement by endorsement with advanced notice to CIS and allowing at least 2 weeks for processing. It is hereby acknowledged that coverage of this type cannot be backdated.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Keizer that the City of Keizer hereby elects, pursuant to ORS 656.031/656.041 to provide workers' compensation coverage as indicated above.

BE IT FURTHER RESOLVED that Resolution R99-1155 – Workers Compensation Coverage for Volunteers – is hereby repealed in its entirety.

PASSED this ______ day of ______________________, 2001.

SIGNED this ______ day of ______________________, 2001.

____
Mayor

____
City Recorder

VOLUNTEER ELECTION FORM

Keep monthly rosters! CIS may request copies of rosters during year-end audit.

Public Safety Volunteers

The following volunteer positions are reported in NCCI Classification Code 8411, using an assumed monthly wage of no less than $800 per month (regardless if one day or 30 are worked) for premium payment and calculation of benefits. This assumed monthly wage may be increased at the employer's discretion in increments of $100. ***Please refer to your entity's volunteer resolution for the amount to use in filling out Column No. 2 below.***

City/County Insurance Services
Volunteer Election Form for Coverage Year 7/1/2001 to 6/30/2002

Multiply (1) x (2) = Estimated Assumed Payroll

Volunteer Category	NCCI Code	(1) Est. No. of Volunteer Months*	(2) Assumed Monthly Wage	(3) 2001-02 Estimated Assumed Payroll
Ambulance Driver	8411			
Ambulance Technician	8411			
Crime Prevention Unit	8411			
Deputy Sheriff	8411			
Emergency Medical Technician	8411			
Explorer Scout	8411			
Fire Chief/Asst. Fire Chief	8411			
Firefighter	8411			
Police Officer	8411			
* Police Reserve	8411	180	$800	$144,000
Probation Officer	8411			
Search and Rescue	8411			
Sheriff's Posse	8411			
Surf Rescue	8411			
Other *(please specify)*	8411			

*Using last year's rosters, estimate the number of volunteer months for each position and enter the total on the appropriate line in Column (1). Some volunteers are not active every month, i.e., one volunteer firefighter may be active five months out of the year, two volunteer firefighters may be active 12 months out of the year, and five volunteer firefighters may be active only one month out of the year. Thus, the number of volunteer firefighter months would be 34.

City/County Insurance Services/ Volunteer Election Form for Coverage Year 7/1/2001 to 6/30/2002						
Multiply (1) x (2) x (3) x (4) = Estimated Assumed Payroll						
Volunteer Category	**NCCI Code**	**(1) Est. No. of Volunteers per month**	**(2) No. of Hours per month**	**(3) No. of Months per year**	**(4) Oregon Minimum Wage**	**(5) 2001-02 Estimated Assumed Payroll**
Garbage/Refuse	9403V					
Hospital *(please call CIS For proper class code)*						
Inmates on Work Release	7720V					
Interpreters	8810V					
Janitorial	9015V					
Landscaping	0042V					
Library	8810V					
Lifeguards (pools)	9015V					
Lifeguards (beaches & rivers)	9102V					
Mealsite Volunteers	9079V					
Parks & Drivers	9102V					
Planting	0042V					
Public Health *(please call CIS for proper class code)*						
Replacement Workers *(please call CIS for proper class code)*						
RV Park	9015V					
Senior Center	9061V					
Sewer & Drivers	7580V					
Sewer/Street Cleaning	9402V					
Snow Removal	9402V					
Street/Road Maintenance	5506V					
Victim Assistance	8810V					
Waterworks & Drivers	7520V					

Other Volunteers--Assumed wage must be at least $6.50/hour or $800/month minimum.

Unpaid boards, commissions, councils, and public officials: If these officials receive any "remuneration," they would be considered subject workers and reported using regular payroll categories. If they receive no remuneration and you wish to provide workers' compensation benefits, you will need to either establish an assumed monthly wage or keep monthly time records and estimate/report assumed payroll using Oregon minimum wage. CIS has designated Class Code 8742V for this type of exposure. Please call if you have questions or need advice.

Inmates/Community Service Workers: If your entity uses workers from the correctional system (i.e., community service workers, inmates on work release, peer review crews, etc.), it is important to address and clarify in writing PRIOR to work inception which entity will be responsible for covering this exposure. CIS recommends you obtain a Certificate of Coverage for Workers' Compensation from the sentencing court or make arrangements to provide coverage through your own entity. If the second option is chosen, keep monthly time records and report these workers using Oregon minimum wage. CIS has designated Class Code 7720V for this type of exposure.

Miscellaneous: Assumed payroll for all other volunteer elections should be computed at Oregon minimum wage using actual hours worked and reported in the appropriate NCCI classification code with a "V" added to the end. Unanticipated volunteer projects or exposure can be added on throughout the coverage year (1) by endorsement, (2) with advance notice to CIS, and (3) allowing two weeks for processing. *Coverage of this type cannot be backdated.*

City/County Insurance Services
Volunteer Election Form for Coverage Year 7/1/2001 to 6/30/2002

Multiply (1) x (2) x (3) x (4) = Estimated Assumed Payroll

	Volunteer Category	NCCI Code	(1) Est. No. of Volunteers per month	(2) No. of Hours per month	(3) No. of Months per year	(4) Oregon Minimum Wage ($6.50)	(5) 2001-02 Estimated Assumed Payroll
*	Boards, Commissions, Councils, Public Officials	8742V	57 19	190 257 hrs/yr	12 —	$6.50 6.50	14,820 1,671 } 16,491
	Building Maintenance	9015V					
*	Clerical	8810V	14	18	84	$6.50	$6,552.
	Community Center	9102V					
	Court-Mandated Community Service Workers	7720V					
	Community Project *(please call CIS for proper class code)*						
	Community Sponsored Events *(please call CIS for proper class code)*						
	Emergency Telecommunicators	8810V					
	Fireworks	9410V					

CITY OF KEIZER
CCIS - WORKERS COMPENSATION
CALCULATION OF VOLUNTEER PAYROLL
FISCAL YEAR 07/01/01 THROUGH 6/30/02

											Amount	**Code**
Reserve Officers	15				X	12 months	X	$800	/mo	=	$144,000	8411
Boards, Commissions, Public Officials:												
City Council	7 X	10 hrs/mo	=	70 hrs/mo	X	12 months	X	$ 6.50	/hr	=	$ 5,460	
Other Boards and commissions:												
Parks	8 X	2 hrs/mo	=	16 hrs/mo	X	12 months	X	$ 6.50	/hr		$ 1,248	
Traffic	8 X	2 hrs/mo	=	16 hrs/mo	X	12 months	X	$ 6.50	/hr		$ 1,248	
Bikeway	6 X	2 hrs/mo	=	12 hrs/mo	X	12 months	X	$ 6.50	/hr		$ 936	
Urban Renewal	10 X	2 hrs/mo	=	20 hrs/mo	X	12 months	X	$ 6.50	/hr		$ 1,560	
Planning	8 X	2 hrs/mo	=	16 hrs/mo	X	12 months	X	$ 6.50	/hr		$ 1,248	
Subtotal:											$ 11,700 *	8742V
Community Policing	10 X	4 hrs/mo	=	40 hrs/mo	X	12 months	X	$ 6.50	/hr	=	$ 3,120	8742V
Total	57	24 mo		190							$ 14,820 *	
Budget	14 X	18 hrs/yr	=	252 hrs/yr			X	$ 6.50	/hr		$ 1,638	
Audit	5 X	1 hrs/yr	=	5 hrs/yr			X	$ 6.50	/hr		$ 33	
Total	70	19 yr									$ 1,671 *	8742V
Emergency Operations Center	10 X	2 hrs/mo	=	20 hrs/mo	X	12 months	X	$ 6.50	/hr	=	$ 1,560	8810V
Office Volunteer Comm	4 X	16 hrs/mo	=	64 hrs/mo	X	12 months	X	$ 6.50	/hr	=	$ 4,992	8810V
											$ 6,552	
											$ 167,043	

Gahlsdorf

City of Keizer, Oregon

June 18, 2001

AGENDA ITEM 8e

RESOLUTION – AUTHORIZING THE CITY MANAGER TO ENTER AGREEMENT FOR SLURRY SEALS ON VARIOUS STREETS IN THE CITY OF KEIZER

COUNCIL MEETING: ________________

AGENDA ITEM NUMBER: ____________

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

THROUGH: CHRIS EPPLEY
CITY MANAGER

FROM: ROB KISSLER
DIRECTOR OF PUBLIC WORKS

SUBJECT: ANNUAL STREET MAINTENANCE

BACKGROUND:

The City's Public Works Department Street Division has an annual street pavement maintenance program contracted through Marion County Public Works. As part of that program, we have selected several neighborhood streets to be slurry sealed. Attachment 1 indicates the local streets to be slurry sealed.

Slurry seal is a process that will seal moisture out of the sub grade, add wear surface and prolong the life of a structurally sound street approximately seven years. No more than three applications of slurry seal product can be used on our existing streets. Three years ago, the Street Division used the slurry seal process on selected streets with great success.

Slurry seal is a cost effective tool to extend the life of average or better, neighborhood streets. The cost of resurfacing our streets with slurry seal is less than asphalt, allowing additional road miles to be maintained within the existing budget.

FISCAL IMPACT:

Funding for this project has been budgeted in the 00/01 street fund resurfacing line item.

RECOMMENDATION:

It is recommended the Council adopt the attached Resolution authorizing the City Manager to enter into an agreement with low bidder Blackline Inc through Marion County Public Works to slurry seal various city streets for a cost of $ 47,956.86.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2001-_____

AUTHORIZING THE CITY MANAGER TO ENTER AN AGREEMENT FOR SLURRY SEALS ON VARIOUS STREETS WITHIN THE CITY OF KEIZER

WHEREAS, the City of Keizer has an annual pavement management maintenance program contracted through Marion County;

WHEREAS, as part of this program, several streets within various neighborhoods in the city of Keizer have been selected to be slurry sealed;

WHEREAS, Marion County has awarded a bid to Blackline, Inc. to apply the slurry seals on these various streets at a cost of $47,956.86. NOW THEREFORE

BE IT RESOLVED by the City Council of the City of Keizer that the City Manager is hereby authorized to enter into an agreement with Blackline, Inc. through Marion County Public Works to slurry seal various streets within the city of Keizer for a cost of $47,956.86

PASSED this ____ day of __________________________, 2001.

SIGNED this ____ day of __________________________, 2001.

____
Mayor

____
City Recorder

ATTACHMENT 1

BID SCHEDULE
2001 SLURRY SEALS
CITY OF KEIZER

6101 McLeod Ln NE SLURRY SEAL TRAFFIC CONTROL	.101 miles 2,042	S.Y. $ .78 L.S. $61.26	$1,592.76 $ 61.26
6309 Pierce Ct N SLURRY SEAL TRAFFIC CONTROL	.130 miles 2,810	S.Y. $ .78 L.S. $84.30	$2,191.80 $ 84.30
6308 Pierce Dr N SLURRY SEAL TRAFFIC CONTROL	.162 miles 3,238	S.Y. $ .78 L.S. $97.14	$2,525.64 $ 97.14
6255 Queens Ave NE SLURRY SEAL TRAFFIC CONTROL	.077 miles 1,521	S.Y. $ .78 L.S. $45.63	$1,186.38 $ 45.63
7585-A Riverwood Ct N SLURRY SEAL TRAFFIC CONTROL	.065 miles 1,533	S.Y. $ .78 L.S. $45.99	$1,195.74 $ 45.99
7585 Riverwood Dr N SLURRY SEAL TRAFFIC CONTROL	.187 miles 3,753	S.Y. $ .78 L.S. $112.59	$2,927.34 $ 112.59
6273 Woodlawn Ct NE SLURRY SEAL TRAFFIC CONTROL	.070 miles 1,623	S.Y. $ .78 L.S. $48.69	$1,265.94 $ 48.69
6273 Woodlawn Dr NE SLURRY SEAL TRAFFIC CONTROL	.099 miles 1,971	S.Y. $ .78 L.S. $59.13	$1,537.38 $ 59.13
		TOTAL BID	$47,956.86

BID SCHEDULE
2001 SLURRY SEALS
CITY OF KEIZER

7259				
6^{th} Ave NE James St	.070 miles			
SLURRY SEAL	965	S.Y.	$ .78	$752.70
TRAFFIC CONTROL		L.S.	$28.95	$ 28.95
6223				
12^{th} Ave NE	.069 miles			
SLURRY SEAL	1,396	S.Y.	$ .78	$1,088.88
TRAFFIC CONTROL		L.S.	$41.88	$ 41.88
7610				
Cherrylawn Ct NE	.044 miles			
SLURRY SEAL	751	S.Y.	$ .78	$585.78
TRAFFIC CONTROL		L.S.	$22.53	$ 22.53
6294				
Dennis Ray Ave NE	.086 miles			
SLURRY SEAL	1,729	S.Y.	$ .78	$1,348.62
TRAFFIC CONTROL		L.S.	$51.87	$ 51.87
7705				
Dixon St NE	.177 miles			
SLURRY SEAL	2,412	S.Y.	$ .78	$1,881.36
TRAFFIC CONTROL		L.S.	$72.36	$ 72.36
7308				
Gobert Ave NE	.191 miles			
SLURRY SEAL	2,642	S.Y.	$ .78	$2,060.76
TRAFFIC CONTROL		L.S.	$79.26	$ 79.26
7350				
Greenwood Dr NE	.225 miles			
SLURRY SEAL	4,379	S.Y.	$ .78	$3,415.62
TRAFFIC CONTROL		L.S.	$131.37	$ 131.37
6272				
Jaymar Dr NE	.120 miles			
SLURRY SEAL	2,428	S.Y.	$ .78	$1,893.84
TRAFFIC CONTROL		L.S.	$72.84	$ 72.84

BID SCHEDULE
2001 SLURRY SEALS
CITY OF KEIZER

7619			
Jodell Ct N	.127 miles		
SLURRY SEAL	2,772	S.Y. $ .78	$2,162.16
TRAFFIC CONTROL		L.S. $83.16	$ 83.16
6256			
Kinglet Way NE	.196 miles		
SLURRY SEAL	3,913	S.Y. $ .78	$3,052.14
TRAFFIC CONTROL		L.S. $117.39	$ 117.39
6254			
Lancers Ct NE	.065 miles		
SLURRY SEAL	1,520	S.Y. $ .78	$1,185.60
TRAFFIC CONTROL		L.S. $45.60	$ 45.60
6272			
Latona Ct NE	.042 miles		
SLURRY SEAL	1,070	S.Y. $ .78	$ 834.60
TRAFFIC CONTROL		L.S. $32.10	$ 32.10
6272			
Latona Dr NE	.144 miles		
SLURRY SEAL	3,087	S.Y. $ .78	$2,407.86
TRAFFIC CONTROL		L.S. $92.61	$ 92.61
6222			
Mandarin St NE	.265 miles		
SLURRY SEAL	5,306	S.Y. $ .78	$4,138.68
TRAFFIC CONTROL		L.S. $159.18	$ 159.18
6206-A			
Manzanita St NE	.191 miles		
SLURRY SEAL	3,825	S.Y. $ .78	$2,983.50
TRAFFIC CONTROL		L.S. $114.75	$ 114.75
7720			
May St NE	.185 miles		
SLURRY SEAL	2,520	S.Y. $ .78	$1,965.60
TRAFFIC CONTROL		L.S. $75.60	$ 75.60

SLURRY SEAL

PAVEMENT MAINTENANCE

Paving The Way For A Sound Investment

VERSATILE

COST-EFFECTIVE

DURABLE

SLURRY SEAL: THE TOP CHOICE FOR LOW-COST PAVING AND SURFACE MAINTENANCE.

PAVEMENT PREVENTIVE MAINTENANCE

A preventive pavement maintenance strategy is an organized, systematic process for applying a series of preventive maintenance treatments over the life of the pavement to minimize life-cycle costs. It is also a program strategy intended to arrest light deterioration, retard progressive failures, and reduce the need for routine maintenance and service activities.

Recent studies support the effectiveness of preventive maintenance. The Strategic Highway Research Program (SHRP) Project H-101, Experiment SPS – 3 and the National Cooperative Highway Research Program (NCHRP) Synthesis 223, Cost-Effective Preventive Pavement Maintenance both found slurry seal to be a useful treatment.

The NCHRP Synthesis, a survey of sixty state, province, and local transportation agencies, confirms that the most cost-effective pavement management strategy — which also results in the highest pavement condition rating — is to perform preventive maintenance activities on the better-rated pavements first and then fund the rehabilitation of the poorer-rated pavements. The funding strategy that addresses the worst pavements first is the least cost-effective.

Slurry seal is a perfect fit for your pavement preventive maintenance program.

Pavement preservation is now one of the top priorities at the Federal Highway Administration.

SLURRY SEAL: THE BENEFITS

Even the best of surfaces are subject to the wear and tear caused by time, weather and traffic. No surface is permanent. But by undertaking a program of planned pavement maintenance, considerable savings in rehabilitation costs may be achieved. Your pavement surface will remain sound, usable and safe. Plus, extensive downtime needed to repair potholes or reconstruct the pavement will be reduced or eliminated.

The application of slurry seal will significantly extend the life of existing pavements by protecting the undersurface from the effects of aging and the environment. Improved surface performance is an added bonus.

Furthermore, a pavement maintenance program using slurry seal will not only help to protect your pavement, it will help to protect your paving investment. Consider all the factors, and see why slurry seal should be your top choice.

Save Money. Most slurry seal is economical and highly cost-effective in use compared to other pavement options.

Complete Projects Quickly. Easy, quick application makes slurry seal especially attractive for maintaining residential streets, busy thoroughfares, parking lots and airport runways.

Prevent Problems. Used over newly laid pavements, slurry seal will prevent surface distresses such as the effects of weathering. Oxidation, loss of oils, loss of matrix and embrittlement of the mix are minimized. It also provides special durability and texture not available in the underlying mix.

Correct Problems. Existing distresses in older pavements – surface cracking, raveling, loss of matrix, increased water and air permeability and slipperiness due to flushing or aggregate polishing – can be corrected through a slurry application. Weather-proofing is also achieved, preventing further deterioration. An all-weather, long-lasting surface is created that offers skid resistance and improved handling characteristics for drivers.

Enhance Aesthetic Value. With one simple application, existing pavement receives a new wearing surface of uniform black color and texture. Enhanced appearance means increased property value, marketing potential and buyer acceptance. Citizen approval is high. Thoroughfares, shopping center parking lots and other public or commercial pavements treated with slurry seal become more attractive and eye-appealing.

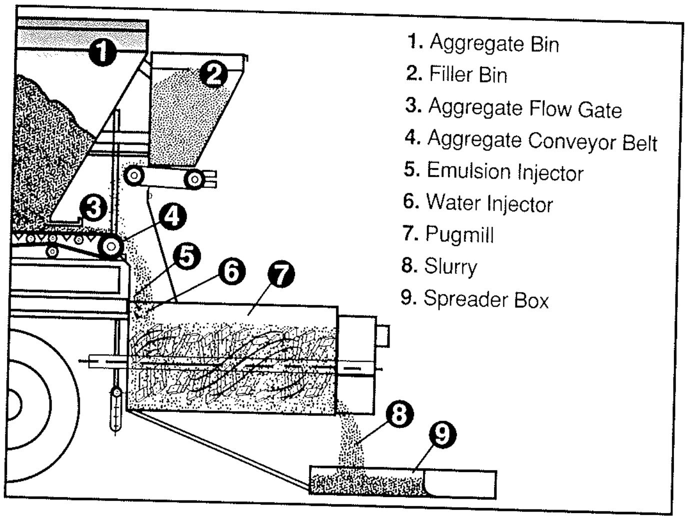
SLURRY SEAL: THE WAY IT IS MADE

Slurry is made in specially designed equipment, either truck-mounted or continuous run. This equipment carries a quantity of unmixed materials which are proportioned and blended together through a continuous flow mixing chamber. The use of this technologically-advanced machinery insures a smooth, consistently uniform mixture.

Slurry is made quickly and accurately at the project site. Mixing and spreading are accomplished in one continuous operation, with the surface being covered quickly and reopened to travel within a few hours.

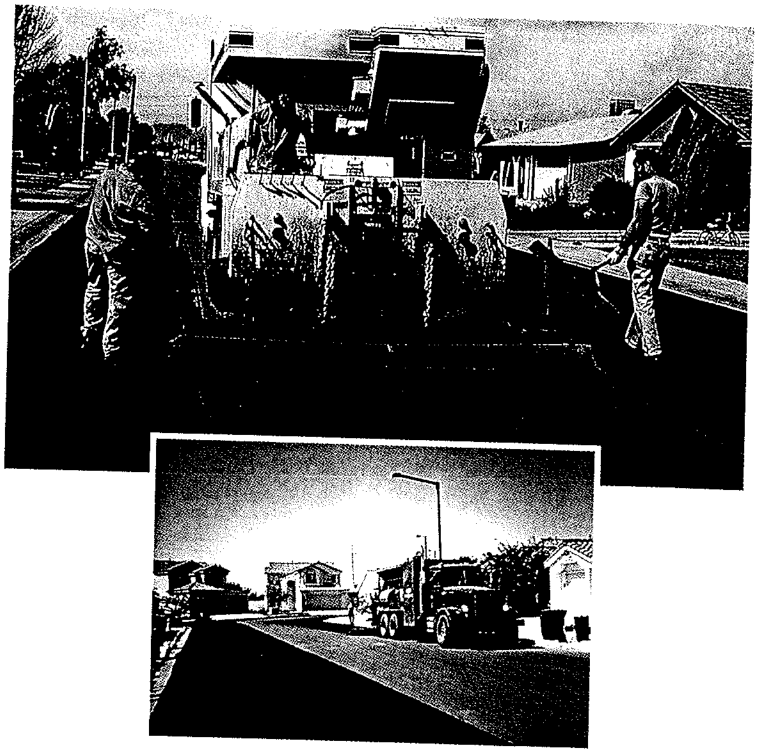
SLURRY SEAL: THE WAY IT IS APPLIED

Slurry seal is applied to an existing pavement surface by means of a spreader box linked to the slurry mixing unit. Slurry is introduced into the spreader box, which then lays down the slurry coating as the mixer/spreader is driven forward.

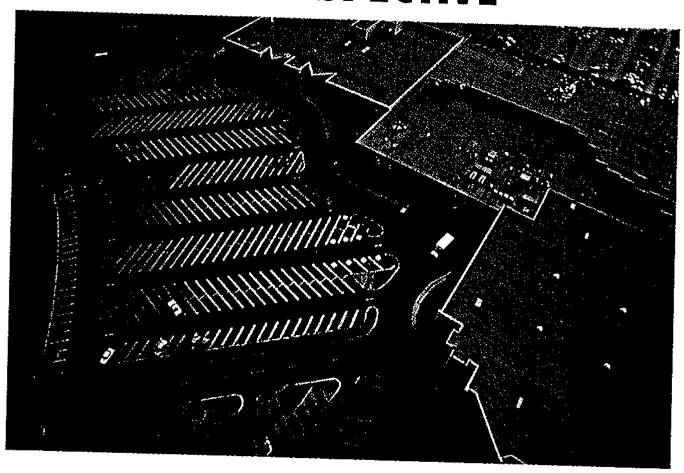


The box is capable of spreading the slurry seal over the width of a traffic lane in a single pass and is constructed so that close contact with the existing surface is maintained. This insures uniform application of the new coating on a variety of configurations encompassing various crown shapes, super-elevated sections and shoulder slopes.

Trained operators continually monitor the mixing procedure. Other personnel clean the surface before slurry applications, barricade the street, inspect the operation in progress for uniformity, clean metal utility covers after application and complete slurry seal spreading in any area inaccessible to the spreader box.



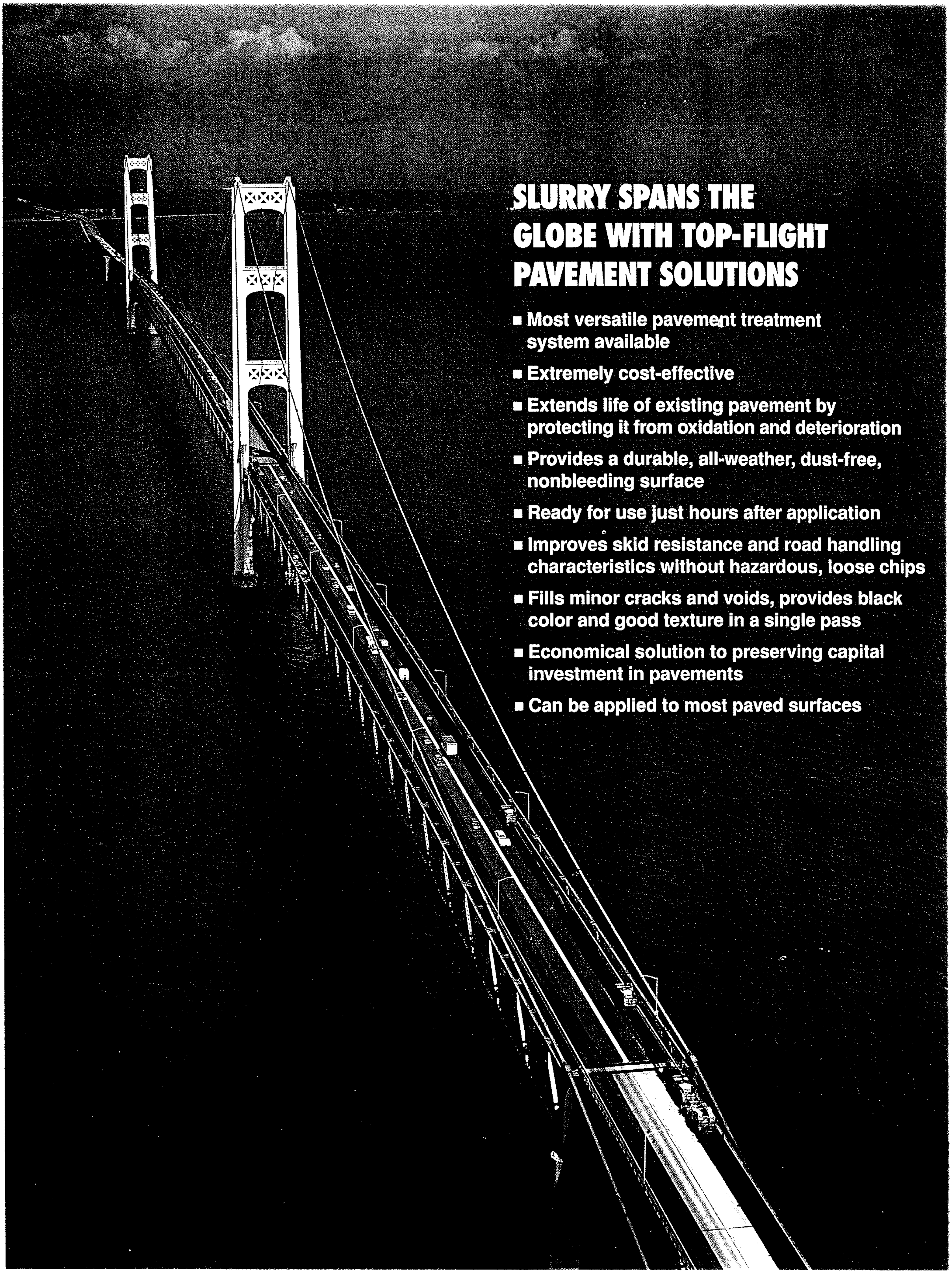
SLURRY SEAL: THE TOP CHOICE FROM ANY PERSPECTIVE



In whatever terms you consider — versatility, cost-effectiveness, or durability — no matter how you look at it, slurry seal has you covered.

So, when you are planning your pavement maintenance, place it in the capable hands of an International Slurry Surfacing Association (ISSA) member. Because we are ISSA contractors, we are dedicated to providing you with expert advice, reliable job quotes, and dependable service.

For more information, contact us at the number shown on the back cover of this brochure. You can count on ISSA members for fast, efficient service from project start to finish.



SLURRY SPANS THE GLOBE WITH TOP-FLIGHT PAVEMENT SOLUTIONS

- Most versatile pavement treatment system available
- Extremely cost-effective
- Extends life of existing pavement by protecting it from oxidation and deterioration
- Provides a durable, all-weather, dust-free, nonbleeding surface
- Ready for use just hours after application
- Improves skid resistance and road handling characteristics without hazardous, loose chips
- Fills minor cracks and voids, provides black color and good texture in a single pass
- Economical solution to preserving capital investment in pavements
- Can be applied to most paved surfaces

City of Keizer, Oregon

June 18, 2001

AGENDA ITEM 8f

APPROVAL OF JUNE 4, 2001 REGULAR SESSION MINUTES

MINUTES
KEIZER CITY COUNCIL
Monday, June 4, 2001
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Christopher called the regular meeting to order at 7:02 p.m. Roll Call was taken as follows:

Present:
Lore Christopher, Mayor
Ray Kelly, Councilor (arrived at 9:21 p.m.)
Charles E. Lee, Councilor
Jerry McGee, Councilor
Jacque Moir, Council President
Judy K. Smith, Councilor
Richard Walsh, Councilor

Staff:
Chris Eppley, City Manager
Susan Gahlsdorf, Finance Director
Rob Kissler, Public Works Director
Maria Meier, Senior Planner
Marc Adams, Chief of Police
Dianne Hunt, Human Resources Director
Shannon Johnson, City Attorney
Tracy L. Davis, City Recorder

PUBLIC TESTIMONY

Cyndi Astley, 4766 Coloma Drive SE, Salem-works with Salem/Keizer Together Drug Prevention Network. She reemphasized the importance of the Power Program and the support of the City of Keizer. Ms. Astley requested that Keizer match the City of Salem's contribution, which is $3,000 each for Whiteaker and the Claggett Creek School Programs during the next school year.

Responding to questions Ms. Astley indicated that approximately 500+ middle school youth would be impacted by participation of the program in Keizer. She shared that that the three partners of the program included Salem/Keizer Together, the City of Salem Parks and Recreation and the Salem/Keizer School District and that any money contributed by Keizer would be allocated to Whiteaker and Claggett Creek Middle School.

Mayor Christopher thanked Ms. Astley for her report.

COMMITTEE REPORTS

a. **Marion County Alcohol and Drug Prevention Program-Keizer Business Recognition**

Cyndi Astley spoke in the absence of Jennifer Robin of the Alcohol and Drug Prevention Program-indicated that minor decoy compliance checks were done in Keizer on March 28th and March 29th. She provided a graph outlining the statistics of the operation and commended the retailers who did not sell alcohol to minors during the sting. An award was presented to those retailers which included: Schlotsky's Deli, Ming Yang Restaurant, McNary Restaurant, Ringo's Tavern, Abby's Pizza, Bray's Family Restaurant, Porter's Pub, Prime Time Pizza and Caruso's Italian Café'

Council congratulated those businesses for their dedication to keeping minors from purchasing alcohol.

b. **Council Liaison Reports**

Traffic Safety Commission-Councilor Smith
Salem-Keizer Area Transportation System (SKATS)-Councilor Smith
Mid-Willamette Valley Area Transportation (MWACT)-Councilor Smith
Willamette River Crossing-Councilor Smith
Emergency Operations Committee-Council President Moir
Claggett Creek Watershed Council-Council President Moir
Keizer Urban Renewal-Councilor Walsh

Mayor Christopher requested that the Council Liaison reports be postponed until the next Council meeting.

OTHER BUSINESS

a. **New Business**

Solicitation Ordinance

Councilor Smith requested a copy of St. Paul's solicitation ordinance from City Attorney Johnson.

School Boundaries

Mayor Christopher thanked everyone for the support regarding the boundary changes of the new schools. She reported that due to the community's involvement the School District had abandoned the idea of bussing Keizer children to west Salem.

EVAK Orientation

Council President Moir shared that an Orientation/Training would take place on Thursday, June 21st at 7:00 p.m. She invited all interested parties to attend.

Direct Debit
Finance Director Susan Gahlsdorf reported that Direct Debit applications for water payments would appear in the next water bill. She encouraged the citizens of Keizer to use this new service. Ms. Gahlsdorf also indicated that they were in the testing phases for automatic payroll for Keizer employees.

New Emergency Operations Manager
Chief Adams reported that Sgt. John Teague would be the new Emergency Operations Manager.

School Vandalism
Chief Adams expressed disappointment regarding the vandalism, which took place over the weekend at the two new schools. Estimated damage was $50,000. He encouraged anyone who may have information to contact the police department.

b. Old Business

Infill Grant
Planning Director Maria Meier shared that this process was moving forward. A joint work session between the Council and Planning Commission takes place on Monday, June 11th. The Planning Commission would be holding a public hearing regarding this issue on June 13, 2001.

Ms. Meier indicated that a Measure 56 Notice would be mailed to the citizens of Keizer regarding the process.

Country Glen Park Draft Master Plan
Public Works Director Rob Kissler reported that city staff and the Parks Board coordinated to develop the master plan by holding open houses to receive input from various interested citizens and organizations. A draft plan was presented along with additional pertinent information. Mr. Kissler shared that $20,000 had been budgeted for the plan, but with the coordinated efforts this process was completed in house for approximately $2,000.

Staff recommended that a public hearing be held on June 18, 2001 to receive public testimony and to adopt the final version of the Country Glen Master Plan.

Responding to questions Mr. Kissler indicated that the improvements would be phased-in, as funding became available.

Councilor Walsh suggested that the recommended walking path also be conformed as a bike path.

Mr. Kissler indicated that asphalt and concrete were not user friendly elements in a flood control structure or placement near a wetland.

Councilor McGee Moved to Accept the Report and to Set the Public Hearing for Adoption of the Country Glen Master Plan on June 18, 2001 at 7:00 p.m. Councilor Lee Seconded the Motion.

Mr. Kissler answered additional questions from the Council regarding the development of the park.

The motion passed as follows:

AYES: Christopher, Lee, McGee, Moir, Smith and Walsh (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Kelly (1)

PUBLIC HEARINGS

a. ORDINANCE- Increasing Privilege or License Tax for Qwest, Inc.

Mayor Christopher opened the public hearing.

City Attorney Shannon Johnson reported that Council had shown interest in raising the fee from 4% to 7%. Mr. Johnson recommended that after taking testimony the hearing be continued, which would allow him to review the Telecom Law pertaining to this.

Responding to questions Mr. Johnson indicated that Qwest's letter indicating that they had not received the 180-day notice was incorrect.

Testimony

Marcia Bednarczyk, 7705 O'Neil Road, Keizer-spoke as a representative of the Clearlake Neighborhood Association. Ms. Bednarczyk indicated that had received concerns regarding the suggested increases. She asked for clarification of the fee.

Mr. Johnson indicated that the fee was applied to the basic service and would apply to business lines also.

Ms. Gahlsdorf noted that this would be approximately an increase of $13.68 per year and the figures shown were an average which took into account both business and residential customers.

Tina Sloan, 5905 Radiant Drive, Keizer-noted she had received calls from individuals on fixed incomes who were not in favor of the increase.

Councilor McGee noted that this tax was a broad-based tax, which would effect everyone rather than just owners of property in the City.

City Manager Eppley indicated that the tax would effect only the basic services and not long distances or other services on individuals phone bills.

With no additional testimony Mayor Christopher continued the public hearing until June 18, 2001.

ORDINANCE- Increasing the amount of the Transient Occupancy Tax

Mayor Christopher opened the public hearing.

Finance Director Susan Gahlsdorf reported that the increase in this tax from 6% to 9% would generated an additional $25,000 in revenue if the occupancy rate remains consistent.

Staff recommended that a cap be placed on both the Chamber and the Fire District totaling $12,500 or 20%.

Testimony

Janet Porter, 6438 Castle Lake Court North, Keizer-business owner and on Board of Directors of the Chamber of Commerce. She provided a history of her background in tourism. Ms. Porter indicated that the increase in room tax revenue would have a negative impact on the Wittenberg Inn, leaving them without a competitive edge. She stressed that the tax was designed for the promotion and increase of tourism. She urged that 35% of the tax be funneled through the Chamber of Commerce to increase prospective tourism.

Ms. Porter answered questions regarding agency structure and the lack of ability for the Wittenberg to work in conjunction with the Salem Chamber for these types of funds. She noted Keizer Chamber's involvement to increase tourism in Keizer and assisting the Wittenberg with securing advertising dollars. She stressed that the City would receive a return on it's investment dollar to dollar and detailed how this would take place.

Christine Jones, Keizer Chamber Director-supplied a directory, brochure, a history of the tax and how the Chamber had used the funds from the Hotel/Motel tax with the intent that Keizer was the "heart and soul" of the Willamette Valley. Ms. Jones stressed the intent of using the dollars to benefit the community.

Adam Wittenberg, 6421 Brooklake Road, Brooks- noted how the tax was currently being used and how the development of a convention center in Salem could adversely effect the Wittenberg Inn. Mr. Wittenberg shared that the occupancy of the Wittenberg during the last quarter was 35% and he strongly felt that this type of occupancy rate did not warrant the suggested increase in the tax. He suggested that the tax remain at 6% until the increase in occupancy would merit an increase in the tax. He suggested the possibility of a sign being erected on city property on I-5 advertising the Wittenberg and in return the city would receive .45% as rent for use of the land for the sign. He appealed that if the tax was raised that he hoped the additional funds would be given to the Chamber and the cap removed.

He summarized his suggested options and urged that the tax remained at 6% until the occupancy rate increased. Mr. Wittenberg supplied written information for the Council to review.

Responding to questions, Mr. Wittenberg went on to state if Council decided to increase the tax to 7.5% that he hoped the increased funds would go to the Chamber to benefit the community as a whole. He outline ideas which he felt would assist the City in documenting the Chambers efforts and accomplishments with the Hotel/Motel Tax dollars. He answered further questions regarding the collaboration between the Wittenberg Inn and the Keizer Chamber and the wish to increase tourism dollars in Keizer.

Councilor Walsh recognized the value of the hotel to the City and the charitable events that they had participated in for the benefit of the community.

Council President Moir clarified Mr. Wittenberg's proposal that if the tax was raised to 7.5% that the Chamber would receive the 1.5- % with the cap for the Chamber being removed. He agreed with this summary.

Don Porter, 6438 Castle Lake Court North, Keizer- spoke as an advocate of the Chamber of Commerce and encouraged the future development of Keizer by endorsing the funding for the Chamber.

With no additional testimony Mayor Christopher closed the public hearing.

Councilor Walsh noted a potential conflict of interest, as he is an acting member of the Chamber.

Councilor McGee noted that the original hotel/motel tax was passed to replace the cost of services that may have been required for the additional visitors to the city. He noted additional aspects of the original ordinance which funds were used. He stressed that he would vote against the tax if it was raised to 9% but would vote in favor of the tax if it remained at 6% with a $10,000 continuing grant and a percentage going to the Police and Fire Departments.

Council Walsh felt that due to the current status of the Wittenberg Inn occupancy rate he would vote for a 7.5% increase with the additional increase going to the chamber.

Councilor Smith stressed that city services were being utilized due to the hotel and its visitors and that a portion of this tax should be used for fire and police services.

The Council discussed and debated the issue and the following motion was made.

<u>Council President Moir Moved a Bill for an Ordinance Increasing the Amount of the Transient Occupancy Tax.</u>

<u>The Motion died for lack of a Second.</u>

<u>Council President Moir moved to direct staff to come back on June 18th, 2001 with a Resolution to leave the Transient Occupancy Tax at 6% and to remove the cap on the Chamber of Commerce portion. Councilor McGee seconded the motion.</u>

Councilor Lee stated he would vote against this as he felt the tax should be increased to 7.5% with the increase going to the Chamber.

The motion passed as follows:

AYES: Christopher, McGee, Moir, Smith and Walsh (5)
NAYS: Lee (1)
ABSTENTIONS: None (0)
ABSENT: Kelly (1)

ORDINANCE- Increasing the Administrative Fee for Vehicles Operated by Persons Under the Influence of Intoxicants

Mayor Christopher opened the public hearing.

Chief Adams reported that the issue was to increase the fee from $75 to $100 to cover the increase in administrative costs.

With no one wishing to testify Mayor Christopher closed the public hearing.

Council President Moir moved 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. Councilor McGee seconded the Motion.

The motion passed as follows:

AYES: Christopher, Lee, McGee, Moir, Smith and Walsh (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Kelly (1)

ORDINANCE-Increasing the Administrative Fee for Vehicles Operated by Persons Under the influence of Intoxicants

Mayor Christopher opened the public hearing.

Chief Adams noted that this ordinance would allow the city to recoup incurred costs.

With no one wishing to testify Mayor Christopher closed the public hearing.

Council President Moir moved a Bill for an Ordinance Increasing the Administrative Fee for Vehicles Operated by Persons Under the Influence of Intoxicants; Amending Ordinance 95-322. Councilor Smith seconded the motion.

The motion passed as follows:

AYES: Christopher, Lee, McGee, Moir, Smith and Walsh (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Kelly (1)

Mayor Christopher recessed the meeting at 9:02 p.m. The meeting was reconvened at 9:21 p.m.

Councilor Kelly arrived and took at seat at the table.

b. 2001-2002 City of Keizer Budget

Mayor Christopher opened the public hearing.

City Manager Eppley outlined the Budget Committee's recommended budget.

Testimony

Greg Frank, Keizer Fire District, 660 Chemawa Road, Keizer-spoke in support of the proposed budget. Mr. Frank shared some history of the Transient Occupancy Tax being brought before the Council in 1997. He indicated because the Wittenberg Inn was constructed in the Urban Renewal District that the Fire Department received no tax dollars from this property for fire service. He shared the types and number of calls to the Wittenberg Inn to provide various services to the hotel and it's patrons. He indicated that that the Fire Departments costs were continuing to rise but revenues were not. He thanked the Council for their support and expressed hope that they would keep the original perspective of the tax in mind when making their decision.

Bob Emmerich, 6188 Crampton Drive NE, Keizer-commended the Budget Committee, staff and Council for their work on the budget. He expressed satisfaction that the Emergency Management Budget would be retained at its present level. Mr. Emmerich shared that over the past year the volunteer time donated to Emergency Management was equivalent to two full time employees. Mr. Emmerich shared that they would be working with the business community to garner funds for emergency vests for their volunteers.

Mr. Emmerich urged the Budget Committee to continue working on a long-range plan and a vision which could be brought before the citizens of Keizer.

Mr. Emmerich answered questions from the Council and thanked them for their efforts.

Clark Williams, 1050 Rafael Street North, Keizer-spoke on behalf of the Parks and Recreation Advisory Board. He thanked the Council for listening to the Board's proposal for increasing funds to the city parks. Mr. Williams requested that the Council move forward the suggested volunteer donation that was recommended to be placed on the city's water bills and that either a levy or district be put before the voters in 2002.

Mayor Christopher thanked Mr. Williams for his testimony.

With no further testimony Mayor Christopher closed the public hearing.

<u>Councilor Kelly moved to direct staff to go ahead with the volunteer check off system on the water bill to support improvement of parks operation and maintenance. Mayor Christopher seconded the motion.</u>

Councilor McGee stressed that it would be important for information to be provided to the public to make them aware of the voluntary donation system.

Mr. Eppley indicated he would provide a draft of this wording to the Council for their comment at the next Council meeting.

<u>The motion passed unanimously as follows:</u>

<u>AYES:</u> Christopher, Kelly, Lee, McGee, Moir, Smith and Walsh (7)
<u>NAYS:</u> None (0)
<u>ABSTENTIONS:</u> None (0)
<u>ABSENT:</u> None (0)

Councilor McGee commended the proposed budget but noted his disagreement that the City provides funds to the POWER Program. He agreed that the program was beneficial, but cautioned the Council about the precedence that this donation would be setting.

<u>Councilor McGee moved to removed the line item for the Power Program.</u>

<u>The motion died for lack of a second.</u>

Councilor Smith commended staff for their work on the budget.

Councilor Walsh spoke in favor of the Power Program and the need for the program for children in the area.

<u>Councilor Walsh moved to increase the POWER Program</u>

line item from $1,000 to $4,500. Councilor Kelly seconded the motion.

Councilor Moir stated she would not support the motion.

Councilor Lee felt that the $1,000 in the proposed budget was important to the POWER Program to allow them to seek additional funds from other sources. He also addressed the many worthy programs and hoped that the POWER Program would have the ability to seek other funds and would not need to request funds from the city's budget next year.

Councilor Kelly spoke in favor of the motion.

Councilor Smith stressed she would not endorse the motion and she reiterated Councilor Lee's comments.

Councilor Kelly moved to amend the motion to change the amount to $2,000. Councilor Walsh accepted the amendment to the motion.

City Manager Eppley cautioned the Council that they had already decreased the revenue stream by $20,000 and were proposing a $1,000 increase in expenditures.

The Council debated and reiterated earlier comments regarding the funding of the POWER Program.

The motion failed as follows:

AYES: Kelly, Christopher and Walsh (3)
NAYS: Lee, Moir, McGee and Smith (4)
ABSTENTIONS: None (0)
ABSENT: None (0)

Council directed staff to prepare the appropriate resolutions and bring back the budget for adoption on June 18, 2001.

ADMINISTRATIVE ACTION

a. ORDINANCE- Regulating Alarm Systems, Requiring Permits and Providing Penalties for False

City Manager Eppley reported that the Council at the May 21, 2001 City Council meeting made the motion for the alarm ordinance which did not pass unanimously and was being brought back before the Council for a second reading.

Alarms, Fees and Penalties for Ordinance Violations (Second Reading)

City Attorney Shannon Johnson indicated that members of Council had several suggestions for revision of the ordinance and due to this he recommended to move passage of the current ordinance, fail the ordinance if Council deemed it necessary, and then to make a motion with the suggested revisions.

Council President Moir moved a Bill for an Ordinance Regulating the Alarm Systems, Requiring Permits and Providing Penalties for False Alarms, Fees and Penalties for Ordinance Violations, second reading. Councilor Walsh seconded the motion.

Councilor Kelly moved to postpone the issue indefinitely

Due to the lack of a second the motion died.

The main motion failed unanimously as follows:

AYES: None (0)
NAYS: Christopher, Kelly, Lee, McGee, Moir, Smith and Walsh (7)
ABSTENTIONS: None (0)
ABSENT: None (0)

Mayor Christopher moved a Bill for an Ordinance Regulating Alarm Systems, Requiring Permits and Providing for False Alarms, Fees and Penalties for Ordinance Violations with the following amendments:

- All References to Fire Alarm or EMS be removed
- Section 10-Inspections be removed
- Section 9(d) changed from two natural persons to one natural person
- Section 14-remove all with the exception of the portion stating "at the discretion of the Police Officer with appeal to the Municipal Judge.
- Section 15-replaced with Councilor Walsh's suggested language
- Section 7, item 2-add holder shall be responsible for all training of people
- Section 8, line 10-the City shall not by the issuance of the permit "alone" be obligated to respond or accord any "additional" priority to an alarm from such system.

Councilor Moir seconded the motion.

Councilor McGee expressed his approval of the amendments with the exception of the permitting system. He indicated with the permitting system as part of the ordinance that he would vote against the motion.

Councilor Smith spoke in favor of the permit system and the benefits that it could provide.

Councilor Kelly moved an amendment to the motion to replace the current proposal with the three-page proposal offered by Councilor Walsh.

Councilor Kelly felt that this amendment would simplify the ordinance and its administration.

Mr. Johnson indicated that the amendment to the motion was more of a substitute motion and that the original motion would need to be voted down prior to Councilor Kelly's motion.

Mayor Christopher ruled Councilor Kelly's motion out of order.

The main motion passed as follows:

AYES: Christopher, Lee, Moir, Smith and Walsh (5)
NAYS: Kelly and McGee (2)
ABSTENTIONS: None (0)
ABSENT: None (0)

Councilor Kelly moved a motion to adopt the Ordinance prepared by Councilor Walsh Regarding Providing Penalties for False Alarms. Councilor Walsh seconded the Motion.

Councilor Walsh felt it was important to demonstrate the need for the permit process prior to instilling it in the ordinance.

Councilor Lee indicated that he would like the opportunity to review the proposed ordinance and suggested that a vote take place at the next meeting.

Councilor Kelly expressed his opposition to the permitting process due to the administrative overhead and the protection issues he addressed.

Responding to questions, Chief Adams indicated in his research that it was essential to have a permitting process for better management of false alarm dispatches, contact information and up-to-date information for collection of false alarm fees. He provided statistics regarding the permitting process from other law enforcement agencies.

Councilor McGee stressed by having the ordinance on the books that this would reduce the number of false alarm instances. Councilor McGee restated his opposition to the permitting proposal.

The Council and staff discussed the format of the ordinance and the following motion was made.

<u>Councilor Walsh moved to amend the motion to direct staff to prepare the False Alarm Ordinance in correct format and bring back for first reading on July 2, 2001. Councilor Kelly seconded the amendment to the motion.</u>

<u>The motion passed as follows:</u>

<u>AYES:</u> Kelly, Lee, McGee and Walsh (4)
<u>NAYS:</u> Christopher, Moir and Smith (3)
<u>ABSTENTIONS:</u> None (0)
<u>ABSENT:</u> None (0)

City Manager Eppley requested clarification from the Council regarding implementation and enforcement of the ordinance.

Councilor Lee noted that he would like input from staff regarding which of the two ordinance's staff felt would be doable.

Council President Moir noted the top three goals of Community Policing included the implementation of a False Alarm Ordinance that could be equipped with consequences for noncompliance.

b. <u>ORDINANCE-</u> Amending Park Regulations Ordinance 90-188 for Adoption of Regulations for Carlson Skate Park

City Manager Eppley reported that the Ordinance brought before the Council would adopt the rules posted in addition to a helmet regulation making helmets mandatory at the Skate Park.

<u>Council President Moir moved a Bill for an Ordinance Amending the Keizer park Regulations in the City of Keizer and Declaring an Emergency. (Amending Ordinance No. 90-188). Councilor Smith seconded the Motion.</u>

Councilor Smith moved a friendly amendment to the ordinance on Section 2(a) to add the wording "and leashed". Council President Moir accepted the amendment.

Councilor Smith moved a friendly amendment for Carlson Skate Park to add wording saying that "children under the age of 12 must be accompanied by an adult.

The amendment was debated and Councilor Moir chose not to accept this portion of the friendly amendment.

After additional discussion regarding keeping pets on a leash Councilor Smith withdrew her motion and noted she would be bringing back a leash law for Council's consideration.

The motion passed unanimously as follows:

AYES: Christopher, Kelly, Lee, McGee, Moir, Smith and Walsh (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

c. RESOLUTION- Adoption of Standards, Criteria and Policy Directives to be used in the Evaluating the Performance of the City Manager

City Attorney Shannon Johnson reported that the enclosed standards covered the general items needed for the performance evaluation.

Council President Moir moved to adopt a Resolution in the Matter of Adoption of Standards, Criteria and Policy Directives to Be Use in the Evaluating Performance of the City Manager. Councilor McGee seconded the Motion.

The motion passed unanimously as follows:

AYES: Christopher, Kelly, Lee, McGee, Moir, Smith and Walsh (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

d. Budget Notes for Fiscal Year 2000-2001

Finance Director Susan Gahlsdorf supplied an update on the status of some of the issues, which were the responsibility of staff and she asked direction from the Council.

She outlined the issues that were outlined in the staff report. Staff recommended the following changes to the budget notes.

- K-9 Donations-Staff recommended that the budget note is eliminated and all funds received for the K-9 program are used to support the program.
- In-house seat belt diversion program-Staff recommended that the Keizer Fire District continued to administer the Seat Belt Diversion Program.

Councilor Kelly moved a motion to adopt the staff recommendations on each of the budget notes. Councilor McGee seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Kelly, Lee, McGee, Moir, Smith and Walsh (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

CONSENT CALENDAR

a. **RESOLUTION- Approving Engineer's Report for Fultz Estates Street Lighting District**
b. **RESOLUTION- Authorization to Expenditures of Specific Purpose Funds**
c. **Approval of May 14, 2001 Work Session Minutes**
d. **Approval of May 21, 2001 Regular Session Minutes**

Councilor McGee removed item "d" from the Consent Calendar.

Councilor Moir abstained from voting on item "c" due to her absence from the meeting.

Council President Moir moved for approval of the Consent Calendar with the exception of item "d". Councilor Kelly seconded the motion.

The motion passed as follows:

AYES: Christopher, Kelly, Lee, McGee, Moir Smith and Walsh (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

Councilor McGee moved for approval of the May 21, 2001 Regular Session Minutes as amended. Councilor Smith seconded the Motion.

The motion passed unanimously as follows:

AYES: Christopher, Kelly, Lee, McGee, Moir, Smith and Walsh (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

WRITTEN COMMUNICATIONS

Mayor Christopher requested the remainder of the City Manager's evaluations be submitted to her to enable her to compile the data for the Executive Session scheduled for June 18th at 6:00 p.m.

Mayor Christopher reported that she received an invitation from Cherriots for Council members to participate in a dedication ceremony on June 6th at the new transit mall.

The new garbage system was discussed and Mr. Eppley noted that the haulers were interested in what was and was not working with the program.

Mayor Christopher noted that the Main Community Policing Meetings would be back in progress in July.

Responding to questions Ms. Davis indicated that information pertaining to Neighborhood Associations were available on the City's web site.

AGENDA INPUT

June 11, 2001
5:30 p.m. City Council Work Session
- City boards and Commission Appointment Process

6:00 p.m. Work Session with Planning Commission
- Infill Master Plan

June 18, 2001
6:30 p.m. urban Renewal Agency Meeting
- Adoption of 2001-2002 Urban Renewal Agency Budget
- Telephone Franchise Fee Increase Public Hearing (continued from 6/4/01)
- Transient Occupancy Tax Resolution

7:00 p.m. City Council Regular Session
- Adoption of 2001-2002 City of Keizer Budget
- Supplemental Budget Resolutions for FY 2000-2001
- Adoption of Long Range Financial Plan for City of

Keizer
- Sanitation Fee Increase
- Country Glen Park Master Plan Hearing and Adoption
- Development Code Text Amendments-Pet Grooming and Chalmers Jones Park

<u>July 2, 2001</u>
<u>7:00 p.m. City Council Regular Session</u>
- Establishing No Parking Zone and Traffic Safety Improvements for Shoreline/Wayne Drive
- Planning Commission Appointments
- False Alarm Ordinances

Mayor Christopher noted the agenda items.

ADJOURNMENT Mayor Christopher adjourned the meeting at 11:28 p.m.

Cindy Perry
Recording Secretary

APPROVED:
MAYOR:

Lore Christopher

COUNCIL MEMBERS:

Councilor #1 - Judy K. Smith

Councilor #4 - Jacque Moir

Councilor #2 - Ray Kelly

Councilor #5 - Richard Walsh

Councilor #3 - Charles E. Lee

Councilor #6 - Jerry McGee

Minutes approved:

City of Keizer, Oregon

PUBLIC HEARING SIGN UP SHEET

PUBLIC HEARING RE: MASTER PLAN FOR COUNTRY GLEN/HIDDEN CREEK PARK

DATE: June 18, 2001 **TIME:** 7:00 p.m. **AGENDA ITEM #** 6a

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

Moir
McGee
Walsh
Smith
~~McGee~~
Walsh

(PLEASE PRINT)

NAME	ADDRESS	GENERAL	PROPONENT	OPPONENT
Beth Daniell	PO Box 20245, Keizer (Amy ct)		✓	
Brian Flannigan	N97 Horizon Ridge Ct NE		✓	
Ali Hassoun HASOO	6846 NE Jakewood Ct, NE		✓	
Kara Hassoun	" " " " "		✓	

City of Keizer, Oregon

PUBLIC HEARING SIGN UP SHEET

PUBLIC HEARING RE: DEVELOPMENT CODE TEXT AMENDMENT - PET GROOMING

DATE: June 18, 2001 **TIME:** 7:00 p.m. **AGENDA ITEM #** 6d

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

(PLEASE PRINT)

NAME	ADDRESS	GENERAL	PROPONENT	OPPONENT

City of Keizer, Oregon

PUBLIC HEARING SIGN UP SHEET

PUBLIC HEARING RE: FULTZ ESTATES STREET LIGHTING DISTRICT

DATE: June 18, 2001 **TIME:** 7:00 p.m. **AGENDA ITEM #** 6f

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

(PLEASE PRINT)

NAME	ADDRESS	GENERAL	PROPONENT	OPPONENT

City of Keizer, Oregon

PUBLIC HEARING SIGN UP SHEET

PUBLIC HEARING RE: SOLID WASTE FRANCHISE FEE INCREASE

DATE: June 18, 2001 TIME: 7:00 p.m. AGENDA ITEM # 6b

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

(PLEASE PRINT)

NAME	ADDRESS	GENERAL	PROPONENT	OPPONENT

City of Keizer, Oregon

PUBLIC HEARING SIGN UP SHEET

PUBLIC HEARING RE: LEGISLATIVE AMENDMENTS FOR CHALMERS JONES PARK

DATE: June 18, 2001 **TIME:** 7:00 p.m. **AGENDA ITEM #** 6e

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

(PLEASE PRINT)

NAME	ADDRESS	GENERAL	PROPONENT	OPPONENT