MINUTES
KEIZER CITY COUNCIL
Monday, June 18, 2001
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Christopher called the regular meeting to order at 7:03 p.m. Roll Call was taken as follows:

Present:
Lore Christopher, Mayor
Ray Kelly, Councilor
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

No public testimony was heard before the City Council.

COMMITTEE REPORTS

Taken out of order after Public Hearings

a. **Council Liaison Reports**

- **Parks Advisory Board**-Mayor Christopher noted that the National Guard was away for training exercises and would return on June 25th to continue erecting the covered structure in Chalmers Jones Park. The National Guard hoped to have the structure complete by July 4th.

  Mayor Christopher indicated they were awaiting information from the Rotary regarding the play structure in Wilark Park. She shared that temporary signs regarding the helmet rule had been placed with permanent signs installed soon. The Adopt A Park Program would be re-addressed at the next Parks Board meeting.

- **Traffic Safety Commission**-Councilor Smith reported that mini-grants from ACTS Oregon were discussed, the grant application must be submitted by August 1, 2001. She shared that the intersections of Bebe and Gary Streets were discussed. The Commission asked that the Council direct staff to review this area for their recommendations.

Mr. Kissler indicated that a traffic study had been completed on Gary and Arnold Avenue. He shared that the City Engineer was currently analyzing these counts.

- **Salem-Keizer Area Transportation System (SKATS)**- Councilor Smith reported that Marion County Growth Management provided a presentation reviewing transportation issues. She noted their primary concern at this time was Cordon Road.

- **Mid-Willamette Valley Area Trans System (MWACT)**- Councilor Smith shared that ODOT received $400,000,000 from the Legislature and since this passed the list of projects would be reviewed and expanded. She reported that roadwork would take place from VanDuser corridor to the Fort Hill area and would take place over a five-year period.

- **Willamette River Crossing Study**-Councilor Smith reported that ODOT was in the process of conducting environmental studies on the Pine Street area for the bridge. Councilor Smith indicated that a company had proposed constructing the bridge free of charge and turning it into a toll bridge. Councilor Smith reported as part of the proposal that once the bridge was paid for it would be turned back over to the state.

- **Emergency Operations Committee**-Council President Moir reported that the new Operations Manager would be Sgt. Teague. The next orientation meeting would take place on June 21st at 7:00 p.m.

- **Claggett Creek Watershed Council**-Council President Moir reported that the CCWS did not have a quorum and discussions continued on wetland mitigation.

- **Planning Commission**-Council President Moir reported that a work session took place regarding the Infill Master Plan. A public hearing will take place on Wednesday, June 27th at 7:00 p.m.

- **Keizer Urban Renewal Board**-Councilor Walsh reported that this Board meets on June 26th.

- **Government Affairs Committee**-Councilor Walsh reported that this group was interested in the Alarm Ordinance, specifically the registration aspect. Members were solicited and this information would be compiled for the next meeting. The Urban Growth Boundary continued to be a topic of discussion and Councilor Walsh asked for consensus from the Council to put a placeholder in community to review the UGB expansion.

  City Manager Eppley shared that if the City was to review this in the future that it would be important to have this in the Regional Planning Organizations documents as a suggestion to preserve future options.

  Councilor McGee and Councilor Kelly felt a placeholder would be appropriate for future review.

- It was the consensus of the Council to direct Councilor Walsh to note to the ~~Government Affairs Committee~~ the Council's wish to have a placeholder concerning the UGB without designation or location being addressed.

Salem Futures Committee
changed 7-16-01

- **Salem Conference Center Task Force**-Councilor Lee reported that the Task Force was making the recommendation to the Salem City Council to move forward with the project using the recommended location at the Old Ramada Inn site. No recommendation was made regarding the operation deficit.

OTHER BUSINESS

a. New Business

Wilark Park
Councilor Smith indicated she had some members of the Gubser area interested in assisting the Rotary with the Big Toy that would be placed in the park.

Mr. Kissler suggested that the interested citizens attend the Parks Board meeting and voice their interest.

Commuter Rail
Councilor Smith noted she would be meeting with ODOT

in October regarding bringing commuter rail to Keizer.

Volcano Parking Lot
Councilor McGee felt the rental of the parking lot at the stadium was a revenue stream, which was not being utilized. He urged the organization of a committee to review this. He asked that staff review this opportunity.

Council President Moir suggested that this becomes a tickler item and that staff brings back a recommended course.

City Manager Eppley indicated he could bring back a recommended course of action in 30-days.

County Budget Cuts
Chief Adams indicated that due to budget cuts in Marion County there would be 80 beds lost at the jail.

Photo Red Light Video Cameras
For the Council's consideration Chief Adams shared that the Governor had signed into law that cities with a population of over 30,000 may have Photo Red Light Video Camera Enforcement.

Old Business
Salem Gateway Sign
Councilor Lee thanked Mr. Kissler and the City of Salem for getting the Gateway Sign fixed. The City of Salem paid for repair of the Sign totaling $3,900.

Helmet Give-Away
Council President Moir expressed her appreciation to the Fire Department and Joe Edgell for their work during this Give-Away.

Executive Session
Mayor Christopher noted that the City Manager Evaluation was complete, and asked that Human Resources contact Sheryl Kelsh to do a market analysis on the City Manager's position.

Alder Drive Improvements
Public Works Director Rob Kissler reported that the City Engineer would be representing public works in a meeting with SEKNA regarding the Alder Drive Improvements.

Manzanita, Trail and Harmony
Mr. Kissler requested from the Council that he be allowed

to expend some minor resources on engineering to address a neighborhood traffic management plan for Trail, Harmony, Marigold and Manzanita. He shared that a study conducted by the police department showed that the issue was volume and not speed.

Mr. Kissler reported that he wished to collect data over the summer months and during the beginning of school to develop a CIP plan to submit to Council.

Responding to questions Mr. Kissler shared that he was not trying to take the traffic from Trail Avenue, but to deter the traffic from going through the neighborhood. An intersection improvement was also suggested.

It was the consensus of the Council to direct Mr. Kissler to move forward with the study.

Hotel Tax

City Attorney Shannon Johnson asked for clarification from the Council regarding their direction of the caps. He went on to note that the Fire Department by resolution was promised 20%. He suggested that via the budget note process that the Chamber's grant be reviewed opposed to a permanent resolution.

It was the consensus of the Council to leave the budget note as written.

City Manager Evaluation Results

At Councilor's McGee's request Mayor Christopher outlined the results of Mr. Eppley's evaluation. She indicated that his composite score was 4.29 on a scale from 1-5 with favorable comments.

PUBLIC HEARINGS

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

Taken out of order prior to Committee Reports and Other Business

Mayor Christopher opened the public hearing.

Public Works Director, Rob Kissler reported that Council had directed staff to solicit vendors to develop the master plan. It was determined that vendors must be certified landscape architects or the plan could be developed in-house. This task accomplished by staff and the Parks Advisory with the assistance of input from various organizations of which this information was contained within the packet.

Mr. Kissler indicated that the fiscal impact of the development and print of the document was $2,000. It was recommended that the public hearing take place and the master plan be adopted.

Mr. Kissler addressed questions regarding the pathway regarding surface type, costs and drainage. He indicated that further research would take place prior to a pathway being built.

Councilor Smith expressed concerns with the amount of hard surfaces that were being proposed in the park and questioned the ramifications of flooding because of the additional hard surfaces.

Mr. Kissler summarized the exhibit map and indicated that the city engineer felt with the mitigation and widening of the channel that this would enable the area to handle flood- waters such as were seen during the1996 flood.

With further discussion Mr. Kissler indicated that he did not feel that it was appropriate to have the bridge as part of the parks master plan as this was more of a transportation issue.

Public Testimony
Beth Daniell, 6772 Amy Court, Keizer-spoke as a member of the Gubser Neighborhood Association and the Claggett Creek Watershed Council. She indicated that both groups endorsed the master plan. Ms. Daniell outlined some of the concerns from both groups and how the master plan had addressed these issues.

Responding to questions, Ms. Daniell indicated that Gubser Neighborhood Association would like to have the bridge constructed but felt the Watershed Council would be neutral on this subject.

Brian Flannigan, President of Country Glen Neighborhood Association, 1197 Horizon Ridge Court, Keizer- spoke in favor of the proposed master plan and expressed interest in the Association being able to provide additional input regarding amenities that would be placed in the park. Mr. Flannigan indicated that he understood that there was $375,000 in SDC's available for this park. He shared that children in the area would be involved in the selection of a Big Toy for the park.

Mr. Flannigan thanked the Parks Board, staff and Mayor Christopher for their work on the project.

Council President Moir expressed concern that the association may have expectations that these funds would be available in the next year.

City Attorney Shannon Johnson cautioned that in Keizer there were not area specific SDC's and that SDC's collected were for the entire city.

Council President Moir stressed that the master plan was a guideline and wanted to be sure that Mr. Flannigan understood that these improvements would not all take place in the next year.

With further discussion regarding a bridge Mr. Kissler indicated that a reserve fund had been set up and would work towards the estimated $150,000 for that project.

The Council further expressed concerns regarding the bridge being placed in the Master Plan. Mr. Kissler stressed that removing the bridge from the CIP would be acceptable. He suggested that bullet points be placed designating the area of the proposed bridge as an area that cannot be developed and note that funding for the bridge would come from other funding sources and not the park's budget.

Ali Hassoun, 6846 Jakewood Court, Keizer- expressed appreciation for the work being done on the master plan for Country Glen Park. Mr. Hassoun indicated he would like to see a hydrology report regarding flood plans for the area.

Public Works Director Rob Kissler indicated that information regarding the parking issue along Parkside Drive would be brought back before the Council in the near future. He indicated that the proposal would include removing the no parking zone on the south side of Parkside Drive and allowing people to park against the curb. ADA parking would also be addressed in this proposal. Mr. Kissler noted grant options available to the city regarding a 206 study and the wetlands in the area and shared that this would be addressed further at a later date.

Mr. Kissler also summarized the equal conveyance route that would be taken to initiate a slope along the ditch near the park, which would provide better safety along the park and the wetlands.

With no additional testimony Mayor Christopher closed the public hearing.

Council President Moir moved a Motion to Adopt the Master Plan for Country Glen-Hidden Creek Park with amendments regarding capital improvements, flooding and the bridge. Councilor McGee seconded the motion.

Councilor Kelly expressed an interest in the history of the reason behind "no parking" along Parkside Drive. Staff was unsure of the reason for this and City Attorney Shannon Johnson suggested that the issue of parking be addressed at the July 2, 2001 City Council Meeting.

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)

b. Solid Waste Franchise Fee Increase for 2002.

Mayor Christopher opened the public hearing.

Finance Director Susan Gahlsdorf reported that the increase in this franchise fee was part of the long-range financial plan and that contacts to the local solid waste franchisees indicated no opposition to the increased fee.

Mr. Johnson noted he did not have an order available but at Council's direction could have the Order available at the next Council meeting.

With no public testimony Mayor Christopher closed the public hearing.

Responding to questions, Mr. Eppley indicated the initiation of the fee increase being done one-year prior was part of the long-range plan.

Councilor McGee felt it was important to review the fees in one-year to be sure that the full 5% increase was necessary. He commented that they still should remain in the five-year plan, but felt they should be approved in a more timely manner.

City Manager Eppley suggested pulling the sewer and solid waste franchise fee to allow for debate during the next fiscal year.

City Attorney Shannon Johnson indicated that the issue would be brought back during the next budgetary process.

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

Mayor Christopher opened the public hearing continued from June 4, 2001.

City Manager Eppley reported that the hearing was continued due to the objection from Qwest questioning the City's authority to implement the increase.

Mr. Johnson supplied information regarding the business tax noting that Keizer currently collects 4% and was requesting that it be increased to 7%. He noted other court cases in the ninth circuit, which Qwest had sited a "barrier to entry" and the pending court cases that may effect how this type of fee is collected in the future. Mr. Johnson indicated that Qwest had submitted their letter of protest to the proposed increase and indicated he was unsure how a decision in the future would effect the collection or payback potential for Keizer or other cities.

Responding to concerns from Council regarding implementation authority of the tax Mr. Eppley indicated that the City through the PUC regulations governs the City's ability to tax to seven percent.

Mr. Johnson went on to state that this issue would be decided in the courts or legislature for the entire nation. He indicated that if the Council would be more comfortable that he could conduct more research and Mr. Johnson offered alternative options regarding a hybrid business tax/franchise fee. Mr. Johnson stressed if Council wished to take the conservative route they would not pass the increase, however he emphasized that he would not urge this and would not comment further outside of an Executive Session.

Mayor Christopher closed the public hearing.

<u>Council President Moir Moved a Bill for an Ordinance Increasing Privilege or License Tax for Qwest, Inc; Declaring an Emergency; Amending Ordinance No 94-287. Councilor McGee seconded the Motion.</u>

Responding to questions, Mr. Eppley indicated that non-passage of this ordinance would have a budget impact beginning July 1, 2001.

Ms. Gahlsdorf noted the difference annually in the budget would be $70,000.

Mr. Johnson offered to research the alternate options and Mr. Eppley expressed his confidence with the increase.

The motion passed as follows:

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

Mr. Johnson noted since it was not a unanimous vote that the ordinance would be brought back for a second reading.

d. ORDINANCE- Development Code Text Amendment Adding Pet Grooming

Mayor Christopher opened the public hearing.

Mr. Johnson reported that this amendment was basically a housekeeping issue adding Pet Grooming to the permitted zones (MU) Mixed Use, (CR) Commercial Retail, (CM) Commercial Mixed, (CG) Commercial General and (RC) Residential Commercial.

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

Council President Moir Moved to Adopt a Bill for an Ordinance Adding Pet Grooming as a Permitted Use in the Mixed Use (MU), Commercial Retail (CR), Commercial Mixed (CM), Commercial General (CG) and Residential Commercial (RC) Zone; and Declaring an Emergency; Amending Ordinance No 98-398. Councilor Kelly 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)

e. Legislative Amendment to Redesignate Chalmers

Mayor Christopher opened the public hearing.

City Attorney Shannon Johnson reported that the Planning Commission held a public hearing to designate

Jones Park and Clarify Boundaries

Chalmer Jones Park as a Community Park and to define it's boundaries. The Planning Commission felt re-designation was appropriate but were uncomfortable with defining the boundaries of the park. The Commission suggested that this issue be addressed by the Parks and Recreation Advisory Board during their July 10th meeting.

Mr. Kissler indicated that it was important to define the park prior to the master plan because needs of a neighborhood park vs. a community park may be different.

Councilor McGee felt it was important to define where the municipal facilities would go prior to defining the boundaries of the park.

Councilor Smith disagreed with Councilor McGee's comments and the Council discussed the history of the park, it's inception in the Parks Master Plan in 1992 and the lack of defined boundaries in the plan.

Councilor Walsh questioned what would take place if the park was given designated boundaries and it was found that some of the grounds were needed for City Hall development.

Mr. Johnson indicated that the property was designated public and from a land use perspective no change would be needed. He suggested that a smaller area be designated as the park, which would be easier to expand in the future if needed. With additional questions from Council he indicated that there was no encumbrance which would disable the ability to develop a joint master plan.

Council further debated the issue and Mayor Christopher questioned whether boundaries would need to be designated to change a neighborhood park to a community park. Mr. Johnson indicated that he did not believe this to be the case, but urged that clarification of the boundaries take place in the near future.

Mr. Kissler offered to provide a map showing the entire acreage for the Council's review at the next meeting.

Council and staff attempted to reformulate discussions regarding what brought about the need to designate the boundaries of the park.

Mayor Christopher moved to direct staff to put together a potential footprint that would include the acreage noted in the Master Plan to be review by the Parks and Recreation Advisory Board and to continue the public hearing until July 16, 2001. Councilor Lee seconded the motion.

Councilor Walsh felt that it was important for KURB to be included in this plan.

The motion passed as follows:

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

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

Mayor Christopher opened the public hearing.

City Manager Eppley reported on March 20, 2001 that the developer of Fultz Estates filed a petition to form a street lighting district. In April the City Council adopted the resolution to initiate the formation of the district, on June 4, 2001 the City Council approved the Engineer's report with notification being sent on June 13, 2001 regarding the public hearing. Mr. Eppley noted the recommendations of staff as represented in the staff report.

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

Council President Moir Moved to Adopt the Resolution Forming Fultz Estates Street Lighting Local Improvement District. 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)

Council President Moir Moved a Bill for an Ordinance Spreading Assessments to Fultz Estates Street Lighting Local Improvement District. 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)

ADMINISTRATIVE ACTION

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

City Manager Eppley reported that on May 8, 2001 the Budget Committee approved the Manager's Recommended Budget for Fiscal Year 2001-2002, as amended.

Ms. Gahlsdorf noted the amendments to the budget as directed by Council. Staff recommended that the Council deliberates and passes the Resolution by June 30, 2001.

Councilor McGee Moved a Resolution Adopting the FY'02 Budget, Making Appropriations and Imposing and Categorizing Taxes. Council President Moir Seconded the Motion.

Councilor McGee noted the time and effort that went into the proposed budget. He expressed his happiness with the work that had been completed during the process.

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)

b. RESOLUTION- Adoption of Long Range Financial Plan

Finance Director Susan Gahlsdorf reported that the long-range plan was developed to act as a forecasting tool. She indicated that the goal of the plan was to stabilize revenues to meet current services. She noted the amendments to the long-range plan as supplied in the staff report.

Responding to questions regarding Capital Improvement Plans Mr. Eppley indicated that this plan included the General Fund and funds that could impact the General Fund. He stressed that the document would continue to evolve and would be updated on a yearly basis.

evolve and would be updated on a yearly basis.

Council President Moir Moved to Adopt a Resolution Adoption of Long-Range Financial Plan. Councilor Kelly 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-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 Start 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**

Council President Moir Moved a Motion to Approve the Consent Calendar. Councilor Lee 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)

Mayor Christopher recessed the meeting at 8:58 p.m and reconvened at 9:07 p.m. to take Committee Reports.

WRITTEN COMMUNICATIONS

No written communications were brought before the City Council.

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

Mayor Christopher noted the agenda items.

ADJOURNMENT

Mayor Christopher adjourned the meeting at 9:54 p.m.

Cindy Perry
Cindy Perry
Recording Secretary

APPROVED:
MAYOR:

Lore Christopher

COUNCIL MEMBERS:

Judy K Smith
Councilor #1 - Judy K. Smith

Jacque Moir
Councilor #4 - Jacque Moir

Raymond J Kelly
Councilor #2 - Ray Kelly

Councilor #5 - Richard Walsh

Charles E. Lee
Councilor #3 - Charles E. Lee

Jerry McGee
Councilor #6 - Jerry McGee

Minutes approved:
July 16, 2001