

CITY COUNCIL AGENDA PACKET

MONDAY, JUNE 17, 2002

- 5:30 P.M. EXECUTIVE
SESSION
- 7:00 P.M. CITY COUNCIL
REGULAR SESSION

*Please contact Chris Eppley, City Manager if
you have any questions or need additional
information regarding any of the staff
reports or issues contained on the agenda.
Thanks!!*



FAXED

City of Keizer

Keizer City Hall, P.O. Box 21000, Keizer, OR 97307-1000

Fax Cover Sheet

DATE: June 5, 2002

TO: Keizertimes - Scotta

FAX: (503) 390-8023

FROM: Tracy L. Davis, CMC
City Recorder

PHONE: (503) 390-3700 Ext. 108
FAX: (503) 393-9437

RE: Public Notices

Number of pages including cover sheet: 3

Message:

Please publish the attached notices in the ***June 14th, 2002*** edition of the Keizertimes. I will put the originals in your box here at City Hall.

If unable to publish in this edition or if you have any questions, please give me a call.

Thanks!



INCREASE IN SANITATION FRANCHISE FEES

NOTICE is hereby given that the City Council of the City of Keizer will hold a public hearing on **Monday, June 17, 2002 at 7:00 p.m.** in the Robert L. Simon Council Chambers, Keizer City Hall, 930 Chemawa Road NE, Keizer, Oregon. This hearing is scheduled to consider an increase in the sanitation franchise fee. If approved, this increase would go into effect on July 1, 2002. The Keizer Budget Committee has recommended this action.

Anyone wishing to make comment on this matter may provide oral testimony at the hearing or submit written response to the City Recorder no later than 5:00 p.m. on June 17, 2002. Responses may be delivered to Keizer City Hall or mailed to Tracy L. Davis, CMC-City Recorder, P.O. Box 21000, Keizer, Oregon 97307.

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

If you have any questions, please contact Chris Eppley, City Manager or Susan Gahlsdorf, Finance Director at (503) 390-3700.

Dated this 5th day of June, 2002.

Tracy L. Davis, CMC
City Recorder

Publish June 14, 2002 edition of Keizertimes



PUBLIC HEARING NOTICE KEIZER CITY COUNCIL

IMPOSITION OF SEWER FRANCHISE FEE

NOTICE is hereby given that the City Council of the City of Keizer will hold a public hearing to discuss implementation of a 2% sewer franchise fee.

The hearing shall be held on Monday, June 17, 2002 at 7:00 p.m. at the Robert L. Simon Council Chambers, Keizer City Hall, 930 Chemawa Road NE, Keizer, Oregon.

Anyone wishing to make comment on this matter may provide testimony at the hearing or submit written response to the City Recorder no later than 5:00 p.m. on June 17, 2002. Responses may be mailed to Tracy L. Davis, City Recorder, P.O. Box 21000, Keizer, Oregon 97307.

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

If you have any questions, please contact Chris Eppley, City Manager or Susan Gahlsdorf, Finance Director at (503) 390-3700.

Dated this 5th day of June, 2002.

Tracy L. Davis, CMC
City Recorder

Publish June 14th edition of Keizertimes



City of Keizer

Keizer City Hall, P.O. Box 21000, Keizer, OR 97307-1000

FAKED
12/2/02
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Fax Cover Sheet

DATE: July 3, 2002

TO: Keizertimes - Scotta

FAX: (503) 390-8023

FROM: Tracy L. Davis, CMC
City Recorder

PHONE: (503) 390-3700 Ext. 108

FAX: (503) 393-9437

RE: Public Notice – Chalmers Jones Park Master Plan

Number of pages including cover sheet: 2

Message:

Please publish the attached notice in the **July 11th, 2002** edition of the Keizertimes. I will put the original in your box here at City Hall.

If unable to publish in this edition or if you have any questions, please give me a call.

Thanks!

CITY OF KEIZER MISSION STATEMENT
**KEEP CITY GOVERNMENT COSTS AND SERVICES TO A MINIMUM BY PROVIDING CITY
SERVICES TO THE COMMUNITY IN A COORDINATED, EFFICIENT AND LEAST COST FASHION**

A G E N D A
KEIZER CITY COUNCIL
EXECUTIVE SESSION

Monday, June 17, 2002

5:30 p.m.

Keizer City Hall

Keizer, Oregon 97303

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **DISCUSSION**
 - a. **5:30 to 6:10** - Pursuant to ORS 192.660(1)(i) – City Manager Evaluation
 - b. **6:15 to 7:00** - Pursuant to ORS 192.660(1)(h) - Litigation
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***

A G E N D A

KEIZER CITY COUNCIL

REGULAR SESSION

Monday June 17, 2002

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. Naming of "Focal Point"

b. Parks Advisory Board Report - Future Funding Proposal

c. River Cities 2002 Conference/Mid-Willamette River Connection Report

d. Council Liaison Reports

- Traffic Safety Commission – Councilor Lee
- Emergency Operations Committee – Council President Moir
- Claggett Creek Watershed Council – Council President Moir
- Planning Commission – Council President Moir
- Parks Advisory Board – Council President Moir
- Keizer Urban Renewal Board – Councilor Gaynor
- Salem Futures – Councilor Walsh
- Community Policing Committee – Mayor Christopher

5. 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

- Chalmers Jones Park Master Plan

6. PUBLIC HEARINGS

a. RESOLUTION – Transferring Appropriations for Fiscal Year 2001-2002

b. Proposed Sanitation Franchise Fee Increase

c. Proposed Sewer License Fee

7. **ADMINISTRATIVE ACTION**

a. Discussion of Library Task Force Report

b. **RESOLUTION** – Authorization of Interfund Loans to the Revenue Sharing Fund

c. **ORDINANCE** – Regulating Alarm Systems, Requiring Permits, and Providing Penalties for False Alarms, Fees, and Penalties for Ordinance Violations

d. **RESOLUTION** – Authorizing City Manager to Enter Agreement for Audit Services for the City of Keizer

e. Municipal Court Judge Compensation Study and Evaluation Process

f. Approval of SKAPAC Minutes from May 23, 2002 Meeting

8. **CONSENT CALENDAR**

a. **RESOLUTION** – Certification of Delinquent Sewer Accounts

b. **RESOLUTION** – Authorizing the City Manager to Enter Agreement With Morse Bros. for Improvements and Connection of Bike Paths on River Road (from Country Glen Subdivision to N. City Limits)

9. **WRITTEN COMMUNICATIONS**

To inform the Council of significant written communications.

10. **AGENDA INPUT**

July 1, 2002

7:00 p.m. City Council Regular Session

- Chemawa Activity Center/Keizer Station Plan – Text Amendment/Comprehensive Plan Change/Zone Change Case No. 01-50 (cont from June 3, 2002)
- Buffalo Pit Restaurant Liquor License Application Hearing

July 8, 2002

5:30 p.m. City Council Work Session

- Keizer Station Plan

July 15, 2002

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.



June 17, 2002

AGENDA ITEM 4b

PARKS ADVISORY BOARD REPORT – FUTURE FUNDING PROPOSAL

COUNCIL MEETING: June 17, 2002

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCILOR MEMBERS

FROM: CHRIS C. EPPLEY
CITY MANAGER

SUBJECT: PARKS ADVISORY BOARD REPORT

ISSUE:

At the June 11th Parks Advisory Board meeting, a motion was made and passed. Jim Taylor, Chair and Clark Williams, Vice-Chair will be bringing the recommendation to the City Council.

Motion:

Clark Williams moved a motion for the purpose of securing funding for Keizer parks to maintain and complete the master plan to recommend to the City Council to place on the November ballot an amendment to the City Charter to establish a dedicated fund for parks maintenance and improvements, as a charge on the city sewer bill at a rate of \$27.00 per year, per residential building unit, or \$4.50 bi-monthly. This rate is to be fixed for five years then to add the CPI increase to this rate after the fifth year. Kenny Perry seconded the motion and it was a unanimous vote with Carole Dicksa being absent from the meeting.



June 17, 2002

AGENDA ITEM 5b

CHALMERS JONES PARK MASTER PLAN

CITY COUNCIL MEETING: June 17, 2002

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

**FROM: ROB KISSLER
DIRECTOR OF PUBLIC WORKS**

SUBJECT: CHALMERS JONES PARK MASTER PLAN

BACKGROUND:

At the October 15, 2001 City Council adopted Ordinance 2001-463 (Attachment A) redesigning Chalmers Jones Park to a 2.9 acre Community Park. Staff has completed a Draft Master Plan for Chalmers Jones Park (Attachment B) for Council consideration. The City's Park Advisory Board was presented with the Master Plan and has recommended adoption by City Council.

Staff recommends adding an additional map to the Draft Master Plan showing existing improvement locations in the Park.

FISCAL IMPACT:

The 2001-2002 Revenue Sharing Budget, line item number 24 will be used for printing and final maps costs. Funds in this line item are adequate to complete the Master Plan.

RECOMMENDATION:

It is recommended the City Council direct staff to prepare a Resolution for the July 1st meeting adopting the Master Plan for Chalmers Jones Park. Staff will be available for questions or suggested changes at the meeting.

1 BILL NO. 442

A BILL

ORDINANCE NO.

2

2001- 463

3

FOR

4

AN ORDINANCE

ATTACHMENT A

5

AMENDING THE COMPREHENSIVE PARK SYSTEM

6

DEVELOPMENT PLAN DATED MAY 7, 1992 REGARDING

7

CHALMERS JONES PARK; AND AMENDING THE KEIZER

8

COMPREHENSIVE PLAN (AMENDING ORDINANCE NO. 92-235

9

AND ORDINANCE NO. 87-077)

10

The City of Keizer ordains as follows:

11

Section 1. FINDINGS. The City of Keizer adopts the findings set forth in

12

Exhibit "A" attached hereto and by this reference incorporated herein.

13

Section 2. AMENDMENT OF THE COMPREHENSIVE PARK SYSTEM

14

DEVELOPMENT PLAN. The City of Keizer hereby amends Ordinance No. 92-235

15

(Comprehensive Park System Development Plan dated May 7, 1992) as follows:

16

(a) The Table listing the designation and "Current Park Acreage" on the third

17

page after Tab 1 shall be amended as follows:

18

The line that currently reads -

19

20

"City Hall

4.5 acres

(Neighborhood Park)"

21

is hereby DELETED, and replaced with the following language -

22

"Chalmers Jones Park

2.9 acres

(Community Park)"

23

///

24

///

(b) Under "Inventory of Park Facilities" (Tab 2) at Page 13, the "Description" and "Comments" sections are amended as follows:

City Hall Park ~~Chalmers Jones Park~~

Description: City Hall Park ~~Chalmers Jones Park~~ is approximately a 4.529-acre site located adjacent to Keizer City Hall and the Keizer City Police Station. ~~It is an open lawn area with some existing mature trees throughout the site. The improvements to the park include the Carlson Skate Park and a covered structure.~~ There are currently several small out buildings and residences on the site. The lawn areas are not irrigated. Access is good from Chemawa Road and the surrounding neighborhood.

Comments: City Hall Park ~~Chalmers Jones Park~~ is an excellent site to develop into a neighborhood community park. It could accommodate a pedestrian pathway and future building expansion. ~~and a multipurpose ball field. Irrigation on the ball field would be recommended.~~ The specific design of the open space should be carefully developed to augment City Hall/Civic Center activities.

(c) The boundaries of Chalmers Jones Park are set forth in Exhibit "B" attached which is hereby made part of the Comprehensive Park System Development Plan by adding such map at the end of Tab 2 (Maps).

Section 3. AMENDMENT OF KEIZER COMPREHENSIVE PLAN. Ordinance

No. 87-077 (Keizer Comprehensive Plan) is hereby amended by this amendment of the Comprehensive Park System Development Plan dated May 7, 1992.

Section 4. OFFICIAL RECORD. The Official Text of the Comprehensive

Park System Development Plan referenced above shall be amended as set forth herein and kept on file in the office of the City Recorder.

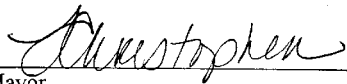
1 Section 5. SEVERABILITY. If any section, subsection, sentence, clause,
2 phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by
3 any court or board of competent jurisdiction, such portion shall be deemed a separate,
4 distinct, and independent provision and such holding shall not affect the validity of the
5 remaining portions hereof.

6 Section 6. EFFECTIVE DATE. This Ordinance shall be effective thirty (30)
7 days after its passage.

8 PASSED this 15th day of October, 2001.

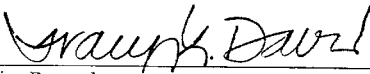
9 SIGNED this 15th day of October, 2001.

10
11



Mayor

12
13



City Recorder

EXHIBIT "A"

FINDINGS REGARDING THE ADOPTION OF AMENDMENTS TO THE COMPREHENSIVE PARK SYSTEM DEVELOPMENT PLAN (CHALMERS JONES PARK) Criteria is listed in Section 3.111.03 of the Keizer Development Code

The City of Keizer finds that:

1. Findings relating to the impact of the proposed amendments on land use and development patterns within the City of Keizer are set forth below:

Traffic generation and circulation patterns.

The proposed amendments will not impact traffic generation and circulation patterns.

Population concentrations.

The proposed amendments will not impact population concentrations.

Demand for public facilities and services.

The proposed amendments will not create additional demands for public facilities and services.

Maintenance of public health and safety.

The proposed amendments will not impact the public health and safety.

Level of park and recreation facilities.

The proposed amendments ratifies the name change from "City Hall Park" to "Chalmers Jones Park" pursuant to previous Council action. In addition, it redesignates the park from a "neighborhood park" to a "community park" and clarifies the boundaries of the park. The original Park System Plan had never delineated such boundaries.

The boundary revision/clarification results in a decrease in acreage from 4.5 acres to 2.9 acres approximately. However, this is necessary due to another provision in the Park System Plan that require design of open space to be carefully developed to augment city

hall/civic center activities. The actual usable recreational area is not diminished by this amendment and the redesignation to community park allows for a broader range of activities and encourages broader use of the park.

Economic activities.

The proposed amendments will not affect economic activities.

Protection and use of natural resources.

The proposed amendments will not be a detriment to any identified natural resources.

Natural hazards and constraints.

The proposed amendments will not have an impact on any natural hazards or create any natural hazards as a result of its implementation.

Compliance of the proposal with existing adopted special purpose plans or programs, such as public facilities improvement programs.

There are no existing adopted special purpose plans or programs which would be triggered as a result of these amendments.

2. A demonstrated need exists for the proposed amendments in order to clarify the boundary of Chalmers Jones Park and to acknowledge change in use from a neighborhood park to a community park. The improvement to the park, including the skateboard park, the gazebo (covered structure) and the proximity to the parking lot located at city hall all indicate that the use is better defined as a community park.
3. These amendments to the Comprehensive Park System Development Plan comply with statewide land use goals and related administrative rules as follows:

GOAL 1: CITIZEN INVOLVEMENT

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

GOAL 2: LAND USE PLANNING

The ordinance amends the Comprehensive Park System Development Plan. 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

These amendments do not affect agriculture or forest lands, open spaces, resource quality, or natural disasters and hazards. Therefore, these goals are inapplicable in these amendments.

GOAL 8: RECREATIONAL NEEDS

These amendments allow for redesignation as a community park. As such, future action at the Chalmers Jones Park can allow for increased range of recreational activities, thereby enhancing and promoting this Goal.

GOAL 9 ECONOMIC DEVELOPMENT

This Goal is inapplicable.

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

These amendments do not affect housing, public facilities, transportation, energy conservation, and urbanization. Therefore, these Goals are inapplicable in this instance.

GOAL 15: WILLAMETTE GREENWAY

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

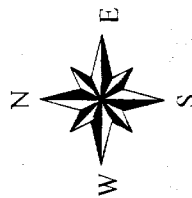
GOALS 16, 17, 18 AND 19: ESTUARINE RESOURCES, COASTAL SHORELANDS, BEACHES AND DUNES, AND OCEAN RESOURCES

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

4. These amendments are deemed by the City Council to be desirable, appropriate, and proper in order to clarify the boundaries of Chalmers Jones Park and allow for an increased range of recreational opportunities by the redesignation to "community park".

Chalmer Jones Park Delineation

Approximately 2.9 acres



Draft Master Plan For:
Chalmers Jones Park
City of Keizer February 2002

ATTACHMENT B



Draft Master Plan For:

Chalmers Jones 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

Carol Dicksa

Significant Input Provided by:

Chalmers Jones Park

Contents:

Introduction.....	page 1
History.....	pages 2&3
Scope of Improvement.....	page 4
Miscellaneous.....	page 5
Possible Capital Improvements.....	page 6
Map	

Introduction

This Master Plan is the result of work that began in Autumn of 2001. It was one of the goals outlined by City Council for fiscal year 2001-2002. In October 2001 the final delineation of the Park boundary was adopted, enabling the drafting of this document.

Chalmers Jones Park is located to the west of Rickman Road and east and south of the City Hall - Police Department property. It is 2.9 acres in size and designated as a Community Park. This designation is due to the availability of parking and the presence of amenities that provide for recreational activities not found elsewhere in Keizer.

The purpose of this Master Plan is to establish a direction for future development. This development must be in concert with plans for expansion and or development of the City Hall - Police Department property. This plan is a compilation of the desires of the citizenry, the vision of the Parks Advisory Board and the recommendations of City staff.

History

The history of Chalmers Jones Park really begins in March of 1986. At that time the City Council was in negotiations to purchase the Salem Private School buildings to house Keizer City Hall and Police Department. After considerable deliberation it was decided to include the 4.1 acres of land adjacent to the buildings. The inclusion of the acreage was for possible expansion of facilities or possibly a Community Center Complex. It was further decided to use the acreage for Park and playground purposes until such time as need for expansion was warranted. The property was purchased on July 1, 1986.

The Park was detailed as "City Hall Park" in the 1992 Comprehensive Park System Development Plan. There are two notable improvements outlined. First was a multi-purpose ball field that was subsequently completed. Second was a pedestrian walkway. This walkway became the "Edgell Fitness Trail", by official proclamation in October of 1994. This project was a cooperative effort between the City of Keizer and a volunteer group spearheaded by Joe and Marty Edgell.

History continued

In March of 1996 City Councilors renamed the Park as Chalmers Jones Park. This was in recognition of Keizer resident Chalmers Jones, described in the March 1, 1996 issue of the Statesman-Journal newspaper as being best known for “breaking racial barriers and his long time service in State government”. It was noted in the article that he was known in Keizer as a neighbor and friend.

In September of 1996 a task force group, headed by Steve and Charlane Carlson, made a presentation to the Parks Advisory Board. This was the beginning of Carlson Skatepark. It was completed and dedicated in July 1999. Since that time picnic tables and benches have been added and the Public Works department has constructed a gravel parking lot bordering Rickman Road.

In 2001 a Gazebo kit (covered structure) was purchased by the City and erected by the Oregon Army National Guard Civil-Military Projects Group based in Salem, Oregon. This structure serves as a reservable picnic shelter, bandstand and meeting place for the citizens of Keizer.

The final piece of history comes in October of 2001, when City Councilors adopted the present delineation for Chalmers Jones Park. A map of that delineation is available in this Master Plan.

Scope of Improvements

This Master Plan is meant to be a guideline for the development of this property. It is not meant to dictate a particular order of development or to be considered a binding document. Issues specific to timelines or locations of amenities will be considered as funding availability, volunteer resources, and Staff recommendations occur.

Landscaping

Development of landscaping will occur in coordination with with landscaping of City Hall - Police Dpartment property. This should include irrigation, shubbery and tree plantings and new sod or seeded lawn areas.

Play Areas

A play area adjacent to the Skatepark has been suggested as desireable. These examples of amenities may be added as priorities and funding are established. All play areas and amenities will meet A.D.A. and safety standard requirements.

Miscellaneous

Picnic tables and benches are currently being placed or replaced. Additional tables and benches, as well as litter receptacles and other site amenities may be added as need arises.

The Edgell Fitness Trail was changed by the construction of Carlson Skatepark. It needs to be realigned and refurbished in the area of the Skatepark and Gazebo. This should be accomplished in cooperation with that area of the trail on City Hall - Police Department property.

Other amenities and structures may be added as are appropriate at the discretion of City staff, Parks Advisory Board and City Council. Due consideration for future development will be given to the requests and volunteer efforts of civic groups, neighborhood associations, special requests and Eagle Scout projects.

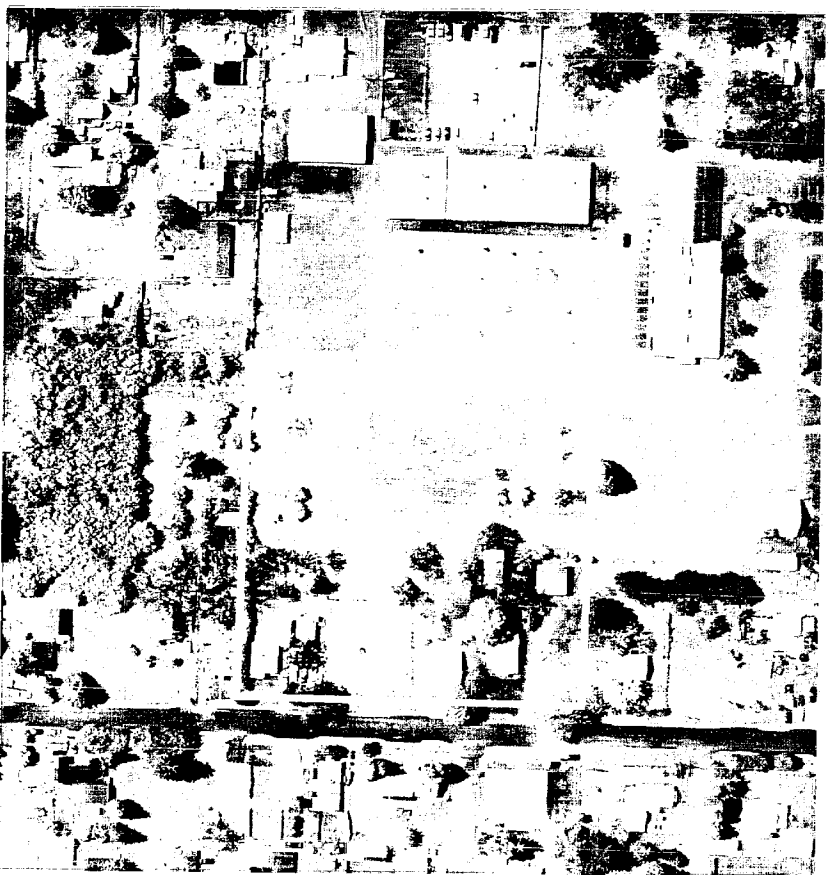
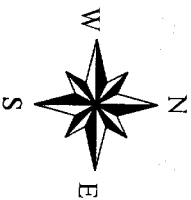


Capital Improvements

- 1. Irrigation - \$3,000.00**
- 2. Lawn-turf renovation - \$5,000.00**
- 3. Parking lot paving - \$13,000.00**
- 4. Playstructure/playarea - \$30,000.00**
- 5. Picnic tables/benches - \$2,500.00**
- 6. Bike racks - \$1,000.00**
- 7. Permanent restrooms - \$75,000.00 plus
(if built with concession stand add \$50,000.00)**
- 8. Trees and landscaping - \$2,000.00**

Chalmer Jones Park Delineation

Approximately 2.9 acres





June 17, 2002

AGENDA ITEM 6a

**RESOLUTION – TRANSFERRING APPROPRIATIONS FOR FISCAL
YEAR 2001-2002**

COUNCIL MEETING: June 17, 2002

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS

THROUGH: CHRIS EPPLEY
CITY MANAGER

FROM: SUSAN GAHLSDORF, CPA
FINANCE DIRECTOR



SUBJECT: Supplemental Budget for authorization of expenditures

ISSUE:

Oregon Budget Law requires a supplemental budget in the following circumstances:

- (a) an occurrence or condition which was not known at the time the budget was prepared which requires a change in financial planning and
- (b) a situation which was not foreseen at the time the budget was prepared which requires prompt action
- (c) money that was not anticipated when the adopted budget was prepared is made available by another unit of federal, state, or local government.
- (d) a request for services or facilities is received, the cost of which will be paid for by a private individual, corporation, or another governmental unit and was not known at the time the adopted budget was prepared.

The following expenditures were not known at the time the Fiscal Year 02 budget was prepared and meet the criteria above. A supplemental budget is required in order to appropriate resources for the following items:

GENERAL FUND

1. **Administration** – At the time the FY 02 budget was prepared, staff estimated that only current year PEG revenues would be expended for televised programming costs. As it turns out, the City has been more successful at providing cable television programming than originally projected. There have been a number of one-time expenses to upgrade systems and purchase equipment, leaving little for operations. A supplemental budget resolution is needed to appropriate the amount carried over from last fiscal year to cover operating expenses.

June 17, 2002
City of Keizer Council Meeting
Re: Supplemental Budget FY 02

A current accounting of PEG revenues and expenditures is as follows:

REVENUE:

FY 01	\$ 84,690
FY 02 (3 quarters received)	74,877
FY 02 (4 th quarter) projected	<u>21,000</u>
	\$ 180,567

EXPENDITURES:

Original Appropriation	(97,258)
Supplemental Appropriation	<u>(62,000)</u>
	<u>(\$159,258)</u>
Cash Carryover to FY 03	<u>\$ 21,309</u>

2. **Baseball Stadium Program** – Per the City's lease agreement the City pays the property taxes for the Volcano Stadium real property. Property taxes were expected to increase 3% over FY 01 costs. However, due to the new Marion Soil and Water District and the increase in bond levies, property taxes increased 4% over the preceding year. This has resulted in \$432 in over expenditures in the Stadium Operations Program.
3. **Parks Program** – At the time of the FY 02 budget process it was not known how much, if any, revenue would be generated from the "Parks Donation Program". As of May 31, 2002 the City has collected over \$5,500. Staff recommends that the cost of the flyers used to promote the program be paid from the donated revenue and therefore recommend an appropriation of \$1,300 to cover the cost of these flyers. The remaining donated revenue will be carried over to FY 03.
4. **Police Department**
 - a. During FY 02 the Police Department secured three overtime grants, a Bullet Proof Vest grant, a Lidar grant, and a JAIBG grant (Peer Court). The department also received donations through the Trading Card fund raiser for new badges and for purchasing and training a new police dog.
 - b. The City of Keizer contracts with the Willamette Valley Communications Center to provide 911 and police dispatch services to the Keizer Police Department. Quarterly payments from the General Fund are approximately \$42,000 for this service. In addition, Keizer pays monthly MDT User Fees of approximately \$550 and quarterly Radio maintenance fees of \$2,200. The Fiscal Year 02 appropriation for this line item was \$167,250. This amount covers only the cost of the Communications Center services and did not include \$15,400 for the MDT User Fees and Radio maintenance fees.
 - c. Each year during the budget process, staff receives an estimate from the City of Salem on the cost of RAIN for the upcoming year. Staff interpreted the document as listing a Grand Total cost for RAIN and discovered late into the year that the document did not present a Grand Total but two separate totals for RAIN costs. Consequently the budgeted expenditures were \$10,300 less than the amount to be paid under contract.

June 17, 2002

City of Keizer Council Meeting

Re: Supplemental Budget FY 02

- d. Utilities – During FY 02 staff discovered that the electric meters for the Police building and City Hall were switched on the PGE billings. Consequently, the Police Department paid the City Hall bill and visa versa. The result of this error is a \$7,100 in over expenditures in this line item.

5. Municipal Court

- a. Collection costs are directly related to the amount of Past Due Court Collection revenues received. As of April 30, 2002, revenue was \$48,000 of the budgeted \$50,000. Staff anticipates receiving an additional \$10,000 in Collections revenue. Furthermore, these costs were budgeted at 20% of Past Due Court Collections revenue. However, under the City's agreement with our previous Collection Agency many of these accounts went into legal status and the City was required to pay 25% in collection costs. The City's agreement with the new collection agency is a flat 25% regardless of whether the account goes into legal status. Additionally, the city has changed its policy on collection charges. Now, when an account goes to collections the city assesses a 25% fee to recoup these costs.
- b. County and Unitary Assessments are budgeted at 4% and 19% of Municipal Court Fines, respectively. Municipal Court Fine revenues are expected to exceed budget projections by \$45,000. Consequently additional expenditure appropriations are needed to cover the Assessment costs. Furthermore, the FY 02 budget did not include assessment costs on Past Due Court Collection revenues. As noted in paragraph 5.a. above, these revenues are expected to be about \$60,000 by fiscal year end.

911 FUND

The same budget omission that resulted in an under budgeted expenditure for the Salem Communication Center line item affected the 911 Fund budget. The 911 Fund's share of the MDT User Fees and Radio maintenance fees total approximately \$9,800 annually. In addition, the cost of this service increased over \$2,000 per quarter beginning January 2002.

In addition, in FY 2001 only three quarterly payments were made to Keizer Fire District and Marion County Fire District. Consequently the FY 2002 budget will need to accommodate five quarterly payments to get the City's account current.

FISCAL IMPACT:

The recommended funding sources for these expenditures are detailed on the attached spreadsheet. Most of these changes from the original budget were taken into consideration when staff drafted the FY 03 budget. Therefore the supplemental budget will not impact the working capital carryforward for FY 03.

RECOMMENDATION:

Staff recommends the council adopt the attached resolution authorizing the appropriation of expenditures for the above mentioned unanticipated expenditures.

CITY OF KEIZER			
Supplemental Budget FY 02			
General Fund			
Administration			
	Materials & Services		62,000
	PEG Equipment		
	Revenue		
	Working Capital Carryforward		62,000
Baseball Stadium			
	Materials & Services		
	Rental Property		432
	Revenue		
	Working Capital Carryforward		432
Parks			
	Materials & Services		
	Postage & Printing		1,300
	Revenue		
	Parks Donations		1,300
Police			
	Personal Services		
	Overtime	3 Flags Safety Belt	885
	Overtime	DUII	5,000
	PSE OT		3,763
	Revenue		
		3 Flags Saffy Belt Grant	885
		DUII Grant	5,000
		PSE OT Grant	3,763
	Materials & Services		
	K-9 Supplies		10,000
	Bullet Proof Vests		3,809
	Lazer Speed Devise		3,295
	Badges		5,800
	Peer Court (JAIBG)		3,500
	Salem Communications Center		15,400
	RAIN		10,300
	Utilities		7,100
	Revenue		
		K-9 Donations	10,000
		Bullet Proof Vest Grant	3,809
		ODOT Lidar Grant	3,295
		Trading Card Donation Program	5,800
		Peer Court Grant	3,500
		Working Capital Carryforward	32,800

CITY OF KEIZER			
Supplemental Budget FY 02			
Municipal Court			
Materials & Services			
	Collections Cost	5,000	
	County Assessments	4,200	
	Unitary Assessment	20,000	
	Revenue		
	Municipal Court Fines		24,200
	Past Due Court Collections		5,000
Materials & Services			
	911 Calls	9,400	
	Police Dispatch	4,400	
	Distribution to 911 Agencies	19,000	
	Contingency		32,800

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2 Resolution R2002-_____

3 TRANSFERRING APPROPRIATIONS FOR FISCAL YEAR 2001-2002
4

5 WHEREAS, the Keizer City Council adopted a budget for the City of Keizer
6 for the 2001-2002 fiscal year on June 18, 2001;

7 WHEREAS, there have been occurrences which were specifically
8 unanticipated at the time of the preparation of the budget for the 2001-2002 fiscal
9 year for the funds identified below. Such expenditures are necessary for the
10 operations of the City's services;
11

12 WHEREAS, ORS 294.480 provides for a supplemental budget under
13 circumstances in which:

14 (a) an occurrence or condition which was not known at the time the budget
15 was prepared which requires a change in financial planning and

16 (b) a situation which was not foreseen at the time the budget was prepared
17 which requires prompt action;

18 (c) money that was not anticipated when the adopted budget was prepared
19 is made available by another unit of federal, state, or local government.

20 (d) a request for services or facilities is received, the cost of which will be
21 paid for by a private individual, corporation, or another governmental unit
22 and was not known at the time the adopted budget was prepared.

23 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
24 Keizer, that appropriations for the fiscal year ending June 30, 2002 be transferred in
25 the amounts indicated below:

	<u>Increase</u>	<u>Decrease</u>
General Fund - Administration		
Expenditures	\$ 62,000	
Working Capital Carryforward		\$ 62,000
General Fund – Baseball Stadium Program		
Expenditures	\$ 432	
Working Capital Carryforward		\$ 432
General Fund – Parks	<u>Increase</u>	<u>Increase</u>
Expenditures	\$ 1,300	
Revenue		\$ 1,300
General Fund – Police		
Expenditures	\$ 68,852	
Revenue		\$ 36,052
Working Capital Carryforward		\$ 32,800
General Fund – Municipal Court		
Expenditures	\$ 29,200	
Revenue		\$ 29,200
911 Fund		
Materials & Services	\$ 32,800	
Revenue		\$ 32,800

PASSED this ____ day of _____, 2002.

SIGNED this ____ day of _____, 2002.

Mayor

City Recorder



June 17, 2002

AGENDA ITEM 6b

PROPOSED SANITATION FRANCHISE FEE INCREASE

COUNCIL MEETING:

June 17, 2002

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

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



SUBJECT: PROPOSED SANITATION FRANCHISE FEE INCREASE

BACKGROUND:

The City's ordinance 92-219 passed February 3, 1992, provides that:

"All collection franchisees shall pay to the City of Keizer, on a payment schedule determined by the agreement/contract, an amount equal to not less than zero (0%) nor more than five percent (5%) of the annual gross income from the franchise collection service. The franchise fee may be altered during the term of a franchise by order of the City Council."

ISSUE:

Tonight a public hearing is scheduled to discuss increasing the city's sanitation franchise fee from 3% to 5%. Revenue for this fee increase was provided for in the General Fund Long-Range Plan adopted by the Council on June 18, 2001.

FISCAL IMPACT:

The projected increase in revenue from the 2% Sanitation Franchise Fee increase is expected to generate approximately \$58,000 in FY 2003. This fee increase is reflected in the City Council Adopted Budget passed on June 3, 2002 and is necessary to fund expenditures as appropriated.

RECOMMENDATION:

Staff recommends council open the public hearing on increasing the city's sanitation franchise fee from 3% to 5%. After testimony staff recommends council close the public hearing and deliberate on this issue. After which, staff recommends the council direct the City Manager to amend all Solid Waste Collection Franchise agreements to provide for an annual franchise fee equal to five percent (5%) of Franchisee's gross annual income earned within the City of Keizer, if it so chooses.

In the event the franchise fee established by the council is less than 5%, staff requests Council direct the City Manager to bring a supplemental budget to the council for the FY 03 budget to recognize the potential revenue shortfall.



June 17, 2002

AGENDA ITEM 6C

PROPOSED SEWER LICENSE FEE

COUNCIL MEETING:

June 17, 2002

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

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



SUBJECT: PROPOSED SEWER LICENSE FEE

BACKGROUND:

Tonight a public hearing is scheduled to discuss establishing a sewer license fee of 2%. Revenue for this fee was provided for in the General Fund Long-Range Plan adopted by the Council on June 18, 2001. However, the original plan provides for a 1% increase, per year, for five years.

ISSUE:

In reviewing the plan during the FY 2003 budget process, staff believes that long-range revenue forecasts are lower than those projected last year. Another change in forecasts are the new sewer rates which are not expected to increase 8% in FY 2003 as originally planned by the City of Salem. These rates are now set to increase an average of 4.5% across all customer classes. In light of these changes, Staff proposed a 2% license fee to the Budget Committee on May 7, 2002.

The attached Schedule A shows various bi-monthly sewer charges currently in the Utility Billing system. License fees were calculated on each charge to show the fiscal impact to the customer both bi-monthly and annually.

FISCAL IMPACT:

The projected increase in revenue from the 2% Sewer License Fee is expected to generate approximately \$69,000 in FY 2003. This fee increase is reflected in the City Council Adopted Budget passed on June 3, 2002 and is necessary to fund expenditures as appropriated.

RECOMMENDATION:

Staff recommends council open the public hearing on the establishment of a sewer license fee in the amount of 2% of revenues generated on the sewer bills. After testimony staff recommends council close the public hearing and deliberate on this issue. After which, staff recommends the council adopt the attached resolution, if it so chooses.

In the event the license fee established by the council is less than 2%, staff requests Council to direct the City Manager to bring a supplemental budget to the Council for the FY 03 budget to recognize the potential revenue shortfall.

Schedule A

City of Keizer
Examples of Sewer Rates and License Fees
FY Budget 2002-2003

Current Charges Bi-Monthly		1%	2%	3%	4%	5%
\$35.98	Bi-Monthly Annual	0.36 2.16	0.72 4.32	1.08 6.48	1.44 8.64	1.80 10.79
\$40.30	Bi-Monthly Annual	0.40 2.40	0.81 4.86	1.21 7.26	1.61 9.66	2.02 12.12
\$41.74	Bi-Monthly Annual	0.42 2.50	0.83 5.04	1.25 7.56	1.67 10.08	2.09 12.60
\$43.18	Bi-Monthly Annual	0.43 2.59	0.86 5.04	1.30 7.56	1.73 10.08	2.16 12.60
\$44.62	Bi-Monthly Annual	0.45 2.68	0.89 5.04	1.34 7.56	1.78 10.08	2.23 12.60
\$46.06	Bi-Monthly Annual	0.46 2.76	0.92 5.04	1.38 7.56	1.84 10.08	2.30 12.60
\$48.94	Bi-Monthly Annual	0.49 2.94	0.98 5.87	1.47 8.81	1.96 11.75	2.45 14.68

1 BILL NO. _____

A BILL

ORDINANCE NO.

2

2002- _____

3

FOR

4

AN ORDINANCE RELATING TO SEWER UTILITIES

5

IN THE CITY OF KEIZER ESTABLISHING UTILITY

6

LICENSE FEES; DECLARING AN EMERGENCY

7

The City of Keizer ordains as follows:

8

Section 1. Municipal Public Sewer Utility. The term "Municipal Public Sewer

9 Utility" as used in this Ordinance shall be construed to mean any individual, partnership,

10 corporation, cooperative, municipal corporation or other association and all other legal

11 entities installing, owning, operating, or maintaining any sewer systems, sewer

12 equipment, and appliances in, upon, under, over, or along the public streets, alleys, and

13 other public ways within the City of Keizer for the purpose of providing Sanitary Sewer

14 Services to any of the residents of the City, or outside the City which sewer is paid for

15 wholly or in part by the users thereof.

16 Section 2. Fee Required. Each Municipal Public Sewer Utility shall pay to the

17 City of right-of-way use or business license fee as follows: two percent (2%) paid

18 monthly of any and all gross revenues of such public utility received for sewer service

19 within the City for the users thereof. "Gross Revenue" as the term is used herein will

20 include any and all revenues for providing Sanitary Sewer Services, including any one-

21 time miscellaneous charges.

22 Section 3. Payment of Use or License Fee. Each Municipal Public Sewer Utility

23 shall file with the Finance Director on or before the twentieth (20th) day of each calendar

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

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

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

9 PASSED this ____ day of _____, 2002

10 SIGNED this ____ day of _____, 2002.

11
12 _____
13 MAYOR

14
15 _____
16 CITY RECORDER



June 17, 2002

AGENDA ITEM 7a

LIBRARY TASK FORCE REPORT DISCUSSION

COUNCIL MEETING: June 17, 2002

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCILOR MEMBERS

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

SUBJECT: LIBRARY TASK FORCE REPORT

ISSUE:

On Monday, June 3rd the Library Task Force presented their final report to the City Council. The Council accepted the report but postponed discussion until the June 17th meeting.



June 17, 2002

AGENDA ITEM 7b

**RESOLUTION – AUTHORIZATION OF INTERFUND LOANS TO THE
REVENUE SHARING FUND**

COUNCIL MEETING:

June 17, 2002

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCILORS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

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



SUBJECT: INTERFUND BORROWING TO MEET CASH FLOW NEEDS

BACKGROUND:

From time to time, the city enters into interfund borrowing arrangements to meet cash flow needs. Oregon budget law allows for interfund borrowing if the loans are authorized by a resolution or ordinance, which states the fund from which the loan is made, the fund to which the loan is made, the purpose of the loan, and principle about of the loan. If interest is to be charged, this fact should also be stated in the resolution or ordinance.

ISSUE:

On July 1, 2002, the City expects to have approximately \$9,000 cash in the Revenue Sharing fund. Revenue is received in this fund on a quarterly basis and is budgeted at an average of \$42,000 per quarter. The next revenue payment for this fund is expected in August 2002.

During the first half of FY 03, the City needs the following items as provided for in the Council Adopted Budget:

Software for Municipal Court	\$20,000
Parks Vehicle lease due 7/02	7,500
Planning Vehicle lease due 7/02	6,000
Police Protective Vests	4,000
Police Radios	8,000
Computer Equipment (Planning, Police, licenses)	32,600
Patrol Vehicle Leases (1 st 6 months)	43,750
Police Mobil Computer Terminals	21,700
Radio Modems	7,700
Total amount needed	<u>\$151,250</u>

June 17, 2002

To: Mayor Christopher and City Councilors
From: Susan Gahlsdorf
Thru: Chris Eppley

Staff suggests that the City borrow funds from the Water Facility Fund for these purchases. The Water Facility fund will have over \$500,000 in cash on July 1, 2002. This money is to be used primarily for the construction of a new reservoir. Construction will begin in the spring of 2003. Staff will manage the cash flow of each of these funds so that this borrowing arrangement does not impede the construction projects scheduled for the Water Facility Fund.

Staff recommends the Revenue Sharing Fund borrow up to \$150,000 from the Water Facility Fund. We suggest that the loan be similar to a line of credit and that only the amounts needed, be borrowed at the time of need. Since the Water Facility Fund revenues have constitutional provisions that restrict the use of these funds, all amounts borrowed must be repaid with interest. Legally, interfund loans must be repaid by June 30, 2003.

RECOMMENDATION:

Staff recommends the City Council adopt the attached Resolution authorizing the interfund loan from the Water Facility Fund to the Revenue Sharing Fund.

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June 17, 2002

AGENDA ITEM 7C

**ORDINANCE – REGULATING ALARM SYSTEMS, REQUIRING
PERMITS, AND PROVIDING PENALTIES FOR FALSE ALARMS, FEES
AND PENALTIES FOR ORDINANCE VIOLATIONS**

CITY COUNCIL MEETING: June 17, 2002

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS

THROUGH: CHRISTOPHER C. EPPLEY, CITY MANAGER

FROM: E. SHANNON JOHNSON, CITY ATTORNEY 

SUBJECT: REVISED FALSE ALARM ORDINANCE

Staff has been working to evaluate the false alarm ordinance that was adopted last year. Some difficulties arose in the implementation of the ordinance, particularly with the citation process for excess false alarms. Chief Adams has submitted a staff report which is enclosed detailing those issues.

At the direction of the City Manager, I have prepared a revised false alarm ordinance to address some of the concerns. The major differences between the current ordinance and the proposed new ordinance are set forth below:

1. Section 8. The first two sentences of Section 8(1) are modified to remove the grace period for payment of the alarm permit fee. This was done because many parties have in good faith applied within the original 90 day grace period, so it does not appear to be applicable at this point.
2. Section 11. Subsection (1)(c) was slightly modified to indicate that the false alarm fine is now a penalty and must be paid within thirty days of invoice. This ties in with the change set forth below.
3. Section 12. The major change in the ordinance is to change the citation process for false alarms. This had been a major concern to staff. The old process required a citation into municipal court for false alarms violations. The proposed new ordinance would allow for the invoicing of the permit holder and an allowance for the permit holder to either pay the invoice or request judicial review by the municipal court.

4. Section 13. A change was made at the beginning of this section to indicate that all of subsection (a) through (e) needs to be true in order to be an excusable false alarm. I believe that was the intent in the previous ordinance and this is a clarification.
5. Section 14. The new Section 14 in the proposed ordinance is also a major change. It provides for judicial review by municipal court of any decision of the administrator (Police Chief) with regard to an invoice for false alarm violations, suspension of permit or any other decision. The previous Section 14 (Appeals) was deleted. This allowed for an appeal of only the permit suspension to the City Council. I felt that it might be better to have all appeals decided by municipal court, however, this is a decision for the Council and the Council may wish to retain the review for permit suspension. If so, the ordinance could be modified to retain the Appeals section.
6. Section 15. The previous ordinance just provided for a general civil infraction. Since all items are determined through judicial review, the only reference needed was one for permits that were not acquired by alarm holders. There have been a few alarm holders who have not completed the permit application process though they have been notified to do so. The Council needs to make a decision on this dollar amount of the fine. I would suggest that it be fairly high as these violators are simply refusing to go through the permit process and are not arguing about whether a particular alarm was false or not.

RECOMMENDATION:

Determine an appropriate fine amount for Section 15 and adopt the enclosed ordinance.

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

ESJ/tmh
enclosure

COUNCIL MEETING: June 17, 2002
AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS

THROUGH : CHRIS EPPLEY
CITY MANAGER

FROM: H. MARC ADAMS
CHIEF OF POLICE

SUBJECT FALSE ALARM ORDINANCE

ISSUE:

The City of Keizer Ordinance regulating alarm systems, requiring permits, and providing penalties for false alarms, fees, and penalties for ordinance violations has proven to be inefficient. Ordinance No. 2001-459 requires that alarm owners/subscribers found in violation of the ordinance may be cited into Keizer Municipal Court. This action requires that a police officer track down the owner/permit holder and then issue them a citation to appear in Municipal Court.

FISCAL IMPACT:

The fiscal impact can vary depending on how much time is used by the police officer locating the owner or permit holder. This process can be more costly than responding to the original false alarm.

RECOMMENDATION:

Staff recommends the council repeal Ordinance Number 2001-459 and in its place pass a new version of the ordinance that allows that as a condition of any alarm system permit issued under the provisions of the new ordinance, the permittee be invoiced fees for false alarms generated (over two false alarms in calendar year). This process would allow the City to mail the invoice to the permit holder. The permit holder would have 14 days from receipt of the invoice to pay the invoice or appeal the alleged violation for judicial review in the Keizer Municipal Court.

1 BILL NO. ____

A BILL

ORDINANCE NO.

2

2002-____

3

FOR

4

AN ORDINANCE

5

REGULATING ALARM SYSTEMS, REQUIRING PERMITS, AND

6

PROVIDING PENALTIES FOR FALSE ALARMS, FEES, AND

7

PENALTIES FOR ORDINANCE VIOLATIONS

8

The City of Keizer ordains as follows:

9

Section 1. DEFINITIONS. For purposes of this Ordinance, the following words

10 and phrases mean:

11 (1) "Administrator" means the Keizer Chief of Police or the person designated
12 by the Keizer Police Chief to exercise any power or duty conferred under this
13 Ordinance.

14 (2) "Alarm monitor." Any person, firm or corporation engaged in the business
15 of receiving from alarm users and transmitting to the Willamette Valley Communication
16 Center or the Keizer Police Department.

17 (3) "Alarm system." means a device or system of interconnected devices,
18 including hardware and related appurtenances, designed to give warning of activities
19 indicative of criminal conduct or unauthorized entry upon the protected premises.

20 (4) "Annunciator" means that part of an alarm system, other than an automatic
21 dialer, which communicates the fact that the system has been triggered.

1 (5) "Audible annunciator" means an annunciator which gives an alarm by
2 means of a bell, siren, buzzer, or other sound producing device mounted at some location
3 other than wholly within a building; or which is intended to be clearly audible at a
4 distance of 50 feet or more outside of any building in which it is mounted when
5 activated.

6 (6) "Automatic dialer" means a device which is programmed to select a
7 telephone number and deliver a verbal warning message or signal over standard
8 telephone lines to a called party who is using telephone voice communication
9 equipment.

10 (7) "Center" means the "911" emergency communications center serving the
11 City of Keizer.

12 (8) "Designated trunk line" means a telephone trunk line designated by the
13 administrator as available for selection by an automatic dialer.

14 (9) "Emergency trunk line" means a telephone trunk line having a number
15 listed and published in the Salem/Keizer Telephone Directory as being the emergency
16 phone for police, fire or ambulance service.

17 (10) "False Alarm" means any activation of an alarm system not resulting from
18 criminal activity or unauthorized entry, upon or following which communication is made
19 to the center that an alarm has been triggered. If the alarm, when communicated to the
20 center, is clearly identified to the center as resulting from authorized entry, authorized

1 system test, or other non-emergency cause, it shall not be considered as a false alarm.
2 If police units respond to an alarm and check the protected premises according to
3 standard operating procedure, and are unable to discover any evidence of unauthorized
4 entry or criminal activity, the alarm will be deemed false absent a preponderance of
5 credible evidence to the contrary.

6 (11) "Principal" means the person, firm, or corporation whose premises are
7 protected by an alarm system. For rented or leased dwelling units and other protected
8 premises having more than one tenant protected by a single alarm system, the term
9 "principal" means the building owner.

10 (12) "Protected premises" means all buildings, real property, and portions
11 thereof protected by an alarm system or systems at a particular street address.

12 (13) "Remote annunciator" means an annunciator located at a terminal on the
13 premises of the Keizer Police Department, Salem Police Department, an alarm
14 monitoring service, or other location not a part of the protected premises.

15 (14) "Sensor" means that part of an alarm system which is designed to detect
16 the happening of some event or designed to detect the happening of some event or
17 existence of some condition indicative of criminal activity or unauthorized entry.

18 (15) "Silent alarm system" means a alarm system having an automatic dialer,
19 a remote annunciator, or both, and having no audible annunciator.

1 Section 2. EXEMPT ALARM SYSTEMS. An alarm system which incorporates
2 neither an audible annunciator, a remote annunciator, nor an automatic dialer is exempt
3 from the requirements of this Ordinance. Alarm systems owned, maintained and
4 monitored by any government law enforcement agency in furtherance of law
5 enforcement duties are also exempt.

6 Section 3. INTENTIONAL ALARMS. It shall be unlawful for any person to
7 intentionally trigger an alarm system which incorporates an automatic dialer or a remote
8 annunciator except for testing in compliance with the conditions prescribed in this
9 Ordinance, or to signal an actual emergency involving criminal conduct amounting to
10 a felony or other condition threatening human life or major property loss and requiring
11 emergency response.

12 Section 4. EFFECT OF PERMIT ON EMERGENCY RESPONSE. The City of
13 Keizer shall not, by virtue of the issuance of an alarm system permit alone, be obligated
14 to respond or accord any additional priority in response to an alarm from a permitted
15 system.

16 Section 5. REQUIREMENTS FOR AUDIBLE ANNUNCIATORS.

17 (1) Each alarm system incorporating an audible annunciator shall be so designed
18 that each audible annunciator will automatically silence within fifteen minutes after
19 being activated and will not sound again unless a new act or circumstance triggers a
20 sensor.

1 (2) Except as provided in subsection (3) of this Section, no test of a alarm system
2 resulting in the activation of an audible annunciator shall be conducted between the
3 hours of 8:00 p. m. of any day and 7:00 a. m. of the following day. Nor shall any such
4 system be tested at any time without first notifying the administrator.

5 (3) Audible annunciators may be activated in conjunction with system testing
6 without notice provided that such activation is for no more than sixty seconds duration
7 each during any four-hour period. Alarm activation in compliance with this subsection
8 shall not be deemed a false alarm.

9 Section 6. REQUIREMENTS FOR AUTOMATIC DIALERS.

10 (1) No person shall program an automatic dialer to select any telephone line the
11 user of which has not previously given consent to such programming.

12 (2) No person shall conduct maintenance or testing on an alarm system which
13 incorporates an automatic dialer without first notifying the users of any telephone lines
14 the dialer is programmed to select.

15 Section 7. ALARM SYSTEM REQUIREMENTS - GENERAL.

16 (1) No alarm system shall be installed, used, or maintained in violation of any of
17 the requirements of this Ordinance or other Keizer City Ordinances, or of any applicable
18 statute, law, or administrative regulation of the United States of America, the State of
19 Oregon, or any administrative rule-making body thereof.

20 (2) The holder of an alarm system permit shall be responsible for training and

1 retraining all employees, family members, and other persons under control of principal
2 or permit holder who may make regular use of the protected premises and who may, in
3 normal course of their activities be in a position to accidentally trigger a sensor. Such
4 training shall include procedures and practices to avoid accidental alarms and steps to
5 follow in the event the system is accidentally triggered.

6 (3) The holder of an alarm system permit shall at all times, be responsible for the
7 proper maintenance and repair of the system and for the repair or replacement of any
8 component method of installation, design feature or like condition which may give rise
9 to a false alarm.

10 Section 8. PERMITS REQUIRED.

11 (1) ~~As of the effective date of this Ordinance,~~ All alarm users within the City of
12 Keizer must apply for and receive alarm system permits. ~~No fee shall be charged to such~~
13 ~~users who make application within ninety (90) days of the effective date. Thereafter,~~
14 Permits for any alarm systems with the City of Keizer, including any activated after the
15 effective date of this Ordinance, shall pay a fee of \$20.00 for issuance. Permits shall
16 remain in effect unless revoked or suspended under this Ordinance or until the alarm
17 system is dismantled or abandoned by the user. Permits are not transferable; subsequent
18 users on the same premises must obtain a new permit. The City shall not, by the issuance
19 of a permit alone, be obligated to respond or accord any additional priority to an alarm
20 from such system. It shall be unlawful for any person to use or maintain any alarm

1 system, monitored alarm system or universal alarm system without first obtaining a
2 permit therefor as provided in this Ordinance.

3 (2) No permit shall be required for an exempt alarm system as defined in the
4 provisions of this Ordinance.

5 Section 9. PERMIT APPLICATION. Each application for an alarm system
6 permit shall be made on a form prescribed by the City and shall contain the following
7 information:

8 (a) The name, address, and telephone number of the principal of the protected
9 premises.

10 (b) The type of premises (home, office, variety store, etc) and any business name
11 by which the premises is known.

12 (c) The address of the protected premises including if it is in a residential,
13 commercial or industrial complex (office building, apartment house, shopping center,
14 etc) and any name by which the complex is commonly known.

15 (d) The names, addresses, and telephone numbers including home phone
16 numbers, of the principal and at least one natural person who resides within ten miles
17 of the corporate limits of Keizer and who have immediate access to keys to the protected
18 premises, and who have agreed to come to the protected premises upon request of
19 emergency agencies when the principal cannot be contacted.

1 (e) The type of annunciators and automatic dialers which the alarm system
2 incorporates, the location of all remote annunciators, and the names and phone numbers
3 of all persons or businesses which are or may be preselected for automatic dialer contact.

4 (f) The application shall be accompanied by the fee prescribed in this Ordinance.

5 (g) The information provided by the applicant pursuant to subsections (a) through
6 (e) of this Section and all updates thereof, shall be given and accepted in confidence and
7 kept from public disclosure to the extent permitted by law. However, the City of Keizer
8 shall not be liable for any types of claims, actions or suits if the City in good faith
9 attempts to prevent disclosure of such information.

10 Section 10. CURRENT INFORMATION REQUIRED. Within ten (10) days
11 following any change of circumstances which renders obsolete any of the information
12 submitted pursuant to this Ordinance the permittee shall file with the administrator a
13 written statement setting forth the currently accurate information. No additional fee
14 shall be required unless the change has terminated the permit as provided.

15 Section 11. SUSPENSION OF PERMITS.

16 (1) The administrator may suspend any permit issued pursuant to this Ordinance
17 upon any of the following grounds:

18 (a) Any false or incomplete statement made on the permit application.

19 (b) Any violation of Sections 3, 5, 6, or 7 of this Ordinance.

20 (c) Failure to pay a false alarm fine penalty within thirty (30) days of final

1 judgment: mailing of invoice or final decision by municipal court.

2 (d) Maintenance, installation, or use of the alarm system in violation of any
3 applicable law, ordinance or regulation, including the requirements of this
4 Ordinance.

5 (e) Failure to provide current information as required.

6 (f) The occurrence of a false alarm which, added together with all other false
7 alarms, resulting from that system totals more than ten false alarms during a
8 calendar year.

9 (2) A suspension resulting from subsections (1)(a) through (1)(e) of this Section
10 shall remain in effect until the applicant demonstrates to the satisfaction of the
11 administrator that the ground for suspension no longer exists. A suspension under
12 subsection (1)(f) shall be in effect for a period of no longer than 180 days and may be
13 withdrawn by the administrator upon a satisfactory showing that the circumstances
14 which caused or contributed to the majority of the false alarms resulting in the
15 suspension no longer exist.

16 Section 12. FALSE ALARM FINES. The occurrence of three or more false
17 alarms within a single calendar year by one principal's alarm system is a violation of this
18 Ordinance, punishable by the following maximum fines: FALSE ALARM PENALTIES.
19 As a condition of any alarm system permit issued under the provisions of this Ordinance,
20 the permittee shall pay to the City of Keizer upon and within fourteen (14) days of

1 invoice, fees for false alarms generated within a calendar year by the permittee's alarm
2 system as follows:

3 3rd false alarm \$50.00

4 4th false alarm \$100.00

5 5th false alarm \$150.00

6 6th false alarm \$200.00

7 7th and subsequent false alarm \$250.00

8 ~~Violators may be cited into Keizer Municipal Court. It shall be a defense to a charge~~
9 ~~under this Section if an alarm is classified as excusable as defined below. Invoices for~~
10 ~~false alarm violations shall clearly and prominently state that a principal has the right to~~
11 ~~request judicial review of the correctness of an invoice pursuant to Section 14 of this~~
12 ~~Ordinance.~~

13 Section 13. EXCUSABLE FALSE ALARMS. An alarm which is a false alarm
14 as defined in this Ordinance shall be excused ~~by the responding agency or the~~
15 ~~investigator upon being reasonably satisfied that:~~ upon a finding that subsections (a)
16 through (e) are all true:

17 (a) The alarm system has been responsibly and regularly inspected by
18 experienced and well-trained technicians familiar with its design and operation and the
19 environment in which it is installed.

20 (b) All repairs, replacements and preventive maintenance recommended by the

1 service personnel who inspected the system have been performed.

2 (c) The cause of the particular false alarm has either been positively identified and
3 corrected or has been determined not to be misuse or neglect in the use or maintenance
4 of the system and cannot be more precisely identified despite thorough inspection,
5 testing and analysis by technicians as described in subsection (a) of this Section.

6 (d) Technicians as described in subsection (a) of this Section have provided a
7 written opinion that the system is unlikely to produce another false alarm from the same
8 cause.

9 (e) The false alarm was not the result of user error or neglect. "User" includes
10 owners, employees, residents, family members and guests under control of principal or
11 permit holder of the protected premises.

12 (f) No more than two false alarms shall be excused during a calendar year unless
13 the permittee provides satisfactory evidence that each component of the alarm system
14 whose malfunction or failure is capable of producing the false alarm have been replaced
15 by competent technicians and the system has been found free of apparent fault after
16 inspection as provided in subsection (a) of this Section.

17 — Section 14. APPEALS.

18 — (1) ~~Any person whose alarm system permit has been suspended under the~~
19 ~~provisions of this Ordinance may appeal that action to the City Council by giving written~~
20 ~~notice to the City Recorder. Such notice shall be given within thirty (30) days after~~

1 receipt of the notice of suspension. The filing of a Notice of Appeal shall stay the action
2 appealed until disposition of the appeal by the City Council.

3 ~~—— (2) Upon receipt of the appeal notice under subsection (1) of this Section, the~~
4 ~~City Recorder shall set the matter for a hearing before the City Council within thirty (30)~~
5 ~~days of the date of filing and shall give notice of the hearing to the appellant and to the~~
6 ~~administrator.~~

7 ~~—— (3) At the hearing the appellant and the administrator shall be given an~~
8 ~~opportunity to present whatever facts or arguments which are relevant to the suspension~~
9 ~~of the permit. The hearing will be conducted de novo.~~

10 ~~—— (4) The decision of the City Council shall be final.~~

11 Section 14. JUDICIAL REVIEW.

12 (a) A principal may file a request for judicial review with the municipal court if
13 the principal disagrees with correctness of an invoice, suspension of permit, or any other
14 decision of the administrator. The person filing the request shall deliver a copy of the
15 request to the City Manager. The request shall be on a form supplied by the municipal
16 court. The request for judicial review shall stay action of the administrator until the final
17 judgment is issued.

18 (b) If a principal fails to request judicial review within fourteen (14) days
19 of mailing of invoice or other decision of administrator, then the principal waives their
20 right to any review or appeal.

1 (c) The Municipal Court shall hear the matter on an expedited basis, but in any
2 event, no less than ten (10) calendar days, nor more than twenty (20) calendar days
3 following receipt of the request for judicial review. The hearing date may be postponed
4 by agreement of the parties, or by order of the court for good cause shown.

5 (d) At the hearing the Court shall determine based on a preponderance of the
6 evidence, whether a violation or violations occurred, and if appropriate, whether Section
7 13 (Excusable False Alarms) applies. The Court shall then modify, affirm or reverse the
8 decision of the administrator. If the court allows any penalty amounts, such allowance
9 shall be entered as a money judgment against the principal.

10 Section 15. VIOLATION. ~~Violation of this Ordinance is a civil infraction.~~
11 Violation of Section 8 (Permits Required) is a civil infraction punishable by fine not to
12 exceed \$ _____ per day.

13 Section 16. EFFECTIVE DATE. This Ordinance shall take effect thirty (30)
14 days after its passage.

15 PASSED this _____ day of _____, 2002.

16 SIGNED this _____ day of _____, 2002.

17
18
19
20

Mayor

City Recorder

1 BILL NO. ____

A BILL

ORDINANCE NO.

2

2002-_____

3

FOR

4

AN ORDINANCE

5

REGULATING ALARM SYSTEMS, REQUIRING PERMITS, AND

6

PROVIDING PENALTIES FOR FALSE ALARMS, FEES, AND

7

PENALTIES FOR ORDINANCE VIOLATIONS

8

The City of Keizer ordains as follows:

9

Section 1. DEFINITIONS. For purposes of this Ordinance, the following words

10 and phrases mean:

11

(1) "Administrator" means the Keizer Chief of Police or the person designated

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by the Keizer Police Chief to exercise any power or duty conferred under this

13

Ordinance.

14

(2) "Alarm monitor." Any person, firm or corporation engaged in the business

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of receiving from alarm users and transmitting to the Willamette Valley Communication

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Center or the Keizer Police Department.

17

(3) "Alarm system." means a device or system of interconnected devices,

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including hardware and related appurtenances, designed to give warning of activities

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indicative of criminal conduct or unauthorized entry upon the protected premises.

20

(4) "Annunciator" means that part of an alarm system, other than an automatic

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dialer, which communicates the fact that the system has been triggered.

1 (5) “Audible annunciator” means an annunciator which gives an alarm by
2 means of a bell, siren, buzzer, or other sound producing device mounted at some location
3 other than wholly within a building; or which is intended to be clearly audible at a
4 distance of 50 feet or more outside of any building in which it is mounted when
5 activated.

6 (6) “Automatic dialer” means a device which is programmed to select a
7 telephone number and deliver a verbal warning message or signal over standard
8 telephone lines to a called party who is using telephone voice communication
9 equipment.

10 (7) “Center” means the “911” emergency communications center serving the
11 City of Keizer.

12 (8) “Designated trunk line” means a telephone trunk line designated by the
13 administrator as available for selection by an automatic dialer.

14 (9) “Emergency trunk line” means a telephone trunk line having a number
15 listed and published in the Salem/Keizer Telephone Directory as being the emergency
16 phone for police, fire or ambulance service.

17 (10) “False Alarm” means any activation of an alarm system not resulting from
18 criminal activity or unauthorized entry, upon or following which communication is made
19 to the center that an alarm has been triggered. If the alarm, when communicated to the
20 center, is clearly identified to the center as resulting from authorized entry, authorized

1 system test, or other non-emergency cause, it shall not be considered as a false alarm.
2 If police units respond to an alarm and check the protected premises according to
3 standard operating procedure, and are unable to discover any evidence of unauthorized
4 entry or criminal activity, the alarm will be deemed false absent a preponderance of
5 credible evidence to the contrary.

6 (11) "Principal" means the person, firm, or corporation whose premises are
7 protected by an alarm system. For rented or leased dwelling units and other protected
8 premises having more than one tenant protected by a single alarm system, the term
9 "principal" means the building owner.

10 (12) "Protected premises" means all buildings, real property, and portions
11 thereof protected by an alarm system or systems at a particular street address.

12 (13) "Remote annunciator" means an annunciator located at a terminal on the
13 premises of the Keizer Police Department, Salem Police Department, an alarm
14 monitoring service, or other location not a part of the protected premises.

15 (14) "Sensor" means that part of an alarm system which is designed to detect
16 the happening of some event or designed to detect the happening of some event or
17 existence of some condition indicative of criminal activity or unauthorized entry.

18 (15) "Silent alarm system" means a alarm system having an automatic dialer,
19 a remote annunciator, or both, and having no audible annunciator.

1 Section 2. EXEMPT ALARM SYSTEMS. An alarm system which incorporates
2 neither an audible annunciator, a remote annunciator, nor an automatic dialer is exempt
3 from the requirements of this Ordinance. Alarm systems owned, maintained and
4 monitored by any government law enforcement agency in furtherance of law
5 enforcement duties are also exempt.

6 Section 3. INTENTIONAL ALARMS. It shall be unlawful for any person to
7 intentionally trigger an alarm system which incorporates an automatic dialer or a remote
8 annunciator except for testing in compliance with the conditions prescribed in this
9 Ordinance, or to signal an actual emergency involving criminal conduct amounting to
10 a felony or other condition threatening human life or major property loss and requiring
11 emergency response.

12 Section 4. EFFECT OF PERMIT ON EMERGENCY RESPONSE. The City of
13 Keizer shall not, by virtue of the issuance of an alarm system permit alone, be obligated
14 to respond or accord any additional priority in response to an alarm from a permitted
15 system.

16 Section 5. REQUIREMENTS FOR AUDIBLE ANNUNCIATORS.

17 (1) Each alarm system incorporating an audible annunciator shall be so designed
18 that each audible annunciator will automatically silence within fifteen minutes after
19 being activated and will not sound again unless a new act or circumstance triggers a
20 sensor.

1 (2) Except as provided in subsection (3) of this Section, no test of a alarm system
2 resulting in the activation of an audible annunciator shall be conducted between the
3 hours of 8:00 p. m. of any day and 7:00 a. m. of the following day. Nor shall any such
4 system be tested at any time without first notifying the administrator.

5 (3) Audible annunciators may be activated in conjunction with system testing
6 without notice provided that such activation is for no more than sixty seconds duration
7 each during any four-hour period. Alarm activation in compliance with this subsection
8 shall not be deemed a false alarm.

9 Section 6. REQUIREMENTS FOR AUTOMATIC DIALERS.

10 (1) No person shall program an automatic dialer to select any telephone line the
11 user of which has not previously given consent to such programming.

12 (2) No person shall conduct maintenance or testing on an alarm system which
13 incorporates an automatic dialer without first notifying the users of any telephone lines
14 the dialer is programmed to select.

15 Section 7. ALARM SYSTEM REQUIREMENTS - GENERAL.

16 (1) No alarm system shall be installed, used, or maintained in violation of any of
17 the requirements of this Ordinance or other Keizer City Ordinances, or of any applicable
18 statute, law, or administrative regulation of the United States of America, the State of
19 Oregon, or any administrative rule-making body thereof.

1 (2) The holder of an alarm system permit shall be responsible for training and
2 retraining all employees, family members, and other persons under control of principal
3 or permit holder who may make regular use of the protected premises and who may, in
4 normal course of their activities be in a position to accidentally trigger a sensor. Such
5 training shall include procedures and practices to avoid accidental alarms and steps to
6 follow in the event the system is accidentally triggered.

7 (3) The holder of an alarm system permit shall at all times, be responsible for the
8 proper maintenance and repair of the system and for the repair or replacement of any
9 component method of installation, design feature or like condition which may give rise
10 to a false alarm.

11 Section 8. PERMITS REQUIRED.

12 (1) All alarm users within the City of Keizer must apply for and receive alarm
13 system permits. Permits for any alarm systems with the City of Keizer, including any
14 activated after the effective date of this Ordinance, shall pay a fee of \$20.00 for
15 issuance. Permits shall remain in effect unless revoked or suspended under this
16 Ordinance or until the alarm system is dismantled or abandoned by the user. Permits are
17 not transferable; subsequent users on the same premises must obtain a new permit. The
18 City shall not, by the issuance of a permit alone, be obligated to respond or accord any

1 additional priority to an alarm from such system. It shall be unlawful for any person to
2 use or maintain any alarm system, monitored alarm system or universal alarm system
3 without first obtaining a permit therefor as provided in this Ordinance.

4 (2) No permit shall be required for an exempt alarm system as defined in the
5 provisions of this Ordinance.

6 Section 9. PERMIT APPLICATION. Each application for an alarm system
7 permit shall be made on a form prescribed by the City and shall contain the following
8 information:

9 (a) The name, address, and telephone number of the principal of the protected
10 premises.

11 (b) The type of premises (home, office, variety store, etc) and any business name
12 by which the premises is known.

13 (c) The address of the protected premises including if it is in a residential,
14 commercial or industrial complex (office building, apartment house, shopping center,
15 etc) and any name by which the complex is commonly known.

16 (d) The names, addresses, and telephone numbers including home phone
17 numbers, of the principal and at least one natural person who resides within ten miles
18 of the corporate limits of Keizer and who have immediate access to keys to the protected
19 premises, and who have agreed to come to the protected premises upon request of
20 emergency agencies when the principal cannot be contacted.

1 (e) The type of annunciators and automatic dialers which the alarm system
2 incorporates, the location of all remote annunciators, and the names and phone numbers
3 of all persons or businesses which are or may be preselected for automatic dialer contact.

4 (f) The application shall be accompanied by the fee prescribed in this Ordinance.

5 (g) The information provided by the applicant pursuant to subsections (a) through
6 (e) of this Section and all updates thereof, shall be given and accepted in confidence and
7 kept from public disclosure to the extent permitted by law. However, the City of Keizer
8 shall not be liable for any types of claims, actions or suits if the City in good faith
9 attempts to prevent disclosure of such information.

10 Section 10. CURRENT INFORMATION REQUIRED. Within ten (10) days
11 following any change of circumstances which renders obsolete any of the information
12 submitted pursuant to this Ordinance the permittee shall file with the administrator a
13 written statement setting forth the currently accurate information. No additional fee
14 shall be required unless the change has terminated the permit as provided.

15 Section 11. SUSPENSION OF PERMITS.

16 (1) The administrator may suspend any permit issued pursuant to this Ordinance
17 upon any of the following grounds:

18 (a) Any false or incomplete statement made on the permit application.

19 (b) Any violation of Sections 3, 5, 6, or 7 of this Ordinance.

1 (c) Failure to pay a false alarm penalty within thirty (30) days of mailing of
2 invoice or final decision by municipal court.

3 (d) Maintenance, installation, or use of the alarm system in violation of any
4 applicable law, ordinance or regulation, including the requirements of this
5 Ordinance.

6 (e) Failure to provide current information as required.

7 (f) The occurrence of a false alarm which, added together with all other false
8 alarms, resulting from that system totals more than ten false alarms during a
9 calendar year.

10 (2) A suspension resulting from subsections (1)(a) through (1)(e) of this Section
11 shall remain in effect until the applicant demonstrates to the satisfaction of the
12 administrator that the ground for suspension no longer exists. A suspension under
13 subsection (1)(f) shall be in effect for a period of no longer than 180 days and may be
14 withdrawn by the administrator upon a satisfactory showing that the circumstances
15 which caused or contributed to the majority of the false alarms resulting in the
16 suspension no longer exist.

17 Section 12. FALSE ALARM PENALTIES. As a condition of any alarm system
18 permit issued under the provisions of this Ordinance, the permittee shall pay to the City
19 of Keizer upon and within fourteen (14) days of invoice, fees for false alarms generated
20 within a calendar year by the permittee's alarm system as follows:

1 3rd false alarm \$50.00

2 4th false alarm \$100.00

3 5th false alarm \$150.00

4 6th false alarm \$200.00

5 7th and subsequent false alarm \$250.00

6 Invoices for false alarm violations shall clearly and prominently state that a principal has
7 the right to request judicial review of the correctness of an invoice pursuant to Section
8 14 of this Ordinance.

9 Section 13. EXCUSABLE FALSE ALARMS. An alarm which is a false alarm
10 as defined in this Ordinance shall be excused upon a finding that subsections (a) through
11 (e) are all true:

12 (a) The alarm system has been responsibly and regularly inspected by
13 experienced and well-trained technicians familiar with its design and operation and the
14 environment in which it is installed.

15 (b) All repairs, replacements and preventive maintenance recommended by the
16 service personnel who inspected the system have been performed.

17 (c) The cause of the particular false alarm has either been positively identified and
18 corrected or has been determined not to be misuse or neglect in the use or maintenance
19 of the system and cannot be more precisely identified despite thorough inspection,
20 testing and analysis by technicians as described in subsection (a) of this Section.

1 (d) Technicians as described in subsection (a) of this Section have provided a
2 written opinion that the system is unlikely to produce another false alarm from the same
3 cause.

4 (e) The false alarm was not the result of user error or neglect. "User" includes
5 owners, employees, residents, family members and guests under control of principal or
6 permit holder of the protected premises.

7 (f) No more than two false alarms shall be excused during a calendar year unless
8 the permittee provides satisfactory evidence that each component of the alarm system
9 whose malfunction or failure is capable of producing the false alarm have been replaced
10 by competent technicians and the system has been found free of apparent fault after
11 inspection as provided in subsection (a) of this Section.

12 Section 14. JUDICIAL REVIEW.

13 (a) A principal may file a request for judicial review with the municipal court if
14 the principal disagrees with correctness of an invoice, suspension of permit, or any other
15 decision of the administrator. The person filing the request shall deliver a copy of the
16 request to the City Manager. The request shall be on a form supplied by the municipal
17 court. The request for judicial review shall stay action of the administrator until the final
18 judgment is issued.

1 (b) If a principal fails to request judicial review within fourteen (14) days
2 of mailing of invoice or other decision of administrator, then the principal waives their
3 right to any review or appeal.

4 (c) The Municipal Court shall hear the matter on an expedited basis, but in any
5 event, no less than ten (10) calendar days, nor more than twenty (20) calendar days
6 following receipt of the request for judicial review. The hearing date may be postponed
7 by agreement of the parties, or by order of the court for good cause shown.

8 (d) At the hearing the Court shall determine based on a preponderance of the
9 evidence, whether a violation or violations occurred, and if appropriate, whether Section
10 13 (Excusable False Alarms) applies. The Court shall then modify, affirm or reverse the
11 decision of the administrator. If the court allows any penalty amounts, such allowance
12 shall be entered as a money judgment against the principal.

13 Section 15. VIOLATION. Violation of Section 8 (Permits Required) is a civil
14 infraction punishable by fine not to exceed \$ _____ per day.

15 Section 16. EFFECTIVE DATE. This Ordinance shall take effect thirty (30)
16 days after its passage.

17 PASSED this _____ day of _____, 2002.

18 SIGNED this _____ day of _____, 2002.

19
20
21
22

Mayor

City Recorder



June 17, 2002

AGENDA ITEM 7d

**RESOLUTION – AUTHORIZING THE CITY MANAGER TO ENTER
AGREEMENT FOR AUDIT SERVICES FOR THE CITY OF KEIZER**

COUNCIL MEETING:

June 17, 2002

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

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



SUBJECT: AUDIT SERVICES CONTRACT EXTENSION

BACKGROUND AND ISSUES:

The City's contract with Grove, Mueller, and Swank P.C. expired with the conclusion of the fiscal year 2001 audit. Typically, when a contract of this nature expires the City prepares a Request for Proposal and solicits bids for services. However, with the implementation of the new accounting requirements (GASB #34) it may be difficult and costly for the city to introduce a new audit firm to the City's operations.

Staff has reviewed the attached contract drafted by Grove, Mueller, and Swank P.C. and believes it is similar to the services provided in previous years. The primary difference is that the proposed contract does not include language pertaining to the Year 2000 systems implementation because these issues are irrelevant today.

The City's Public Contracting Rules and Regulations provide that council approval is required for all personal services contracts in amounts exceeding \$15,000. The Council may authorize and direct the City Manager to sign all contracts. The City Attorney must review in advance all contracts which go to the Council.

FISCAL IMPACT:

Chuck Swank, Partner, has offered an extension of audit services at a 3% increase from the June 30, 2001 audit and a 10% increase for auditing the implementation of GASB #34 in FY 2003-2004. This equates to \$14,500 and \$16,000 respectively. The \$14,500 is covered in the upcoming 2002-2003 budget in the Audit line item.

RECOMMENDATION:

Staff recommends council authorize the City Manager to enter into an agreement with Grove, Mueller, and Swank P.C. extending audit services for two years for the fees outlined above.

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GROVE, MUELLER & SWANK, P.C.

CERTIFIED PUBLIC ACCOUNTANTS AND CONSULTANTS

May 15, 2002

City Council
City of Keizer
Keizer, Oregon

This letter and attached contract explains our understanding of the arrangements for the services we are to perform for the City of Keizer for the years ending June 30, 2002 and 2003. We ask that you either confirm or amend that understanding.

We will perform an audit of City of Keizer's general purpose financial statements as of and for the year ending June 30, 2002. We understand that these financial statements will be prepared in accordance with accounting principles generally accepted in the United States of America.

We will conduct our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable rather than absolute, assurance about whether the financial statements are free of material misstatement whether caused by error, fraudulent financial reporting or misappropriation of assets. Accordingly, a material misstatement, whether caused by error, fraudulent financial reporting or misappropriation of assets, may remain undetected. An audit includes examining, on a test basis evidence supporting the amounts and disclosures in the financial statements. As a result, an audit is not designed to detect errors or fraud that are immaterial to the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit will provide a reasonable basis for our report.

If circumstances arise relating to the conditions of your records, the availability of sufficient, competent evidential matter, or indications of a significant risk of material misstatement of the financial statements because of error, fraudulent financial reporting, misappropriation of assets or noncompliance which in our professional judgment prevent us from completing the audit, we retain the unilateral right to take any course of action permitted by professional standards, including withdrawal from the engagement.

As you know, management is responsible for (1) the preparation of City of Keizer's financial statements, (2) establishing and maintaining effective internal control over financial reporting and safeguarding assets, (3) properly recording transactions in the records, (4) identifying and ensuring that City of Keizer complies with the laws and regulations applicable to its activities, (5) making all financial records and related information available to us, and (6) for adjusting the financial statements to correct material misstatements. At the conclusion of our audit, we will request certain written representations from management about the financial statements and matters related thereto. We will also require that you affirm to us that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial both individually and in the aggregate to the financial statement taken as a whole.

City of Keizer hereby indemnifies Grove, Mueller & Swank, P.C. and its partners, principals and employees and holds them harmless from all claims, liabilities, losses and costs arising in circumstances where there has been a knowing misrepresentation by a member of City of Keizer's management, regardless of whether such person was acting in City of Keizer's interest. This indemnification will survive termination of this letter.

E-Mail Address • cpas@gmscpa.com

Mailing Address • P.O. Box 2122 • Salem, Oregon 97308-2122

Salem • 475 Cottage Street NE, Suite 200 • Salem, Oregon 97301-3814 • (503) 581-7788 • FAX (503) 581-0152

Albany • P.O. Box 663 • 519 S. Lyon Street • Albany, Oregon 97321-0570 • (541) 967-2315 • FAX (541) 926-5926

The working papers for this engagement are the property of Grove, Mueller & Swank, P.C. However, you acknowledge and grant your assent that representatives of the cognizant or oversight agency or their designee, other government audit staffs and the U.S. General Accounting Office shall have access to the audit working papers upon their request; and that we shall maintain the working papers for a period of at least three years after the date of the report, or for a longer period if we are requested to do so by the cognizant or oversight agency. Access to requested workpapers will be provided under the supervision of Grove, Mueller & Swank, P.C. audit personnel and at a location designated by our Firm.

During the course of our engagement, we may accumulate records containing data which should be reflected in your books and records. You will determine that all such data, if necessary, will be so reflected. Accordingly, you will not expect us to maintain copies of such records in our possession.

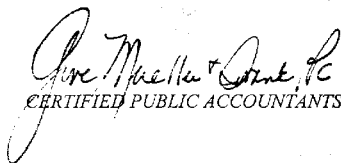
In the event we are requested or authorized by City of Keizer or are required by government regulation, subpoena, or other legal process to produce our documents or our personnel as witnesses with respect to our engagements for City of Keizer, City of Keizer will, so long as we are not a party to the proceeding in which the information is sought, reimburse us for our professional time and expenses, as well as the fees and expenses of our counsel, incurred in responding to such requests.

Our report on the financial statements is not to be included in an official statement or other document involved with the sale of debt instruments without our prior consent. Additionally, if you intend to publish or otherwise reproduce the financial statements and/or make reference to us or our audit, you agree to provide us with printer's proofs or master for our review and consent before reproduction and/or release occurs. You also agree to provide us with a copy of the final reproduced material for our consent before it is distributed or released. Our fees for any additional services that may be required under our quality assurance system as a result of the above will be established with you at the time such services are determined to be necessary.

It is agreed by City of Keizer and Grove, Mueller & Swank, P.C. or any successors in interest that no claim by or on behalf of City of Keizer shall be asserted more than two years after the date of the last audit report issued by Grove, Mueller & Swank, P.C.

This letter constitutes the complete and exclusive statement of agreement between Grove, Mueller & Swank, P.C. and City of Keizer, superseding all proposals oral or written and all other communication, with respect to the terms of the engagement between the parties.

If this letter defines the arrangements as you understand them, please sign and date the enclosed copy and return it to us. We appreciate your business.


CERTIFIED PUBLIC ACCOUNTANTS

Confirmed on behalf of the addressee:

_____, 2002

THIS CONTRACT, made this 15th day of May, 2002, in accordance with the requirements of Oregon Revised Statutes 297.405 through 297.555 between Grove, Mueller & Swank, P.C., Certified Public Accountants of Oregon and City of Keizer, Oregon (hereinafter the City) provides as follows:

1. It hereby is agreed that Grove, Mueller & Swank, P.C. shall conduct an audit of the accounts and fiscal affairs of the City, for the fiscal years beginning July 1, 2001 and 2002 and ending June 30, 2002 and 2003, in accordance with the Minimum Standards for Audits of Oregon Municipal Corporations as prescribed by law. The audit shall be undertaken in order to express an opinion upon the financial statements of the City, and to determine if the City has complied substantially with appropriate legal provisions.
2. Grove, Mueller & Swank, P.C. agrees that the services they have contracted to perform under this contract shall be rendered by them or under their personal supervision and that the work will be faithfully performed with care and diligence.
3. It is understood and agreed that, should unusual conditions arise or be encountered during the course of the audit whereby the services of Grove, Mueller & Swank, P.C. are necessary beyond the extent of the work contemplated by both parties, written notification of such unusual conditions shall be delivered to the City concerning such additional services, and that a signed copy of each such notification and instruction shall be delivered immediately to the Secretary of State by the Party issuing the same. Charges for such additional services shall be mutually agreed upon.
4. The audit shall be started as soon after this contract is executed as is agreeable to the Parties hereto and shall be completed and a written report thereon delivered within a reasonable time, but not later than December 31, after the close of the audit period covered by this contract. A copy of such report shall be delivered to the City and its form and content shall be in accordance with, and not less than that required by the Minimum Standards for Audits of Oregon Municipal Corporations.
5. It is understood and agreed that the City is responsible for such financial statements as may be necessary to fully disclose and fairly present the results of operations for the period under audit and the financial condition at the end of that period.
6. It is understood and agreed that either Party may cancel this contract by giving notice in writing to the other Party at least ninety (90) days prior to July 1 of any year. This contract may also be executed to additional years by mutual consent of the parties.
7. In consideration of the faithful performance of the conditions, covenants, and undertakings, the City hereby agrees to pay Grove, Mueller & Swank, P.C. \$14,500 for the year ending June 30, 2002 and \$16,000 for the year ending June 30, 2003. The City hereby affirms that proper provision for the payment of such fee has been or will be duly made and that funds for the payment thereof are or will be made legally available.
8. This contract constitutes the complete and exclusive agreement between Grove, Mueller & Swank, P.C. and City of Keizer, Oregon, superseding all proposals oral or written and all other communications, with respect to the terms of the engagement between the parties.

City of Keizer, Oregon

By _____

GROVE, MUELLER & SWANK, P.C.

By  _____

Charles A. Swank, Shareholder



June 17, 2002

AGENDA ITEM 7e

**MUNICIPAL COURT JUDGE COMPENSATION STUDY AND
EVALUATION PROCESS**

COUNCIL MEETING: June 17, 2002

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCILOR MEMBERS

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

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

SUBJECT: KEIZER MUNICIPAL COURT JUDGE

BACKGROUND:

In December 2001, the City Council approved a two-year extension of a contractual services agreement with A. Carl Myers for judicial services for the Keizer Municipal Court. At this time, Mr. Myers had requested an increase in the compensation from \$60 per hour to \$70 per hour. Upon direction of the City Council, a salary survey was performed using the City's adopted comparable cities. The survey came back with an average salary of \$79 per hour. At the December 17th meeting, the City Council granted the requested increase to \$70 per hour for the remainder of the 2001-02 fiscal year. Included in the motion was a provision for another salary survey to be conducted prior to the beginning of the next fiscal year to review the rate. A survey was conducted of the same comparable cities in April 2002. The results are attached in the memorandum from Dianne Hunt, Human Resources Director. The April salary review results in an average hourly rate of \$73 per hour.

In addition to the salary review, the City Council requested a performance evaluation be conducted. The position of Municipal Court Judge is outlined in the City Charter. The City Council is responsible for the appointment and removal of this position. A copy of Section 10 and Section 22 – Municipal Court Judge - are attached to this report. During the salary review portion of the survey, information was requested on performance evaluation techniques or process for Municipal Court Judge. Only one response was received. Staff believes the following review process would work well for the City of Keizer.

A subcommittee of two City Council members will be appointed by the Mayor. This subcommittee will attend a Municipal Court session to observe the operation and interactions of the Judge. If necessary, the subcommittee can request additional information from the Court staff or City Manager as part of the evaluation. Upon conclusion of the review, a report would be presented to the entire City Council.

FISCAL IMPACT:

There are funds available in the City Recorder/Municipal Court budget for fiscal year 2002-2003 to cover the increased hourly rate.

RECOMMENDATION:

It is recommended the Mayor appoint a Council subcommittee to review the performance of the Municipal Court Judge as outlined above and upon completion make a recommendation to the City Council.

Attachments:

- #1 – Salary Survey Memorandum
- #2 – Sections 10 and 22 of the City of Keizer Charter
- #3 – Minutes of the December 17, 2001 meeting

MEMORANDUM
Human Resources Department

DATE: June 13, 2002

TO: Tracy Davis, City Recorder

Cc: Chris Eppley, City Manager

FROM: Dianne Hunt, Human Resources Director

SUBJECT: 2002 Salary Survey - Judge



In November 2001, staff presented to Council a salary survey for the Municipal Judge position. At that time, Council directed staff to conduct a second market analysis for this position in the Spring of 2002.

During the month of April 2002, ten of the City's twelve comparable entities were contacted (State of Oregon and Marion County were not contacted) and asked to provide the following information:

1. Types of cases handled
2. Whether the judge was an employee or contracted
3. Hourly Rate
4. Contracted Rate
5. Number of Day in Court
6. Number of Hours per month

The results of the Salary Survey are attached for your information and staff report to council.

The salary survey completed in November 2001 reflected an average hourly rate of \$79 per hour. The April 2002 survey resulted in an average hourly rate of \$73 per hour. The variance is due to an increase in the number of hours the city of Milwaukie's judge works per month. An increase from 12 hours to 16 hours reduced the hourly rate by \$31. Consequently, the overall average hourly rate decreased by \$6 per hour.

Keizer's Municipal Judge currently receives \$70 per hour.

Tracy, please let me know if you would like any additional information.

**City of Keizer
Salary Survey
Municipal Judge
June 2002**

<u>Jurisdiction</u>	<u>Contract Appointed Employee</u>	<u>Types of Cases Handled *</u>	<u>No. Days Per Month</u>	<u>No. Hours Per Month</u>	<u>Hourly Rate</u>	<u>Monthly Cost</u>
Albany (paid monthly)	Contracted	Mis/Inf./Ord Vio	20	58	\$82	\$4,779 ¹
Milwaukie (paid monthly)	Contracted	Ord Vio	2	16	\$94	\$1,500
Newberg (paid monthly)	Contracted	Mis/Inf./Ord Vio	4	32	\$55	\$1,763
Tualatin	Contracted	Ord Vio	1	1	\$60	\$60
Woodburn (paid hourly)	Contracted	Inf/Ord Vio	4	10	\$75	\$750
Average (June 2002):					\$73	
Average (Nov. 2001):					\$79	
Keizer (rate effective Nov. 2001)	Contracted	Inf/Ord Vio	4	16	\$70	

***Misdemeanors, Infractions, Ordinance Violations**

1-judge pays for own protem

Section 8. COUNCILORS. Councilors shall hold office by positions which shall be numbered one through six. The term of office of each councilor in office when this charter is adopted is the term of office for which the councilor has been elected before adoption of the charter (or is elected at the time of the adoption). At each general election after the adoption, three councilors shall be elected, each for a four-year term.

Section 9. MAYOR. The term of office of the Mayor in office when this charter is adopted is the term of office for which the mayor has been elected before adoption of the charter. The term of office of the mayor elected at the time of adoption of the charter shall begin as provided by Section 26 of this charter. At the next general election after this adoption, a mayor shall be elected for a two year term.

→ **Section 10. MANAGER, MUNICIPAL JUDGE, AND OTHER OFFICERS.** The officers of the city shall be a city manager, municipal judge, and city attorney, each of whom the council shall appoint and may remove by majority vote of all the members of the council, and such other officers as the council deems necessary. The council may combine any two or more appointive offices, except the offices of city manager and municipal judge. In no such combination shall the municipal judge be subject in his judicial functions to supervision by any other officer.

SECTION 11. SALARIES. The compensation for the services of each city officer and employee shall be the amount fixed by the council. Councilors shall be unpaid except that they may be reimbursed for ordinary and necessary expenses incurred in the performance of their official duty.

SECTION 12. QUALIFICATIONS OF OFFICERS. No person shall be eligible for an elective office of the city unless at the time of his or her election he or she is a qualified elector within the meaning of the state constitution and has resided in the city during the twelve months immediately preceding the election. The council shall be final judge of the qualifications and election of its own members.

CHAPTER IV COUNCIL

SECTION 13. MEETINGS. The council shall hold a regular meeting at least once each month in the city at a time and at a place which it designates. It shall adopt rules for the government of its members and proceedings. The mayor, upon his or her own motion may, or at the request of three members of the council shall, by giving notice thereof to all members of the council, call a special meeting of the council for a time after the notice is given. Special meetings of the council may also be held at any time by the common consent of all the members of the council.

(e) Manager Pro Tem

Whenever the manager is absent from the city, is temporarily disabled from acting as manager, or whenever the office becomes vacant, the council shall appoint a manager pro tem, who shall possess the powers and duties of the manager. No manager pro tem, however, may appoint or remove a city officer or employee except with the approval of three-fourths of the members of the council. No manager pro tem shall hold the position as such for more than six months, and no appointment of a manager pro tem shall be renewed.

(f) Interference in Administration and Elections

No member of the council shall directly or indirectly, by suggestion or otherwise, attempt to influence or coerce the manager in the making of any appointment or removal of any officer or employee or in the purchase of supplies; or attempt to exact any promise relative to any appointment from any candidate for manager; or discuss directly or indirectly with the manager the matter of specific appointment to any city office or employment. A violator of the foregoing provisions of this section may be removed from office by the council and such action may be reviewed by a court of competent jurisdiction. The council by general ordinance shall set the procedures for removing a member of the council. Nothing in this section shall be construed, however, as prohibiting the council while in open session from fully and freely discussing with or suggesting to the manager anything pertaining to city affairs or the interests of the city. Further, a councilor may, at any time request and receive information to which a private citizen is entitled.

→ **SECTION 22. MUNICIPAL JUDGE.** The municipal judge shall be the judicial officer of the city. The municipal judge shall hold within the city a court known as the municipal court for the City of Keizer, Marion County, Oregon. The court shall be open for the transaction of judicial business at times specified by the council. All area within the city and, as provided by law, territory outside the city, shall be within the territorial jurisdiction of the court. The municipal judge shall exercise original jurisdiction of all offenses defined and made punishable by ordinances of the city and of all actions authorized by ordinances of the city. The municipal judge shall have authority to issue process for the arrest of any person accused of an offense against the ordinances of the city, to commit any such person to jail or admit him or her to bail pending trial, to issue subpoenas, to compel witnesses to appear and testify in court on the trial of any cause before him or her, to compel obedience to such subpoenas, to issue any process necessary to carry into effect the judgements of the court, and to punish witnesses and others for contempt of court. When not governed by ordinances or this charter, all proceedings in the municipal court for the violation of city ordinance shall be governed by the applicable general laws of the state governing justices of the peace and justice courts. The council may appoint such pro tem judges as it considers necessary, to hold office at the pleasure of the council. Notwithstanding this section or Section 10 of this charter, the council may provide for the transfer of powers and duties of the municipal court to the appropriate court of the State of Oregon.

speaking to various groups to make the dilemma known.

Air Quality Report

Human Resources Director Dianne Hunt reported that the second air quality report was complete with copies submitted to the Council.

Temporary Position

Human Resources Director Dianne Hunt reported this position would act as a team approach to eliminate the Utility Billing Staff from the telephone hunt group and have phone calls answered by the temporary employee and the receptionist. She indicated these positions would be re-evaluated once the receptionist returned from family leave.

Personnel Policy Committee

Human Resources Director Dianne Hunt reported that the committee was scheduled to meet on January 17, 2002.

Verda Lane Widening Estimate

Public Works Director Rob Kissler indicated he had received an estimate on this project. He indicated a memo to Council would be provided in the near future for further direction from the Council.

PUBLIC HEARINGS

No public hearings were brought before the Council.

ADMINISTRATIVE ACTION

a. RESOLUTION- (taken after 4a)

Authorizing the Mayor to Enter Agreement for Municipal Court Judicial Services with A. Carl Myers

City Manager Eppley reported that on November 19, 2001 the Council reviewed a request from A. Carl Myers for an extension of his agreement including an increase in the hourly rate. The request was tabled to give staff the opportunity to conduct a salary review, organize a performance evaluation and the preparation of a letter of understanding between Judge Myers and the City.

Human Resources Director Dianne Hunt summarized the comparable studies report, which indicated the average rate was \$79 per hour.

Staff recommended that the resolution be adopted authorizing the agreement with Judge Myers and

increasing his hourly rate from \$60 to \$70 per hour.

Councilor McGee urged the Council to offer the average for the position that was found to be \$79 per hour. Councilor Kelly agreed with this.

The Council discussed the reimbursement of conference expenses for contract employees. Members of Council expressed an interest in asking questions of Judge Myers.

A. Carl Myers, Keizer Municipal Court Judge, Keizer- noted the two conferences that were held during the year that provide education and assistance to the Judge in handling cases. He indicated that generally the cost to the city for these conferences would consist of one to two nights lodging and the conference fee.

Councilor Lee indicated he would support the \$70 per hour rate increase as this was the amount that was reviewed as being acceptable within the city's budget.

Councilor Kelly suggested that discussions regarding limiting conference dollars but dealt with at another time.

Responding to additional questions from Council Judge Myers provided his history as the Municipal Court Judge for Keizer and his accomplishments with the court over the past two years including the Diversion Program.

Mayor Christopher moved a resolution Authorizing the Mayor to Execute an Agreement with A. Carl Myers for Judicial Services for Keizer Municipal Court with the amendment of a \$79 per hour rate. Councilor McGee seconded the motion.

Councilor Smith argued the amendment to the motion addressing what was requested versus what was being proposed. She stressed that the \$70 per hour fit into the city's budget and urged the Council to authorize that hourly amount.

Responding to questions, Judge Myers indicated he was seeking fair compensation and that the \$70 per hour was a fair amount, which could be negotiated from.

Councilor Kelly argued that the Judge's request for \$70 per hour should be disregarded since the decision for his salary increase should be based upon the salary survey that was conducted.

City Manager Eppley suggested that the per hour rate remain at \$70 per hour for the remainder of this fiscal year increasing to \$79 per hour the following fiscal year. He also recommended that the compensation for conferences remain as written.

Councilor Smith suggested that the raise be based upon the financial situation rather than being automatically raised.

Councilor McGee argued that it should be based upon the salary survey and not the availability of funds.

Mayor Christopher withdrew her earlier motion and submitted the following motion.

Mayor Christopher moved a Resolution Authorizing the Mayor to Enter an Agreement for Municipal Court Judicial Services with A. Carl Myers at a rate of \$70 per hour for the remainder of this fiscal year to increase as determined by the comparable cities survey and pending a satisfactory review of performance. Councilor McGee seconded the motion.

Councilor Lee expressed his uneasiness with the process. He indicated that staff brought fourth a recommendation and rather than Council debating numbers that possibly staff for future reference should be requested to provided additional information.

The motion passed as follows:

AYES: Christopher, Kelly, Lee, McGee, Moir and Smith
(6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Walsh (1)

Councilor McGee praised Judge Myers for his performance and service to the city.



June 17, 2002

AGENDA ITEM 7f

APPROVAL OF MAY 23, 2002 SKAPAC MINUTES

MEMO TO: Mayor Christopher and City Councilors
THROUGH: Chris Eppley, City Manager
Cc: Shannon Johnson, City Attorney
FROM: Maria C. Meier, Planning Director
RE: Approval of SKAPAC Minutes from May 23, 2002 Meeting
DATE: September 27, 2001

BACKGROUND

On May 23, 2002, the Salem Keizer Area Planning Advisory Commission (SKAPAC) held a joint governing body meeting regarding the proposed changes to the Chemawa Activity Center – Proposed Keizer Station Plan. Minutes were taken at this meeting. The coordination involved with the approval of the minutes by each jurisdiction quickly became complex. Keizer staff then initiated the audio tape to be transcribed so that the record was clear and indisputable. The meeting room did not have a standard microphone system and the meeting was taped with a central microphone and tape recorder. Although the transcript is fairly complete, it is not complete enough to be considered as part of the record. Unfortunately, the recording was not audible enough to make a complete transcript.

Attached is a copy of the minutes taken from the meeting and the transcript prepared from the audio tape. Staff recommends the City Council review the transcript then compare it to the minutes prepared from the meeting. The use of the transcript should assist the Council to make any changes necessary to verify that the minutes are accurate. In particular, it is important for the motions voted on by member jurisdictions be correctly stated in the record.

The minutes from this meeting must be approved at the June 17, 2002 City Council meeting to be placed in the SKAPAC record by June 24, 2002.

RECOMMENDATION

Staff recommends the City Council make changes as necessary to the minutes from the May 23, 2002 SKAPAC meeting. Staff then recommends the City Council approved the minutes as amended and direct staff to add the Council's approval with amendments to the SKAPAC record by June 24, 2002.

ATTACHMENTS:

Draft Minutes from May 23, 2002 SKAPAC Meeting
Transcript from Audio Tape of May 23, 2002 SKAPAC Meeting

Salem-Keizer Area Planning Advisory Committee (SKAPAC)

Meeting of Governing Jurisdictions

Meeting Minutes

May 23, 2002

Keizer Heritage Community Center
980 Chemawa Road NE, Keizer, Oregon

City of Keizer Mayor Lore Christopher called the meeting to order at 5:31 p.m. In attendance were the following representatives:

City of Keizer

Mayor Lore Christopher
Councilor Mike Gaynor
Councilor Chuck Lee
Councilor Jerry McGee
Councilor Jacque Moir
Councilor Judy Smith
Councilor Richard Walsh

Chris Eppley, City Manager
Maria Meier, Planning Director
Shannon Johnson, Legal Counsel
Keith Liden, Planning Consultant
Rob Kissler, Director of Public Works

City of Salem

Mayor Mike Swaim
Councilor Kasia Quillinan
Councilor Bill Smaldone
Councilor Brad Nanke
Councilor Rick Stucky
Councilor Linda Bierly

Bob Wells, Assistant City Manager
Vickie Woods, Interim Director
Sharman Meiners, Interim City Attorney
Cecilia Urbani, Principal Planner
Klaus Schilde, Senior Planner
Mark Becktel, Transportation Planner

Marion County

Commissioner Mike Ryan
Commissioner Randy Franke

Les Sasaki, Principal Planner

Polk County

Commissioner Mike Propes
Commissioner Tom Ritchey

Introductions and Review of Agenda

Mayor Christopher reviewed the agenda and explained the procedure for approving previous minutes.

Chris Eppley moved to approve the March 21, 2002 minutes of the Staff Subcommittee as presented. Klaus Schilde, Salem Senior Planner, requested a correction be made on page 3, first full paragraph to read "After further discussion the group noted the items which they were *not* in agreement about..." Maria Meier, Keizer Planning Director, stated that the issues of "Population" and "Acreage Comparison Chart" were agreed upon by staff and should be shown as agreed upon.

The April 10 and April 16, 2002 minutes of the **Elected Officials Subcommittee** were discussed and numerous changes were proposed by Mayor Mike Swaim. Maria Meier, reported that the minutes were transcribed from both written notes and audio tapes of the meetings. It was the consensus of the group that arrangements should be made for Mayor Swaim and any concerned member to listen to the tapes of the April 10 and April 16 meetings to verify the wording in the minutes, and then approve those minutes at a later date.

Summary of SKAPAC Process

Shannon Johnson, Keizer City Attorney, provided a brief summary of the Salem-Keizer Area Planning Advisory Committee (SKAPAC) process. The process allows for a Staff Subcommittee, Elected Official SKAPAC Meeting of Governing Jurisdictions / May 23, 2002

Subcommittee, and a Governing Bodies Subcommittee. Mr. Johnson explained that the SKAPAC process was initiated by Keizer to hear comments from all the jurisdictions even though under the provision identified by Keizer, the process does not require the jurisdictions to reach concurrence.

Mayor Mike Swaim stated that Salem considers this to be a regional issue. Klaus Schilde concurred and stated that Salem believes the Keizer Station Plan is not one of the six issues in the comprehensive plans, but is an urban policy that has regional impacts. Shannon Johnson stated that Keizer disagrees, does not believe this is an urban area policy. Cecilia DeSantis Urbani, Salem Principal Planner, referred to Salem's Comprehensive Plan list of urban areas. Mr. Johnson responded that Keizer does not have a list and stated that the lists that are known to exist pertain to Salem and to Marion County. Ms. Urbani referred to the Comprehensive Plan section that outlines procedures for amendments (Section C, Subsection 2) Nonregional Planning Action Procedures, Subsection A, "Any amendment to an urban area policy shall follow the..." and stated that procedures interpret that SKAPAC is part of that subsection. Mayor Christopher confirmed that the quoted section deals with Salem's nonregional planning action procedures. Mr. Johnson stated that the section is limited to jurisdictions within the area and reminded the group that the subject property is within the Keizer city limits. Les Sasaki, Marion County Principal Planner, spoke about the original concurrence requirement. Mayor Christopher stated this is not a regional issue; however, it does fall under the nonregional action, Subsection b (not Subsection a). Keizer Councilor Jerry McGee suggested the group hear the whole presentation before getting into this type of discussion.

Mr. Johnson informed the group that if they get to the point of making a motion at this meeting, the vote will be recorded by a separate vote by each jurisdiction. He reminded them that a quorum will be required from each jurisdiction for the vote to be valid.

Summary of Existing Chemawa Activity Center Plan, Proposed Keizer Station Plan, and Planning Commission Recommended Alternative Keizer Station Plan

Maria Meier reviewed the boundaries and current and proposed zones of the four areas of the Chemawa Activity Center Plan/Keizer Station Plan. Over a year ago, Northwest National LLC, simplified the original plan, proposed to change the zoning and change the boundary to extend to the Urban Growth Boundary (UGB). The changes included two acres for a substation, recreational entertainment plans, and potential industrial development.

Keizer staff came up with an alternative plan and presented it to the Keizer Planning Commission. The Commission agreed with some areas and disagreed with others. Areas of change included: Area a - a ratio of a minimum of 25% industrial park uses and maximum of 75% commercial uses; Area b - added a restriction to prohibit traffic intensive uses and if commercial retail is introduced, a traffic impact analysis would be required; and allowance for commuter rail in the Employment General area. The City of Keizer has also been working with the Grand Ronde and Siletz tribes on this issue.

Mayor Christopher asked for clarification to what the zoning looked like prior to the plan that is currently in force and was referred to the 1988 Chemawa Activity Center Plan. Marion County Commissioner Randy Franke inquired about the definition for the new commercial use zone and was referred to Attachment A of Exhibit B of the December 5, 2001 Staff Recommendation which outlined the General Employment (EG) zone. Salem Planning Commissioner Rick Stucky requested clarification of how the Keizer Planning Commission recommendation differs from the staff recommendation and was informed that minor amendments were made.

Conclusion of Staff Subcommittee

It was reported that the Staff Subcommittee was in agreement on:

- a) Population Projections, and
- b) Acreage for Zoning per Plan or Related Study.

The issues identified for Elected Official Subcommittee consideration included:

- a) Consistency with Statewide Planning Goals (2) Land Use Planning and Coordination, (9) Economics, and (10) Housing;
- b) Differences regarding land supply and demand for commercial, industrial, and residential

- c) lands, including assumptions, analysis, and techniques; and
Definition of Primary Trade Area - Keizer defined as the City of Keizer city limits, whereas the City of Salem says that a larger primary trade area should be considered to accurately assess the regional impacts of the proposed amendments.

Conclusion of Elected Official Subcommittee

It was reported that the Elected Official Subcommittee moved the recommendation that the Elected Official Subcommittee cannot agree with the Keizer Station Plan but does agree to the Alternative Proposed Plan as recommended by the Planning Commission. (The motion voted 3 to 1 in favor of the motion. Mayor Christopher, Commissioner Ryan, and Commissioner Propes voted in favor of the motion. Mayor Swaim voted against the motion.)

Discussion by Governing Bodies

If the Governing Jurisdictions do not pass a unanimous motion, the City of Keizer can move forward with its recommendation. Concurrence is not required.

It was stated that the major changes in the plan include: changes the zone in Area a from Commercial Retail to Employment General; limited big box construction to a total of three buildings; the Mixed Use zone must be developed as 75% residential and 25% commercial in use.

Commissioner Franke requested clarification in the changes in the commercial zone and inquired if there is a difference between the retail activities allowed in this plan from the activities currently allowed on River Road. He was informed that in the EG zone, the allowable activities come from the commercial mixed use allowed on River Road.

Commissioner Rick Stucky asked how much acreage is identified as Industrial and was informed that 133 acres are proposed.

Salem City Councilor Kasia Quillinan requested the definition of "building" for the purpose of determining how much space "three buildings" could potentially require. Maria Meier read the definition of "building" from Keizer's code which states "...under one roof...built for support, shelter of persons..." Councilor Quillinan pointed out that the Woodburn outlet mall is under one roof.

Polk County Commissioner Tom Ritchey asked if all of the subject property is within the Keizer City limits and was informed that it is.

Mayor Swaim stated that Salem staff's position, in a global sense, concerns the potential for the impact of expanding commercial lands when groups like SEDCOR are indicating a severe need of industrial lands and the Department of Land Conservation and Development and 1,000 Friends of Oregon have expressed concern on the impact of the adjustment of commercial and industrial land, and housing stock. He asked if an analysis has been done. It was reported that SEDCOR's correspondence does not specifically address this issue.

Councilor McGee pointed out that the staff alternative creates more housing than what the existing plan calls for and there would be no deterioration of housing. Mayor Christopher stated that in line with Goal 10, there is no indication for a lack of housing with the plan and as stated, the staff recommendation increases the opportunity for housing.

Salem City Councilor Bill Smaldone expressed concern with how to meet the housing needs of a relatively large number of people with a low density of housing. Mayor Christopher stated the numbers are based on current inventory. Shannon Johnson added that the staff alternative adds to Area c, a minimum of 75% of high density residential and that Goal 10 does not require that type of analysis.

Mayor Swaim inquired if it was Keizer's position that even if there is an expansion of job opportunities, Keizer currently has sufficient housing, multiple housing. Mr. Johnson replied that it is not Keizer's position and that when it was reviewed some time ago, it was perceived that there was not a need for a housing analysis because no portion of the subject property is being taken out of the existing housing stock. Mayor Swaim

stated there is a difference of opinion of whether or not a housing analysis should be done.

Polk County Mike Propes requested clarification with regard to housing as outlined in the two plans and questioned whether they are essentially the same. It was reported that the current Mixed Use zone allows for commercial and residential but doesn't list a ratio and that under this plan, a ratio is established to ensure that housing is included. Commissioner Propes complimented Keizer on the information that was presented, the efficient manner of bringing committee members "up to speed" on the issue, and Keizer's willingness to listen to the concerns of its citizens. He stated that although Salem doesn't agree, he felt the plan is very flexible to meet the needs of economy and protect the needs of Keizer.

Commissioner Franke requested the difference between the industrial zone of the Chemawa Activity Center and the staff proposal. Mayor Christopher responded that there is a reduction of 43 acres or 3.5% in the overall UGB.

Mayor Swaim introduced a process question and requested that Salem staff be allowed to provide a different point of view to the information being presented at the meeting. He stated that Salem believes Keizer is doing a great job in this process and is hopeful that the plan works the way Keizer wants; however, Salem feels there will be an impact on the rest of the region.

Commissioner Franke asked if the property line on the acreage north of the current ball park is to the edge of Labish ditch or the center of Labish ditch and if it included the area known as the "Labish peat." It was reported that the line is the center of the ditch and the land is upland than the peat area.

Salem staff was asked to provide additional comments. Vickie Hardin Woods, Community Development Interim Director, stated that Salem does not have different answers to questions posed at this meeting, just additional information. She reported that the industrial land numbers are generally close, but represent a bit of a reduction. She stated this is a key piece of Periodic Review and stated that by taking away from industrial lands, Keizer is getting further away from the goal rather than closer. Residential units are about the same; however, what changes is the increase in the demand for housing because 6-8 times more jobs are created. She stated that in the Salem Futures process, the estimation of jobs is considerably less than what this plan could produce. If employees want to live close to where they work, there would be a demand for more housing units than what is being proposed. The analysis of where they might be has not been done.

Keizer City Councilor Judy Smith requested clarification on the conclusion that there would be an increase in the demand for housing. Ms. Woods stated that the plan indicates establishment of more jobs than originally calculated, and if employees want to live close to where they work, the housing needs would be higher. Councilor Smith inquired about the Salem Futures' projection of 1,000 jobs. Ms. Woods indicated that the projected figure was derived from Salem's transportation plan and the Council of Government's strategy figures.

Shannon Johnson requested clarification of the Periodic Review Order on industrial land acres and asked if that was from the 1994 Order. It was stated that the information was from the 1989 Order.

Mayor Christopher stated that she would like to propose a motion and ask each jurisdiction to vote.

Mayor Swaim requested a four minute break to give each jurisdiction an opportunity to caucus before the vote.

Recess: 6:41 p.m.
Reconvene: 6:46 p.m.

Mayor Lore Christopher moved that the SKAPAC governing jurisdictions do not approve the Keizer Station Plan as submitted by the developers, but do agree with the confirmation of the population projection figures and acreages for zoning.

The vote on the motion:

Ayes - Marion County (unanimous)

SKAPAC Meeting of Governing Jurisdictions / May 23, 2002

____ Polk County (unanimous)
____ City of Keizer (unanimous)
____ City of Salem (unanimous)
____ Nays - none (0)

Mayor Lore Christopher moved that the SKAPAC governing jurisdictions recommends the staff alternative plan as modified by the Keizer Planning Commission.

The vote on the motion:

____ Ayes - Marion County (unanimous)
____ Polk County (unanimous)
____ City of Keizer (Richard Walsh voted Nay)
____ Nays - City of Salem (unanimous)

Mayor Christopher stated that the City of Keizer will go forward indicating the votes on these two motions and stated that the separate jurisdictions have the right to submit their comments in writing within 14 days.

Mayor Christopher stated she was open to suggestion for approval of the minutes from this meeting and suggested the issue be included on the agendas of the individual jurisdictions.

There being no further business, the meeting was declared adjourned at 6:50 p.m.

Respectfully submitted,

Cathy Hoffman, Recording Secretary

Salem-Keizer Area Planning Advisory Committee (SKAPAC)
 Meeting of Governing Jurisdictions
 Verbatim Transcript
 Keizer Heritage Community Center
 980 Chemawa Road NE, Keizer, Oregon
 Thursday, May 23, 2002

Mayor Christopher: Okay. We are going to do introductions and then review the agenda. Hopefully, our Salem City Council will be here by then. I understand that a couple of fire engines on River Road have slowed them up. Of course, I won't say it, but some managed to make it through.

Cathy Hoffman from the City of Salem please call the role, and then I will review what the agenda is. Then do minutes and then (unintelligible). Shannon starts with a summary of SKAPAC (unintelligible) and Maria starts with her description of what is going on. With that Cathy please call the role.

Cathy Hoffman called the roll:

City of Keizer: Mayor Lore Christopher Councilor Mike Gaynor Councilor Chuck Lee Councilor Jerry McGee Councilor Jacque Moir Councilor Judy Smith Councilor Richard Walsh	Chris Eppley, City Manager Maria Meier, Planning Director Shannon Johnson, Legal Counsel Keith Liden, Planning Consultant Rob Kissler, Public Works Director
Marion County: Commissioner Mike Ryan (not available at roll call) Commissioner Randy Franke	Les Sasaki, Principal Planner
Polk County: Commissioner Mike Propes Commissioner tom Ritchey	
City of Salem: Mayor Mike Swaim Councilor Kasai Quillinan Councilor Bill Smaldone Councilor Bard Nanke Councilor Rick Study	Bob Wells, Assistant City Manager Vickie Wood, Interim Director Sharman Meiners, Interim City Attorney Cecilia Urbani, Principal Planner Klaus Schilde, Senior Planner Mark Becktel, Transportation Planner

Mayor Christopher: That's it? Okay. What we are doing is getting started with the preliminary steps, hopefully (unintelligible). Now you were also given the minutes from the staff subcommittee. The staff subcommittee has to approve the minutes that were put into the packet, but only the staff subcommittee.

Maria Meier: Right. Salem staff, Keizer staff, Polk County staff and Marion County staff. Polk County staff is not here (unintelligible)

Unidentified Male Voice: Jim will not make it.

Mayor Christopher: So a motion to approve those minutes.

City Manager Eppley: So moved.

Attorney Shannon Johnson: That is the staff subcommittee, so we have three.

Klaus Schilde: May we make corrections?

Mayor Christopher: Yes

Klaus Schilde: If possible, on the March 21st subcommittee meeting minutes, page three, first full paragraph, first line it says, " After further discussion the group noted the items which they were in agreement about..." This should read "were not" in agreement about.

Mayor Christopher: Okay, so after, "the discussion the group noted the items, which they were not in agreement about." That is Page three of the minutes on March 21st.

Maria Meier: The issue of "Population" and the "Acreage Comparison Chart" was agreed upon by the staff subcommittee. Would that be a correct Klaus?

Mayor Christopher: So you will eliminate "Population?"

Maria Meier: Correct

Mayor Christopher: Okay, so line out "Population" but "Acreage Comparison Chart" (unintelligible is reading something, but reading too fast to understand)

Maria Meier: Actually, also the Acreage Comparison Chart, at that time, was agreed upon.

Mayor Christopher: So the first two "Population" and "Acreage Comparison Chart" and eliminating all the rest.

Maria Meier: That's it.

Mayor Christopher: All in favor of approval of the minutes.

Staff members voted unanimously to approve the minutes of March 21, 2002.

Mayor Christopher: The next thing we need to do is to have approval of minutes for the Elected Official Subcommittee, which is Mayor Swaim, Commissioner Ryan, Commissioner Propes, correct? Okay.

Unidentified Male Voice: I move for approval.

Second Unidentified Male Voice: Second.

Mayor Christopher: Thank you, great. Any changes? Yes.

Mayor Swaim: Corrections. The notes from April 10, 2002 first of all. The fifth line, page two that says, (unintelligible.... a lot of paper shuffling.) Page three; next to the last paragraph towards the bottom it talks about control factors.

Mayor Christopher: Control factors should be control figures?

Mayor Swaim: Control totals.

Maria Meier: Agree.

Mayor Swaim: Page five, third line it starts with the word proposed and goes into the next sentence that says, "He suggested that the City of Keizer.....(unintelligible)

Mayor Christopher: Were there any changes for the 16th?

Mayor Swaim: Yes, I have two.

Mayor Christopher: Then let's do both of them.

Mayor Swaim: Okay for the 16th, on Page two that (unintelligible) is still too high and figured out is actually 3.5%. And page three then, second paragraph where it says I was pleased with the staff's alternative Keizer Station Plan, I believe it should say that, "He believes the Keizer Station Plan, Alternative Plan, as recommended by the Planning Commission is better than the original Keizer Station Plan.

Everyone is talking at once.

Councilor McGee: What do you mean by the original plan?

Mayor Swaim: The original submission from the developer.

Jerry McGee: That is not the original plan. You mean the first plan presented by the developers?

Mayor Swaim: Yea that is what I had in mind. The original Keizer Station Plan. The point was that I believe is that the staff's proposal is better than the developer's.

Down in the next to the last paragraph that sentence begins; "Mayor Swaim stressed the importance of allowing a third party..." What I said was engaging an independent third party and then suggested an independent third party be DLCD. I stressed the importance of allowing an independent third party, Department of Land Conservation Department who holds no economic interest, strike the words, an opportunity, and go onto complete the sentence.

Mayor Christopher: Who holds no economic interest and then what?

Mayor Swaim: Strike the words, an opportunity and then funding available through DLCD. Almost through, on page five, bottom paragraph.....

Unidentified Male Voice: There was a tape of our proceedings, correct?

Mayor Christopher: Correct.

Unidentified Male Voice: And the minutes came from the tape?

Maria Meier: Correct. The minutes were transcribed from both written notes and an audiotape.

Unidentified Male Voice: So if I may, I was wondering how we could be so off in the minutes?

Mayor Swaim: Let me assure you we see it with some regularity with our Council, even though we are taped we have to go back. I could actually say there is a problem with these unless you have the tapes and I will sit with the Mayor and listen to them, but I do recall what I said. I would be happy to sit and listen to the tapes.

Mayor Christopher: Why don't we make arrangements for Mayor Swaim or any other concerned citizen to listen to the tapes and to approve the minutes at a later date.

Mayor Christopher: And with that, we have one hour now so we are going to go to our City Attorney, Shannon Johnson, who will give us summary of the SKAPAC process. Then we will have a summary of the existing Chemawa Activity Center Plan, the proposed Keizer Station and the Planning Commission's recommended alternative Keizer Station Plan from Maria Meier. Then we will review the conclusion of the two subcommittee's including the staff subcommittee, the elected official subcommittee and we will review those conclusions. Then we will have a discussion (unintelligible) and I

will give you a little bit of background on the information I have, and then we will (unintelligible). We are going to do all that now. Okay, you are on Shannon.

Attorney Shannon Johnson: Thanks, I will abbreviate this. We have a pretty good microphone in the middle of the room, but no P.A. System here.

As most of you know the SKAPAC process is between the two counties and the two cities as a coordination mechanism. It is designed for goal two purposes, and sets fourth a process with regards to working out regional issues or other issues. In this process where we are at the tail end of now, begins with the staff subcommittee, an elected officials subcommittee and then finally all the governing bodies all in one room. This is where we are at today. The SKAPAC process allows at the very end to be used for what other reasons we can identify other reasons to use the SKAPAC process other than regional, and it is under that provision that Keizer initiated that. So with that I'm looking at the timeframe and I wanted to abbreviate the process.

Mayor Christopher: The other thing I want to emphasize is that this process is not required to reach concurrence, because this is not been made as a regional issue. Am I correct in that?

City Attorney Johnson: That is correct.

Mayor Christopher: Okay and so although we don't need concurrence, we would love to have it. Keizer shares the process so we can hear all the corresponding jurisdictions issues and concerns regarding the proposed planing of the Chemawa Activity Center.

Mayor Swain: I need to ask because I am a little uncertain as to the characterization. I understand that Keizer does not consider this to be a regional issue and that Salem's position is that we do consider it to be a regional issue and that is one of the points of disagreement. I would like the staff to (unintelligible). We do consider this matter a regional issue.

Klaus Schilde: As I understand it, it is not one of the six regional issues that's in each of the jurisdiction's comprehensive plans, but it is a driven policy and cites regional impacts and that is where our concern is that this action, although it is not regional as defined in our comprehensive plan, it has regional impacts.

Unidentified Male Voice: Then would you recommend that it is a regional aspect of the comprehensive plan?

Attorney Shannon Johnson: It is not listed as a regional policy and it has not been identified for me where it is listed as a third area policy. I haven't been able to identify that. I haven't seen that.

Klaus Schilde: What I am saying is SKAPAC can be initiated when an amendment is proposed for an urban policy.

Mayor Christopher: Now your urban area policies are located in your comprehensive plan, pages 18-22 that is my understanding. Is this where it is identified....

Unidentified Female Voice: No, no the regional policies are on page 18-22. The urban area policies start on page 23, I'm sorry I don't have a copy of Keizer's Comprehensive Plan in front of me to decide what number the pages are in your plan. I don't know if you want to get into this right now because of the presentation.

Attorney Shannon Johnson: The difficulty is that has never been confirmed and was kind of bypassed in previous meetings and in Keizer's plan there isn't a list of urban area policies, and I don't know where it is listed in Salem's plan.

Unidentified Female Voice: Do you have your comprehensive plan in front of you? This is our section right after regional that is our urban area policies and I thought you guys plan was exactly the same.

Attorney Shannon Johnson: We don't have a list of urban area policies, and I think the reason for that is the urban area policies have to do with Marion County and Salem and Polk County. There are not any identified urban area policies concerning Keizer.

Unidentified Female Voice: In the regional policy section, that is common, that is word for word in all four of our comprehensive plans, there is a section that is called Procedures For Amendments. That is Section C and there is subsection two that is not a regional planning action procedures. And Section C sub two; sub (a) says; "any amendment to an urban area policy shall follow the regional planning action procedures, except that the _____ requirement will be limited to jurisdictions within the urban area." And yes, we agree concurrence of all four jurisdictions are not necessary, but if you refer back up to what is the process, what is the procedure, SKAPAC, this process is part of that. That is our own point.

Mayor Christopher: It is not a regional policy, but a non-regional planning actions procedures.

Unidentified Female Voice: Right.

Attorney Shannon Johnson: But it still makes a difference, the issue is that SKAPAC has already been initiated, so that is not the question. If there is an urban area policy, the question then becomes where is the concurrence? It says under that section, ours is labeled differently. "Any event of an urban area policy shall follow the regional planning policy, except from the current requirement with the limited jurisdictions within the urban area."

Unidentified Female Voice: Right and then in this situation that is the City of Keizer and Marion County, right?

Attorney Shannon Johnson: Except it would be perhaps if we were talking about an urban growth management agreement and a UGB area outside of the city limits, but this is all entirely within the city limits. So that is where I am saying the urban area policies are specifically listed in your folks plan because you do more in Polk and Marion county with wide areas outside the city limits and inside the UGB.

Unidentified Male Voice: I'll get back to what Shannon was saying. (unintelligible)

Mayor Christopher: So it is not a regional issue, however, it does fall under the non-regional planning action procedures of the Salem Comprehensive Plan? Correct?

Attorney Shannon Johnson: Under Sub (b) not Sub (a). In other words it is a non-regional planning action that is not an urban area policy or a regional policy.

Mayor Christopher: Correct. Are we all good with that?

Councilor McGee: Madam Chairperson, I suggest we go ahead with the program, hold our questions, if we can, jot them down, but let's hear the whole presentation and then submit the questions.

Mayor Christopher: We're good. Shannon are you through with

Attorney Shannon Johnson: The only other comment I would have is if we to a point for a motion tonight, because these are independent jurisdictions and this group is made up of formal governing bodies. So the process, as I recall from many years ago, we would need a separate vote by each jurisdiction. The majority of each jurisdiction and I want to make sure there are no questions on that.

City Manager Eppley: A quorum is necessary for a vote of each jurisdiction.

Maria Meier: What I'm gonna do, I'm gonna try to condense this as much as possible and if you have questions, please ask. I'll start with the description of the current Chemawa Activity Center Plan.

The current Chemawa Activity Center Plan was adopted in 1997 and is divided into four primary areas, "A", "B", "C" and "D". Area "A" is north of Lockhaven and Chemawa and goes from I-5, goes to the western boundary of the railroad tracks. You will notice the boundary does not currently include the baseball stadium, but includes the BPA property and includes all property up to the urban growth boundary. Consider Area "A", there has never been a survey of the entire Chemawa Activity Center. You'll notice in some comparisons between _____ there are some differences in the acreage's, but for this discussion there is approximately 133 acres and is primarily all zoned Industrial Business Park. Approximately eleven (11) acres is zoned for Commercial Retail. This area has a requirement that it has to be master planned, these properties, south of Tepper, have to be consolidated in order to be developed and have a master planning process to approve _____ development. It is also is very dependant on

access, which is, plans include a loop design that would go onto _____ that is essentially called Area "B", and the property would have a loop through there and go underneath Chemawa Road for access.

Area "B" is currently zoned Commercial Office. Area "C" is this area south of Lockhaven with the property through Chemawa Road, extending down to the Keizer Little League Park. This area is zoned Mixed Use and allows both Commercial and Residential Uses. It does not require a mixed amount. In Area "B", this is the property that recently was exchanged from the ownership of the BIA, to both the Grande Ronde and the Siletz Tribe. Currently, it is _____ zoned Commercial Mixed and zoned for public. The Commercial Mixed Zone, just to let you know, in Keizer, we have a Commercial Retail Zone, the same way with any Commercial Retail Zone, our Commercial Mixed Zone also allows for a high density residential. That's our current plan.

Over here the City of Keizer was approached by a developing team called Northwest National LLC and the City of Keizer Council agreed to initiate a Legislative Review based on _____ plan. After their _____ plan was submitted to the City they further refined it and came up with proposed document to the Chemawa Activity Center Plan. They changed it, they changed the zoning. What they found is, first of all, they changed the boundary of the plan. They extend this boundary that originally included the Baseball Park to include it all the way up to _____. Changes in Area "A" include, changing most of the zoning to Commercial Mixed, very similar to our Commercial Retail Zone and Commercial Retail as part of their plan also. They left this bottom two acres outside the _____ as Industrial General. They have changed the zoning of the BPA from the park immediately north to Industrial General, which gives specific uses and potential uses _____. They proposed to change the Public Zoning of the Baseball Stadium to Industrial Business Park. In the City of Keizer our Industrial Business Park developed _____ of the Baseball Stadium and once there's some discussion and plans for _____. There is some vacant land north of the Ball Stadium so it is not all currently used. So there is some potential for industrial development to the north.

With Area "B" they have proposed to change it from Commercial Office to a mix of Commercial Mix and Commercial Retail. Area "C" they suggest to change the zoning of this _____ along the south side of Lockhaven to Commercial Retail and remain this area of Mixed Use to be Mixed Use. One primary factor they proposed to change here is to allow for a commuter rail station in the Mixed Use Zone. They also suggested change in Area "D" to the Industrial Business Park Zone. This proposal was considered by the Keizer staff and analyzed and considered by Comprehensive Plan Goal Policies, development code requirements, criteria to the zone change, Comp plan change and text amendments.

Keizer staff came up with an alternative plan. Consideration of five primary goals and policies in the Comp plan that we have considered. We suggested this to the Planning Commission. We agreed with the developer on some issues. We agreed that area north of Tepper Lane actually could be zoned for Industrial Business _____ for

Industrial Zone. We disagree on Area "A". We found in our Comp Plan Goals and Policies that there was an intent to have a mix of industrial and commercial mix for staff to _____ on those documents. We came up with this idea based on some _____ in the Portland area. It allows for a lot of possibilities _____ and how development is going to occur. It allows a lot of flexibility to the design. Industrial Business Park uses are specifically listed. We wrote out the proposal for an EG Zone, specifically to _____ to our Development Code. We suggested some changes to this area to require a minimum of 25% of acres in this area to be used as Industrial Business and a maximum of 75% to be used as Commercial Use. Those uses are very specific and listed out in those zones. Currently, our IBP zone allows for some mix of Commercial Use Zone and _____. What we recommended is we eliminated any of those Commercial Uses out of the Industrial Business Park Uses in that section and kept it _____. We also suggested some limitations on _____ and building size. We recognize the maximum number of three buildings over 60,000 square feet could be built in that area. A maximum of three with the potential for a maximum of 120,000 square feet or a total of 250,000 square feet between all three buildings or even if it was two buildings, but that would be the maximum. We also recommended, actually go to the primary changes in this area. We also recommended some conditional _____. Another area that we disagreed with initially last year was in Area "B". We had _____ concerns.

Currently, in the City of Keizer we have a section at the intersection of River Road and Chemawa we have limitations on land use where we don't allow for vehicular intensive uses such as gasoline stations, fast food restaurants. We added that description to this zone and recommended _____ Commercial Mixed, but to put those restrictions on that property. _____ approximately one acre to divide up into a cul-de-sac so we don't have additional traffic going into that neighborhood and to allow pedestrians and bicycle traffic to access this _____. We did agree with the change _____ to commercial on the south side of Lockhaven in Area "D", however we did also have traffic concerns and a traffic impact analysis would be required for any use on these properties. We did suggest that the Mixed Use Zone which currently did not have a requirement for a balance of Commercial and Residential Uses. We recommended a minimum _____ 75% high density residential be built in this area and 25% commercial would be allowed along with the commuter rail.

Relating to the commuter rail we also did suggest this for a potential thought that the commuter rail could be located in the Employment Zone. We did discuss as an avenue to it, such a large project, to consider Area "A" fiber optic easement or some type of infrastructure going through here that take up about 100-125 feet. So that would make it a little bit difficult, but I wanted leave that potential there. And also we agreed change this property to Industrial Business Park. The City of Keizer has been working very well with the Grande Ronde and Siletz Tribes. We have come to agreements relating to access easement and _____. We have been very successful to evolve this loop through this path _____. Questions?

Mayor Christopher: The current Chemawa Activity Center Plan is as it is now can you tell me what the zoning looks like out there prior to the _____.

Maria Meier: Sure. In your exhibits _____ there were not necessarily a survey done. The previous plan identified the acreages differently. They required 50 acres of commercial in Area "A", in this location here. You had as one of your exhibits _____ but the 1988 Chemawa Activity Center Plan _____.

Mayor Christopher: So prior to 1997 there was 35 acres of Commercial Retail out there.

Maria Meier: Approximately fifteen (15).

Mayor Christopher: So that change happened in 1997, and that was reduced to eleven (11). Now we go through another change and that is to take it up to.....How many acres in the staff alternative plan?

Maria Meier: This area here. The proposed, if it were to go to the maximum 35% for commercial, that would be approximately 70 acres.

Mayor Christopher: Questions?

Commissioner Franke: Thank you Madam Mayor. Where will I find the definition for your new Commercial Use Zone that you've got in the section there where you have the 75%/25% split?

Mayor Christopher: EG

Maria Meier: EG Zone, and where you would find it is, read through the copy of the proposed, the Planning Commission recommendation.

Commissioner Franke: Which one of all of these papers might that be?

Maria Meier: (laughter from the audience unable to hear what her response was)

Maria Meier: If you look through it there is approximately 45 pages or so _____ there is a staff report and a staff recommended alternative Keizer Station Plan. This is the proposed text for the replacement of the Chemawa Activity Center Plan. Then it would be the page labeled Chapter Two, Page One and then what it does is it refers to a number of different code amendments in the Keizer Development Code. The first page that looks like this, it has a bar across the top and says EG Zone. It's Page One of the third section of the report.

Commissioner Franke: Third section of the report?

Maria Meier: And what it does is it blends permitted industrial park uses and justifies what those uses can be. (Unintelligible sentence) It limits the uses to the 25/25 percent ratio.

Commissioner Franke: Thank you.

Maria Meier: You're welcome.

Mayor Christopher: Any other questions?

Councilor Stucky: Does the Planning Commission's recommendation differ from the staff recommendation?

Maria Meier: Thank you for asking. Slightly, the zoning recommendation of the Planning Commission is the same. They made some minor amendments in the text of the EG zone and the _____ zone just to make it very clear that it would be a maximum 25 percent and a minimum of 25 percent for the ratio of commercial and industrial. And then they also _____ because they wanted to ensure a 40 foot landscape buffer adjacent to residential.

Mayor Christopher: Okay. There is the presentation on that. The next thing I want to cover....the resolutions by the staff subcommittee, they already had confirmed the population figures and the growth rate and the acreage's for zoning the plan or the latest study. The issues that they identified for the elected official subcommittee, which was, Commissioner Propes, Commissioner Ryan and Mayor Swaim. Consistency with state-wide planning goals, land-use planning _____ and formation, economics and planned housing and (b) the differences between the land supply and commercial industrial and residential land between _____ and (c) the definition of the primary trade area. Keizer finds the City of Keizer limits where the City of Salem _____ in primary trade area should be considered to actively access the regional impacts of the proposed amendments. So those are the issues that came to the elected officials subcommittee. In the elected official subcommittee a recommendation was moved, a motion was moved recommending from the SKAPAC elected officials subcommittee to not approve the Keizer Station Plan, and that is the one on the far right, but do agree to the alternative staff proposed plan, the one with the great big orange block that says EG, as recommended by the Planning Commission. The motion voted three to one (3-1) in favor of the motion; Mayor Christopher, Commissioner Ryan, and Commissioner Propes are in favor of the motion. Mayor Swaim voted against the motion.

And that brings us to discussion of the governing bodies, and just prior to that I want to remind you how we got here today. It was the unanimous agreement by the staff subcommittee that _____ the process. If the elected official subcommittee _____ that is the process. Neither of those two things happened so that is why we are here today. If it is not unanimous today, if we don't reach concurrence, then the proposing jurisdiction, in this case the City of Keizer, can take whatever action it deems

appropriate. Okay, there does not have to be concurrence today, so I just want to put that on the table and then open for discussions and okay. So with that I will get to discussions and take.....I will start by saying that the original letter from Mayor Swain spoke to the Keizer Station Plan. We have some of the same concerns that he had and those were addressed in the staff alternative plan. The major changes that have been made is to Area "A" which changed that one _____ from Commercial Retail to Employment General and put the limitations on there of 25 percent Industrial Park Uses, and mandates that, and 75 percent Commercial Uses. The other thing _____ you've got that. It created an EG Zone, it also limited the "Big Box" construction to three buildings total and a maximum of 350,000 square feet total for all three. So, you can have one building of 350,000 square feet or three with approximately 120,000 or any mix, but three maximum over 50,000 square feet. On the original plan there was _____. So we limited ourselves, we limited ourselves to three. The MU, Mixed Use Zone, was changed to mandate that the 75 percent housing. (unintelligible sentence)

Commissioner Franke: Thank you Madam Mayor. I am still looking at my original question. What I am trying to understand, and I think I found all the definitions and restrictions here, but a couple more questions. What I am trying to understand is the change that you made in your Commercial Zone, cause you said that you dropped Commercial Retail with this EG Zone.

Mayor Christopher: Correct

Commissioner Franke: So is there, is there a difference between the retail activities allowed here and say that are allowed on River Road as an example?

Maria Meier: I can answer that. The uses that are listed under Commercial Uses in the EG Zone come directly from the Commercial Mixed Zoning that you find the majority on River Road.

Mayor Christopher: My understanding is that 75 percent.....

Maria Meier: There are no changes to the Commercial Mixed Zone, the commercial uses that are identified in the EG Zone are that which are seen in the Commercial Mixed Zone and the change _____ with Industrial Business Park Zone will limit any of those commercial uses included in the 25 percent to those that that happen strictly to be the IBP's as listed in the EG Zone.

Attorney Shannon Johnson: Just to clarify that, or maybe muddle it, one or the other. Previously the IBP Zone allowed some retail, so it wasn't pure industrial business park. With the staff alternative, the staff wanted to be sure that if there is going to be 25 percent it's really, that is the minimum industrial and that needed to be pure. So those allowances for partial retail in industrial Business Park were pulled out. So previously there was more retail allowed in the existing plan, right now, on the far left, even though it only shows the little red area, the blue area or teal of IBP would allow some retail _____. So there is more retail and is currently more retail allowed than _____

on the map.

Commissioner Franke: Thank you.

Unidentified Male Voice: (Unintelligible)

Maria Meier: There is approximately 133 acres. Actually, I think after our agreement on the process there is approximately 127 acres.

Unidentified Male Voice: (Unintelligible)

Maria Meier: Right, 127 acres in the entire Area "A" and only 11 acres of it is commercial. But IBP Zone did allow for some commercial uses in that zone and there were some limitations on those commercial uses.

Attorney Shannon Johnson: In IBP there was.

Mayor Christopher: Councilor Quillinan

Councilor Quillinan: Good try. Is there actually a definition of a building and how we would define building for the person that reads the maximum of three buildings _____?

Mayor Christopher: It is the "Big Box" (remainder of sentence unintelligible)

Councilor Quillinan: How do you define that with everything under one roof (remainder of sentence unintelligible)

Maria Meier: In the current Development Code we have definitions for structure, we have definitions for buildings. A structure having a roof and built for the support, shelter or enclosure of a person, animal or property (remainder of sentence unintelligible)

Councilor Quillinan: So for instance all that _____ under one roof. Would that be considered one building?

Mayor Christopher: That is the maximum 350, 000 square feet, it cannot exceed that. Commissioner Ritchey, Mayor Swaim.

Commissioner Ritchey: Do I understand that all of the proposal, that staff has worked with all of the city _____?

Mayor Christopher: Correct.

Mayor Swaim: Our staff is prepared to give a presentation, but (remainder of sentence unintelligible) But what I understand staff's position to be is still very similar to what it

was when the subcommittee met last. What concerned me in a global sense concern about the potential for impacts to a system, not only to existing commercial retail by sustaining commercial retail (remainder of sentence unintelligible). There is also the impact of availability of industrial lands, which we were told by SEDCOR, that we are in severe need of. Additional acreage now and I have not heard whether SEDCOR has changed that position. I am _____ to the letter in the record. Also, is still concern, and it is my understanding, unless someone has a written document that I haven't seen yet, that DLCD and Thousand Friends of Oregon maintain _____ concerns about the impact that these adjustments in uses commercial and industrial for _____ and whether or not there has been an accurate analysis of the impact to the areas in addition to the City of Keizer. So, (remainder of sentence unintelligible)

Mayor Christopher: And to answer some of your questions. I don't believe that we have heard from SEDCOR. SEDCOR's original response was in regards to the Keizer Station Plan. They have not given us any response on the staff alternative plan. Thousand Friends and DLCD, same thing. Everyone gave us their opinions on the Keizer Station Plan and we are currently going through the public hearing process.

Maria Meier: (unintelligible sentence) The packet that was delivered on Friday and the City Council of Keizer held their hearing on I believe Monday (remainder of sentence unintelligible)

Mayor Christopher: _____ was SEDCOR?

Maria Meier: Correct.

Mayor Christopher: Okay.

Everyone is speaking at once.

Attorney Shannon Johnson: It doesn't specifically list it, but it, as of May 6th, so I am not certain which one you are referring to.

Mayor Christopher: Okay and then Thousand Friend also in that exhibit is number, Thousand Friends?

Unidentified Male Voice: (Unintelligible)

A number of voices speaking at once.

Councilor McGee: _____ in regards to the one we saw in housing. The staff alternative recommended plan (remainder of sentence unintelligible). So, there is certainly no (remainder of sentence unintelligible). One could say that there is not enough, but to me the plan as it is now we having less housing for _____, under the staff alternative plan. But I don't see that the housing, I don't understand the issue of this.

Mayor Christopher: Well, the notes that I have on housing is that both (remainder of sentence unintelligible). Therefore, _____ in Keizer currently. No one contended that Keizer lacked an adequate number of housing after the adjustment of commercial and industrial uses in the staff alternative plan. Keizer will still have adequate opportunities for _____. And as you stated the staff alternative plan actually increased the opportunity for housing on property where it did not before. There is no direct, or secondary effect, on the city housing inventory, and no adverse effect on the city's goals the statewide goals for planning of housing.

Unidentified Male Voice: (Unintelligible)

Mayor Christopher: No, but I have from, that we received from the public hearing on Monday night (remainder of sentence unintelligible)

Unidentified Male Voice: One of my concerns at this time (remainder of sentence unintelligible)

Mayor Christopher: And as I read we already have a _____ inventory for _____ and higher _____ houses for all citizens. This increases that additional inventory. We have the inventory currently to sustain any of the _____. (unintelligible sentence) But that is the worst case scenario.

Attorney Shannon Johnson: Madam Mayor if I could respond additionally. The staff alternative adds in Area "C" minimum of 75 percent of high density residential there. So that is one additional use, but more importantly the administrative rules under goal ten don't require that type of analysis. That maybe philosophically what some planning departments might want to do with the project like this, just to say, okay let's really investigate this. But goal ten talks about not the exact economy of the city, but the economy of the state generally and general income levels and planning for general income levels and planning your housing based on that. There is no requirement to do that extra planning step which, I mean, sure people can think differently, but I would think you could get into a kind of a, ya know, how's the _____ doing that sort of thing. And each time you go through, you are changing your housing inventory every time a project comes through.

Mayor Christopher: Mayor Swaim.

Mayor Swaim: I guess I just want to understand _____, and I think the council _____ address the issue that it is not just how many houses, but (remainder of sentence unintelligible). I don't understand isn't the position of Keizer that even if you expand the job opportunities in this area that you currently have sufficient housing stock to handle retail and _____ that would pick up as many 70 acres of retail development? I mean, for example you've got that type of multiple housing _____?

Mayor Christopher: That is my understanding.

Mayor Swaim: I need to hear that.

Attorney Shannon Johnson: We reviewed this quite some time ago and did not see any need to do the type housing analysis called for here. We were not _____; we were not taking any portions out of the housing stock. If we were doing that, we obviously have a goal ten problem. If Area "A" instead of being Industrial Business Park was residential and there was emerging commercial we would have a goal ten problem we would have to analyze. But under the _____ we have here, we don't have that analysis.

Unidentified Female Voice: (unintelligible sentence)

Mayor Swaim: We have a difference of opinion of whether or not it should be done.

Mayor Christopher: Commissioner Propes.

Commissioner Propes: Actually on the housing, and maybe I am not correct in this. My first question is, when I looked at the current plan and this plan, the current plan could be developed where it would require a lot of housing today. The plan that you are switching to could be developed where it would require a lot of housing depending on how it would develop. So we are talking about a smoke screen here. So, I mean it is kind of an issue that is not a real issue here, when you are comparing the two plans.

Mayor Christopher: Unintelligible.

Commissioner Propes: Impacts are exactly the same or we are missing something.

A number of voices speaking at once.

Councilor McGee: Unintelligible.

Commissioner Propes: So that wasn't going to be my comment until I heard the last exchange. Because we spent quite a bit of time on that housing issue before and that was the result that came up is that the current plan and the new plan, the housing is basically a wash, is that right?

Maria Meier: The current Mixed Use Zone, it allows for a mix of commercial and residential, but it doesn't require a ratio. So the way that it could be (remainder of sentence unintelligible).

Commissioner Propes: Right.

Maria Meier: And so _____ tries to force a ratio (remainder of sentence unintelligible)

Commissioner Propes: So you really have _____. What my real _____ before I got into that was, first of all, I'd really like to compliment your staff as Keizer. I think

they did an excellent job, sitting on the committee, the information that I received was very good to be able to understand this. As a commissioner, sometimes information we get is very confusing and hard to understand that was not the case. They brought us up to speed, as a committee member in a way that was really understandable of what has gone on here and that is not always the case when we have to make decisions. Very good job. There is a lot of information here and I think probably as those of us that received it for this, you didn't have the opportunity to study it the way the committee got to study it. They have done that job, your staff. I also think they have done an excellent job of taking a proposal and changing it to meet the needs of Keizer. Now, maybe it is not meeting the needs of Salem, but I think they have really listened to the people of Keizer and tried to meet the needs of Keizer. And that is what is important here, is trying to meet the needs of Keizer.

It appears to me they came up with a very flexible plan, that when somebody comes in to meet the economy, the needs of today's economy, and Keizer's concerns, and that what we as a region should be concerned about here. We should be here congratulating you for what you have done. I think you have done an excellent job and you should be proud of your Planning Commission and your staff. You guys have done a great job. So that is my comment.

Mayor Christopher: Commissioner Franke.

Commissioner Franke: Thank you Madam Chairman. Two questions. First I am just trying to get a feeling looking at the old SEDCOR letter, what is the difference between the industrial zoning on the Chemawa Activity Center and then the revised plan. How does the industrial zoning balance out?

Mayor Christopher: On the 1997 Chemawa Activity Center and the staff's proposal it is a reduction of 43 acres, which is 3.5 percent in the overall UGB. A reduction of 3.5 percent of the UGB, 43 acres.

Maria Meier: Are you asking more specifically about the zone? What's the difference between the current and the 1997?

Commissioner Franke: Nope just....

Mayor Christopher: Acreage.

Commissioner Franke: Second question.

Mayor Swaim: Process question. I cannot sit and look at my staff _____ and hyperventilating about when I ask these questions it is obvious to me that they have different answers, with factual questions being asked. And I know that we have a real constrictive time limit (remainder of sentence unintelligible). I think we need to hear from those that have a different point of view that are intimately involved in some staff or another.

Let me just finish and say that you guys are doing a great job in terms in doing what you are trying to do for Keizer and nobody believes differently than that. It is that we have a legitimate concern about the impact that causes us to question. If this were something that we honestly believe, let's get back to Keizer, (remainder of sentence unintelligible). But our staff is a professional staff that believes that this will have a consequence beyond the jurisdiction and the city limits of Keizer, and will impact the rest of the region. And then that does concern us as well. So I don't know what Propes is here to do with Mike and I

Multiple voices

Mayor Swaim: Oh I'm sorry he had another question?

Mayor Christopher: Just a second. I'm trying to let all the elected officials to get on record as much as I can and _____.

Mayor Swaim: I apologize to the commission.

Commissioner Franke: Just a quick clarification. Early on in the presentation, Maria mentioned that there is property north of the ballpark. Is that property line to the edge of the Labish Ditch area or it is to the center of the Labish Ditch?

Attorney Shannon Johnson: The exact location I am not certain.

Commissioner Franke: I asked that because I go to the games a lot and I don't recall there being much ground north of the park, outside of the ditch.

A number of voices.

Attorney Shannon Johnson: I think the legal description is the center of the ditch.

Commissioner Franke: Okay

Attorney Shannon Johnson: I don't think it is the edge of the ditch, but I'm not _____.

Councilor McGee: Approximately five acres.

Commissioner Franke: So some of that may be impacted being part of the peak?

Councilor McGee: No

Mayor Christopher: Part of what?

Councilor Franke: Part of Labish peak.

Mayor Christopher: unintelligible

City Manager Eppley: We haven't done a swales analysis out there so we don't know.

Public Works Director Rob Kissler: Commissioner Franke, I believe that the area on the south side of Labish ditch is a more upland type of situation and is much higher in topography than the peak area which you are speaking to which is on one side.

Mayor Christopher: Any other government officials?

Mayor Swaim: (unintelligible)

Vickie Hardin-Woods: A little bit more information that I want to respond from the questions that I have heard. One piece had to do with industrial land and the others generally _____ a little bit of a reduction from what's there. But here's a key piece of information, I think when the periodic review order for Keizer was done in 1989, there was a projected need of 211 to 243 acres of industrial land that Keizer needed. And right now Keizer has 133 acres of industrial land. So by taking away from that supply you are getting further away from the goal rather closer to the goal, and that's why that is an important issue. It is supplying an adequate of industrial land for the general area of Salem-Keizer together.

And then the other piece that I wanted to respond to, for just a minute was Commissioner Proppes, you're right, in that as far as residential units it is about the same with the new Keizer proposal, as far as, how many residential units can be developed on a site now. What changes here is there is an increase in the demand for housing because there are more jobs generated as a result of this. Whereas, you might have needed 100 housing units, now because there are more jobs you need 200 housing units. In fact, it is six to eight times more. Right now, for Salem, at least, when we did the Salem Futures Process and we tried to guess what kind of jobs, the number of jobs that might be generated on this site, the guess was a little over a 1,000 jobs. The fiscal impact analysis that was done for the Keizer Station Plan guessed that there would be 3,000 jobs there, and with some skim off from that the indirect jobs another 1,000. So there is a lot more jobs that are generated and they want people to live close to where they work then there would be a demand for more housing units. And that analysis hasn't really been done to determine where those houses might be. And that is kind of just the other side. The same answer, just a little more information.

Mayor Christopher: Any questions?

Councilor Smith: I'm just curious and I'm just going by personal scenario. My husband works for, did work for _____. (unintelligible) I am trying to figure out how to do more houses.....I guess I am not really understanding what you said, please clarify.

Vickie Hardin-Woods: There will be more people employed on this property than had originally been intended. So therefore, if you want people to live near where they work,

there needs to be more houses for people to live near there. And if you are going to look at the housing, the price of those houses, the houses would be aligned with the pay levels of the people who work there. Your fiscal analysis, that you are relying on, that evaluates this proposal says that you are going to have 3,034 new jobs in the next ten years on that property. So, it's because there will be more people working there.

Councilor Smith: Okay, (unintelligible)

Vickie Hardin-Woods: Well actually, we make a guess with a little bit of a stretch. What we did is we took the information that the planning agencies, including the Transportation Plan for the City of Keizer and the COG/SKATS Agency for transportation analysis. We used those numbers and that projected 1,000 jobs.

Attorney Shannon Johnson: I wanted to go back and then (unintelligible). I do not recall that from the period review order, the number of _____. That is from the 94-95 order?

Vickie Hardin-Woods: 1989.

Attorney Shannon Johnson: That is probably the beginning of periodic review.

Vickie Hardin-Woods: I think we are still in it myself.

A number of voices speaking.

Attorney Shannon Johnson: Maria and I are just not aware of any precise total that is demanded by periodic review.

Mayor Christopher: Okay, it is twenty to seven and I am mindful that Commissioner Ryan needs to leave. So what I would like to do, unless there is any further questions from Council what I am going to do is propose a motion and then have each jurisdiction vote on the motion.

Mayor Swaim: I don't know (unintelligible)

A number of voices talking.

Mayor Christopher: Here is the motion: For the governing jurisdictions. The motion will be that as the city testified you do not approve the Keizer Station Plan as submitted by the developers, which is the one on the far right. We agree with the confirmation of the population projection figures and acreage for zoning per plan or related. We recommended the staff alternative plan as modified by the Planning Commission.

SKAPAC does not approve the Keizer Station Plan submitted by the developers, Northwest National LLC. We agree and confirm the population growth rate from the staff subcommittee and we recommend the staff alternative plan as modified by the Keizer Planning Commission.

Unidentified Male Voice: (unintelligible)

Mayor Christopher: Okay, motion number one. SKAPAC does not approve of the Keizer Station Plan as submitted to the City of Keizer by Northwest National LLC, but does agree with the confirmation of the population figures and growth rate from the staff subcommittee. Further discussion?

Mayor Christopher: Marion County, all those in favor of that motion.

Marion County: Aye

Polk County: Aye

City of Salem: Aye

City of Keizer: Aye

Mayor Christopher: Okay, so that is unanimous. Okay second motion. SKAPAC recommends the staff alternative plan as modified by the Keizer Planning Commission.

Marion County: Aye

Polk County: Aye

City of Salem: Nay

City of Keizer: All voting Aye with the exception of Richard Walsh.

Mayor Christopher: I believe that concludes our business here. Keizer will take whatever action is appropriate (unintelligible). We will go forward. Shannon, we will go forward....

Attorney Shannon Johnson: That is correct. There is a fourteen- day period for submitting, I think fourteen-days for a joint meeting, each jurisdiction considered responded. So in addition to the vote you do have the right to submit in writing your position. With regards to the minutes I open to suggestions about how you would like to handle approval of these minutes for today. Perhaps individual action with the jurisdictions, they could be submitted as part of the agenda under individual jurisdictions and voted on in that matter.

Mayor Christopher: Okay, thank you very much and we are adjourned at 6:50 p.m.



June 17, 2002

AGENDA ITEM 8a

**RESOLUTION – CERTIFICATION OF DELINQUENT SEWER
ACCOUNTS**

COUNCIL MEETING:

June 17, 2002

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCILORS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

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



SUBJECT: DELINQUENT SEWER ASSESSMENTS

ISSUE:

The City of Keizer collects sewer fees for the City of Salem from residents and businesses of Keizer. The attached list marked as exhibit "A" represents an itemized list of delinquent accounts from March 26, 2001 through March 31 2002. Each resident (and property owner, if different) has been notified by certified letter and given a sufficient amount of time to remit payment for their account. ORS 454.225 authorizes the City to certify the delinquent amounts to the County Assessor for the amounts assessed against the premises serviced. The statute also allows the City to collect penalty, interest or costs associated with the delinquencies. A 10% delinquent amount has been added as a penalty and a \$10.00 administration fee has been added to cover the City's costs.

RECOMMENDATION:

Staff recommends the City Council adopt the attached Resolution, which certifies the delinquent sewer accounts to the County Assessor for collection.

1
2 **CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON**

3 **Resolution R2002-_____**

4 **CERTIFICATION OF DELINQUENT SEWER ACCOUNTS**
5
6

7 **WHEREAS, the City of Keizer is responsible for the collection of sewer fees**
8 **for the City of Salem from the residents of Keizer; NOW THEREFORE,**

9 **BE IT RESOLVED that the attached Exhibit "A" is an itemized list of**
10 **delinquent sewer charges through and including March 31, 2002 that the City has**
11 **been unable to collect through the usual collection procedures; and**

12 **BE IT FURTHER RESOLVED that ten percent (10%) of the delinquent amount**
13 **has been added as a penalty and that a \$10.00 administration fee has also been**
14 **added to cover the City's costs; and**

15 **BE IT FURTHER RESOLVED that the amounts certified on the attached**
16 **Exhibit "A" shall be added to the appropriate tax accounts as indicated pursuant to**
17 **ORS 454.225.**
18

19 **PASSED this _____ day of _____, 2002.**

20 **SIGNED this _____ day of _____, 2002.**
21
22

23 _____
24 **Mayor**
25
26

27 _____
City Recorder

EXHIBIT "A"
DELINQUENT SEWER ACCOUNTS

Tax ID	Owners Name	Service Address	Total
R19721	Chapin Investments LLC	7880 Wheatland Rd N	\$ 278.64
R19672	Chapin Investments LLC	7985 Wheatland Rd N	431.78
R76780	Clovis Eulan Et Al	Gibson 1295 1/2 Shady Ln NE	384.73
R25632	Della M	Park 390 Weeks Dr N	385.25
R25220	Derek O & Angela M	Apperson 1731 Wildwood Pl NE	278.11
R51899	Henry Ray	Christensen 5085 Windsor Island rd N	225.34
R45937	James A & Risa E	Cowley 4915 Rickman Rd NE	278.11
R20354	Geneva J	Long 5799 Trail Ave NE	278.11
R20577	Manjit B & Alicia	Singh 5625 Mcleod Ln N E	117.67
R25374	Taisto A.	Pesola 4935 Delight St N	331.95
R76691	Robert R & Karen S	Carlson 1208 Candlewood Dr NE	278.11
R76783	Sandi L & Cody C	Eldridge 1245 Shady LN NE	331.95
R57272	Walter C	Hudnall 761 Chemawa Rd N	242.91
R45928	Walter R & Jane A	Scott 1077 Dearborn Av NE	224.81
R20514	Willie M	Laird 5957 McLeod LN NE	197.89
		TOTAL	<u><u>\$4,265.36</u></u>



June 17, 2002

AGENDA ITEM 8b

**RESOLUTION - AUTHORIZING THE CITY MANAGER TO ENTER
AGREEMENT MORSE BROS INC FOR IMPROVEMENTS TO RIVER
ROAD NORTH**

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: WIDENING AND IMPROVEMENTS TO RIVER ROAD NORTH

BACKGROUND:

City Council at the May 20, 2002 meeting authorized the City Manager to enter into an agreement with Roy Houch Construction to re-surface several local streets for a cost of 105,712.55 (Attachment A). Available funds left in the Street Fund budget to accomplish this project is \$233,000.00

City staff has received several complaints on the condition of River Road, north of Country Glen Sub-Division. River Road in this area does not have a 100% Bike Path system connecting with Marion County (Attachment B). The Bike Paths north of the City Limits located in Marion County are complete.

With the additional funds available, staff solicited three quotes from local paving Contractors to re-surface and widen River Road where necessary to complete the Bike Paths (Attachment C). Marion County's Pavement Management Department developed the scope of repairs and improvements needed for this section of River Road, with estimated costs of \$72,346.00 (Attachment D). Three quotes were received ranging from a low of \$62,974.00 to a high of \$80,998.60 to constructed the project and resurface the road. Mores Bros. Construction is the low bid at \$62,974.00

FISCAL IMPACT:

Funds are available in the 2001/2002 Street Fund Budget Street Re-surfacing line item.

RECOMMENDATION:

Council adopt the attached Resolution Authorizing the City Manger to enter into an agreement with Morse Bros. Construction for \$62,974.00 to make repairs and widen River Road North.

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2 Resolution R2002-_____

3 AUTHORIZING THE CITY MANAGER TO ENTER AN AGREEMENT WITH MORSE
4 BROS, INC FOR WIDENING AND BIKE PATH IMPROVEMENTS
5 TO RIVER ROAD NORTH
6

7 WHEREAS River Road, north of County Glen subdivision is in need of
8 improvements and completion of the bike path system;

9 WHEREAS, there are funds available to complete the bike path system and
10 make improvements as necessary;

11 WHEREAS, three bids were received to make the necessary improvements to
12 improve the road condition and connect the bike path system in the area. The low
13 bid was submitted by Morse Bros Inc. in the amount of \$62,974; NOW THEREFORE

14 BE IT RESOLVED by the City Council of the City of Keizer that the City
15 Manager is hereby authorized to enter into an agreement with Morse Bros Inc. to
16 make the necessary repairs and complete the bike path system on River Road North
17 from the County Glen subdivision to the north city limits for a cost of \$62,974.

18 PASSED this _____ day of _____, 2002.

19 SIGNED this _____ day of _____, 2002.

20
21 _____
22 Mayor

23
24 _____
25 City Recorder

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 a part of that program, we have selected several neighborhood streets to be resurfaced with asphalt. These streets have deteriorated below the minimum standards for slurry seals. Asphalt resurfacing is the only effective repair to bring the selected streets back to a Pavement Condition Index of 100 percent.

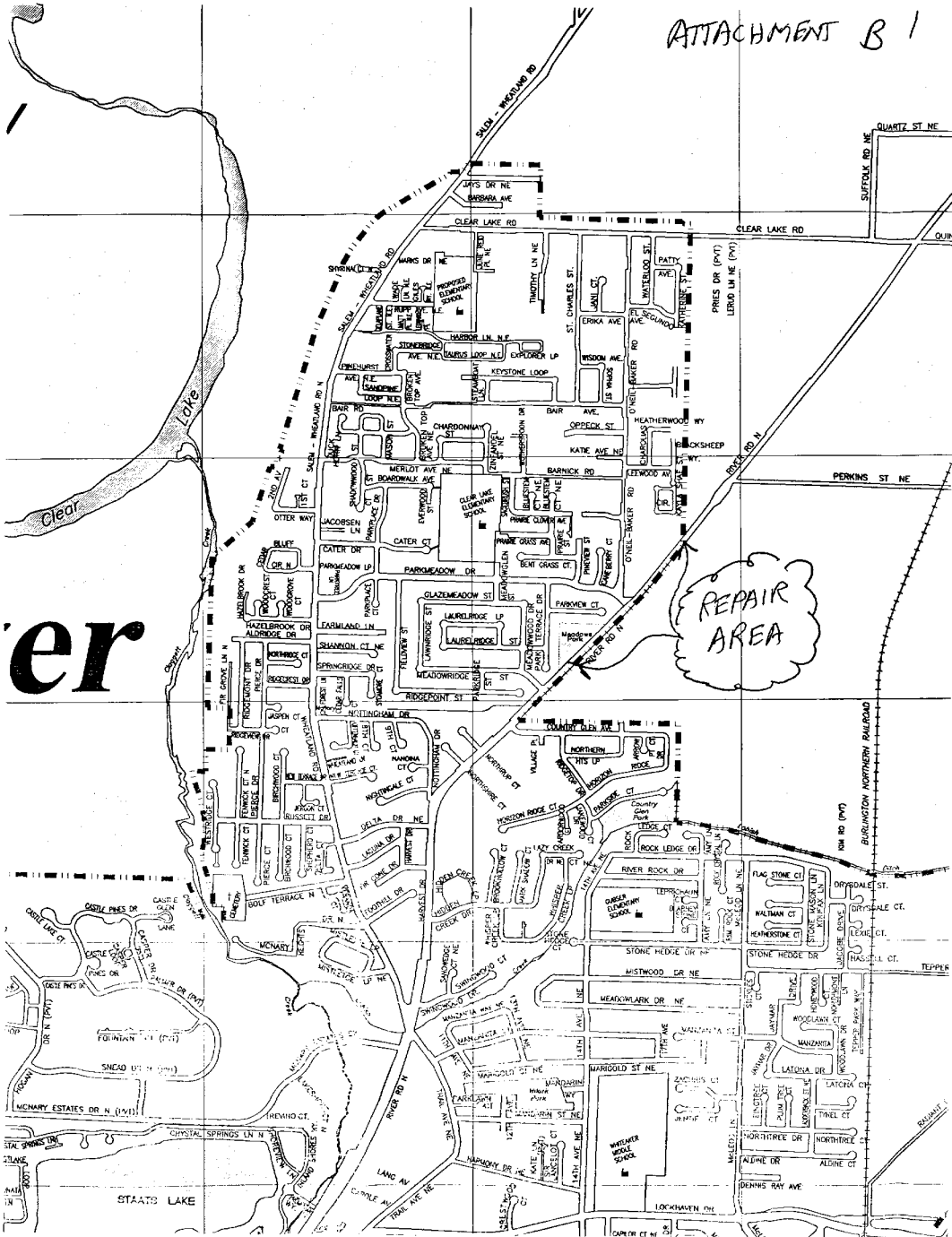
The Public Works Department received and opened 5 bids on May 7, 2002. Marion County Public Works Staff has certified Roy L. Houck Construction as low bidder.

FISCAL IMPACT:

Funding for this project has been budgeted in the 01/02 street fund resurfacing line item.

RECOMMENDATION:

It is recommended the Council adopt the attached Resolution directing staff to enter into an agreement with Roy L. Houck Construction Company through Marion County Public Works to resurface various city streets for a cost of \$ 105,712.55.



ROY L. HOUCK CONSTRUCTION COMPANY

HEAVY CONSTRUCTION

AN EQUAL OPPORTUNITY EMPLOYER

4444 22nd Avenue N.E. / Salem, Oregon 97303 / (503) 463-7177

CCB # 62942

Contract Number: 2002-909

Project: 2 K-36 From: 7005 River Rd To: Keizer City Limits

Item #	Description	Quantity	Unit	Unit Price	Amount
225.490	Flaggers	112.00	HR	1.00	112.00
225.510	Pilot Cars	28.00	HR	1.00	28.00
490.100	Adjusting Manholes	6.00	EA	59.00	354.00
490.200	Adjust Catch Basin & Jct Box	1.00	EA	98.00	98.00
490.300	Adjusting Boxes	3.00	EA	40.00	120.00
620.100	Cold Plane Pavement Removal	1260.00	M2	3.00	3,780.00
640.200	19mm-0 Aggregate Shoulders	200.00	MG	11.50	2,300.00
741.101	Level 2, 19 mm Dense HMA	912.00	MG	36.00	32,832.00
741.146	Level 2, 12.5 mm HMA Base Plug	230.00	MG	36.00	8,280.00
741.151	Level 2, 12.5 mm HMA Leveling	540.00	MG	36.00	19,440.00
749.100	Extra for Asphalt Approaches	6.00	EA	135.00	810.00
749.150	Extra for Asphalt Road Connections	4.00	EA	135.00	540.00
1070.350	Relocate Mailboxes	1.00	EA	60.00	60.00
1300.100	Relocate Sign Unit	2.00	EA	75.00	150.00
					\$68,904.00

ESTIMATES - M

CONTRACT NUMBER: 2002-909

PROJECT: 2 K-36 FROM: 7005 RIVER RD TO: KEIZER CITY LIMITS

ROAD NUMBER: 36 SEGMENT: K NAME: River Rd NE

Kilometers: 0.822

Meters Width - Old: 10.2-14.7 New: 10.2-14.7

Item # Description Notes

225-490 FLAGGERS

225-510 PILOT CARS

490-100 ADJUSTING MANHOLES

490-200 ADJUSTING CATCH BASINS AND JUNCTION BOXES

490-300 ADJUSTING BOXES

620-100 COLD PLANE PAVEMENT REMOVAL

640-200 19mm-0 AGGREGATE SHOULDERS

741-101 LEVEL 2, 19 MM, DENSE, PG 64-22, HMA/C

741-146 LEVEL 2, 12.5 mm, DENSE, PG 64-22, HMA/C, IN

BASE PLUG

741-151 LEVEL 2, 12.5 mm, DENSE, PG 64-22, HMA/C, IN

LEVELING

749-100 EXTRA FOR ASPHALT APPROACHES

749-150 EXTRA FOR ASPHALT ROAD CONNECTIONS

1070-350 RELOCATE MAILBOXES

1300-100 RELOCATE SIGN UNIT

See Specials
6 m Wide and 125mm Deep
See Specials
See Specials

See Specials

See Specials

See Specials

1.01m to 1.07m Height

Quantity	Units	Unit Price	Total
112.00	hr	28.90	3,236.80
28.00	hr	15.00	420.00
6.00	ea	65.00	390.00
1.00	ea	65.00	65.00
3.00	ea	65.00	195.00
1,260.00	m ²	5.65	7,119.00
200.00	Mg	18.70	3,740.00
912.00	Mg	39.15	35,704.80
230.00	Mg	63.60	14,628.00
540.00	Mg	25.00	13,500.00
6.00	ea	150.00	900.00
4.00	ea	200.00	800.00
1.00	ea	100.00	100.00
2.00	ea	100.00	200.00
TOTAL			80,999.60

05-10-2002

D & D PAVING CO.
PO BOX 12009
SALEM OR 97309
CCB #30173

FAX NO. : 5033918371

May. 24 2002 03:21PM P2

PLEASE NOTE:

Pilot cars should not be needed.

No surveying, testing, permits, fees, or bond.

Paving does not include the use of pneumatic roller or intermediate machine.
All work to be paid at unit prices.

Rick Morgan
Rick Morgan/Estimator
Date: May 24 2002

ESTIMATES - M

CONTRACT NUMBER: 2002-909

PROJECT: 2 K-36 FROM: 7005 RIVER RD TO: KEIZER CITY LIMITS

ROAD NUMBER: 36 SEGMENT: K NAME: River Rd NE

Kilometers: 0.822

Meters Width - Old: 10.2-14.7 New: 10.2-14.7

Item #	Description	Notes	Quantity	Units	Unit Price	Total
225.490	FLAGGERS		112.00	hr	\$30.00	\$3,360.00
225.510	PILOT CARS		28.00	hr	\$32.00	\$896.00
490.100	ADJUSTING MANHOLES		6.00	ea	\$75.00	\$450.00
490.200	ADJUSTING CATCH BASINS AND JUNCTION BOXES		1.00	ea	\$65.00	\$65.00
490.300	ADJUSTING BOXES		3.00	ea	\$40.00	\$120.00
620.100	COLD PLANE PAVEMENT REMOVAL	See Specials	1,260.00	m ²	\$3.75	\$4,725.00
640.200	19mm-0 AGGREGATE SHOULDERS	.6 m Wide and 125mm Deep	200.00	Mg	\$11.50	\$2,300.00
741.101	LEVEL 2, 19 MM, DENSE, PG 64-22, HMAC	See Specials	912.00	Mg	\$35.00	\$31,920.00
741.146	LEVEL 2, 12.5 mm, DENSE, PG 64-22, HMAC, IN BASE PLUG	See Specials	230.00	Mg	\$35.00	\$8,050.00
741.151	LEVEL 2, 12.5 mm, DENSE, PG 64-22, HMAC, IN LEVELING	See Specials	540.00	Mg	\$35.00	\$18,900.00
749.100	EXTRA FOR ASPHALT APPROACHES	See Specials	6.00	ea	\$135.00	\$810.00
749.150	EXTRA FOR ASPHALT ROAD CONNECTIONS	See Specials	4.00	ea	\$135.00	\$540.00
1070.350	RELOCATE MAILBOXES	1.01m to 1.07m Height	1.00	ea	\$60.00	\$60.00
1300.100	RELOCATE SIGN UNIT		2.00	ea	\$75.00	\$150.00
						\$72,346.00

EXCAVATION 3"

ATTACHMENT D

05-10-2002

ATTACHMENT C
Pg 2 of 2

05/30/2002 RIVER RD N OAK TO CITY LIMITS

***		BID TOTALS			
Bid Item	Description	UFC - Rod	Quantity	Units	Unit Price
10	FLAGGERS		112.000	HR	28.00
20	PLOT CAR		28.000	HR	31.00
30	ADJ MANHOLES		6.000	EA	90.00
40	ADJ CATCH BASINS AND J BOXES		1.000	EA	50.00
50	ADJ BOXES		3.000	EA	55.00
60	COLD PLANE		1,260.000	M2	3.00
70	AGG SHOULDER 19 MM		200.000	MG	12.00
80	LVL 2 19MM 64-22		912.000	MG	29.00
90	LVL 2 12.5 MM BASE PLUG		230.000	MG	29.00
100	LVL 2 12.5 MM LEVELING		540.000	MG	29.00
110	EXTRA FOR APP		6.000	EA	250.00
120	EXTRA FOR CONNECTIONS		4.000	EA	400.00
130	RELOCATE MAILBOX		1.000	EA	57.00
140	RELOCATE SIGNS		2.000	EA	50.00
Bid Total					\$62,974.00

Russ Rebo
Construction Estimator
MORSE BROS INC

Suggested Names

Chemawa River Place	
Experience Keizer	
Fountain Circle	
Fountain Place	
Fountain Plaza	
Fountain Square	
Glory Corner	
Harmony Corner	
Iris Circle	
Iris Place	
Iris Plaza	
Iris Square	
Keizer Center	
Keizer Circle	
Keizer Corner	
Keizer Point	
Keizer Unity Point	
Pennant Fountain	
River Road Fountain	
River Rest	
The Heart of Keizer	
The Hub	
The Village Green	
Three Flags Fountain	
Unity Circle	
Village Circle	
Village Park	
Village Place	
Village Square	
Welcome to Keizer	
Keizer Central	
Newton Corner	

For Betty Haman
Lamy

GENERAL FUND Parks

	Actual 1999-00	Actual 2000-01	Adopted 2001-02	Manager Recommended	Committee Approved	Adopted 2002-03	Parks Board Recommended
RESOURCES							
LICENSES & FEES							
1	\$	670	\$	1,460	\$	960	\$
2							
3							
4	113,373	83,578	126,487	133,797			318,000.00
5	114,043	85,058	127,347	134,747			
6							
7							
8							
9							
PERSONAL SERVICES							
10							
11	31,713	33,834	35,376	36,240	2,678		
12	7,028	8,096	8,337	8,796			
13	9,855	8,858	13,000	13,000			
14	781	-	-	-			
15	745	798	872	908			
16	6,253	6,887	8,408	9,437			
17	7,025	7,132	8,216	8,665			
18	-	314	-	1,300			
19	2,278	(62)	1,190	1,543			
20	65,656	65,957	75,387	82,887			165,000
21							
MATERIALS & SERVICES							
22							
23							
24	288	512	400	400			1,000
25	7,551	11,387	11,000	11,000			25,000
26	28	242	300	-			
27	70	302	500	700			1,000
28	201	3,040	1,600	1,600			1,600
29	-	609	-	-			
30	-	650	-	-			
31	38,854	-	35,000	35,000			20,000
32	489	465	700	700			1,500
33	(78)	1,071	600	600			2,500
34	85	353	600	600			2,500
35	1,046	780	1,250	1,250			5,000
36	48,355	18,101	51,650	51,650			95,000
37							
38	114,043	85,058	127,347	134,747			92,800
39							316,000

This funding option adds
two FTE and increases
current MUW wages to
facilitate re-classification
to include supervision

80,000 for two FTE
10,000 for re-classification
to include supervision

Park	Improvements	S.D.C Funds	General Funds
Claggett Creek	\$113,451.50	\$113,451.50	none, Community park
Chalmers Jones	\$72,544.00	\$72,544.00	none, Community park
Sunset	\$24,082.00	\$8,428.70	\$15,653.30
Counrty Glen- Hidden Creek	\$42,000.00	\$21,000.00	\$21,000.00
Pleasantview	\$128,500.00	\$44,975.00	\$83,525.00
Northview	\$75,540	\$22,662.00	\$52,878.00
Meadows	\$58,219.75	\$43,664.81	\$14,554.94
Williamette Manor	\$18,500.00	\$9,250.00	\$9,250.00
Willark	\$41,575.00	\$16,629.60	\$24,945.40
Mike Whittam	\$148,775.00	\$52,071.25	\$96,703.75
Northridge	\$9,625.00	\$9,625.00	none, natural area
Rivers Edge	\$101,689.50	\$50,844.75	\$50,844.75
Total	\$834,501.75	Total \$465,146.61	Total \$369,355.14

#13

City	Population	Tax Rate	General Fund	Park Maintenance	Park Maintenance as % of General Fund	Park Maintenance \$/Citizen	Acreage	Maintenance - \$/Acre	FTE	Park Acres/FTE	Contact/ Comments
Keizer -current	31,220	3.43*	5,773,996	129,238	2.2%	4.14	100	1,292	1.5	67	
Keizer - proposed	31,220	3.43*	5,773,996	318,000	5.5%	10.18	100	3,180	3.5	28.5	
Salem	131,385	5.83	81,800,705	4,480,385	5.5%	34.10	1,344	3,334	40	33.6	*includes 660 acres in Minto Brown Park
Dallas	12,967			218,000		16.81	100	2,180	2.5	40	Janet Hutchinson
Woodburn	17,940	6.05	7,982,000	438,740	5.5%	24.59	120	3,656	6.5	18.5	Randy
McMinnville	25,250	5.62	9,868,000	710,000	7.2%	28.11	250	2,840	8	31	
Wilsonville	13,615	4.05	7,240,598	400,000	5.5%	26.98	131	2,804	4	32.7	Tim Barker
Forest Grove	17,130	3.95	8,924,977	449,780	5.0%	26.26	242*	1,858*	5.5	44	*includes 167 ac. natural park
Hillsboro	72,638	3.67	54,000,000	2,780,000	5.2%	38.27			27		
Corvallis	52,215	5.10	82,590,000	4,576,410	5.5%	87.65	1,700	2,692	27	63	
Oregon City	24,940	5.06		341,745					3.5		Dee Craig

*City of Keizer (\$2.08) + Keizer Fire District (\$1.35). All comparable tax rates include fire departments.

#2

Draft Capital Improvement Project Budget for Proposed Funding Alternative

Year One

Purchase New Mower and Trailer - \$25,000 to \$30,000
Begin Development of Bair Park - \$15,000
Office Equipment and Facilities for additional employees - \$5,000
Future Funding for Permanent Restrooms at Claggett Creek Park - \$40,000

Year Two

Construct Permanent Restrooms at Claggett Creek Park - \$60,000 (\$100,000 Total)
Begin Development of Mike Whittam Park - \$15,000
Storage Building for Parks Equipment - \$15,000

Year Three

Purchase New Vehicle (Place "91 Ranger in Reserve) - \$30,000
Construct Paths at Claggett Creek, Meadows, and Willamette Manor Parks - \$20,000
Improvements at Hidden Creek Park - \$15,000
Improvements at Rivers Edge Park - \$15,000
Complete Pleasantview Park - \$10,000

Year Four

Complete Mike Whittam Park - \$25,000
Complete Bair Park - \$10,000
Complete Country Glen Park - \$10,000
Improvements at Rivers Edge Park - \$25,000
Complete Hidden Creek Park - \$10,000

TABLE 4.1
NEIGHBORHOOD PARK PERCENTAGES
OF GROWTH-REQUIRED AND NON-GROWTH NEEDS

<u>Neighborhood Park</u>	<u>Growth-Required</u>	<u>Non-Growth</u>
Bair Park	80%	20%
Clear Lake Park	80%	20%
Country Glen Park	50%	50%
Fernwood Park	0%	100%
Hidden Creek Park	50%	50%
The Meadows Park	75%	25%
Mike Whitman Park	35%	65%
Northview Park	30%	70%
Pleasantview Park	35%	65%
Wilark Park	40%	60%
Willamette Manor Park	50%	50%