



MINUTES KEIZER CITY COUNCIL

Monday, June 16, 2014

**Keizer Civic Center, Council Chambers
Keizer, Oregon**

CALL TO ORDER

Mayor Christopher called the meeting to order at 7:00pm. Roll Call was taken as follows:

Present:

Lore Christopher, Mayor
Joe Egli, Council President
Dennis Koho, Councilor
Cathy Clark, Councilor
Marlene Quinn, Councilor
Jim Taylor, Councilor
Kim Freeman, Councilor

Staff:

Chris Eppley, City Manager
Shannon Johnson, City Attorney
Nate Brown, Community Development
Bill Lawyer, Public Works
Jeff Kuhns, Deputy Police Chief
Tim Wood, Senior Controller
Tracy Davis, City Recorder

FLAG SALUTE

Mayor Christopher led the pledge of allegiance.

PUBLIC TESTIMONY

City Manager Chris Eppley provided information about the Government Finance Officers Association and the Outstanding Achievement in Financial Reporting Award. Senior Controller Tim Wood added that the City has received this award 15 years in a row and that it is not only attributable to the Finance Department but to Council for their oversight and support in the finance and budgeting process.

Mayor Christopher reminded the audience of the Special Council meeting announcement prohibiting further testimony regarding the tow truck parking issue.

Chuck Fisher, Keizer, reported that the Planning Commission had held a Public Hearing on Environmental and Public Services Comp Plan revisions and recommended Council adoption. He noted that a significant change is the reclassification of Labish ditch to a waterway.

Lori Koho, Keizer, requested that public hearing signage be posted in a format that is easier for the driving public to read.

Jerry McGee, Keizer, requested that additional lighting for the Thomas Dove Keizer Statue be placed either on the nearby light pole or on the adjacent Douglas fir tree so that the statue will be lit from above. He also suggested that the statue be pressure washed and waxed. Council agreed by consensus to fund this maintenance up to \$500.

PUBLIC HEARINGS None

ADMINISTRATIVE ACTION

a. Parking Ordinance No. 2005-535 (Request by Tow Company to Amend Ordinance to Allow Parking of Tow Trucks in Public Right of Way)

City Attorney Shannon Johnson explained that testimony was heard on this matter at public hearings and forums. He noted that the current ordinance prohibits vehicles over 10,000 pounds from parking on the public right of way but tow companies have requested changing that to allow overnight parking at drivers' residences. He directed attention to his staff report that offered various options for consideration.

Community Development Director Nate Brown and Mr. Johnson then fielded questions regarding parking violations, home occupation restrictions, and parking in apartment parking lots or on RV pads.

Councilor Egli moved to direct staff to come back with an ordinance allowing tow trucks under the home occupation, increasing the weight limit to 19,500 pounds, Class 5, and extending the response time to 45 minutes. Councilor Koho seconded.

Mr. Johnson pointed out that if tow truck residential parking is allowed, the response time would not need to be increased; the response time issue is addressed in the towing company contracts which are renewed annually. He noted that staff would alert Council to the timing of the contracts so that they can decide on the appropriate response time. Deputy Chief Kuhns interjected that circumstances dictate a varying need on response time and discussion should take place to address this.

Councilor Egli offered a friendly amendment to remove the 45 minute response time from the motion. Councilor Koho accepted the amendment.

Council agreed that this issue was specific to tow trucks and not all commercial vehicles but requested that repeat offenses be avoided by graduated consequences up to removal of the privilege. It was also suggested that buffering of the parking area be required.

Mr. Johnson noted that increasing the weight limit is a land use issue and will need to go to a Public Hearing at the Planning Commission. He added that the Commission could also consider the consequences of repeat offenses and buffering.

Mayor Christopher restated the motion: To direct staff to come back with an ordinance allowing Class 5, 19,500 pound tow trucks to be parked on private property and in driveways as long as they do not block sidewalks. Motion passed as follows:

AYES: Christopher, Egli, Koho and Clark (7)

NAYS: Quinn, Freeman and Taylor (3)

ABSTENTIONS: None (0)

ABSENT: None (0)

Councilor Egli read from the April 7 staff report which suggests that Council address the fine for parking violations, applying the parking

ordinance to private streets, and amending the truck route. Council agreed by consensus to bring these items back with the other items.

**b. ORDINANCE ~
Amending
Keizer
Development
Code
Regarding
Sections 2.129,
2.301, 3.202,
Amending
Ordinances
98-389, 2009-
589, 87-077**

Mr. Johnson reminded Council that this had been addressed at the May 19 meeting and Council had directed staff to come back with an ordinance approving the Keizer Development Code/Keizer Transportation System Plan (April 2009)/Comprehensive Plan Map text changes to revise the Code/Plans involving the Interchange Area Management Plan (IAMP). The ordinance is being offered for adoption at this meeting. He added that the IAMP should be included in the Ordinance and is adopted by reference.

Councilor Egli moved that the Keizer City Council adopt an Ordinance Amending Keizer Development Code Regarding Section 2.129 (Chemawa Interchange Overlay Zone (CIO)), Section 2.301 (General Provisions), Section 3.202 (General Procedures – Types I, II, and III Actions), and the Zoning Map; AMENDING ORDINANCE 98-389; Amending the City of Keizer Transportation System Plan (April, 2009) Regarding Chapter 2 and Chapter 4; AMENDING ORDINANCE NO. 2009-589; and Amending Ordinance No. 87-077 (the Keizer Comprehensive Plan); AMENDING ORDINANCE 87-077 to Allow Implementation of the Interchange Area Management Plan (IAMP) as amended. Councilor Clark seconded. Motion passed unanimously as follows:

AYES: Christopher, Egli, Koho, Quinn, Freeman, Taylor and Clark (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

**c. Regulations
Relating to
Medical
Marijuana
Facilities
Within the City
of Keizer**

Shannon Johnson suggested that Council decide upon the process followed by discussion of task force recommendations.

Councilor Egli moved that the Keizer City Council decline to hold additional public hearings, as the matter has already been heard by the Task Force and proceed with directing staff with recommendations. Councilor Koho seconded. Motion passed unanimously as follows:

AYES: Christopher, Egli, Koho, Quinn, Freeman, Taylor and Clark (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

Council then reviewed Task Force recommendations as follows:

1. Annual License Fee: Council supported a revocable annual license by consensus
2. Fees determined by Council Resolution: Council supported by consensus.

3. Revocation or Suspension: Requirement for inter-dispensary communication to verify amount of medical marijuana purchased by an individual in a given time period. Staff develop a hearing and decision process. Council supported the development of a hearing and decision process by consensus.
4. Siting: Council supported by consensus.
5. Background Checks: Council supported by consensus.
6. No Consumption on Site: Council supported by consensus.
7. Hours of Operation: Council supported by consensus.
8. Signage: Council supported staff coming back with signage recommendations.
9. Sharing Security (PD would have same abilities as State Inspectors). Deputy Chief Kuhns clarified that inspection would be complaint driven. Council supported by consensus.
10. Minors Prohibited: Mayor Christopher moved to support staff recommendation defining a minor as under 21 years old. Councilor Taylor seconded. Motion passed as follows:

AYES: Christopher, Egli, Freeman, Taylor (4)

NAYS: Koho, Clark and Quinn (3)

ABSTENTIONS: None (0)

ABSENT: None (0)

- Grow Receipts (Audit Trail/Chain of Custody): Deputy Chief Kuhns explained that the Police Department wants good records available for inspection. Council supported by consensus requiring grow receipts to be available to Keizer Police or other authorized individuals upon request.
- Police Inspections/notice: Primarily complaint driven; occasionally at police discretion. Council supported by consensus.
- Limited distance from residences: Council supported addressing the exhaust/odor issue rather than distance.
- Regulation of aspects of the business that the statute does not address:
 - Extraction: Council noted that they were discussing licensing of dispensaries. Marijuana could be purchased but the oil could not be extracted at the dispensaries.
 - Grow Sites: Council noted that they were discussing licensing of dispensaries only
 - Discharge of pollutants: Discussed under exhaust/odor above
 - Regulating "security measures": Council directed staff to explore standard language that might be used in Washington and Colorado.
 - Regulating "Medibles": Council supported prohibiting medibles at this time.
 - Limiting number of stores: Council indicated they were not concerned with limiting the number of stores.

- o Minimum standards for security requirements: *Council directed staff to come back with a maximum/minimum.*
- o Traffic issues: Council expectation was that stores would not create a traffic hazard. No action required.
- o Auditing process: Addressed under "Grow Receipts".
- o Required fingerprinting: Council supported requiring fingerprinting.

Mayor Christopher moved to direct staff to move forward on draft regulations consistent with the Task Force recommendations and those discussed this evening. Councilor Egli seconded. Motion passed unanimously as follows:

AYES: Christopher, Egli, Koho, Quinn, Freeman, Taylor and Clark (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

CONSENT CALENDAR

- A. RESOLUTION – Authorizing City Manager to Enter Into Agreement with Specialized Pavement Marking, Inc. for Repainting of Pavement Legends
- B. RESOLUTION – Authorizing City Manager to Enter Into Purchase Agreement with Trebron Company, Inc., for Purchase of Sophos Email and Web Protection
- C. RESOLUTION – Authorizing the City Manager to Award and Enter Into an Agreement With K & E Excavating, Inc., for Reconstruction of Shoreline Drive.
- D. RESOLUTION – Adopting the FY14-15 Budget, Making Appropriations and Imposing and Categorizing Taxes; Repealing Resolution R2014-2456.
- E. RESOLUTION – Repealing Resolution R83-021, Resolution R84-072, Resolution R85-139, Resolution R87-252, Resolution R87-260, Resolution R87-290, Resolution R88-361, Resolution R89-416, Resolution R90-476, Resolution R92-549, and Resolution R94-708 Relating to Land Use Permit Fees, Appeal Fees, and Planning and Building Fees
ORDER – Repealing Order Dated February 17, 1983 (Relating to Ordinance 83-002 and Establishing a Fee Schedule for Fees to be Collected by Marion County in Return for Services Performed in Implementing the Ordinance)
- F. RESOLUTION - Repealing Resolution R92-564 (Establishing the Amount of the Parks System Development Charge), Resolution R93-683 (Clarifying the Parks System Development Charges), Resolution R2000-1231 (Establishing the Amount of the Parks System Development Charge (2000)), and Resolution R2005-1619 (Amending the Parks System Development Charge (2000))
- G. RESOLUTION – Ratifying the Community Development Director's Execution of a Transportation and Growth Management Grant for

- Revision of Transportation System Plan
- H. RESOLUTION – Authorizing City Manager to Enter Into User's Agreement for Law Enforcement Participants of the Regional Automated Property Information Database ("RAPID") with City of Portland
- I. RESOLUTION – Certification of Delinquent Sewer Accounts (Repealing R2014-2463)
- J. Approval of May 19, 2014 Regular Session Minutes

Councilor Egli moved for approval of the Consent Calendar. Councilor Clark seconded. Motion passed as follows:

AYES: Christopher, Egli, Koho, Quinn, Freeman, Taylor and Clark (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

COMMITTEE REPORTS

- a. **RESOLUTION - Amending the Keizer Festivals and Events Services Team (K-FEST) Committee**
- Councilor Clark explained that because the Volunteer Coordinating Committee has been unsuccessful in filling vacant positions on this committee, the membership is being reduced to seven voting members.
- Councilor Egli moved that the Keizer City Council adopt a Resolution Amending the Keizer Festivals and Events Services Team (K-FEST) Committee; Amending Resolution R2011-21555, Repealing Resolution R2013-2315. Councilor Quinn seconded. Motion passed unanimously as follows:
- AYES: Christopher, Egli, Koho, Quinn, Freeman, Taylor and Clark (7)
- NAYS: None (0)
- ABSTENTIONS: None (0)
- ABSENT: None (0)

OTHER COMMITTEE REPORTS

Councilor Clark congratulated McNary graduates and reported that K-FEST had met to complete the band selection for the summer concerts which start June 28. She reviewed meetings she attended and planned to attend including the Strategic Economic Development Corporation, West Keizer Neighborhood Association, and the Salem River Crossing Oversight Team.

Councilor Freeman thanked the Keizer Points of Interest Committee for the recent tour and reviewed past and upcoming meetings including the Claggett Creek Watershed Council barbeque, Storm Water Advisory Committee, and the West Keizer Neighborhood Association. She thanked citizens for letters and emails.

Councilor Egli reported that he had attended the Marion County Commissioners breakfast and announced the upcoming Economic Development and Government Affairs meeting. He urged citizens to volunteer to fill committee vacancies.

Councilor Quinn reported that the Community Build Task Force met at the beginning of the month; the Oregon Parks & Recreation Department grant was not awarded to Keizer so the Task Force is stepping up fundraising efforts; and Parks Board meeting/Public Hearing will be at McNary High School cafeteria on July 8.

Councilor Taylor reported that there would be no KPIC meeting in June.

Mayor Christopher announced that the Keizer Arts Commission met and approved the mural for Keizer Florist. She thanked Rick Day for getting things done - particularly for making repairs on the Keizer Florist building where the mural is to be placed. She also praised the Keizer Points of Interest Committee for their tour efforts. Mr. Johnson clarified that the signed easement for the mural has not yet been received from the property owner, but he has agreed in concept.

OTHER BUSINESS

City Recorder Tracy Davis announced volunteer openings and reminded Council of the Executive Session scheduled for June 30.

Deputy Chief Kuhns reported that the trial for the murder from 10 years ago will begin on June 17, and he recognized lead investigators, Jennifer Roberts, Rodney Bamford and Dimitry White and John Troncoso who oversaw the entire investigation. Blast Camp, Bringing Law Enforcement and Students Together, is sold out with 200 people registered. National Night Out is Tuesday, August 5. A new K-9 has been purchased with donation dollars; Bas is going to retire. An arrest was made on the ATM robbery. Travis Rickets, a former Keizer Reserve Officer, has been hired by the Keizer Police Department.

Public Works Director Bill Lawyer reported that drains and swales on Chemawa Road have been redesigned to avoid utilities and turned into ODOT. Hopefully this is all that is needed to get the contractor back to work.

Mayor Christopher questioned why there was no signage on Bolf Terrace indicating that it is not a through street. Mr. Lawyer indicated that he would install a "No Outlet" sign. He then responded to questions regarding replacement of street signs and federal funding restrictions of the Chemawa Road improvements.

Community Development Director Nate Brown pointed out that Council had approved ratification of the grant application to the TGM program for \$200,000. If awarded, this will be a commitment of staff time and will include an alternative mode implementation strategy plan to show how goals in the Transportation System Plan would be accomplished for alternative modes.

WRITTEN COMMUNICATION

None

AGENDA INPUT

July 7, 2014

7:00 p.m. – City Council Regular Session

July 14, 2014

5:45 p.m. – City Council Work Session - *Cancelled*

July 21, 2014

7:00 p.m. – City Council Regular Session

July 30, 2014

5:45 p.m. – City Council Executive Session

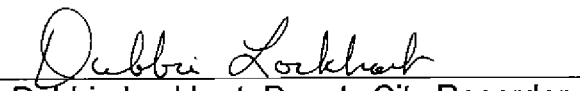
ADJOURNMENT

Mayor Christopher adjourned the meeting at 9:11 p.m.

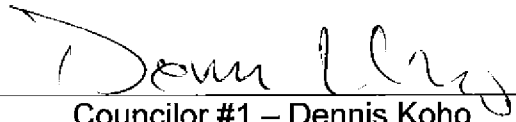
MAYOR:

APPROVED:


Lore Christopher

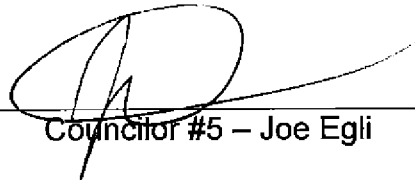

Debbie Lockhart, Deputy City Recorder

COUNCIL MEMBERS


Councilor #1 – Dennis Koho

Councilor #4 – Cathy Clark


Councilor #2 – Kim Freeman


Councilor #5 – Joe Egli

Councilor #3 – Marlene Quinn

Councilor #6 – James Taylor

Minutes approved:

