



MINUTES
KEIZER CITY COUNCIL
Monday, June 5, 2023
Keizer Civic Center, Council Chambers
Keizer, Oregon

CALL TO ORDER

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

Present:

Cathy Clark, Mayor
Laura Reid, Councilor
Shaney Starr, Councilor
Kyle Juran, Councilor
Daniel Kohler, Councilor
Robert Husseman, Councilor
Soraida Cross, Councilor
Youth Councilor Angelica Sarmiento Avendano

Staff:

Adam Brown, City Manager
Tim Wood, Assistant City Manager
Machell DePina, Human Resources
Shannon Johnson, City Attorney
Shane Witham, Planning Director
John Teague, Police Chief
Tracy Davis, City Recorder

FLAG SALUTE

Mayor Clark led the pledge of allegiance.

**SPECIAL ORDERS
OF BUSINESS**

Referring to the previous month's observance, Mayor Clark invited Rabbi Avrohom Perlstein to share information about Jewish Heritage. Rabbi Perlstein explained that he is the grandchild of a couple who survived the holocaust, noted that the Jewish people are not about anti-Semitism but are people who have moved on from that experience and believe in a better world with the hope to build community, live in peace and promote peace.

**PROCLAMATION –
Pride Month**

Nevaeh Music shared what it is has been like for her to be a homosexual in Keizer and urged that progress be promoted through education. Mayor Clark then read the proclamation observing June as Pride Month and presented it to Ms. Music.

**PROCLAMATION –
Juneteenth**

Councilor Starr noted that there would be a presentation about Juneteenth at the June 20 Council meeting. Mayor Clark then read the proclamation observing June 19th as Juneteenth, the oldest African American holiday observance in the United States.

**PROCLAMATION –
2022-23 Youth
Councilor Angelica
Sarmiento**

Mayor Clark read a proclamation honoring and thanking Youth Councilor Angelica Sarmiento Avendano for her dedicated service and presented her with gifts of appreciation.

Ms. Sarmiento expressed her gratitude for everything she learned while

Avendano

serving on Council and noted that she hoped to continue to serve as Planning Commission Youth Committee Liaison.

COMMITTEE REPORTS

a. Committee Appointment

Councilor Juran thanked Markey Toomes for his previous service and appointed Stephanie Cross to the Community Diversity Engagement Committee.

Beth Melendy reported that the Keizer Public Arts Commission had approved a new display in the gallery, renewed contracts with artists on sculptures throughout the city and purchased a few pieces of art from a local artist for permanent display. The Commission will next be focusing on getting art on the utility boxes and installing cow sculptures in the roundabout. Councilor Reid noted that there will be a dedication ceremony for the roundabout sculptures in the lobby as part of the 40th birthday party with a permanent sign to be placed in Claggett Creek Park.

David Dempster reported that Traffic Safety/Bikeways/Pedestrian Committee has seen an increase in people expressing concern about walking and biking and speeding traffic. He reviewed various areas of concern and noted that the committee will have a Bike Skills Fair on June 10; the committee gives helmets away at schools, apartment complexes and any event that they can attend. Discussion followed regarding the Neighborhood Traffic Management Plan. Committee member Tammy Saldivar noted that she has been spearheading the updating efforts of the plan and is working with Public Works to overcome some 'roadblocks' to the process.

Jacqueline Green, Keizer, announced that the Kennedy Neighborhood Council is holding a Community Resource Fair at St. Edward Catholic Church July 28 and August 4 and is hoping to learn about the needs of the community and get community support to fill those needs.

PUBLIC COMMENTS

Mayor Clark noted for the record written comments received from Tammy Kunz asking how the Community Diversity Engagement Committee can impact the community.

John Misener, Keizer, asked if the Miracle of Lights route was going to include Meadowlark and Mistwood and noted that the neighbors do not want it to be part of the route. Mayor Clark explained that this is not a City event. The question should be directed to the people who are establishing the route. She note that determining how people are involved in these conversations will be addressed later on the agenda but the route is not part of that discussion.

Robert Dichtel, Keizer, expressed disappointment that there would be no city sponsored concerts at the park this summer and urged Council to resurrect the series as soon as possible.

Lyndon Zaitz, Keizer, announced the Keizertimes photo scavenger hunt

in association with the city birthday party. He explained that a list of items will be posted on the Keizertimes Facebook and website pages. Participants will take photos and submit them to the paper. Deadline is Friday, June 16. The winner will receive a basket of goodies. There are 17 items throughout the city and everyone is welcome to participate.

Tammy Kunz, Keizer, suggested that a pedestrian activated crossing beacon be placed on Verda Lane between May and Dixon streets to help school children cross Verda.

Dennis Spencer, Keizer, complained that cars parked illegally in handicapped spaces are not being cited and asked that something be done.

Emerson Carella, Keizer, explained that he is a high school student that was nominated to serve on the Volunteer Coordinating Committee but was rejected because of his age. He noted that he has served as an aid in the legislature and on the United Way Board and has been accepted into the FBI Academy. He shared detailed information on teenage suicide and his involvement in its prevention and urged Council to stop basing qualification solely on age but to focus on qualifications.

Ken Gierloff, Keizer, questioned the status of installation of a pedestrian activated crossing beacon at Alder and Brooks. With consent of Council Mayor Clark asked that the Traffic Safety/Bikeways/Pedestrian Committee recommendation be directed to Public Works Director Bill Lawyer to look at the feasibility of the request.

Mr. Gierloff then requested that the speed limit on Verda Lane be reduced by 5 miles per hour. Chief Teague expressed support for this reduction. With the concurrence of Council Mayor Clark asked the City Manager to work with Public Works to reduce the speed on Verda.

PUBLIC HEARING

a. ORDINANCE – Setting Water Rates (2024); Repealing Ordinance No. 2022-844

Mayor Clark opened the Public Hearing.

Finance Director Tim Wood summarized his staff report. Discussion followed regarding changing the billing cycle to monthly rather than bi-monthly and electronic bill payments. Mr. Wood reminded everyone that the most expensive part of their utility bill is sewer, not water.

With no further testimony, Mayor Clark closed the Public Hearing.

Councilor Starr moved that the Keizer City Council adopt a Bill for an Ordinance Setting Water Rates (2024); Repealing Ordinance No. 2022-844. Councilor Reid seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Husseman, Cross, Kohler, Starr and Juran (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

- b. RESOLUTION – Amending the City of Keizer Police Services Fee; Repealing Resolution R2022-3284** *Mayor Clark opened the Public Hearing.*
 Mr. Wood summarized his staff report.
With no further testimony, Mayor Clark closed the Public Hearing.
 Councilor Starr moved that the Keizer City Council adopt a Resolution Amending the City of Keizer Police Services Fee; Repealing Resolution R2022-3284. Councilor Reid seconded. Motion passed as follows:
 AYES: Clark, Reid, Cross, Kohler, Starr and Juran (6)
 NAYS: Husseman (1)
 ABSTENTIONS: None (0)
 ABSENT: None (0)
- c. RESOLUTION – Declaring the City's Election to Receive State Revenues** *Mayor Clark opened the Public Hearing.*
 Mr. Wood summarized his staff report and fielded questions regarding receipt of the payments.
With no further testimony, Mayor Clark closed the Public Hearing.
 Councilor Starr moved that the Keizer City Council adopt a Resolution Declaring the City's Election to Receive State Revenues. Councilor Reid seconded. Motion passed unanimously as follows:
 AYES: Clark, Reid, Husseman, Cross, Kohler, Starr and Juran (7)
 NAYS: None (0)
 ABSTENTIONS: None (0)
 ABSENT: None (0)
- RESOLUTION – Certifying That the City of Keizer Provides Four or More Municipal Services** Councilor Starr moved that the Keizer City Council adopt a Resolution Certifying That the City of Keizer Provides Four or More Municipal Services. Councilor Reid seconded. Motion passed unanimously as follows:
 AYES: Clark, Reid, Husseman, Cross, Kohler, Starr and Juran (7)
 NAYS: None (0)
 ABSTENTIONS: None (0)
 ABSENT: None (0)
- d. RESOLUTION – Adopting the FY 2023-24 Budget, Making Appropriations, and Imposing and Categorizing Taxes** *Mayor Clark opened the Public Hearing.*
 Mr. Wood summarized his staff report.
With no further testimony, Mayor Clark closed the Public Hearing.
 Mayor Clark noted that a request for funds will come from Keizer Kloset in July or later. They did not request funds during the budget process.
 Councilor Reid provided clarification regarding Keizer Heritage Foundation regarding tracking ongoing expenses and updating of the doors to make them ADA compliant.
 Councilor Starr moved that the Keizer City Council approve a Resolution

Adopting the FY 2023-24 Budget, Making Appropriations, and Imposing and Categorizing Taxes. Councilor Reid seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Husseman, Cross, Kohler, Starr and Juran (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**e. ORDINANCE –
Regulating
Dogs at Large**

Mayor Clark opened the Public Hearing.

Mayor Clark admitted to the record written comment from Ross Day. City Manager Adam Brown summarized his staff report. Discussion followed regarding dog certifications, fines, ADA exemptions, the County ordinance, and recourse available to people through personal injury claims.

With no further testimony, Mayor Clark closed the Public Hearing.

Councilor Starr moved that the Keizer City Council adopt a Bill for an Ordinance Regulating Dogs at Large. Councilor Cross seconded.

The following changes were pointed out as scriveners errors or offered as friendly amendments and accepted by Councilors Starr and Cross:

Section 3, line 20: delete the first line starting with 'trainer certified' and most of the second line up to 'are exempt' and replace with: "Dogs that are allowed to be off-leash under state or federal disability laws" are exempt.

Section 3, line 22 change: "In addition, on duty police dogs and dogs within a city-authorized dog park area are exempt."

All three fine dollar amounts: Minimum \$200, Presumptive \$250 and Maximum \$500.

Line 17: 'lease' should be 'leash'.

Line 17: replace 'hand-held leash' with 'restrained by a leash'

Fine Structure: Minimum fine \$25, Presumptive fine \$25, \$50 and \$100 with a Maximum of \$500. Mr. Johnson noted that this section would need to be re-written.

Mayor Clark noted that she would like staff to bring back the \$25/\$50/\$100 structure and continue this discussion.

Following this discussion both Councilors Starr and Cross agreed to withdraw their motion and bring this issue back to the June 20 meeting with changes discussed.

**ADMINISTRATIVE
ACTION**

a. Southeast

Taken out of order. Addressed under Committee Reports.

Ken Gierloff reported that the association is back and is engaged and it plans to move forward with an event during National Night Out. He

**Keizer
Neighborhood
Association
Annual Report**

thanked Council for the extra funds allotted noting that he hoped the extra money would help with engaging people in the neighborhood. He also introduced Don Davis, the newest member of the Board. Chief Teague commended Mr. Gierloff for his continued dedication to the neighborhood noting that he has been working Mr. Gierloff since 1993 and many good things have happened in southeast Keizer because of his efforts.

Councilor Starr moved that the Keizer City Council accept the report of the Southeast Neighborhood Association and extend recognition to the Southeast Neighborhood Association for an additional year. Councilor Reid seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Husseman, Cross, Kohler, Starr and Juran (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**b. North West
Keizer
Neighborhood
Association
Report**

Taken out of order. Addressed under Committee Reports.

Hersch Sangster and Board members introduced themselves.

Mr. Sangster shared information on the formation of the association, meetings held, and plans. He noted that the association hopes to increase membership and will focus on more outreach and is hoping to work with the City to develop a park in the neighborhood.

Councilor Starr moved that the Keizer City Council accept the report of the Northwest Neighborhood Association and extend recognition to the Northwest Neighborhood Association for an additional year. Councilor Reid seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Husseman, Cross, Kohler, Starr and Juran (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**c. ORDINANCE –
Amending Keizer
Development
Code Regarding
Sections 1.103,
2.102, 2.103, 2.104,
2.107, 2.110, 2.122,
2.127, 2.130,
2.302, 2.308, 2.401,
2.403, 2.432, 3.105,
and 3.202;
Amending
Ordinance 98-389**

Planning Director Shane Witham summarized his staff report.

Councilor Starr moved that the Keizer City Council adopt a Bill for an Ordinance Amending Keizer Development Code Regarding Section 1.103, Section 2.102, Section 2.103, Section 2.104, Section 2.107, Section 2.110, Section 2.122, Section 2.127, Section 2.130, Section 2.302, Section 2.308, Section 2.401, Section 2.403, Section 2.432, Section 3.105, and Section 3.202; Amending Ordinance 98-389.

Councilor Reid seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Husseman, Cross, Kohler, Starr and Juran (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**d. ORDINANCE –
Amending
Ordinance
Relating to the
Regulation of
Fireworks
Within the City
of Keizer
(Amending
Ordinance No.
2022-851);
Declaring an
Emergency**

City Manager Adam Brown summarized his staff report.

Mayor Clark pointed out a discrepancy and suggested taking out the exemption line in section 3 or adding the requirement of compliance with Oregon Administrative Rules. Following discussion it was noted that Section 3d should be deleted and put into Section 4.

Mr. Johnson suggested Council adopt the ordinance as written and staff would bring it back at the next meeting with recommended changes.

Councilor Starr moved that the Keizer City Council adopt a Bill for an Ordinance Amending Ordinance Relating to the Regulation of Fireworks within the City of Keizer (Amending Ordinance No. 2022-851); Declaring an Emergency. Councilor Reid seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Husseman, Cross, Kohler, Starr and Juran (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**e. Special Events
in
Neighborhoods**

Mr. Brown summarized his staff report. Discussion followed regarding the recommendation and methodology for public outreach, recourse for those who may disagree and the final decision being made by City staff.

Patti Tischer, Keizer, President of the Greater Gubser Neighborhood Association, explained that although neighbor involvement is small, they have made it clear that they want direct communication on events that will affect them.

Councilor Starr moved that the Keizer City Council direct staff to amend the special event ordinance to require public participation for special events that occur in a neighborhood that go over 24 hours and impact more than 5 homes. Councilor Reid seconded.

Mayor Clark offered a friendly amendment that the methodology be submitted with the application. Amendment accepted by Starr and Reid.

Motion passed unanimously as follows:

AYES: Clark, Reid, Husseman, Cross, Kohler, Starr and Juran (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**f. Community
Center Fee
Waiver – Marion
County Reentry
Initiative
Breakfast**

City Recorder Tracy Davis summarized her staff report.

Councilor Starr moved that the Keizer City Council approve a waiver of the Community Center rental fee, staffing costs, and refundable security deposit for the Marion County Re-Entry Initiative Breakfast on October 12, 2023. Councilor Reid seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Husseman, Cross, Kohler, Starr and Juran (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

g. The Lava Dome

Mr. Brown summarized his staff report and explained that the City is working with Lava Dome on various usage details. He noted that the agreement is that local sports leagues would play on the outdoor fields and would only be allowed to use the indoor fields during inclement weather. He reminded Council that the letter of intent is non-binding but is simply a tool used to collect donors.

Mayor Clark noted for the record written testimony received from Greater Northeast Keizer Neighborhood Association President Tammy Kunz supporting the Lava Dome project.

Marlene Parsons, Keizer, a member of the Board for the Lava Dome, shared details regarding use, scholarships, inclusivity, staffing, fees and upkeep. She urged Council to approve the letter of intent so that Lava Dome can move forward with soliciting donations and building the dome. She confirmed that this is Phase 1, which is installation, management and use of the dome and fielded questions regarding scheduling.

Mr. Brown noted that the Letter of Intent was not included in the packet but was emailed to Councilors. He summarized what was in the letter: parties will work together with Lava Dome on terms of the development agreement and terms of the management agreement.

Discussion followed regarding the extreme cost, sponsors, use of fields, who is responsible for scheduling the fields, the letter of intent, and capacity. It was suggested that a definite scheduling plan be included in the letter of intent. Concern was voiced regarding Keizer youth being excluded from use of the fields because they would be rented to outside organizations.

Mayor Clark noted that this could not be adopted tonight because the letter of intent was not included in the packet. She suggested that additional questions be directed to Mr. Brown or Mr. Johnson between now and the next Council meeting.

Council agreed by consensus that the conversation should move forward with development of the letter of intent.

CONSENT CALENDAR

- a. RESOLUTION – Authorizing Mayor to Send Letter to City Attorney Regarding Evaluation Recommendations and Observations
- b. RESOLUTION – Authorizing the City Manager to Award and Enter Into an Agreement with Gelco Construction Company for McLeod Storm Realignment
- c. RESOLUTION – Authorizing the City Manager to Award and Enter Into an Agreement with Roy Houck Construction LLC for 2023 Pavement Resurfacing

- d. RESOLUTION – Authorizing the City Manager to Enter Into Agreement with Ralph Andersen & Associates
- e. RESOLUTION – Certification of Delinquent Sewer Accounts
- f. Approval of May 15, 2023 Regular Session Minutes

Councilor Starr moved for approval of the Consent Calendar. Councilor Reid seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Husseman, Cross, Kohler, Starr and Juran (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

OTHER BUSINESS None

STAFF UPDATES None

**COUNCIL
MEMBER
REPORTS**

Councilor Starr reported that she had met with US Navy Lieutenant Commander to plan for their visit during Navy Week in September. McNary Principal Eric Jespersen is excited about having the Navy Pop Music Band do a concert for the community after the Navy sailors play a rotating softball game with Keizer youth.

Councilor Cross announced that at the annual Withnell Family YMCA meeting she was named Board Member of the Year.

Mayor Clark reminded everyone of the upcoming 40th Birthday celebration on June 16 and 17 and read a thankyou note from Mike and Marlee Koenig from the Keizer Community Band.

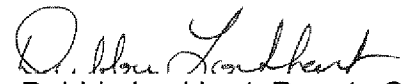
AGENDA INPUT June 12, 2023 – 6:00 p.m. – City Council Work Session
June 20, 2023 (Tuesday) – 7:00 p.m. – City Council Regular Session
July 3, 2023 – 7:00 p.m. – City Council Regular Session

ADJOURNMENT Mayor Clark adjourned the meeting at 11:44 p.m.

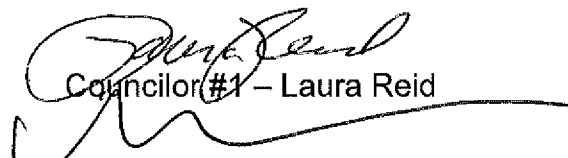
MAYOR:


Cathy Clark

APPROVED:


Debbie Lockhart, Deputy City Recorder

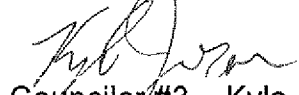
COUNCIL MEMBERS

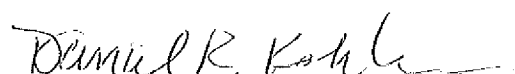

Councilor #1 – Laura Reid


Councilor #4 – Soraida Cross

Councilor #2 – Shaney Starr

Councilor #5 – Robert Husseman


Councilor #3 – Kyle Juran


Councilor #6 – Daniel R. Kohler

Minutes approved: June 20, 2023