MINUTES
KEIZER CITY COUNCIL
Monday, June 5, 2000
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Newton called the regular meeting to order at 7:07 p.m. Roll Call was taken as follows:

Present:
Bob Newton, Mayor
Lore Christopher, Council President
Craig Campbell, Councilor
Jim Keller, Councilor
Jerry McGee, Councilor
Jacque Moir, Councilor

Absent:
J. L. Wilson, Councilor

Staff:
Wally Mull, Outgoing City Manager
Christopher Eppley, Incoming City Manager
Rob Kissler, Public Works Director
Maria Meier, Senior Planner
Marc Adams, Chief of Police
Dianne Hunt, Human Resources Director
Tracy L. Davis, City Recorder
Shannon Johnson, City Attorney

PUBLIC TESTIMONY

Ken Gierloff, KNAG President, 4035 Arnold Street, Keizer- requested interpretation from the City Attorney whether their organization would fall under the public meeting law. Mr. Gierloff indicated this could have an impact upon their budget since it would require them to comply with ADA requirements. He also noted that the neighborhood associations were not covered under the City's policy as volunteers and expressed concern with the possibility of being sued because of public comment.

Mayor Newton directed City Attorney, Shannon Johnson to review and bring back a report to the Council by June 19th.

Mr. Gierloff also invited City Manager Eppley to the next KNAG meeting on June 26th.

FMAGIC

Tim Kelsh, 1370 Rafael, Keizer- referred to letter submitted by Clark Williams and expressed the importance of the height and width of the river wall being described in the easement. Mr. Kelsh indicated many of the property owners would be willing to sign if the easement issue could be worked out.

Cliff Mueller, 1180 Rafael, Keizer- reiterated Mr. Kelsh's concerns and the need to have this information in writing.

City Attorney, Shannon Johnson noted that the easement of the river wall was a precise type of use and would not allow for any other type of use.

Mayor Newton indicated that the attorney had been instructed to work to resolve the above issues.

Robert Herberger, 2805 Chemawa Road NE, Keizer- asked if there would be an opportunity for public testimony regarding the *Request for Initiation of Text Amendment for Gasoline Service Stations Near Chemawa/River Road.*

Mr. Mull noted that the requested was to place a service station in the parking lot west of Safeway. He indicated policy currently does not allow service stations to exist on River Road and Chemawa between Sandy Drive, Churchdale, Elizabeth and Rickman Drive.

Senior Planner, Maria Meier noted that staff recommendation was to make no change to the policy.

Mr. Johnson shared that the initiation of the text amendment is for the Council to review. He noted if the Council does decide to initiate the text amendment that a series of public hearings would take place.

Marcia Bednarczyk, 7775 O'Neil Road, Keizer- felt it was important to continue the CCTV service and requested that the City go back to Marion County and the City of Salem to request a reduction in the service.

Council President Christopher stressed that there was not $92,000 in the budget to continue funding this program and this was purely a fiscal decision.

Councilor Campbell who serves on the Cable Regulatory Commission had spoken with the Salem representative and his sense from the representative was that they were not favorable regarding a partial contribution to CCTV.

Mayor Newton indicated that if Ms. Bednarczyk wished to submit her proposals to Councilor Campbell he could review the options.

William George, 990 Rafael, Keizer- stressed the importance of the wording of the contract for the river wall to limit the height and width of the wall.

Council President Christopher noted the Council had met in Executive Session and reviewed the concerns addressed in Mr. Williams' letter. She addressed the partnership between the City and the Army Corp of Engineers indicating that the height and width of the wall refers back to the plan which the Corp acts as the builder of the plan. She indicated that the Corp would not allow the language that was being requested. Council President Christopher went on to note that the city attorney would review the other issues that were addressed in the letter.

City Attorney, Shannon Johnson stressed that the reference to the easement refers to the plan. He indicated that the plan contains diagrams and language for exact height of the wall and felt this should alleviate any concerns.

Robert Herberger, 2805 Chemawa Road, Keizer- speaking as President of the Gubser Neighborhood Association noted that the association had adopted by motion that the televised Council Meetings through CCTV continue. He stressed that this was a valuable communication tool for the City.

Mayor Newton thanked everyone for his or her testimony.

COMMITTEE REPORTS

a. Introduction of City Manager Chris Eppley

City Manager Mull introduced the incoming City Manager, Christopher Eppley. He supplied Mr. Eppley's background and experience and welcomed Mr. Eppley as the new City Manager.

Councilor Keller provided Mr. Mull with a memento of his appreciation for his work as City Manager.

Emergency Management Committee
Councilor Moir noted the generator at the police department had been installed and was working properly. She also noted that Don Blevens, an EVAK member, attended the VOAD Meetings (Voluntary Organizations Active in Disasters). Mr. Blevens noted that Keizer had one of the most active volunteer bases in the state.

Councilor Moir indicated that the next training session for Emergency Management Volunteers would take place Thursday, June 15th at 7:00 p.m. and Saturday, June 17th at 10:00 a.m. She also noted that the EVAK web site was posted in coordination with the City of Keizer's web site. She urged everyone to review the site.

OTHER BUSINESS

Councilor Campbell congratulated Officer Eric Jefferson for receiving the 2000 Outstanding Site Award for the Police Canine web site.

Chief Adams reported the next Community Policing Meeting would take place on Thursday, June 8th at 7:00 p.m. Discussion would be the police budget.

a. New Business

- **Dedication of Right of Way by Salem-Keizer School District ~ Barnick Road**

Public Works Director, Rob Kissler reported with the completion of the Vineyards Sub-Division the opportunity had been made available to improve pedestrian safety, vehicle safety and access to Clearlake School. He indicated that the School Board through staff had indicated their willingness to dedicate the necessary property to the City for right of way purposes. The School District Board had scheduled formal action on the dedication June 13, 2000. The City Public Works Department has funds available in the 2000-2001 Street Fund budget to complete this project during summer of 2000.

Mr. Kissler shared that when Bair park and the second phase of the Vineyards Sub-Division was complete three additional sub-divisions north of the Clearlake School would have better access. He noted that this additional access would relieve some of the congestion on Parkmeadow and Meadowglen streets during the opening and closing of school.

Responding to questions, Mr. Kissler indicated that the street would be a 3/4 street improvement with the loss of possibly one-two of the sequoia trees.

Senior Planner, Maria Meier noted that conductivity was a requirement for all new developments and was part the approval process of the subdivision.

Mr. Kissler noted in this case that the developer did one-half street improvement on the north side. The south side of the property is owned by the school district. He went on to note that formal action with the School District would take place on June 13, 2000.

Councilor McGee moved a Resolution supporting the design plan that was presented by staff and encouraged the school district to deed the land to the City of Keizer. Councilor Moir seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Campbell, Keller, McGee, Moir and Newton (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Wilson (1)

Mr. Mull noted that no opposition was made by the school district to the resolution.

- **Request for Initiation of Text Amendment for Gasoline Service Stations Near Chemawa and River Road**

Senior Planner, Maria Meier reported on May 5, 2000 the City received a request for the Council to consider initiating a text amendment to the Keizer Development Code with regards to the prohibited locations of gasoline service stations. Ms. Meier stated that the applicant requested that the City Council consider the text amendment to allow the establishment of a gasoline service station at 4990 River Road North, Keizer (located south of Sheri's Restaurant on River Road)

Ms. Meier supplied the background of the *City of Keizer River and Chemawa Center Specific Plan* and the *River and Chemawa Design Study*. She indicated according to Section 2.110.04C that gasoline service stations are

prohibited specifically from the east side of River Road between Claggett Street on the north and James Avenue on the south.

Ms. Meier stated that staff concurred that the standards in Section 2.11.05C are appropriate for the Chemawa/River Road interchange and recommended no change to the Keizer Development Code.

Councilor McGee moved a Resolution that Council go on record concurring with the staff's report that Section 2.110.05C is an appropriate condition of the Chemawa/River Road interchange and that the Council see no reason to bring this issue forward. Councilor Moir seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Campbell, Keller, McGee, Moir and Newton (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Wilson (1)

PUBLIC HEARINGS

a. Keizer Transportation System Plan

Mayor Newton opened the public hearing.

Senior Planner, Maria Meier reported that in 1996 the City began reviewing standards within the development code regarding streets, modeling for Alder Street and integrating a bicycle element into the standards for streets. The adoption of the 1998 Keizer Development Code addressed issues identified by the state Transportation Planning Rule, such as bicycle and vehicular parking requirements. From that time the City of Keizer was required by the Metropolitan Planning Organization (MPO) to produce its own transportation system plan to be consistent with the regional plan.

Ms. Meier summarized the TSP indicating that it was a long- range plan that provided goals and policies to guide development of transportation modes. (pedestrian, bicycle, motor vehicles, public transit, etc.)

Ms. Meier reported that the Planning Commission formally recommended that the City Council adopt the Transportation Systems Plan with the submitted additions.

Wayne Rickert, Mid-Willamette Council of Governments- noted the state of Oregon requires the TSP and it must be consistent with the regional plan. He noted the plan emphasized bike and pedestrian facilities and should be reviewed every five years.

Responding to questions Ms. Meier noted the yellow inserts added to the TSP that noted the suggested changes in the TSP.

City Attorney, Shannon Johnson responded to questions regarding the mandating of the plan. He stated that this did not mean that these projects must be done in a particular time frame and projects would mainly remain a budget issue.

Councilor McGee stressed that he wanted the flexibility with the plan to remain if the city was unable to fund certain projects during a given year.

Councilor Keller noted at the time of a motion he would add an amendment to remove the elements that exceed state standards and bring back to the standard. He stressed that he did not want to create false expectations by including the exceeded standards within the plan.

Responding to questions, Ms. Meier noted that the TSP could be adopted and changed at any time. The Transportation System Plan was required to be reviewed every five years and would go back before the Planning Commission for this process.

Councilor Moir noted page 14 of the TSP indicating that the Neighborhood Traffic Management Plan had been adopted and suggested a sentence in the street section of the TSP that refers to the plan.

Ms. Meier agreed with updating this portion of the plan and suggested in chapter three to add a sentence summarizing the role of the commission.

Public Testimony

Karen Trucke, 6330 14th Avenue NE, Keizer- expressed concern with the plan noting that a jug handle would cut off traffic to the center of the city. She indicated that the

plan had not taken into consideration the current plans of the Chemawa Activity Center Plan.

Ms. Trucke noted the impacts on Lockhaven including the schools and citizens cutting through neighborhoods to get to Lockhaven. She requested that the Council wait before adopting the plan. She felt a more comprehensive creative design plan based on all of the cities needs would be more beneficial to the children and the neighborhoods. She felt it was necessary to have two roads to support the city and wanted to see a design that would incorporate this.

Councilor McGee attempted to address Ms. Trucke's concerns noting that the information that she had provided was part of the living document.

Ms. Trucke stressed that she did not feel the information that she had provided had been discussed or reviewed thoroughly.

Councilor Keller addressed references to the Chemawa Activity Center Plan. He felt it was important to be cautious about this information was referenced in the document since the CAC Plan was currently being reviewed by the Planning Commission.

Ms. Meier noted that with direction from Council the statement regarding the Chemawa Activity Center could be amended to meet the needs of the plan. She went on to note that the minutes from the Planning Commission identify testimony and what the Planning Commission considered during this process.

Ms. Trucke reiterated her concerns about the passage of the Transportation System Plan.

Robert Herberger, 2805 Chemawa Road, Keizer- urged that the Chemawa Activity Center as written within the TSP not contain elements that would slow down the process of development in the area.

Councilor Moir noted page 26 of the Transportation System Plan (TSP) which indicated that Radiant Drive would need to be signalized to increase safety. She believed in earlier discussions with ODOT that this signal could not be placed due to its location in proximity to the

freeway off ramp. Councilor Moir expressed concern regarding this statement as it would be something that could not be followed through with.

Ms. Meier agreed that it might be appropriate to remove that reference from the Transportation System Plan (TSP).

Ms. Trucke felt when she reviewed the plan that the Radiant signal would be placed inside the development and not at Radiant and Lockhaven Drive.

City Attorney, Shannon Johnson stated due to comments made by the public it would be prudent to hold the public hearing over and for Council to direct staff to discuss these issues with Mr. Rickert and the appropriate staff.

Ms. Meier noted that the Planning Commission had made a formal recommendation to the Council regarding the Chemawa Activity Center. She suggested that the Chemawa Activity Center recommendations be reviewed by the Council prior to making any decisions regarding the Transportation System Plan in the event there were changes within the CAC plan that would effect the TSP.

Responding to questions Mr. Mull stated that by not adopting the TSP at this time that would not prevent current street projects from moving forward.

Mayor Newton suggested rescheduling the first Council meeting in July to allow the Council to review the recommendations made by the Planning Commission regarding the Chemawa Activity Center Plan.

Ms. Meier felt that this would allow enough time to meet the noticing requirements.

Mr. Mull urged the Council to forward any additional concerns regarding the Transportation System Plan to Ms. Meier to enable her to incorporate them into the plan.

Mayor Newton continued the public hearing of the Transportation System Plan until the first Council meeting in August.

ADMINISTRATIVE ACTION

No Administrative Actions were brought before the City Council.

CONSENT CALENDAR

a. RESOLUTION- **Designating Checking Account Signers**

b. **Approval of May 15, 2000 Regular Session Minutes**

Councilor Keller moved for approval of the Consent Calendar. Councilor Campbell seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Campbell, Keller, McGee, Moir, Newton and Wilson (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

WRITTEN COMMUNICATIONS

There were no written communications to come before the Council.

AGENDA INPUT

June 19, 2000
6:30 p.m. Keizer Urban Renewal Agency Minutes
- Urban Renewal Agency 2000-2001 Budget Public Hearing
- Adoption of Urban Renewal Agency 2000-2001 Budget

7:00 p.m. Keizer City Council Meeting
- City of Keizer 2000-2001 Budget Public Hearing
- Adoption of City of Keizer 2000-2001 budget
- Urban Transition (UT) Zone Public Hearing
- Ordinance Adopting Transportation System Plan

July 3, 2000
CITY COUNCIL MEETING CANCELLED

July 17, 2000
7:00 p.m. Keizer City Council Meeting

The Council agreed by consensus to schedule a meeting for Monday, July 10, 2000 for a public hearing on the

Planning Commission recommendation of the Chemawa Activity Center Plan.

Mayor Newton noted the remainder of the agenda items.

ADJOURNMENT Mayor Newton adjourned the meeting at 8:37 p.m.

Tracy L. Davis
City Recorder

APPROVED:
MAYOR:

Bob Newton

COUNCIL MEMBERS:

Councilor #1 - J. L. Wilson

Councilor #2 - Lore Christopher

Councilor #3 - Jim Keller

Councilor #4 - Jacque Moir

Councilor #5 - Craig Campbell

Councilor #6 - Jerry McGee

Minutes approved:
6/19/00