

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***

AGENDA

KEIZER CITY COUNCIL

Monday, June 5, 1995

7:00 p.m.

**Robert L. Simon Council Chambers
Keizer City Hall, Keizer, Oregon 97303**

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC TESTIMONY

This time is provided for citizens to address the Council on matters not scheduled for public hearing or listed on the agenda.

4. COMMITTEE REPORTS

- a. Swearing In - Keizer Police Sergeant Lance B. Fredericks
- b. Marion County Commissioner Mary Pearmine - Capital Improvement Project

5. PUBLIC HEARINGS

- a. **RESOLUTION** - Authorizing City Manager to Commence with Design and Construction for Lockhaven Drive Improvements
- b. **RESOLUTION** - Formation of Keizer Prairie Street Lighting LID
ORDINANCE - Spreading Assessments to Keizer Prairie Street Lighting LID
- c. **RESOLUTION** - Formation of Alder Drive Street Lighting LID
ORDINANCE - Spreading Assessments to Alder Drive Street Lighting LID
- d. **ORDINANCE** - Assessment for Nuisance Abatement Costs (Kachaturian)

6. ADMINISTRATIVE ACTION

- a. **RESOLUTION** - Execution of Community Development Block Grant Administration Contract

7. CONSENT CALENDAR

- a. **RESOLUTION** - No Parking - Portion of Dearborn

- b. Approval of May 15, 1995 Regular Session Minutes

8. OTHER BUSINESS

This time is provided to allow the Mayor, Council, City Manager and Department Heads an opportunity to bring matters before the Council which are not on tonight's agenda.

- a) Mayor and Council Members
- b) City Manager and Department Heads

9. WRITTEN COMMUNICATIONS

To inform the Council of significant written communications and petitions.

10. EXECUTIVE SESSION

- a. Pursuant to ORS 192.660(1)(e) - discuss real property transaction

II. AGENDA INPUT

JUNE 12, 1995

5:30 p.m. City Council Work Session

- 1995-96 Budget Finalization
- Public Works Presentation - Street Resurfacing Program

JUNE 19, 1995

6:55 p.m. Urban Renewal Agency Meeting

- Adoption of 1995-96 Urban Renewal Agency Budget Public Hearing

7:00 p.m. City Council Meeting

- Adoption of 1995-96 Budget & various budget matters
- Claggett Creek Cemetery Comp Plan/Zone Change Public Hearing
- Chemawa Activity Center
- Periodic Review - UT Zone Change Public Hearing
- Conditional Use Permit - City Hall Property/Keizer Heritage

JULY 3, 1995 - CITY COUNCIL MEETING CANCELED

JULY 10, 1995

5:30 p.m. City Council Worksession

- Salem-Keizer Public School - School Facility Plan Presentation

12. ADJOURN

Upon request, auxiliary and/or special services for those with disabilities will be provided. To request services, please contact us at 234-2700 or through Oregon Relay 1-800-735-2700 at least two working days (48 hours) in advance.

CITY COUNCIL MEETING OF June 5, 1995

AGENDA ITEM NO 4a

TO: Mayor and City Council

THRU: Dotty Tryk, City Manager 

FROM: Charles R. Stull, Chief of Police 

SUBJECT: SWEARING IN CEREMONY -
SERGEANT LANCE B. FREDERICKS

Lance B. Fredericks was hired by the Keizer Police Department in the position of Police Sergeant assigned to the Patrol Division effective May 24, 1995.

Sergeant Fredericks previously was a sergeant with the Washington County Sheriffs Office and also served in the U.S. Air Force. He obtained an Associates degree in criminology from Portland Community College, a Bachelor of Science degree in Administration of Justice from Portland State University, and a Bachelor of Arts degree in Sociology/Social Work from Pacific University. His certificates awarded by the Board on Public Safety Standards and Training (BPSST) include: Basic, Intermediate, Advanced and Supervisory.

Fredericks is 44 years old. He and his wife, Martina, have 2 children, Kristina who is almost 10 and John who is 6.

We heartily welcome Sergeant Fredericks to our organization!

crs:cp



Marion County
OREGON
BOARD OF COMMISSIONERS

(503) 588-5212

May 9, 1995

**BOARD OF
COMMISSIONERS**

Randall Franke
Gary Heer
Mary Pearmine

**ADMINISTRATIVE
OFFICER**

Ken Roudybush

Doty Tryk, Manager
City of Keizer
PO Box 21000
Keizer, OR 97303

RE: Meeting Request

Dear Ms. Tryk:

The Board of Commissioners and other elected and appointed county officials would like an opportunity to discuss with the City of Keizer the facility needs of Marion County.

A number of citizens from throughout the county reviewed our building needs and developed a comprehensive study and proposal. Highest on the list of priorities are:

- a new Juvenile Detention Facility,
- an addition to the County Correctional Facility,
- a coordinated tri-agency police building, and,
- modifications to our public & mental health facilities.

We would like to discuss these building proposals with you and the elected leaders of Keizer and receive your comments and feedback.

We would like to visit Keizer at your earliest convenience for this discussion. Would you please contact Heidi Stice in my office to arrange a meeting time? If you have any questions, please contact me or the County's Public Affairs Manager, Carol Fischer.

Thanks for considering our request.

Sincerely,

A handwritten signature in cursive script that reads "Mary Pearmine".

Mary Pearmine
Chair

cc: Carol Fischer, Public Affairs Manager

MP/cj

CITY COUNCIL MEETING: June 5, 1995

AGENDA ITEM NUMBER: 5a

TO: MAYOR KOHO AND CITY COUNCIL MEMBERS

FROM: DOTTY TRYK *Dotty*
CITY MANAGER

SUBJECT: RESOLUTION AUTHORIZING THE CITY MANAGER TO
PROCEED WITH IMPROVEMENTS TO LOCKHAVEN

BACKGROUND:

Last year, we held an informal meeting of the property owners along Lockhaven Drive asking if they had an interest in participating in an LID to add sidewalks to the street improvement which was planned. At that time the property owners who attended were vocally opposed to participating in an LID for sidewalks. There were several expressed reasons for this including the possibility of increased traffic, loss of parking and the cost.

Since that time, the Council adopted a goal which expressed a commitment to pedestrian safety and considered doing a full improvement to Lockhaven using the city's street funds at no cost to the adjoining property owners. However, because some property owners had an objection to the project as originally proposed last year, a commitment was made not to proceed with sidewalks on Lockhaven without a public process. A public hearing was noticed for tonight to discuss adding sidewalks, curbs and gutters to the street widening project on Lockhaven from Trail Avenue to 14th Street. In addition to the published notice, all adjacent property owners and the Gubser Neighborhood Association were notified by mail. This is not a legally required hearing, but one for citizen input.

FISCAL IMPACT:

The cost of the basic improvement is estimated to be \$474,000. Adding sidewalks to the project will add \$149,000 to the cost for a total project cost of \$623,000. If sidewalks are deferred to a future time the cost of installation could double.

COUNCIL GOALS:

Adding sidewalks would further the Council goal to "...address pedestrian safety needs".

RECOMMENDATION:

It is recommended that the Council adopt the Resolution authorizing the full project.

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2
3 RESOLUTION NO. R95-_____

4 AUTHORIZING THE CITY MANAGER TO PROCEED WITH A FULL
5 STREET IMPROVEMENT TO LOCKHAVEN DRIVE
6

7 WHEREAS, the Council of the City of Keizer is committed to pedestrian
8 safety, especially in areas surrounding schools, and

9 WHEREAS, Lockhaven Drive is scheduled for a street improvement
10 including a center turn lane and two bicycle lanes, and

11 WHEREAS, Lockhaven Drive is a major arterial street providing access to
12 three schools and two churches, NOW THEREFORE

13 BE IT RESOLVED that the City Manager is authorized to expand the scope
14 of the project to include sidewalks, curb and storm drainage.
15

16 PASSED this _____ day of _____, 1995.

17 SIGNED this _____ day of _____, 1995.
18
19
20

21 _____
22 Mayor

23 _____
24 City Recorder
25

TO: MAYOR KOHO AND CITY COUNCIL

FROM: DOTTY TRYK - CITY MANAGER *Dotty*

THROUGH: TRACY L. DAVIS - CITY RECORDER *Tracy*

SUBJECT: PUBLIC HEARING - To consider remonstrances or objections to formation of the Keizer Prairie Street Lighting Local Improvement District and objections to an ordinance spreading assessments to Keizer Prairie Street Lighting Local Improvement District

ISSUE

1. Shall the City Council form the Keizer Prairie Street Lighting Local Improvement District after conducting a public hearing to receive objections or remonstrances to its formation?
2. Shall the City Council adopt an ordinance spreading assessments in the Keizer Prairie Street Lighting Local Improvement District after conducting a public hearing to receive written objections to the ordinance spreading those assessments to the district.

BACKGROUND

In March 1994, the Keizer City Council adopted Ordinance 94-278 relating to formation of street lighting local improvement districts within the City of Keizer.

On February 20, 1995, the developer and some of the residents of the Keizer Prairie subdivision filed a petition to form a street lighting local improvement district. In response to this petition, the City Council adopted Resolution R95-813 on March 6, 1995 to initiate formation of a street lighting local improvement district and directing the City Engineer to make a survey and file a written report with the City Recorder. On May 15, 1995 the City Council approved the City Engineer's report and set a public hearing to consider remonstrances to the project and objections to proposed assessments. On May 24, 1995 notice of the public hearing and intention to form the district and assess for the lighting improvements, as required under Ordinance 94-278, were provided by mail to the property owners.

ANALYSIS

Included within the agenda packet is the proposed resolution forming the Keizer Prairie Street Lighting Local Improvement District and setting forth the time and manner of installing the street lights within that district. If the Council decides to form the street lighting district, the next step is to proceed with an ordinance spreading assessments.

Included within the agenda packet is the proposed ordinance to spread assessments to the properties benefited by the lighting district. The ordinance provides for first annual assessments and the procedure for determining second and future annual assessments. Following the City Council's adoption of the Ordinance spreading assessments, the City authorizes the appropriate utility company to install the poles and lights. Depending on the type of poles requested by the City, it takes the utility company from two to six months to have the lights on site and operational.

FISCAL IMPACT

The City initially pays the street lighting expense to the utility company as it is billed throughout the year. The operating cost of the lights is then billed to the property owners on an annual basis, thereby recovering the City's costs for bills paid throughout the year. In addition, the bills include the cost of the City Engineer's Report in the first year, and a 8.5% administrative charge in the first and subsequent years to recover the City's cost for administering the lighting districts. All funds are budgeted through the Utility Fund.

RECOMMENDATION

1. Open the public hearing to first consider oral objections and written remonstrances to formation of the Keizer Prairie Street Lighting Local Improvement District.
2. If valid remonstrances of the owners of two-thirds of the land to be specially assessed for the lighting district are presented to the Council at the public hearing, close the hearing and suspend formation of the district for six months.
3. Consider other objections to the formation of the district. The Council may suspend formation of the district without remonstrance of owners of two-thirds (2/3) of the land if the Council deems that action appropriate.
4. If valid remonstrances of the owners of two-thirds of the land to be specially assessed for the lighting district are not presented to the Council at the public hearing, or other valid objections to formation are not presented, then consider objections to the scope, design or equipment proposed for the district.
5. After consideration of objections of the plans for the district, and if it appears that the Council will form the district, Council should next consider written objections to the proposed assessments which were filed with the City.
6. Close the public hearing.
7. Consider adoption of the resolution officially forming the lighting district.
8. If council forms the district, consider adoption of the proposed assessment ordinance. Council may adopt, correct, modify or revise the assessment against each lot in the district according to special and peculiar benefits accruing to the lot.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R95-_____

FORMING THE KEIZER PRAIRIE STREET LIGHTING

LOCAL IMPROVEMENT DISTRICT

WHEREAS, the City of Keizer has adopted a Resolution initiating the formation of Keizer Prairie Street Lighting Local Improvement District; and

WHEREAS, the City Council has adopted a Resolution approving the City Engineer's Report for Keizer Prairie Street Lighting Local Improvement District; and

WHEREAS, notice of public hearing to consider formation of street lighting district was mailed as required by Ordinance 94-278; and

WHEREAS, the City Council conducted a public hearing to receive objections and remonstrances to the formation of the street lighting district; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Keizer that Keizer Prairie Street Lighting Local Improvement District is hereby formed, and that the street lights shall be installed within a reasonable time and in the manner set forth in the City Engineer's Report for Keizer Prairie Street Lighting Local Improvement District.

PASSED this _____ day of _____, 1995.

SIGNED this _____ day of _____, 1995.

Mayor

City Recorder

A BILL FOR
AN ORDINANCE SPREADING ASSESSMENTS TO
KEIZER PRAIRIE STREET LIGHTING LOCAL
IMPROVEMENT DISTRICT

Section 1. FINDINGS. The City Council of the City of Keizer makes the following findings:

a. The City Council did heretofore declare its intention to install street lights to serve an area known as Keizer Prairie Street Lighting Local Improvement District which is described as follows:

Keizer Prairie (Lots 1-92) and Prairie Acres (Lots 1-5) in the NW 1/4 of Section 26, Township 6 South Range 3 West, W.M. in the City of Keizer, County of Marion, State of Oregon;

which includes the installation of two (35) -100-watt sodium luminaires on 8-foot long mast arms attached to 25-foot aluminum poles located within the subject local improvement district, all in accordance with the City Engineer's Report for Keizer Prairie Street Lighting Local Improvement District.

b. The total initial cost of the Keizer Prairie Street Lighting Local Improvement District is \$9,478.57.

c. The per space/lot assessment formula was used for this district.

d. The improvements in the district have been or will be constructed as provided in the Engineer's Report.

e. Notice was duly mailed to the benefited property owners on May 24, 1995.

f. A meeting of the City Council was held at the time and place fixed by public notice for the purpose of considering any such written objections to the proposed assessments.

g. No written objections to the proposed assessments were filed.

h. The Council has considered the matter and determined that construction of said improvements was and is of material benefit to the City, and all the property to be assessed therefore will be specially benefitted by the improvements in the amounts shown on the assessment roll.

NOW, THEREFORE, the City Council of the City of Keizer ordains as follows:

Section 2. ASSESSMENTS.

a. First Annual Assessment. It is hereby determined that the share of the cost of the improvements for the Keizer Prairie Street Lighting Local Improvement District for each parcel and property benefitted thereby for the first annual assessment is the amount set opposite the description of each piece or parcel of land as described in Keizer Prairie Street Lighting District Assessment Roll as set forth in Exhibit "A" attached, and that each piece or parcel of land benefitted by the improvements, to the full extent of the amount so set opposite such piece or parcel and that the respective amounts represent the proportionate benefits of said improvements to said respective parcels of property, and the Council does hereby declare that each of the parcels of property described in Keizer Prairie Street Lighting District Roll as set forth in Exhibit "A" attached is hereby assessed the first annual assessment amount set opposite each respective description.

i. Summary of first annual assessment costs for formation of the lighting district to serve the area known as "Keizer Prairie Street Lighting Local Improvement District":

35 - Poles and Luminaries	\$7,484.40
Engineering Costs	\$1,358.00
Administrative Fee @ 8.5%	<u>\$ 636.17</u>
Total Assessments	\$9,478.57

EXHIBIT "A"

NOTICE OF ASSESSMENT

NOTICE IS HEREBY GIVEN that the City Council of the City of Keizer, Oregon on June 5, 1995 adopted Ordinance Number 95-_____ entitled, AN ORDINANCE SPREADING ASSESSMENTS TO KEIZER PRAIRIE STREET LIGHTING LOCAL IMPROVEMENT DISTRICT.

IN ACCORDANCE with that Ordinance, NOTICE OF ASSESSMENT is hereby given to the following property

owners:

OWNER	ASSESSED PROPERTY ADDRESS	TAX ACCOUNT NO.	TAX LOT NO.	LOT NO.	ASSESS AMOUNT
Legacy Builders Inc.	1398 Parkmeadow Drive N	72453-001	6600	1	97.72
Keizer Prairie Inc.	1368 Parkmeadow Drive N	72453-011	6500	2	97.72
Kohanes, David W. & Marlene A.	1368 Parkmeadow Drive N	72453-021	6400	3	97.72
Pace, Byron E. & Sandy L.	1338 Parkmeadow Drive N	72453-031	6300	4	97.72
Keizer Prairie Inc.	7399 O'Neil Road N	72453-041	2800	5	97.72
Taylor, Richard Gary	7355 O'Neil Road N	72453-051	2900	6	97.72
Stenerson, Clarence	7349 O'Neil Road N	72453-061	3000	7	97.72
Ivin, Jim C. & Virginia A.	7345 O'Neil Road N	72453-071	3100	8	97.72
Brindley, Richard DBA	7339 O'Neil Road N	72453-081	3200	9	97.72
Garrett, Robert & Helene-Trustee	7325 O'Neil Road N	72453-091	3300	10	97.72
Sundet, Harley	7319 O'Neil Road N	72453-101	3400	11	97.72
Schuman, Lynn W.	7318 Caneberry Court N	72453-111	3500	12	97.72
Raper, Bily E. & Esther L.	7328 Caneberry Court N	72453-121	3600	13	97.72
Peterson, Sara J	7338 Caneberry Court N	72453-131	3700	14	97.72
Weigel, Lloyd A & Juanita R.	7358 Caneberry Court N	72453-141	3800	15	97.72
Bill Stanley Homes Inc.	7368 Caneberry Court N	72453-151	3900	16	97.72

Keizer Prairie Inc.	7378 Caneberry Court N	72453-161	4000	17	97.72
Shelton, Jim & Janice	7398 Caneberry Court N	72453-171	4100	18	97.72
Keizer Prairie Inc.	7397 Caneberry Court N	72453-181	4200	19	97.72
Keizer Prairie Inc.	7377 Caneberry Court N	72453-191	4300	20	97.72
Sato, Sandra	7367 Caneberry Court N	72453-201	4400	21	97.72
Keizer Prairie Inc.	7357 Caneberry Court N	72453-211	4500	22	97.72
Mary Katherine Gregg	7337 Caneberry Court N	72453-221	4600	23	97.72
Keizer Prairie Inc.	7327 Caneberry Court N	72453-231	4700	24	97.72
Sanders, Edward & Linda	7317 Caneberry Court N	72453-241	4800	25	97.72
Price, Robert E. & Sharon A.	7316 Pineview St N	72453-251	4900	26	97.72
Linhart, Patrick G. & Tonia L.	7326 Pineview St N	72453-261	5000	27	97.72
Johnston, Evelyn E.	7336 Pineview St N	72453-271	5100	28	97.72
Bean Darrell	7346 Pineview St N	72453-281	5200	29	97.72
J.R. Stewart Homes	7356 Pineview St N	72453-291	5300	30	97.72
Amaral, Rodney D. & Sandra A.	7366 Pineview St N	72453-301	5400	31	97.72
Hoffman, Susan A. & Valille, Clinton	7386 Pineview St N	72453-311	5500	32	97.72
Cravens, Robert L Jr. & Rita S.	7385 Pineview St N	72453-321	5600	33	97.72
Hauge, Brian D. & Kathleen J.	1341 Bent Grass Ct N	72453-331	5700	34	97.72
Welly, Larry L. & Barbara L.	1331 Bent Grass Ct N	72453-341	5800	35	97.72
Srofe, Jerry Hal Jr. & Krystal E.	1340 Bent Grass Ct N	72453-351	5900	36	97.72
Barker, Kurt & Susanne	1359 Parkmeadow Dr N	72453-361	6000	37	97.72
Schmidt, Douglas	1339 Parkmeadow Dr N	72453-371	6100	38	97.72
Jansen, James R. & Ellen	1330 Bent Grass Ct N	72453-381	6200	39	97.72
Scott, Kenneth B.	1320 Bent Grass Ct N	72454-001	4300	40	97.72
Vega, Juan M. & Maria L.	1298 Bent Grass Ct N	72454-011	4400	41	97.72
Keizer Prairie Inc.	1288 Bent Grass Ct N	72454-021	4500	42	97.72
Ransom, Kenneth L. & Keill E.	1268 Bent Grass Ct N	72454-031	4600	43	97.72
Van Landuyt, Raoul L. & Cynthia A.	1258 Bent Grass Ct N	72454-041	4700	44	97.72
Delta Western Const. Inc.	1248 Bent Grass Ct N	72454-051	4800	45	97.72
Reutov, Nestor	1228 Bent Grass Ct N	72454-061	4900	46	97.72
Dodson, Bret J. & Ann E.	1208 Bent Grass Ct N	72454-071	5000	47	97.72
McLeod, Gregory, A. & Amy D.	1209 Bent Grass Ct N	72454-081	5100	48	97.72
Keizer Prairie Inc.	1229 Bent Grass Ct N	72454-091	5200	49	97.72
J. R. Stewart Homes Inc.	1249 Bent Grass Ct N	72454-101	5300	50	97.72
J. R. Stewart Homes Inc.	1259 Bent Grass Ct N	72454-111	5400	51	97.72

Keizer Prairie Inc.	1269 Bent Grass Ct N	72454-121	5500	52	97.72
Reutov, Nestor	1289 Bent Grass Ct	72454-131	5600	53	97.72
Harris, Bob L.	1290 Prairie Grass Ave	72454-141	5700	54	97.72
Keizer Prairie Inc.	1270 Prairie Grass Ave	72454-151	5800	55	97.72
Keizer Prairie Inc.	1250 Prairie Grass Ave	72454-161	5900	56	97.72
Keizer Prairie Inc.	1230 Prairie Grass Ave	72454-171	6000	57	97.72
Harris, Bob L.	1210 Prairie Grass Ave	72454-181	6100	58	97.72
Weigel, Lloyd A. Const.	1190 Prairie Grass Ave	72454-191	6200	59	97.72
Weigel, Lloyd A. Const.	1171 Prairie Grass Ave	72454-201	6300	60	97.72
Weigel, Lloyd A. Const.	1181 Prairie Grass Ave	72454-211	6400	61	97.72
Harris, Bob L.	1201 Prairie Grass Ave	72454-221	6500	62	97.72
Harris, Bob L.	1231 Prairie Grass Ave	72454-231	6600	63	97.72
Keizer Prairie Inc.	1241 Prairie Grass Ave	72454-241	6700	64	97.72
Sullivan, Thomas & Viola	1261 Prairie Grass Ave	72454-251	6800	65	97.72
Weigel, Lloyd A. Const.	1281 Prairie Grass Ave	72454-261	6900	66	97.72
Keizer Prairie Inc.	7414 Prairie St NE	72454-271	7000	67	97.72
Hatch, Daniel & Misty	7404 Prairie St NE	72454-281	7100	68	97.72
Taylor, Kevin M. & Cathy W.	7384 Prairie St NE	72454-291	7200	69	97.72
Anderson, Shawn P. & Lesley L.	7364 Prairie St NE	72454-301	7300	70	97.72
Keizer Prairie Inc.	No address assigned	n/a	n/a	71	97.72
Keizer Prairie Inc.	No address assigned	n/a	n/a	72	97.72
Keizer Prairie Inc.	No address assigned	n/a	n/a	73	97.72
Keizer Prairie Inc.	No address assigned	n/a	n/a	74	97.72
Keizer Prairie Inc.	No address assigned	n/a	n/a	75	97.72
Keizer Prairie Inc.	No address assigned	n/a	n/a	76	97.72
Keizer Prairie Inc.	No address assigned	n/a	n/a	77	97.72
Keizer Prairie Inc.	No address assigned	n/a	n/a	78	97.72
Keizer Prairie Inc.	No address assigned	n/a	n/a	79	97.72
Keizer Prairie Inc.	No address assigned	n/a	n/a	80	97.72
Keizer Prairie Inc.	No address assigned	n/a	n/a	81	97.72
Keizer Prairie Inc.	No address assigned	n/a	n/a	82	97.72
Keizer Prairie Inc.	No address assigned	n/a	n/a	83	97.72
Keizer Prairie Inc.	No address assigned	n/a	n/a	84	97.72
Keizer Prairie Inc.	No address assigned	n/a	n/a	85	97.72
Keizer Prairie Inc.	No address assigned	n/a	n/a	86	97.72

Keizer Prairie Inc.	No address assigned	n/a	n/a	87	97.72
Keizer Prairie Inc.	No address assigned	n/a	n/a	88	97.72
Keizer Prairie Inc.	No address assigned	n/a	n/a	89	97.72
Keizer Prairie Inc.	No address assigned	n/a	n/a	91	97.72
Keizer Prairie Inc.	No address assigned	n/a	n/a	92	97.72
Garry Whalen	7328 Meadowglen Street NE		3800	1	97.72
Garry Whalen	7348 Meadowglen Street NE		3900	2	97.72
Reutov, Nestor	7368 Meadowglen Street NE		4000	3	97.72
Reutov, Nestor	7378 Meadowglen Street NE		4100	4	97.72
Reutov, Nestor	7388 Meadowglen Street NE		4200	5	97.72

In accordance with City of Keizer Ordinance 94-278, said assessment will be placed on the Assessment Rolls of the Marion County Assessor and collected pursuant to ORS 223.866 by the Marion County Tax Collector at the same time and in the same manner as your annual property taxes. This assessment is a lien against the benefited property. Failure to pay said assessment when due may subject your property to foreclosure proceedings.

Second and subsequent annual assessment amount against the above described property will be determined annually, based upon electrical consumption and operating costs within the Keizer Prairie Street Lighting Local Improvement District.

Senior citizens age 62 or older, under certain conditions, may file for a property tax deferral on payment of the assessment. If you have questions on the property tax deferral program, please call the Oregon Department of Revenue, 371-2244.

If you have any questions regarding this Notice of Assessment, please contact the City of Keizer at 390-3700.

TO: MAYOR KOHO AND CITY COUNCIL

FROM: DOTTY TRYK - CITY MANAGER *Dotty*

THROUGH: TRACY L. DAVIS - CITY RECORDER *Tracy*

SUBJECT: PUBLIC HEARING - To consider remonstrances or objections to formation of the Alder Drive Street Lighting Local Improvement District and objections to an ordinance spreading assessments to Alder Drive Street Lighting Local Improvement District

ISSUE

1. Shall the City Council form the Alder Drive Street Lighting Local Improvement District after conducting a public hearing to receive objections or remonstrances to its formation?
2. Shall the City Council adopt an ordinance spreading assessments in the Alder Drive Street Lighting Local Improvement District after conducting a public hearing to receive written objections to the ordinance spreading those assessments to the district.

BACKGROUND

In March 1994, the Keizer City Council adopted Ordinance 94-278 relating to formation of street lighting local improvement districts within the City of Keizer.

On February 21, 1995, the developer of the Alder Drive subdivision filed a petition to form a street lighting local improvement district. In response to this petition, the City Council adopted Resolution R95-812 on March 6, 1995 to initiate formation of a street lighting local improvement district and directing the City Engineer to make a survey and file a written report with the City Recorder. On May 15, 1995 the City Council approved the City Engineer's report and set a public hearing to consider remonstrances to the project and objections to proposed assessments. On May 24, 1995 notice of the public hearing and intention to form the district and assess for the lighting improvements, as required under Ordinance 94-278, were provided by mail to the property owners.

ANALYSIS

Included within the agenda packet is the proposed resolution forming the Alder Drive Street Lighting Local Improvement District and setting forth the time and manner of installing the street lights within that district. If the Council decides to form the street lighting district, the next step is to proceed with an ordinance spreading assessments.

Included within the agenda packet is the proposed ordinance to spread assessments to the properties benefited by the lighting district. The ordinance provides for first annual assessments and the procedure for determining second and future annual assessments. Following the City Council's adoption of the Ordinance spreading assessments, the City authorizes the appropriate utility company to install the poles and lights. Depending on the type of poles requested by the City, it takes the utility company from two to six months to have the lights on site and operational.

FISCAL IMPACT

The City initially pays the street lighting expense to the utility company as it is billed throughout the year. The operating cost of the lights is then billed to the property owners on an annual basis, thereby recovering the City's costs for bills paid throughout the year. In addition, the bills include the cost of the City Engineer's Report in the first year, and a 8.5% administrative charge in the first and subsequent years to recover the City's cost for administering the lighting districts. All funds are budgeted through the Utility Fund.

RECOMMENDATION

1. Open the public hearing to first consider oral objections and written remonstrances to formation of the Alder Drive Street Lighting Local Improvement District.
2. If valid remonstrances of the owners of two-thirds of the land to be specially assessed for the lighting district are presented to the Council at the public hearing, close the hearing and suspend formation of the district for six months.
3. Consider other objections to the formation of the district. The Council may suspend formation of the district without remonstrance of owners of two-thirds (2/3) of the land if the Council deems that action appropriate.
4. If valid remonstrances of the owners of two-thirds of the land to be specially assessed for the lighting district are not presented to the Council at the public hearing, or other valid objections to formation are not presented, then consider objections to the scope, design or equipment proposed for the district.
5. After consideration of objections of the plans for the district, and if it appears that the Council will form the district, Council should next consider written objections to the proposed assessments which were filed with the City.
6. Close the public hearing.
7. Consider adoption of the resolution officially forming the lighting district.
8. If council forms the district, consider adoption of the proposed assessment ordinance. Council may adopt, correct, modify or revise the assessment against each lot in the district according to special and peculiar benefits accruing to the lot.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R95-_____

FORMING THE ALDER DRIVE STREET LIGHTING

LOCAL IMPROVEMENT DISTRICT

WHEREAS, the City of Keizer has adopted a Resolution initiating the formation of Alder Drive Street Lighting Local Improvement District; and

WHEREAS, the City Council has adopted a Resolution approving the City Engineer's Report for Alder Drive Street Lighting Local Improvement District; and

WHEREAS, notice of public hearing to consider formation of street lighting district was mailed as required by Ordinance 94-278; and

WHEREAS, the City Council conducted a public hearing to receive objections and remonstrances to the formation of the street lighting district; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Keizer that Alder Drive Street Lighting Local Improvement District is hereby formed, and that the street lights shall be installed within a reasonable time and in the manner set forth in the City Engineer's Report for Alder Drive Street Lighting Local Improvement District.

PASSED this _____ day of _____, 1995.

SIGNED this _____ day of _____, 1995.

Mayor

City Recorder

A BILL FOR

AN ORDINANCE SPREADING ASSESSMENTS TO
ALDER DRIVE STREET LIGHTING LOCAL
IMPROVEMENT DISTRICT

Section 1. FINDINGS. The City Council of the City of Keizer makes the following findings:

- a. The City Council did heretofore declare its intention to install street lights to serve an area known as Alder Drive Street Lighting Local Improvement District which is described as follows:

Alder Drive (Lots 1-11) in the N 1/2 of Section 11
& S 1/2 Section 2; Township 7 South Range 3
West, W.M. in the City of Keizer, County of
Marion, State of Oregon;

which includes the installation of two (2) -100-watt sodium luminaires on 8-foot long mast arms attached to 25-foot aluminum poles located within the subject local improvement district, all in accordance with the City Engineer's Report for Alder Drive Street Lighting Local Improvement District.

- b. The total initial cost of the Alder Drive Street Lighting Local Improvement District is \$400.34
- c. The per space/lot assessment formula was used for this district.
- d. The improvements in the district have been or will be constructed as provided in the Engineer's Report.
- e. Notice was duly mailed to the benefited property owners on May 24, 1995.
- f. A meeting of the City Council was held at the time and place fixed by public notice for the purpose of considering any such written objections to the proposed assessments.

1 g. No written objections to the proposed assessments were filed.

2 h. The Council has considered the matter and determined that construction of said
3 improvements was and is of material benefit to the City, and all the property to be
4 assessed therefore will be specially benefitted by the improvements in the amounts
5 shown on the assessment roll.

6 NOW, THEREFORE, the City Council of the City of Keizer ordains as follows:

7 Section 2. ASSESSMENTS.

8 a. First Annual Assessment. It is hereby determined that the share of the cost of the
9 improvements for the Alder Drive Street Lighting Local Improvement District for each
10 parcel and property benefitted thereby for the first annual assessment is the amount set
11 opposite the description of each piece or parcel of land as described in Alder Drive
12 Street Lighting District Assessment Roll as set forth in Exhibit "A" attached, and that
13 each piece or parcel of land benefitted by the improvements, to the full extent of the
14 amount so set opposite such piece or parcel and that the respective amounts represent
15 the proportionate benefits of said improvements to said respective parcels of property,
16 and the Council does hereby declare that each of the parcels of property described in
17 Alder Drive Street Lighting District Roll as set forth in Exhibit "A" attached is hereby
18 assessed the first annual assessment amount set opposite each respective description.

19 i. Summary of first annual assessment costs for formation of the lighting district
20 to serve the area known as "Alder Drive Street Lighting Local Improvement
21 District":

22	2 - Poles and Luminaries	\$227.04
23	Engineering Costs	\$154.00
24	Administrative Fee @ 8.5%	\$ 19.30
25	Total Assessments	\$400.34

26

EXHIBIT "A"

NOTICE OF ASSESSMENT

NOTICE IS HEREBY GIVEN that the City Council of the City of Keizer, Oregon on June 5, 1995 adopted Ordinance Number 95-_____ entitled, AN ORDINANCE SPREADING ASSESSMENTS TO ALDER DRIVE STREET LIGHTING LOCAL IMPROVEMENT DISTRICT.

IN ACCORDANCE with that Ordinance, NOTICE OF ASSESSMENT is hereby given to the following property owners:

Alder Drive Subdivision Lots 1-11
(Previously tax lots 1000, 1100, 1200, 100, and 200)

Luke R. Brittan Jr.
1309 Alder Drive NE
Keizer, Oregon 97303
Assessment \$36.40 each lot

In accordance with City of Keizer Ordinance 94-278, said assessment will be placed on the Assessment Rolls of the Marion County Assessor and collected pursuant to ORS 223.866 by the Marion County Tax Collector at the same time and in the same manner as your annual property taxes. This assessment is a lien against the benefited property. Failure to pay said assessment when due may subject your property to foreclosure proceedings.

Second and subsequent annual assessment amount against the above described property will be determined annually, based upon electrical consumption and operating costs within the Alder Drive Street Lighting Local Improvement District.

Senior citizens age 62 or older, under certain conditions, may file for a property tax deferral on payment of the assessment. If you have questions on the property tax deferral program, please call the Oregon Department of Revenue, 371-2244.

If you have any questions regarding this Notice of Assessment, please contact the City of Keizer at 390-3700.

CITY COUNCIL MEETING: June 5, 1995

AGENDA ITEM NUMBER: 5d

TO: MAYOR KOHO AND COUNCIL MEMBERS
THROUGH: DOTTY TRYK *dottry*
CITY MANAGER
FROM: E. SHANNON JOHNSON *ESJ*
CITY ATTORNEY
SUBJECT: LIEN FOR NUISANCE ABATEMENT COSTS

BACKGROUND:

Certain properties in the City are problems areas for one reason or another. Sometimes the structure itself is in disrepair or is in a dangerous condition. Other properties are littered with inoperable vehicles and debris.

One of these properties is 680 Sunset Drive, North. The City received numerous complaints from the neighbors regarding the junk and vehicles located there. After concerted effort failed to resolve the problem informally, the tenant, Lois Kachaturian, was cited for ordinance infractions.

She failed to appear on these citations and was heavily fined. However, the property was still not cleaned-up. The owners of the property, Joseph and Diane Kachaturian, were notified and advised that, as owners, their failure to make the property comply with the applicable ordinances could result in fines and/or liens for costs of nuisance abatement. Even with these warnings, the property was still not brought into compliance with the solid waste ordinance or the parking requirements of the zone code.

After consulting with the City Manager, Community Service Officer Carrie Anderson and I initiated the uniform nuisance abatement procedure (Ordinance No. 94-282). This process, enacted last year, provides for notice of the nuisance to the Responsible Person, in this case the tenant and owner of the property. If the Responsible Person does not bring the property into compliance or request judicial review within 14 days, the City Manager or her designee may abate the nuisance. The cost of the abatement can then be made a lien on the property.

The property was not cleaned-up within the 14 day period so the City was forced to abate the nuisance by towing the cars and having the discarded tires and debris removed. The nuisance abatement procedure allows for these costs, plus attorney fees and a ten percent (10%) administrative charge to be made a lien on the

property. The total costs are \$1,727.77, as itemized in the Statement of Costs for Nuisance Abatement which is attached to the proposed ordinance. The tenant and the owners were given the notice of tonight's hearing to allow opportunity to object.

RECOMMENDATION:

Staff recommends the Council open the public hearing, take any testimony, close the public hearing and adopt the attached Ordinance which will direct the City Recorder to enter the cost of abatement as a lien against the subject property.

ESJ/tmh
attachment

3932COK2.002

1 BILL NO. _____

A BILL

ORDINANCE NO.
95-_____

2
3 FOR

4 AN ORDINANCE

5 DECLARING A LIEN AGAINST PROPERTY LOCATED AT
6 680 SUNSET DRIVE NORTH AND DIRECTING THE CITY
7 RECORDER TO ENTER SUCH LIEN IN THE MINOR LIEN
8 DOCKET PURSUANT TO ORDINANCE NO. 94-282
9 (NUISANCE ABATEMENT); DECLARING AN EMERGENCY

10 WHEREAS, the City of Keizer Ordinance No. 94-282 provides that a
11 Responsible Person, as defined in the ordinance, shall have the duty to abate all
12 nuisances as defined in City Ordinances; and

13 WHEREAS, the person or persons responsible for the property located at 680
14 Sunset Drive North, Keizer, Oregon have failed to comply with the Keizer Solid Waste
15 Ordinance (No. 94-281) and the Keizer Zoning Ordinance/Parking Requirements
16 (Ordinance No. 87-078) after being duly given the notice required under the Keizer
17 Uniform Nuisance Abatement Procedure (Ordinance No. 94-282); and

18 WHEREAS, the City Manager, or her designee was required to go upon such
19 property to remove vehicles, debris, and other solid waste under the power given to such
20 city officials under the Keizer Uniform Nuisance Abatement Procedure; and

21 WHEREAS, after such work was performed, the City Manager or her designee
22 notified the persons responsible by certified mail of the sum of money due to the City
23 of Keizer for such work performed and such person was duly notified of the public
24 hearing to consider and assess such cost as a lien against the property; and

25 WHEREAS, pursuant to Keizer Uniform Nuisance Abatement Procedure, the
26 matter was heard by the City Council at public hearing on June 5, 1995, after reasonable
27 opportunity for objections; NOW, THEREFORE,

28 ///

29 ///

1 The City of Keizer ordains as follows:

2 Section 1. CORRECTNESS OF STATEMENT. The City Council declares
3 the correctness of the statement of costs as set forth in Exhibit "A", attached hereto, and
4 by this reference incorporated herein.

5 Section 2. DECLARATION OF LIEN. The amount set forth on the statement
6 of costs regarding the property located at 680 Sunset Drive, North, Keizer, Oregon is
7 declared to be a lien upon such property, as more particularly described in Exhibit "B"
8 attached, and by this reference incorporated herein.

9 Section 3. ENTRY IN LIEN DOCKET. The City Recorder is directed to
10 enter the amount set forth in Exhibit "A" into the minor lien docket and such amount
11 shall be a lien against the property described in Exhibit "B" from the date of such entry.
12 Such lien shall accrue interest at the rate of nine percent (9%) per annum from the date
13 of entry in the lien docket until paid.

14 Section 4. EMERGENCY CLAUSE. This Ordinance being necessary for
15 the immediate preservation of the public health, safety, and welfare, an emergency is
16 declared to exist and this Ordinance shall take effect immediately upon its passage.

17 PASSED this _____ day of _____, 1995.

18 SIGNED this _____ day of _____, 1995.

19 _____
20 Mayor

21 _____
22 City Recorder

STATEMENT OF COSTS FOR NUISANCE ABATEMENT
at 680 Sunset Dr. N., Keizer, Oregon

Date of this Statement: May 25, 1995

To: **Diane Lee Kachaturian (Owner/Responsible Person)**

1. **Itemization of Abatement Costs:**

<u>Item</u>	<u>Amount</u>
Garbage and debris removal	\$ 795.10
Attorney fees	675.60
Tow charges	100.00
Administrative charge (10%)	<u>157.07</u>
TOTAL COSTS	\$1,727.77

2. **Costs to be Assessed:**

The above costs will be assessed against the subject property unless paid in full within ten (10) days from the date of this statement as shown above.

3. **Public Hearing:**

The Keizer City Council will hold a public hearing on June 5, 1995, to determine the correctness of this Statement of Costs and to declare a lien against the subject property.

4. **Interest to Accrue:**

If not paid prior to June 5, 1995, the lien for costs shall bear interest at the rate of nine percent (9%) per annum from the date of entry of the lien in the lien docket.


DOROTHY TRUK, CITY MANAGER

**STATEMENT OF COSTS FOR NUISANCE ABATEMENT
at 680 Sunset Dr. N., Keizer, Oregon**

Date of this Statement: May 25, 1995

To: Joseph V. Kachaturian (Owner/Responsible Person)

1. Itemization of Abatement Costs:

<u>Item</u>	<u>Amount</u>
Garbage and debris removal	\$ 795.10
Attorney fees	675.60
Tow charges	100.00
Administrative charge (10%)	<u>157.07</u>
TOTAL COSTS	\$1,727.77

2. Costs to be Assessed:

The above costs will be assessed against the subject property unless paid in full within ten (10) days from the date of this statement as shown above.

3. Public Hearing:

The Keizer City Council will hold a public hearing on June 5, 1995, to determine the correctness of this Statement of Costs and to declare a lien against the subject property.

4. Interest to Accrue:

If not paid prior to June 5, 1995, the lien for costs shall bear interest at the rate of nine percent (9%) per annum from the date of entry of the lien in the lien docket.



DOROTHY TRYK, CITY MANAGER

STATEMENT OF COSTS FOR NUISANCE ABATEMENT
at 680 Sunset Dr. N., Keizer, Oregon

Date of this Statement: May 25, 1995

To: Lois Kachaturian (Lessee/Tenant/Responsible Person)

1. Itemization of Abatement Costs:

<u>Item</u>	<u>Amount</u>
Garbage and debris removal	\$ 795.10
Attorney fees	675.60
Tow charges	100.00
Administrative charge (10%)	<u>157.07</u>
TOTAL COSTS	\$1,727.77

2. Costs to be Assessed:

The above costs will be assessed against the subject property unless paid in full within ten (10) days from the date of this statement as shown above.

3. Public Hearing:

The Keizer City Council will hold a public hearing on June 5, 1995, to determine the correctness of this Statement of Costs and to declare a lien against the subject property.

4. Interest to Accrue:

If not paid prior to June 5, 1995, the lien for costs shall bear interest at the rate of nine percent (9%) per annum from the date of entry of the lien in the lien docket.



DOROTHY TRYK, CITY MANAGER

824FCOK2.015

EXHIBIT "B"

The North 90.0 feet of Lot 23, Block 2,
Riveracrest Acres in Marion County, Oregon.

CITY COUNCIL MEETING: June 5, 1995

AGENDA ITEM NUMBER: 6a

TO: MAYOR KOHO AND CITY COUNCIL MEMBERS

FROM: DOTTY TRYK *Dotty*
CITY MANAGER

SUBJECT: RESOLUTION AUTHORIZING A CONTRACT FOR
ADMINISTRATION OF THE HOUSING REHABILITATION
PROGRAM

BACKGROUND:

At your last Council meeting you had several questions concerning the recommendation to award a contract for managing our housing rehabilitation program to David VanDerlip and Associates. His charge would be 17% as calculated by OEDD, the granting agency.

Mr. VanDerlip has provided a letter detailing the services his firm will provide. He offers us a "turn key" project which requires little of our staff time.

Jane Ambrosek, the grant coordinator for OEDD advised me that the maximum allowable management charge is 20% . Most of these programs are administered by non-profits, COGs or housing authorities which all charge the maximum 20% allowable. She stated that she has had good experience with VanDerlip.

The grant administrator for Mid Willamette Valley COG agreed that the program is management intensive and a 17% charge is reasonable. The COG has no direct expertise in housing rehabilitation, but felt they may be in a position to bid in the future.

Marion County Housing Authority no longer manages housing rehabilitation for other agencies.

All of my contacts felt that the program is complex enough that, unless we were going to be doing this long term, it would not be cost effective to try to staff for this in-house.

The only other possible provider in this area would be the City of Salem. They had originally not wanted to bid against a private contractor, but I asked them to take another look at managing the project. Our meetings have been very preliminary, but they feel that they can manage the project for us and gave us a tentative offer.

The following will compare the two options based on several components:

VanDerlip

City of Salem

Price

\$51,000-

This is 17% based on \$325,000 which is the grant and the City contribution. It is paid based on closing loans in the total amount of \$274,000. This calculates to about 20% based on loaned out dollars. The fees are paid only if loans are closed. If loans are repaid in the grant period, they will be reloaned and the fee will be 20%. There is no fee related to managing any of the weatherization grant commitment or homeowner funds which constitute the remaining \$40,000 of the total program.

Time and materials-

The City staff have told us that they believe they can manage the project for between \$25,000 and \$35,000. At this time they are not interested in committing to a price cap in writing. They will bill us actual costs plus 10.78% overhead.

Timing

The contract is ready to sign. Construction work could begin on two homes next week.

There will be some time lag to negotiate the details of the contract.

Performance Basis

Payment is based on closing loans which provides an incentive to lend the money as quickly as possible. This is a standard part of his contract.

The staff feel that they can loan out all the money within the grant time frame. Any performance measures would need to be discussed with the manager.

References

The firm has managed 13 housing rehabilitation grants and 4 other grants for Oregon cities. I called two local communities. Both gave glowing recommendations. OEDD referred us to VanDerlip initially.

The City of Salem has managed millions of dollars in housing grants within the city limits with a high degree of success.

Our staff knows and respects the program staff who would be directly managing our program.

Direct Experience

Mr. VanDerlip was hired by OEDD to write the operating manual for Housing Rehabilitation Grants.

As an entitlement city, Salem deals directly with the federal government. Although this may not be a problem, our reports would be to state standards.

Miscellaneous

VanDerlip has begun qualifying lenders and done 5 home inspections. He has two loans ready to go.

The City of Salem is sensitive to our desire to maintain Keizer ownership of this program and will work with us to use our logo when possible and downplay Salem's role as contractor.

FISCAL IMPACT:

The City could potentially save enough for an additional home loan if Salem meets their stated expectations. However, if the contract should be awarded to the City of Salem, there will be some fees legitimately due to VanDerlip which would offset any potential savings.

RECOMMENDATION:

Both organizations will do a good job for the City. VanDerlip's contract is performance based and with a stated price. We have not begun to discuss performance criteria with Salem and the costs are not fixed. VanDerlip has also made a commitment to the City through writing the grant application and, now, by going ahead with the program. The City will lose some valuable construction time in negotiating a new contract with Salem.

Staff recommends the Council adopt a resolution authorizing a contract with VanDerlip and Associates.

VANDERLIP & ASSOCIATES
AFFORDABLE HOUSING CONSULTANTS
PO BOX 849
BROWNSVILLE OR 97327
PHONE (503) 466-3125
FAX (503) 466-3284

May 22, 1995

Dorothy Tryk, City Manager
City of Keizer
PO Box 2100
Keizer OR 97307-1000

RE: Professional Services Agreement - CDBG Housing Rehabilitation Program

Dear Ms. Tryk,

Following our recent phone conversation I would like to respond to the concerns raised by the Council concerning my proposed contract for administration of the CDBG Housing Rehabilitation Program. I want to ensure that the City understands what is being provided and that the price is fair and reasonable.

The OCDBG program rules allow a maximum of 20% of the grant to be used for administration of housing rehabilitation programs. Our fee is 17% which is the same fee we charged Silverton and Gervais. We also administered a program for the City of Mount Angel where we charged 18% but this was because we had to provide translation services. Closer to home we charged the City of Sweet Home 16%. I believe that the going rate is between 15% and 20% but I would suggest that you contact Jane Ambrosek (986-0137) for information concerning what other organizations charge. Here is a brief description of the services we would provide in managing your housing rehabilitation program.

In Home Interviews: We provide program information and we assist homeowners complete application forms and get required documentation in their homes.

Housing Inspection: Every home is inspected and a detailed report is prepared describing needed repairs by a professional inspector who possesses State of Oregon C.A.B.O. Structural Inspector Certification, C.A.B.O. Mechanical Inspector Certification, State of Oregon Pest and Dryrot Inspector Certification and numerous other certifications. We also provide drawings and plans when needed.

Construction Management: We make frequent on site inspections to insure that contract specifications are followed and to resolve construction problems that sometimes arise.

• **Ownership Verification/Loan Security:** We order and review title reports to insure that the City's security is protected. We also help homeowners resolve title problems. Typical examples - removing liens that have been satisfied, removing interests of deceased parties, obtaining written consent of existing lien holders to allow filing of the City's rehabilitation lien etc.

Loan Closings: We also prepare all loan documents, close the loans and record the City lien.

Program Reports: We prepare all the reports required for grant administration including cash requests, progress reports, beneficiary data, responses to monitoring reports, project completion and closeout reports. We also prepare all environmental assessments and notices, and publish notices such as Fair Housing Resolutions, Residential Anti-Displacement and Relocation Assistance Plans, public hearing and environmental notices and the like.

Technical Assistance: We advise the City on how to comply with federal grant requirements pertaining to financial management, procurement, labor standards, civil rights, fair housing and others.

Keep in mind that we will probably have to process two loan applications and inspect two houses for each one that is approved. I also charge only a nominal amount (\$500) for preparing grant applications which entail a considerable amount of staff time and cost.

I would invite you to look at one of our individual project files and grant administration files for previous customers so that you may gain a perspective about the complexity and volume of the records we must keep. Most often, CDBG housing rehabilitation programs are administered by non-profit organizations such as Housing Authorities and Community Action Agencies. In your area, I am not aware of any other organization that provides the service except for the City of Salem.

There are other models to administer the program but I feel very comfortable with the model I recommended to you because of its proven record. We are constantly evaluating and refining this model to make it more efficient and responsive to the needs of our customers. I would be more than happy to answer any questions you or the Council members may have concerning the proposed contract. My goal is for you to feel that you are obtaining quality services at a fair price for the constituents of your City.

Yours truly,



David L. VanDerlip

DLV:cw

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution Number R95-_____

AUTHORIZING EXECUTION OF A CONTRACT

FOR ADMINISTRATION OF THE HOUSING REHABILITATION PROGRAM

WHEREAS, the City of Keizer has been offered a Community Development Block Grant to fund the operation of a local Housing Rehabilitation Program; and

WHEREAS, the City does not have the resources to administrate this program; and

WHEREAS, VanDerlip and Associates has proven capability to administrate the program, and worked very successfully with the City's staff in designing the program and in preparing the grant request for its funding; NOW, THEREFORE

BE IT RESOLVED that the City Manager is authorized to execute a contract for services with VanDerlip and Associates to administrate the Housing Rehabilitation Program.

PASSED this ____ day of _____, 1995.

SIGNED this ____ day of _____, 1995.

Mayor

City Recorder

PROFESSIONAL SERVICES AGREEMENT

This AGREEMENT made and entered into between the City of Keizer, PO Box 2100, Keizer, Oregon, 97307-1000, hereinafter referred to as GRANTEE and VanDerlip & Associates, PO Box 849, Brownsville, Oregon 97327, hereinafter referred to as AGENT.

WITNESSETH:

WHEREAS, GRANTEE received an Oregon Community Development Program Grant for housing rehabilitation activity on April 27, 1995

WHEREAS, this Oregon Community Development Program Grant runs for a period of two years from the date of "Letter of Approval" or until funds are exhausted, whichever occurs first; and

WHEREAS, GRANTEE wishes to contract with AGENT for management services and technical assistance to implement the GRANTEE'S Oregon Community Development Program.

NOW, THEREFORE, in consideration of the terms, conditions, covenants and performances contained herein the parties agree as follows:

I. INTENT OF AGREEMENT

It is the intent of this AGREEMENT for AGENT to provide technical assistance and management services to GRANTEE, through GRANTEE'S Oregon Community Development Program.

II. TERM OF AGREEMENT

The term of this AGREEMENT is from April 27, 1995 to April 27, 1997

III. WORK TO BE PERFORMED

AGENT shall, in a satisfactory manner, carry out those functions and activities described in the approved Oregon Community Development Program Grant Application, appended hereto as Attachment I and, by this reference, incorporated herein.

GRANTEE or AGENT may request changes in the scope of the services of AGENT to be performed hereunder. Such changes must be mutually agreed upon by and between the GRANTEE and AGENT and must be incorporated in written amendments to this AGREEMENT.

IV. STATUS OF AGENT

The parties agree that AGENT is a professional person and that the relation created by this contract is that of principal and AGENT. The AGENT is therefore acting as an independent contractor for GRANTEE. The AGENT is performing a service for the GRANTEE according to its methods and without being subject to the control of the GRANTEE, except as to the result of the work. AGENT is not an employee of GRANTEE and is not entitled to the benefits provided to its employees, including but not limited to Worker's Compensation Insurance, Unemployment Insurance, Health Insurance, and Retirement. In the event that AGENT employs its own employees, the AGENT shall be solely responsible to the appropriate governmental entities for payroll and associated costs of payroll, including the foregoing. AGENT may practice his profession for others during those periods when he is not performing work under this agreement for GRANTEE.

V. CONSIDERATION

In consideration of AGENT'S satisfactory performance in carrying out the functions and activities described in the approved application, GRANTEE shall pay the AGENT the sum not to exceed FIFTY-ONE THOUSAND DOLLARS (\$51,000) for services in carrying out the approved activities described in the Grant, and upon a schedule as further provided herein.

Any consideration paid to AGENT is contingent upon GRANTEE obtaining and accepting funds for AGENT'S services through its 1995 Oregon Community Development Grant. AGENT or GRANTEE may request changes in the amount of consideration provided to AGENT. Such changes must be incorporated in written amendments to this AGREEMENT.

VI. SCHEDULE AND METHOD OF PAYMENT

AGENT is authorized to incur costs after the Grant Agreement has been signed by the GRANTEE and the State of Oregon and the required environmental assessments have been completed. AGENT will submit invoices to the GRANTEE for services under this AGREEMENT not to exceed the amount authorized under the SCHEDULE OF PAYMENTS.

An initial advance of FIVE THOUSAND DOLLARS (\$5,000.00) will be due and payable within 30 days of the signing of the Grant Agreement by the GRANTEE and the State of Oregon. The balance of the contract payments will be due and payable within 30 days based upon obligation and disbursement of the rehabilitation loan funds as provided in the SCHEDULE OF PAYMENTS below.

SCHEDULE OF PAYMENTS

	Contract Amount Due	Loan Funds	Loan Funds
		Obligated Required	Disbursed Required
		(initial advance)	(initial advance)
1.	\$5,000.00		0
2.	\$5,000.00	15,000	5,000
3.	\$5,000.00	30,000	25,000
4.	\$5,000.00	60,000	50,000
5.	\$5,000.00	100,000	80,000
6.	\$5,000.00	150,000	120,000
7.	\$5,000.00	200,000	180,000
8.	\$5,000.00	240,000	230,000
9.	\$5,000.00	249,000	274,000
10.	\$5,000.00	274,000	

The entire contract sum not to exceed FIFTY-ONE THOUSAND DOLLARS (\$51,000.00) will be due and payable within thirty days after submission of the Project Completion Report or equivalent document. The AGENT will be paid a fee of 20% of the loan funds obligated and disbursed in excess of \$274,000.

VII. COMPLIANCE WITH APPROVED PROGRAM

All activities authorized by this AGREEMENT shall be performed in accordance with the approved work program, the approved budget, and the grant conditions and relevant Housing and Urban Development, Federal and State laws, regulations and directives.

VIII. COMPLIANCE WITH LOCAL LAWS

AGENT shall comply with all applicable laws, ordinances, and codes of state and local governments.

IX. COMPLIANCE WITH TITLE VI AND VII, CIVIL RIGHTS ACT OF 1964

AGENT agrees:

- (A) That there will be no discrimination against any employee or persons served on account of race, color, sex, religious background, ancestry or national origin in its performance of this contract.
- (B) That AGENT shall comply with Title VI of the Civil Rights Act of 1964 (42 USC 2000d) in regard to persons served.
- (C) That CONTRACTOR shall comply with Title VIII of the Civil Rights Act of 1964 (42 USC 2000e) in regard to employment or applicants for employment.

X. COMPLIANCE WITH HOUSING AND COMMUNITY DEVELOPMENT ACT

AGENT agrees that the work to be performed under this contract is on a project assisted under a program providing direct federal financial assistance from the Department of Housing and Urban Development and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 USC 1701u. Section 3 requires that to the greatest extent feasible opportunities for training and employment be given to lower income persons residing in the City and contracts for work in connection with the project be awarded to eligible business concerns which are located in, or owned in substantial part by persons residing in the City.

XI. MINORITY BUSINESS ENTERPRISE COMPLIANCE

AGENT agrees that affirmative steps must be taken to assure that small, minority and women-owned businesses and firms located in labor surplus areas are used when possible as sources of supplies, equipment, construction and services. Affirmative steps shall include the following:

- (A) Include any such qualified firms on solicitation lists.
- (B) Assure that such firms are solicited whenever they are potential sources.
- (C) When economically feasible, divide total requirements into smaller tasks or quantities so as to permit such firms maximum opportunities for participation through subcontracting.
- (D) Where possible, establish delivery schedules which will encourage such participation.
- (E) Use the services and assistance of the Small Business Administration, the Office of Minority Business Enterprise (Department of Commerce), the Community Services Administration and other resources when appropriate.

XII. COMPLIANCE WITH CODE OF CONDUCT

No member, officer or employee of the CITY, or its designees or agents, no member of the governing body of Keizer, and no other public official of Keizer, who exercises any functions or responsibilities with respect to this contract during his/her tenure or for one year thereafter, shall have any interest, direct or indirect, in work to be performed in connection with this contract. All contractors shall incorporate, or cause to be incorporated, in all subcontracts a provision prohibiting such interest.

XIII. PROHIBITION ON THE USE OF FEDERAL FUNDS FOR LOBBYING

CONTRACTOR agrees to comply with Section 319 of Public Law 101-102 which prohibits the use of federal funds for lobbying. The "Certification Regarding Lobbying" which is attached as Exhibit 1 is hereby incorporated as a part of this AGREEMENT.

XIV. ACCESS TO RECORDS

GRANTEE, the State of Oregon, the U.S. Department of Housing and Urban Development, the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of AGENT which are directly pertinent to this specific contract, for the purpose of making audit, examination, excerpts, and transcriptions. All required records must be maintained by AGENT for three years after GRANTEE makes final payments and all other pending matters are closed.

XV. RECORDS AND REPORTS

THE AGENT will maintain all rehabilitation project files which will include the Application, Notice of Loan Approval, Loan Disclosure, Notice of Right to Cancel, Note(s), Trust Deed, Inspection Report/Bid Form, Notice to Proceed, Construction Contract, Contract Change Order(s), Lead Paint Notice, Site Specific Rehabilitation Environmental Review, Contractor's Warranty and Lien Waiver, Owners Certification and Acceptance of Improvements, Contractor Payment Request Voucher(s) Rehabilitation

Project Payment Ledger and verification documentation of program eligibility. AGENT will prepare the CASH REQUESTS and attach required supporting documentation for program expenses, a report on the progress of the program, and required beneficiary data. AGENT will also submit, with the CASH REQUEST a list of the rehabilitation notes payable with the name, address, tax account number and loan amount of the borrower.

XVI. TERMINATION OF CONTRACT

Either party to this AGREEMENT may, by giving 30 days written notice, terminate this AGREEMENT, at its option, in whole or in part without cause.

In the event of such termination, all property and finished or unfinished documents, data studies, and reports purchased or prepared by AGENT under this AGREEMENT become the property of and shall be remitted to GRANTEE, and AGENT shall be entitled to compensation for any unreimbursed expenses reasonably and necessarily incurred in satisfactory performance of the contract. The AGENT shall be paid the amount authorized under the SCHEDULE OF PAYMENTS and the initial advance of FIVE THOUSAND DOLLARS (\$5,000.00) for work performed up to the date of termination. In the event that suit or litigation is necessary to enforce any term or provision of this AGREEMENT, the prevailing party will be entitled to reasonable attorneys fees and expenses.

XVII. ENTIRE AGREEMENT

This AGREEMENT constitutes the entire understanding of the parties with respect to the subject matter thereto superseding all negotiations, prior discussions and preliminary agreements made prior to this date. All modifications of this AGREEMENT shall be in writing and shall be signed by an authorized representative of each party.

VANDERLIP & ASSOCIATES

CITY OF KEIZER

David L. VanDerlip, Owner

Date

Date

Federal Tax ID #93-1157569

CITY COUNCIL MEETING: June 5, 1995

AGENDA ITEM NUMBER: 7a

TO: MAYOR KOHO AND CITY COUNCIL MEMBERS

THROUGH: DOTTY TRYK *Dotty*
CITY MANAGER

FROM: WALLY G. MULL
PUBLIC WORKS DIRECTOR

SUBJECT: RESOLUTION DESIGNATING A PORTION OF DEARBORN
DRIVE NE AS NO PARKING AND ALLOWING USE AS A
COMMERCIAL LOADING ZONE DURING SPECIFIC HOURS

BACKGROUND:

On May 15, 1995 the City Council considered adopting a Resolution designating a portion of Dearborn Drive NE as a no parking zone. At the request of business owner, Donald Porter, the Council directed staff to redraft the Resolution to allow the area to be used as a commercial loading zone during the hours of 8:00 a.m. to 5:00 p.m.

RECOMMENDATION:

It is recommended the Council adopt the attached Resolution designating a portion of Dearborn Drive NE as a no parking zone and allowing use as a commercial loading zone during the hours of 8:00 a.m. to 5:00 p.m.

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2
3 Resolution R95- _____

4 DESIGNATING PORTIONS OF DEARBORN DRIVE NE

5 AS A "NO PARKING" ZONE AND ALLOWING USE AS A

6
7 COMMERCIAL LOADING ZONE DURING CERTAIN HOURS

8
9
10
11
12 WHEREAS, the City Council of the City of Keizer has authority pursuant to ORS 810.010(3) and
13 810.160 and Keizer Ordinance 86-059 to establish "No Parking" zones where the Council deems it
14 appropriate to preserve the public health, safety and welfare; and

15 WHEREAS, Keizer Public Works Department has requested "No Parking" zone for the
16 parking of vehicles on a portion of Dearborn Drive NE specifically described below which creates a
17 vision hazard for vehicles at this location,

18 BE IT RESOLVED by the City Council of the City of Keizer that:

- 19 1. A "No Parking" zone is hereby established on the north side of Dearborn Drive NE
20 from River Road N 172 feet east as marked on Exhibit "A" which is attached hereto
21 and by this reference made a part hereof.
- 22 2. A sign designating the area may be used as a commercial loading zone during the
23 hours of 8:00 a.m. to 5:00 p.m. will be posted along with the no parking sign.

24 BE IT FURTHER RESOLVED, that said City Manager is hereby directed and ordered
25 to have said "No Parking/Commercial Loading Zone" signs installed as indicated at the above
26 described location.
27

28
29 PASSED this _____ day of _____, 1995.

30
31 SIGNED this _____ day of _____, 1995.

32
33
34 _____
35 Mayor

36
37 _____
38 City Recorder

EXHIBIT "A"

CHURCH-DALE AVE

SEE MAP 07 3W 02BC

924 52 29 2
ROAD NE

JAMES STREET NE

6TH

DEARBORN AVENUE

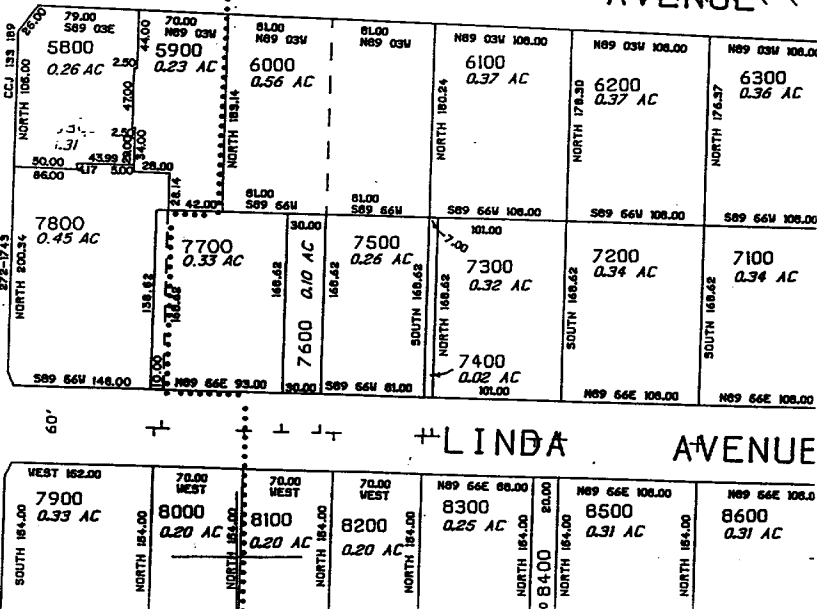
RIVER

LINDA AVENUE

EVANS AVE

POINT IS 108.00 NORTH OF THE S.W. CORNER OF THE J.M. PUGH D.L.C. NO. 185

IRTH



MINUTES
KEIZER CITY COUNCIL
Monday, May 15, 1995
Robert L. Simon Council Chambers
Keizer City Hall
Keizer, Oregon

CALL TO ORDER

Mayor Koho called the regular meeting to order at 7:02 p.m.
Roll call was taken as follows:

Present:

Dennis Koho, Mayor
Carl Beach, Councilor
Jim Keller, Councilor
Jerry McGee, Councilor
Al Miller, Councilor
Chet Patterson, Councilor

Absent

Jerry Watson, Councilor

Staff:

Dotty Tryk, City Manager
John Morgan, Community Development Director
Charles R. Stull, Chief of Police
Kim Krause, Finance Director
Wally Mull, Public Works Director
Shannon Johnson, City Attorney
Tracy L. Davis, City Recorder

**PRESENTATION
OF AICP AWARD**

Mayor Koho presented John Morgan, Community Development Director with the 1995 Karen B. Smith Chapter Achievement Award for Specific Chapter Project to the Oregon Chapter of American Planning Association for Guide to Community Visioning.

Mayor Koho and the Council congratulated Mr. Morgan on this achievement.

**PUBLIC
TESTIMONY**

Mayor Koho announced the individuals appearing to provide testify regarding to the **Keizer Boys and Girls Club** will not be allowed to address the Council at this time. He noted this matter is presently an administrative decision and may be brought before the Council for future hearings. Any testimony could be considered ex parte contact at this time.

Shannon Johnson, City Attorney noted the staff decision on this case will be issued in the next week and notification of this decision will be sent to those residents within 200 feet of the proposed area. If an appeal of the decision is filed, it will be scheduled before the City Council for a hearing. Mr. Johnson invited those with questions to contact the staff.

Mayor Koho apologized for any inconvenience this announcement may have caused the citizens appearing before the Council.

**FOUR-WAY STOP
SIGN-INTERSECTION
OF PARKMEADOW
AND MEADOWGLEN**

Appearing before the Council to provide testimony regarding the placement of a stop sign on Parkmeadow Drive were:

Debra Ego, 7225 Woodgrove Court N, Keizer appeared before the Council, representing the Clear Lake Elementary School LSAC-PTC. Ms. Ego noted the entry way to Clear Lake Elementary School is presently only a two-way stop intersection. She was recently notified the school has been approved to hire a crossing guard for the children crossing Parkmeadow Drive. However, she noted since the crossing guard will only be present at certain times of the day it is only a "Band-Aid" to a terminal safety problem. Ms. Ego stated many pedestrians are in the area at all times of the day and evening.

Ms. Ego presented a petition signed by over 150 people from The Meadows Subdivision who endorse placing a sign at Parkmeadow Drive to create a four-way stop. In addition, Ms. Ego noted the obstacle course the construction along Parkmeadow Drive has caused will be completed soon and will increase the pedestrian traffic and allow drivers to travel at a even higher rate of speed.

Ms. Ego requested the Council place a stop sign on Parkmeadow Drive to create a four-way intersection at Parkmeadow and Meadowglen for the safety of the children and residents of the area.

Paul Gortlinsky, 7164 Lawnridge Street NE, Keizer stated he is concerned for the safety of his two children attending Clear Lake Elementary School and the speed of the traffic on Parkmeadow Drive. The vehicles are being slowed at this time

due to the construction along Parkmeadow Drive, however this phase of construction is nearly completed. Mr. Gorlinsky also expressed his concern for the lack of school zone signs in this area.

In response to a question from Councilor Keller, Wally Mull, Public Works Director stated Parkmeadow Drive is considered an east/west collector between River and Wheatland Road. Upon the initial design of this street, the City required the developer to make Parkmeadow Drive wider than normal and put six-foot sidewalks which are offset from the street for additional safety. Mr. Mull noted at the direction of the traffic engineer, stop signs are not usually placed on collector streets. In addition, the cross walk will be painted upon the approval of a crossing guard by the school district. Mr. Mull stated past experience has shown the placement of a stop sign on a street has not controlled excessive speeding of vehicles.

Councilor McGee stated the placement of stop signs is at the discretion of the City unlike the determination of speed zones which are controlled by the Department of Transportation.

Mr. Mull indicated the City does have the authority to post residential areas with 25 mph speed zones. In addition a collector street is to move traffic through without stopping.

Mr. Gorlinsky added the Clear Lake School playground is used by several area children after school hours which must cross Parkmeadow to get to the school. He is concerned for the safety of these children crossing the street.

In response to a question from Councilor Beach, Mr. Gorlinsky stated he would still be concerned for the safety of the children even if the appropriate school zone signs are placed on Parkmeadow Drive.

Councilor Miller stated he is familiar with this intersection and the policies for placing stop signs on streets.

Councilor Miller moved to make a four-way stop at the intersection of Parkmeadow Drive and Meadowglen. Mayor Koho seconded the Motion.

Councilor McGee noted this could have been an issue investigated by the recently formed Keizer Safety Traffic Commission. He added the placement of a stop sign may be a false sense of security for the children and hopes the children will be taught to use extreme caution when crossing the street.

Doug Davis, 7174 Lawndridge Street NE, Keizer noted he is a civil engineer and based upon his experience, he recommend the Council consider placing traffic lights at the intersection of Parkmeadow and Meadowglen. He noted recent studies have shown that drivers disobey stop signs more often than traffic lights. Mr. Davis also recommended placing a light at the intersection of Parkmeadow and River Road when the new Country Glen subdivision is fully developed. This will allow the children of this area to safely cross the street on their way to school. Mr. Davis also foresees future traffic problems associated with this area.

Beth Salisbury, Community School Coordinator - Clear Lake Elementary School, 7425 Meadowglen Drive N, Keizer stated she works for the Salem-Keizer School district as a coordinator for outside activities at Clear Lake School. Ms. Salisbury stated the use of the school building and facility during off school hours has increased during the last two months. In addition, there are plans for use of the building before school hours and activities for the upcoming summer. Ms. Salisbury encouraged the Council to consider creating a four-way stop at the main entrance to the school to provide additional safety for the pedestrians attending various functions at the school.

There was no further testimony to come before the Council on this issue.

The Motion passed as follows:

AYES: Beach, Keller, Koho, McGee, Miller and Patterson (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Watson (1)

There was no further public testimony to come before the Council.

COMMITTEE REPORTS

SALEM-KEIZER GANG INTERVENTION PROGRAM PRESENTATION

Theresa Middleton, Project Coordinator for the Salem Keizer Metro Area Gang Intervention Project gave a brief overview of the progress made during the last year. She reviewed an action plan developed from input received at a community forum which involves many community leaders working on action items. Ms. Middleton invited Council members participate in any facet of these projects.

Dale Penn, Marion County District Attorney thanked the City for the past participation of Lieutenant Bruce Jenness in the Gang Intervention Project. Mr. Penn stated the Keizer Police Department has been discussing the creation of a curfew ordinances and other related violations to follow the success of the recently adopted graffiti ordinance. He applauded the City for their efforts. Mr. Penn encouraged the City to work in conjunction with Marion County and the City of Salem to coordinate the efforts and effectiveness of dealing with the juveniles on these issues.

Jim Seymour, Executive Director of the Catholic Community Services provided an informational packet for the Council to review. Mr. Seymour emphasized community organizations and suppression from the Police Department will help control gang activity. Mr. Seymour indicated last year Keizer was one of the communities involved in the Marion County Community Mapping project.

Mr. Seymour added there will be a community progress team assembled for the Keizer area. This group will be committed to the wellness of children and strengthening families in their community. Mr. Seymour requested the City provide names of individuals or businesses interested in participating on a community progress team for Keizer.

In response to a comment from Councilor McGee, Mr. Seymour offered to act as a liaison between the gang intervention project and the City by providing periodic reports to the Council.

Ms. Middleton noted recent statistical information should not be misconstrued to state gang activity is on the rise in Keizer only there is more community awareness of the activities. She commended the City for the adoption of the graffiti ordinance which makes a juvenile responsible for their actions.

In response to a question from Councilor Keller, Ms. Middleton stated Kim Carter is presently working on the action plan committee as the business representative for Keizer. However, a representative from the church, law enforcement and youth organizations is needed.

Chief Stull indicated since Lieutenant Bruce Jenness has resigned, a law enforcement representative from Keizer has not been assigned to the steering committee. However, he anticipates Lieutenant Pat Bowe will assume this position in July. Chief Stull also indicated a curfew ordinance is being developed by the Juvenile Justice committee.

Councilor Keller requested the Mayor, City Manager or Councilors contact the members of churches, youth organizations and any other areas to participate in the gang intervention program.

Councilor McGee requested the City Manager review the possibility of Chief Stull attending the meetings until a replacement is provided for Lt. Jenness.

Mayor Koho and the Council thanked Ms. Middleton, Mr. Penn and Mr. Seymour for their informative presentation.

CITY COUNCIL PRESIDENT SELECTION PROCESS

Councilor McGee reported the subcommittee comprised of himself and Councilors Beach and Miller determined if a major change in the Council president election process was desired, it would require a vote of the public to amend the City Charter. At this time, he does not feel the issue warrants a vote of the citizens. However during future Charter reviews, he hoped this issue would be discussed.

Councilor McGee recommended the Council consider amending the Council Procedures, adopted by Resolution, to indicate the Councilor with the longest continuous tenure who had not been president, be nominated. In addition, others may be nominated from the Council.

In response to a question from Mayor Koho, Councilor McGee stated the term of the council president is a two-year term.

Councilor Keller expressed his appreciation for the work of the subcommittee in reviewing this issue. He hoped this report will establish the intent of the Council in this important selection process.

Mayor Koho noted his concern there may be up to three individuals with the same amount of tenure among the Council.

Councilor Keller moved to adopt the amendment to the Council procedures as recommended by Councilors McGee, Beach and Miller. Councilor McGee seconded the Motion.

The Motion passed as follows:

AYES: Beach, Keller, Koho, McGee, Miller and Patterson (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Watson (1)

KEIZER FLOOD MONUMENT REPORT

Councilor McGee reported the first public meeting to gather input for the flood monument was held on May 11, 1995 with approximately 13 people attending. The purpose of the meeting was to discuss the type of monument and the location for the monument. Councilor McGee noted several newspaper articles were displayed at the meeting and it was decided to preserve many of these for future display.

Councilor McGee stated a formal committee has not been appointed at this time. He will return to the Council with further information after the next meeting.

Councilor Beach noted several of those attending had an abundance of information to share about this defining moment in Keizer history.

PUBLIC HEARINGS

RESOLUTION - FORMATION OF CEDAR BLUFF STREET LIGHTING LOCAL IMPROVEMENT DISTRICT

ORDINANCE - SPREADING ASSESSMENTS TO CEDAR BLUFF

Mayor Koho opened the public hearing.

Dotty Tryk, City Manager reported a local improvement district was initiated at the request of the developer of the Cedar Bluff subdivision. An engineering report was completed and notice of the public hearing was mailed as required by Ordinance. Ms. Tryk noted she has not received any written remonstrance to this project.

Presenting testimony to the Council were:

Art Bobrowitz, 7315 Wheatland Road NE, Keizer requested information how the street lighting districts are formed and how the amount of the assessment is determined.

**STREET LIGHTING
LOCAL
IMPROVEMENT
DISTRICT**

Dotty Tryk, City Manager stated the developer of the subdivision filed a petition to form the district in March of 1995. The Council ordered an engineer report which outlines the estimated cost and location of the street lights. She noted the first year assessment includes the engineering fee and the cost of installation. These assessments are charged to the owner of the lot.

Mr. Bobrowitz stated he is supportive of street lights in this area, however he is concerned about the process and the delay with the installation.

Councilor Keller moved a Resolution forming the Cedar Bluff Street Lighting Local Improvement District. Councilor Patterson seconded the Motion.

The Motion passed as follows:

AYES: Beach, Keller, Koho, McGee, Miller and Patterson (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Watson (1)

Councilor Keller moved an Ordinance Spreading Assessments to the Cedar Bluff Street Lighting Local Improvement District. Councilor Patterson seconded the Motion.

The Motion passed as follows:

AYES: Beach, Keller, Koho, McGee, Miller and Patterson (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Watson (1)

**ADMINISTRATIVE
ACTION**

**RESOLUTION -
MODIFYING SEWER
ADMINISTRATION
FEES**

Dotty Tryk, City Manager reported the City took over the Keizer Service District in 1986, accepting their assets, cash and liabilities including their debts. The outstanding debt at that time was \$550,000 in principal and interest. Over the years the City has made payments towards the debt and has also made many improvements to the sewer system. In approximately 1991, the cash associated with the service district went into a deficit position. The City has an obligation to keep this fund in a positive position and therefore has the authority to tax for the debt or raise the administrative charge.

**RESOLUTION -
AUTHORIZING
INTERFUND LOAN
FROM STREET TO
UTILITY FUND**

Based upon Council direction, City Manager Tryk recommended two alternatives for the Council to consider; increasing the sewer administrative fee from \$0.90 to \$2.00 every two months or charge an administrative fee of 6% of the sewer bill. In addition, she recommended the Council adopt a Resolution authorizing an interfund loan of \$100,000 from the street fund to cover the anticipated deficit this year at an interest rate of 7%.

Councilor McGee supported increasing the fee to 6%. In addition he requested the Resolution indicate the fee is being raised in order to retire the deficit only and once this is paid the fee is reduced to the present amount. Councilor McGee also favored a Resolution being brought before the Council each year to determine the amount of the fee.

Mayor Koho suggested adding language to the Resolution stating the increased fee will remain in effect until the interfund loan is retired.

The Council agreed by consensus to add this language to the Resolution.

Councilor McGee stated the interfund loan from the Street Fund includes interest at the rate of 7%. He suggested this interest rate be set at the exact amount of the lost opportunity this fund would earn for that year.

Kim Krause, Finance Officer stated the City is presently earning 5.8% to 7% at this time. In addition, she noted the street funds are not invested separately, therefore an exact amount is not available. Ms. Krause recommended using 6% as an average rate.

Councilor McGee suggested the interest rate be adjusted on an annual basis to reflect actuality. Councilor Miller suggested the rate be adjusted at the end of the year to reflect the true interest earned.

Mayor Koho moved a Resolution Establishing a Sewer Administration Fee including the language as agreed by the Council. Councilor Keller seconded the motion.

The Motion passed as follows:

AYES: Beach, Keller, Koho, McGee, Miller and Patterson (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Watson (1)

Mayor Koho moved a Resolution Authorizing An Interfund Loan From the Street Fund to the Utility Fund. Councilor Keller seconded the Motion.

Councilor McGee stated 6% is a reasonable interest rate to charge for the loan.

Mayor Koho noted this rate could be reviewed next year for any adjustments.

The Council agreed by consensus to amend the Resolution to read 6% rather than the listed 7%.

The Motion as amended passed as follows:

AYES: Beach, Keller, Koho, McGee, Miller and Patterson (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Watson (1)

**RESOLUTION - NO
PARKING - PORTION
OF DEARBORN
AVENUE**

Wally Mull, Public Works Director reported the success of the business at Porter's Pub has generated a problem with vehicles parking on the corner of Dearborn Drive NE just prior to River Road. This causes a vision hazard for vehicles making a right hand turn on River Road. Mr. Mull indicated he has received a letter of support for posting a no parking sign in this area from the Keizer Police Department and the South East Keizer Neighborhood Association. In addition, Mr. Mull has discussed this matter with the business owner and they have no objections to posting this area. However, they did voice their concern regarding the delivery service to the restaurant.

Addressing the Council was:

Donald Porter, 4820 River Road N, Keizer stated he is sorry his business has caused this problem, however he is concerned that his delivery trucks will be prohibited from parking to unload

merchandise. He requested the no parking zone include a provision for loading zones.

Councilor Miller suggested establishing this area as a no parking zone and a loading zone from 8:00 a.m. to 5:00 p.m. to accommodate the deliveries.

In response to a question from Councilor Beach, Mr. Porter supported establishing the loading zone between these hours.

Chief Stull stated he is not aware of any accidents that have occurred at this location.

Councilor Miller moved to direct staff to prepare a Resolution and bring back to Council at the next meeting that designates no parking on this portion Dearborn and also designates the area to be used for the purposes of loading during the hours of 8:00 a.m. to 5:00 p.m. Councilor Beach seconded the Motion.

The Motion passed as follows:

AYES: Beach, Keller, Koho, McGee, Miller and Patterson (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Watson (1)

**RESOLUTION -
EXECUTION OF
COMMUNITY
DEVELOPMENT
BLOCK GRANT
CONTRACT**

John Morgan, Community Development Director reported the City was awarded a \$300,000 Community Development Block Grant to fund a housing rehabilitation program. In addition he provided information on ways low-income housing can be located within the City:

- New construction may take place with state tax credits;
- Home projects;
- Rental vouchers through the Section 8 Program;
- Publicly owned housing.

Mr. Morgan noted the grant was awarded specifically to fund a housing rehabilitation program. In addition, there has been numerous requests for funds for improvements.

In response to a question from Councilor McGee, Mr. Morgan stated the requirement for an excessive force policy has been certified as part of the Keizer Police Department policy manual.

Mayor Koho moved a Resolution Authorizing the Mayor to Execute the State of Oregon Community Development Block Grant Program Grant Contract to Fund the Keizer Housing Rehabilitation Program. Councilor Keller seconded the Motion.

The Motion passed as follows:

AYES: Beach, Keller, Koho, McGee, Miller and Patterson (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Watson (1)

CONSENT CALENDAR

The consent calendar consisted of the following:

- a. RESOLUTION - Keizer Prairie Street Lighting LID (Approve Engineer's Report)
- b. RESOLUTION - Alder Drive Street Lighting LID (Approve Engineer's Report)
- c. 1995-96 City Council Goal Work Plan
- d. RESOLUTION - Authorizing Contract with VanDerlip and Associates for Administration of Community Development Block Grant
- e. Approval of May 1, 1995 Regular Session Minutes

Councilor Miller removed items "c" and "d" from the consent calendar.

Mayor Koho moved for approval of the remaining items on the Consent Calendar. Councilor Keller seconded the Motion.

The Motion passed as follows:

AYES: Beach, Keller, Koho, McGee, Miller and Patterson (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Watson (1)

"item c" - 1995-96 City Council Goal Work Plan

Councilor Miller voiced his concern with the specific election date a new tax base. By removing the month, it will allow the Council the flexibility to try for a new tax base in May or November election.

Mayor Koho moved to adopt the Council goal work plan and to amend the plan for goal number one to delete the month for a tax base election. Councilor Beach seconded the Motion.

The Motion passed as follows:

AYES: Beach, Keller, Koho, McGee, Miller and Patterson (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Watson (1)

"item d" - RESOLUTION - Authorizing Contract with VanDerlip and Associates for Administration of Community Development Block Grant

Councilor Miller voiced his concern with the amount of the fee for administering the Housing Rehabilitation program as listed in the agreement with VanDerlip and Associates.

John Morgan, Community Development Director noted this is a standard fee and reflects the allowance made by the Oregon Economic Development Department. His work includes marketing, working with the home owner, inspections and review, the final paperwork on each project and the annual reporting the Oregon Economic Development Department.

Councilor Miller stated this is a high percentage rate for the work on only 16 homes. Mr. Morgan noted there may be closer to 40 homes that may receive the loans.

Councilor McGee noted there may be other firms available to administer this program. He requested staff renegotiate this amount or look for other firms to administer the program.

Mayor Koho noted by not approving the contract at this time, the program will be delayed. He did not feel the amount was outrageous.

Councilor McGee also voiced his concern with page 2 - Section VI of the agreement. He suggested the agreement be reevaluated at the end of the two year period.

Mr. Morgan stated the grant is \$300,000 however he will be administering 365,000 which includes a separate grant for weatherization improvements.

Councilor Keller suggested staff review other alternatives for administration of this program or renegotiate the agreement with Mr. VanDerlip.

Councilor Beach concurred with Councilor Keller and requested the staff present options at the next Council meeting.

OTHER BUSINESS

Mayor Koho announced the monthly breakfast with the Marion County Commissioners is scheduled for this Friday at 7:00 a.m. at Bray's Restaurant. Councilor Keller stated he will be able to attend this meeting.

Councilor Patterson noted he will be unable to attend the Budget Meeting scheduled for May 16, 1995.

Councilor McGee requested staff review the solid waste ordinance to allow the police department to initiate a complaint for violations. He asked this matter be brought back for further discussion before the Council.

Councilor Miller the Police Department review the abandon refrigerators in the mobile home park on Cherry Avenue.

Mayor Koho reported the sign at the entrance to Keizer has been repaired. He requested the City Manager send a letter to the architect to thank him for his work.

LOCKHAVEN DRIVE IMPROVEMENT PROJECT

Dotty Tryk, City Manager requested direction from the Council on the Lockhaven improvement project. She outlined three options for the Council to consider to provide direction to the

staff. These options include to proceed with the project without sidewalks, build the full project using street funds at a cost of \$149,000 or begin the public process for a local improvement district.

Councilor McGee supported beginning the process for initiating a local improvement district for this project. He suggested offering the property owners a 50./50 split on the costs.

Mayor Koho noted the property owners made it very clear during the previous meeting that they are not willing to pay for any costs of the improvements.

Councilor Keller stated the amount of traffic on Lockhaven is not a result of the property owners and therefore is uncomfortable to ask for a contribution for the improvements from them.

Councilor Beach cautioned the Council to uniformly address these improvements as they would be considered throughout the City.

Mayor Koho stated Lockhaven is considered a main thoroughfare in the City and should be paid in full by the City. However, he added the property owners should be notified the City intends to proceed with these improvements.

Councilor Miller favored following a public process to notify the residents of the potential improvements and make the decision following this input.

City Manager Tryk stated estimated cost information was provided to the property owners at the previous meeting. Many of the residents do not favor the improvements without any cost to them.

Mayor Koho suggested scheduling a public meeting and notifying the property owners the City will construct the full improvements with the costs being absorbed by the City. The input received during this process will be used to make the final decisions.

In response to a question from Councilor McGee, Wally Mull indicated there should not be a need to acquire any right of way for these improvements.

Councilor McGee suggested noticing the meeting as a formal public hearing to receive input. The notice should be published as well as mailed to all the affected property owners.

The Council agreed by consensus to provide public notice to the property owners by mail and through the newspaper and state the improvements are being considered at the full expense to the City.

**WRITTEN
COMMUNICATION**

There was no written communication to come before the Council.

**EXECUTIVE
SESSION**

The Council adjourned to executive session at 9:25 p.m. pursuant to ORS 192.660(1)(h) - potential litigation and ORS 192.660(1)(e) - real property transactions.

The executive session was adjourned at 10:50 p.m.

The Council reconvened the regular session at 10:50 p.m.

AGENDA INPUT

Mayor Koho noted the agenda input items.

ADJOURNMENT

The meeting was adjourned at 10:51 p.m.

Tracy L. Davis
City Recorder

**APPROVED:
MAYOR:**

Dennis Koho

COUNCIL MEMBERS:

(absent)

Councilor #1 - Jerry Watson

Councilor #4 - Carl Beach

Councilor #2 - Chet Patterson

Councilor #5 - Al Miller

Councilor # 3 - Jim Keller

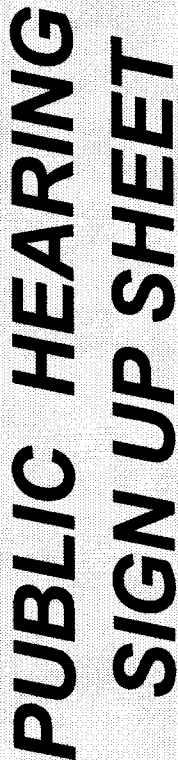
Councilor # 6 - Jerry McGee



DATE: June 5, 1995 **TIME:** 7:00 p.m. **AGENDA ITEM #** 5b

- Please Print -

[illegible]

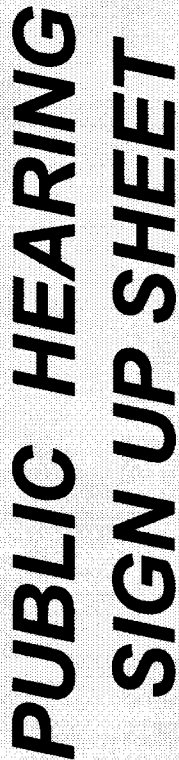


DATE: June 5, 1995 TIME: 7:00 p.m. AGENDA ITEM # 5D

BEFORE THE: KEIZER CITY COUNCIL PLACE: ROBERT L. SIMON COUNCIL CHAMBERS

- Please Print -

[illegible]



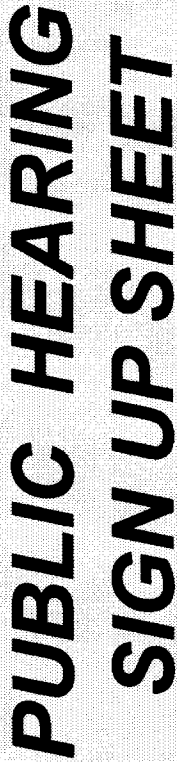
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DATE: June 5, 1995 **TIME:** 7:00 p.m. **AGENDA ITEM #** 5C

BEFORE THE: KEIZER CITY COUNCIL **PLACE: ROBERT L. SIMON COUNCIL CHAMBERS**

- Please print -

[illegible]



DATE: June 5, 1995 **TIME:** 7:00 p.m. **AGENDA ITEM #** 5a

BEFORE THE: KEIZER CITY COUNCIL PLACE: ROBERT L. SIMON COUNCIL CHAMBERS

- Please Print -

NAME	ADDRESS	GENERAL	PROPOSENT	OPPONENT
Robert L. Brown	1020 Lockhaven Dr NE			✓
James W Irene Fernandez	1163 35th Ave NW Salem		✓	
JACQUES	18974 POWERS (R) LP RD NE			✓
Don Earle	1075 Lockhaven W NE		✓	
DMR JAFFESON	1484 LOCKHAVEN E		✓	
JERRY JAFFESON	" "		✓	
Jan Moch	733 Maine Ave. Ketter		✓	
Wanda Medema	419 Dorcas Dr W Ketter		✓	
Wanda Medema	1334 Lockhaven Dr. Ketter		✓	
KEN SWARTHOUT	1324 LOCKHAVEN DR Ketter		✓	
CHARLE MANN	8129 Flagstone Ct, Ketter		✓	

June 5, 1995

John Morgan, Director
Community Development
930 Chemawa Rd.
Keizer, Oregon 97303-1000

Subject: Lockhaven Avenue Improvement Project

Dear John:

When Whiteaker Middle School was built in the late 1960's, Lockhaven was very much a rural road. It had low traffic volume and traffic speed. The need for sidewalks was low.

Today, Lockhaven has become a high speed and high traffic arterial. Whiteaker itself has become one of the larger middle schools in the district. Sidewalks are now badly needed.

Sidewalk improvements will help improve safety of the students walking to and from school.

I urge the City of Keizer to consider installing sidewalks on Lockhaven.

Sincerely,

Hersch Sangster, Chair
Whiteaker Middle School LSAC

South East Keizer Neighborhood Association
Bill Wolf, President
4055 Gary St. NE
Keizer Or. 97303
(503) 393-5525

June 1, 1995

To: Dotty Tryk, Mayor Koho, and the Keizer City Council.
From: Bill Wolf, President, South East Keizer Neighborhood Association.
re: Site for park in SE Keizer.

The South East Keizer Neighborhood Association has selected the site at Alder and Beebe streets as the favored location for a park in SE Keizer. This site was among three sites selected by a park siting committee that was established in January and was arrived at independent of SEKNA board members. The two other sites have not proven to be workable, but the Board, the SEKNA Park Committee, and a vote of the general membership on 5/11/95 have endorsed this site.

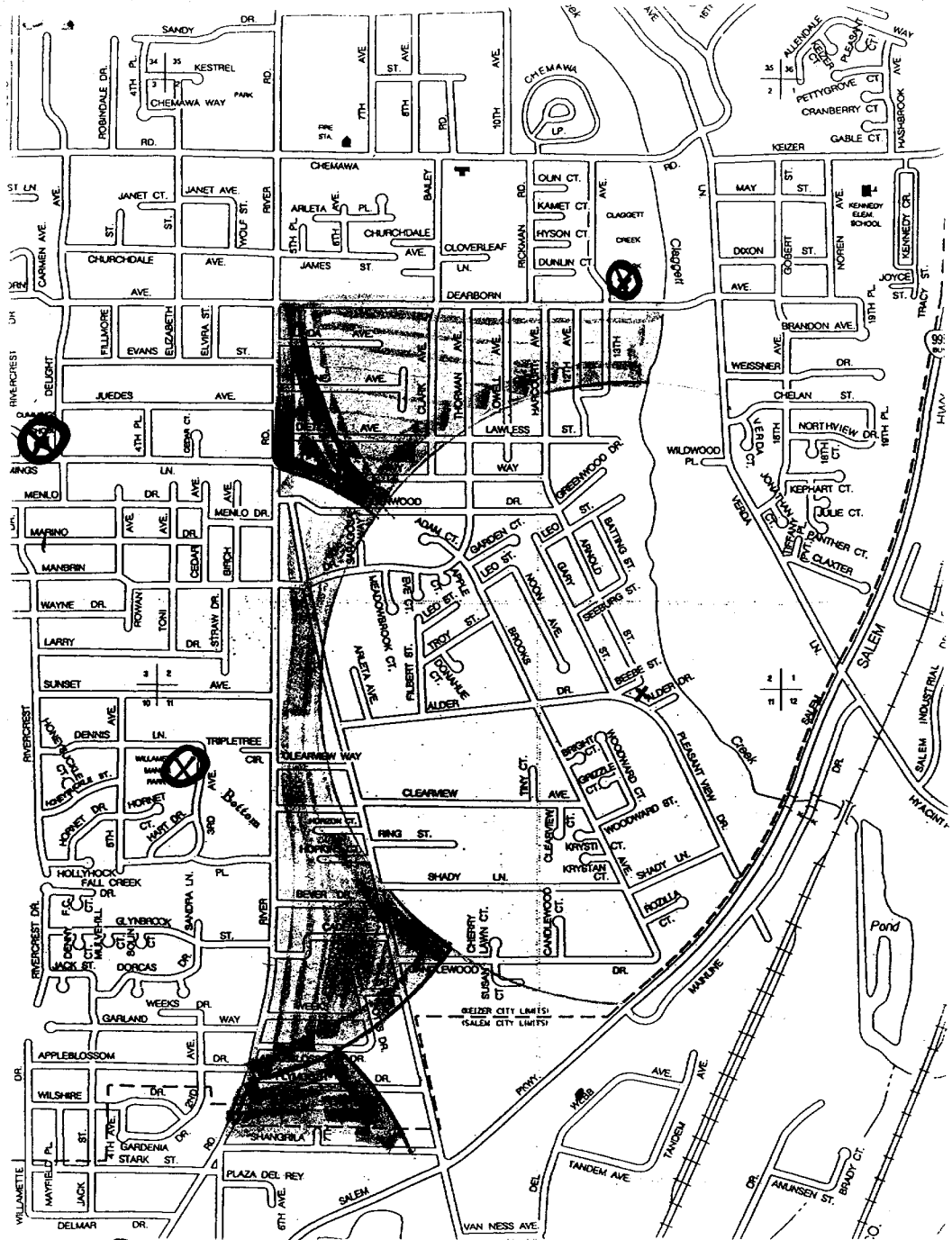
Our reasons for selecting this site follow:

- 1) This site is very central to our neighborhood. When Claggett Park, Cummings School, and Willamette Manor Park are considered, it allows for virtually 100% of our neighborhood to be within a 1/2 mile radius of a park.
- 2). This site has access from numerous streets and will have good visibility.
- 3). This site straddles Claggett Creek and includes an area of Wetland. One of our major Goals is to preserve the wetland areas. A park will allow this land to be used without disturbing the area and will allow more people to enjoy the scenic beauty of this area.

We also would encourage the council to consider acquiring rights of first refusal to the property or portions of the property to the south and/or to the east. The property to the south is owned by Ben Miller. It is 2.5 acres and has a residence on it. The property to the east is owned by Staats Corporation and is primarily wetland area. We are losing available park space in this area quickly and if action is not taken soon, it will not be available in the future.

Respectfully Yours

A handwritten signature in black ink, appearing to read "Bill Wolf", with a long, sweeping horizontal line extending to the right.



06/02/1995 14:02

503-390656

HAROLD HELTON

PAGE 02

Fax # (503) 390-8656

Phone # 1-800-203-1439

Salem # 390-6280

Harold W. Helton

Real Estate Appraiser

4348 Barbara Way N E

Salem, OR 97305

6/02/95

ADDENDUM

1595 Alder St. N.E.
Salem, OR 97303

East section of subject property is located in a 100 year flood plain. this approx. 1.39 AC was given no value in this appraisal report.



Harold W. Helton
Real Estate Appraiser