

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

A G E N D A
URBAN RENEWAL AGENCY
OF THE CITY OF KEIZER

Monday, June 4, 2001

6:00 p.m.

Robert L. Simon Council Chambers
Keizer, Oregon 97303

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **PUBLIC TESTIMONY**

This time is provided for citizens to address the Urban Renewal Agency on any matter not scheduled for public hearing.

4. **PUBLIC HEARING**

a. 2001-2002 Urban Renewal Agency Budget

5. **ADMINISTRATIVE ACTION**

6. **CONSENT CALENDAR**

a. Approval of May 7, 2001 Urban Renewal Agency Regular Session Minutes

7. **OTHER BUSINESS**

This time is provided to allow Urban Renewal Agency members the opportunity to bring matters before the Agency that are not on tonight's agenda.

8. **ADJOURN**

Upon request, auxiliary aids and/or special services will be provided to participants with disabilities. To request services, please contact us at (503) 390-3700 at least two working days (48 hours) in advance.

BOARD MEETING: June 4, 2001

AGENDA ITEM NUMBER: _____

TO: CHAIR CHRISTOPHER AND BOARD MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

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



SUBJECT: COMMITTEE APPROVED BUDGET

BACKGROUND:

Enclosed in the Urban Renewal Board packet is the Budget Committee's Approved Budget for fiscal year 2001-2002. This document is the Committee's recommendation to the Board and includes collection of the full amount of Tax Increment Revenues from the Division of Taxes (estimated at \$2,892,623) and none to be assessed from a Special Levy.

Oregon Budget Law requires a district to conduct a public hearing to take public comment from any interested person. Adoption of the budget is scheduled for June 18, 2001.

FISCAL POWERS:

Before July 1 the Board has the power to:

- 1) Impose taxes (ORS 294.435)
 - a) Republish the financial summary and hold a second hearing before July 1 to raise the tax amount above the rate or amount approved by the budget committee.
 - b) Reduce the tax amount.
- 2) Adjust resources (ORS 294.435)
 - a) Take notice of underestimated resources and:
 - i) Make a corresponding reduction in the taxes,
 - or
 - ii) Provide for additional expenditures (see "Adjust requirements" below)
 - b) Take notice of underestimated resources and make a corresponding reduction in expenditures.

June 4, 2001
Urban Renewal Agency Meeting
Committee Approved Budget

- 3) Adjust requirements (ORS 294.435)
 - a) Reduce or eliminate any requirement or proposed expenditure.
 - b) Increase expenditures by not more than \$5,000 or 10 percent, whichever is greater, of budget committee approved total in each or any fund.
 - c) Increase expenditures by more than \$5,000 or 10 percent of any fund by republishing the budget and holding a second hearing before July 1.
- 4) Amend the adopted budget before July 1 (ORS 294.435)

RECOMMENDATION:

Staff recommends that the Board conduct a public hearing on the Committee Approved Budget and deliberate changes if any.

SPECIAL REVENUE FUND

Urban Renewal Project Fund

Actual 1998-99		Actual 1999-00	Adopted 2000-01	RESOURCES		Manager Recommended	Committee Approved	Adopted 2001-02
1	\$ 3,130,656	\$ (87,296)	626,967	Beginning Fund Balance	\$	1,764,047	1,764,047	
2	-	2,811,589	2,360,672	Loan Proceeds		1,542,973	1,542,973	
3	5,216	1	1	Stadium Rent		1	1	
4	70,327	5,535	59,746	Interest		13,374	13,374	
5	145,000	-	0	Transfer from Street Fund		1,696	1,696	
6	-	-	0	Transfer from Revenue Sharing Fund		45,821	45,821	
7	-	-	0	Transfer from City Hall Facility Fund		56,008	56,008	
8	-	-	0	Transfer from Utility Fund		1,997	1,997	
9	-	-	0	Transfer from Water fund		3,844	3,844	
10	-	-	0	Transfer from SLD Fund		238	238	
11	\$ 3,351,199	\$ 2,729,829	3,047,386	TOTAL RESOURCES	\$	3,429,999	3,429,999	

Notes:

- 2 By law, Tax Increment Fund moneys are restricted for debt service payments. Each year overnight debt is issued to bring cash into the Project Fund. The debt is then paid from the Tax Increment Fund.
- 4 Interest earned in FY 00-01 is projected at approximately \$13,400 by year end. The difference over the amount budgeted is caused by lower than anticipated cash balances during the year. FY 01-02 earnings are projected at FY 00-01 estimates.
- 5-10 The transfer from other funds is for repayment of funds used by the City for facility maintenance. The City discovered this error and is repaying the Urban Renewal District in FY 01-02 with interest.

SPECIAL REVENUE FUND

Urban Renewal Project Fund

	Actual 1998-99	Actual 1999-00	Adopted 2000-01		Manager Recommended	Committee Approved	Adopted 2001-02
12							
13							
14							
15							
16							
17	\$	\$		\$	\$	\$	
18							
19							
20							
21							
22							
23							
24							
25							
26							
27							
28							
29							
30							
31							
32	\$	\$		\$	\$	\$	

EXPENDITURES

PERSONAL SERVICES

City Manager	26,289				27,096	27,096	
Public Works Director	11,670				12,398	12,398	
City Recorder	5,977	5,901			6,050	6,050	
Planning Director	16,882	6,491			22,432	22,432	
Associate Planner	1,896	-			1,971	1,971	
Administrative Support Staff	25,285	21,874			25,277	25,277	
Human Resources Director	1,267	-			1,413	1,413	
Finance Director	18,716	17,885			19,305	19,305	
Facility Maintenance Worker	2,683	-			2,641	2,641	
Overtime	0	302			1,500	1,500	
Medicare	1,701	823			1,847	1,847	
Retirement	19,589	8,957			22,055	22,055	
Insurance Benefits	14,316	6,190			14,574	14,574	
Workers Compensation	0	283			292	292	
Benefit Cash-Out	0	-			-	-	
TOTAL PERSONAL SERVICES	146,271	70,554		\$	158,851	158,851	

SPECIAL REVENUE FUND

Urban Renewal Project Fund

Actual 1998-99	Actual 1999-00	Adopted 2000-01	Manager Recommended	Committee Approved	Adopted 2001-02
<u>MATERIALS & SERVICES</u>					
33					
34					
35					
36	\$ 1,402	\$ 850	1,802	Materials & Supplies	1,935
37	2,130	1,222	2,858	Printing & Postage	1,863
38	358	646	787	Dues & Subscriptions	1,647
39	825	1,250	2,285	Training & Travel	1,009
40	6,658	1,669	4,000	Advertising	2,000
41	26,636	15,051	12,000	Legal Services	30,581
42	24,149	103,204	50,000	Contractual Services	14,501
43	258	350	2,866	Audit	3,520
44	19,768	11,316	20,000	Design Services	10,000
45	-	8,258	0	Insurance	168
46	1,314	2,054	4,546	Computer Maintenance	1,000
47	361	344	1,224	Equipment Maintenance	14,239
48	-	1,472	10,500	Facility Maintenance	800
49	-	-	0	Engineering	42,000
50	-	3,200	5,000	Mapping	5,000
51	-	-	0	Traffic Light Utilities	1,380
52	14,708	22,563	0	CCTV / Cable Regulatory Commission	-
53	315	6,192	6,500	Bond Issue Costs	7,200
54	\$ 98,882	\$ 179,641	\$ 124,368	TOTAL MATERIALS & SERVICES	\$ 138,843

Notes:

- 40 Advertising costs are for legal notices for budget hearings and property improvement issues.
- 41 Legal services include basic services performed by the City Attorney plus special counsel on projects such as the Chemawa Activity Center.
- 42&49 Previous to the FY 01-02 budget, engineering services have been recorded in the Contractual Services line item. Engineering services have been separated for the upcoming budget to better track these costs.
- 47 Equipment maintenance includes \$13,000 for Christmas Lights on Cherry Avenue.
- 48 Facility maintenance for the City Hall complex is \$30,000 in FY 01-02. The Agency's share of this cost is estimated at \$800.

Urban Renewal Project Fund

4

SPECIAL REVENUE FUND

Urban Renewal Project Fund

Actual 1998-99	Actual 1999-00	Adopted 2000-01	Manager Recommended	Committee Approved	Adopted 2001-02
<u>TRANSFERS</u>					
		0			
\$ -	\$ 5,215	General Fund	\$ -	\$ -	-
-	100,000	City Hall Facility Fund	-	-	-
521,018	-	Urban Renewal Tax Increment Fund	-	-	-
\$ 521,018	\$ 105,215	TOTAL TRANSFERS	\$ -	\$ -	-
\$ 3,438,495	\$ 2,406,372	2,610,650	\$ 2,913,884	\$ 2,313,884	
<u>FUND BALANCE</u>					
		100,000	100,000	275,000	
-	-	Contingency	400,000	400,000	
-	-	0 Reserve for River Rd - Chmw Rd 7th to Rickman Imp	416,115	441,115	
(87,296)	323,457	336,736 Undesignated Fund Balance			
\$ 3,351,199	\$ 2,729,829	3,047,386	\$ 3,429,999	\$ 3,429,999	
TOTAL EXPENDITURE & FUND BALANCE					

Notes:

- 59,76,84 Improvements are for River Road - Chemawa to Lockhaven
- 64 The Chemawa Activity Center Infrastructure project is expected to cost \$4 million, \$3.5 million is planned for FY 02-03.
- 75 \$50,000 is provided for the River Road Commercial Property Matching Grant Landscaping Program.
- 101 Contingency includes \$75,000 for site improvements and \$100,000 for land acquisition in the Chalmers Jones/Civic Center as provided for in the Urban Renewal Plan. The remaining \$100,000 is for general unforeseen expenditures.

SPECIAL REVENUE FUND

Urban Renewal Tax Increment Fund

	Actual 1998-99	Actual 1999-00	Adopted 2000-01		Manager Recommended	Committee Approved	Adopted 2001-02
	RESOURCES						
1	\$	659,488	\$ 2,473,666	1,388,397	Beginning Fund Balance	\$ 470,773	\$ 470,773
2		2,183,630	2,548,713	2,858,606	Tax Increment Revenue	2,908,351	2,908,351
3		-	61,715	53,800	Prior Year Taxes	107,970	107,970
4		83,420	116,080	90,235	Interest	86,419	86,419
5		521,018	-	0	Transfer to Tax Increment Fund	-	-
6	\$	3,447,556	\$ 5,200,174	4,391,038	TOTAL RESOURCES	\$ 3,573,513	\$ 3,573,513

Notes:

- 3 In FY 00-01 actual delinquent tax payments from property taxpayers have increased above FY 00-01 budgeted amounts. FY 01-02 budget reflects this trend.

SPECIAL REVENUE FUND

Urban Renewal Refund Fund

Actual 1998-99	Actual 1999-00	Adopted 2000-01	Manager Recommended	Committee Approved	Adopted 2001-02
RESOURCES					
\$	- \$	57,534 \$			
		- Beginning Fund Balance	\$	- \$	- \$
1,119,995	21,997	- Tax Revenues		-	-
9,800	3,408	- Interest		-	-
\$ 1,129,795	\$ 82,939	\$		- \$	- \$
TOTAL RESOURCES					
EXPENDITURES					
MATERIALS & SERVICES					
\$ 2,149	\$ -	\$		- \$	- \$
		- Postage			
SPECIAL PAYMENTS					
1,070,113	149	- Property Tax Refund		-	-
\$ 1,072,262	\$ 149	\$		- \$	- \$
TOTAL EXPENDITURES					
57,533	82,790	- ENDING FUND BALANCE		-	-
\$ 1,129,795	\$ 82,939	\$		- \$	- \$
TOTAL EXPENDITURE & FUND BALANCE					

Note: The Urban Renewal Refund Fund was set up to specifically refund a Special Levy that was inadvertently assessed. All refunds have been made and the Fund is closed.

Urban Renewal Tax Increment Fund

Notes:

16 By law, Tax Increment Fund moneys are restricted for debt service payments. Each year overnight debt is issued to bring cash into the Project Fund. The debt is then paid from the Tax Increment Fund.

21 Reserve Requirements are provided for in the Bond Covenants and must comply with the IRS regulations. The reserve must be the lesser of 10% of the par amount of the Series, maximum annual debt service, or 125% of the average annual debt service.

Reserve requirements by series are as follows:

Series 1993 Bonds:	368,725
Series 1998A Bonds:	61,500
Series 1998B Bonds:	347,000
Total Reserve Requirement	<u>777,225</u>

23 The Bond Covenants provide that the July 1 debt service, of the following year, be provided for in the ending fund balance for the Series 1993 Bonds.

CITY OF KEIZER

2001-2002 Property Tax Revenue Estimates

	2000-01 Actual Tax Revenues	Maximum Assessed Value Increase 3%	\$20,146,982 New Construction 3%
District Net Value	\$1,298,321,890	\$1,337,271,547	\$1,357,418,529
Urban Renewal Increment (see below)	(188,673,965)	(194,334,184)	(202,167,611)
District Net Value w/o Urban Renewal	\$1,109,647,925	\$1,142,937,363	\$1,155,250,918
Permanent Tax Rate per \$1,000	\$ 2.0838	\$ 2.0838	\$ 2.0838
Gross Property Tax Revenues	\$2,312,284	\$2,381,653	\$2,407,312
Penalties/Compression/adjustments	219	225	225
Property Tax Revenues	\$2,312,503	\$2,381,878	\$2,407,537
Uncollectables and Discounts (6.6%)	(153,688)	(159,586)	(161,305)
Net Anticipated Tax Collected	\$2,158,814	2,222,292	2,246,232
1999-00 Actual Tax Revenues		(2,158,814)	(2,158,814)
Increase over 1999-00 Revenues			87,418

	Maximum Assessed Value Increase 3%	\$7,833,427 Construction 3%
Urban Renewal Property Tax Revenues		
Real Market Value inside Keizer's Plan Area	\$ 251,940,839	
Assessed Value (frozen)	63,266,874	
Increment Value	\$ 188,673,965	\$ 194,334,184
Tax Rate per \$1,000 Increment Value	\$ 15.4024	\$ 15.4024
Adjustments	(13,409)	
Division of Tax Revenues	\$ 2,892,623	\$ 2,993,213
Uncollectables and Discounts (6.6%)	(192,243)	(197,552)
Net Anticipated Tax Collected	\$ 2,700,380	\$ 2,795,660.79
		2,908,351.23



URBAN RENEWAL AGENCY BOARD
June 4, 2001

AGENDA ITEM 6a

APPROVAL OF MAY 7, 2001 AGENCY MINUTES

MINUTES
KEIZER URBAN RENEWAL AGENCY
Monday, May 7, 2001
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Chair Christopher called the regular meeting to order at 6:17 p.m. Roll Call was taken as follows:

Present:

Lore Christopher, Chair
Ray Kelly
Charles E. Lee
Jerry McGee
Jacque Moir
Judy Smith
Richard Walsh

Staff:

Chris Eppley, City Manager
Rob Kissler, Public Works Director
Marc Adams, Chief of Police
Shannon Johnson, City Attorney
Tracy Davis, City Recorder

PUBLIC TESTIMONY

No public testimony was brought before the Agency.

PUBLIC HEARING

None

**ADMINISTRATIVE
ACTION**

**a. Disposition of
Property at
River/Chemawa Road
(former Unocal Site)**

City Attorney Shannon Johnson reported that only one bid was received for the property. An addendum was submitted with the bid, which was not consistent with the bid instructions. He suggested that the bid be rejected and void due to it not being responsive to the bid requirements. Mr. Johnson offered options that the Agency could follow regarding the property.

Jacque Moir made the motion to reject the bid presented by Mr. Titus due to inclusion of the addendum. Jerry McGee seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Kelly, Lee, McGee, Moir, Smith and Walsh (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Jerry McGee moved to refer the matter to the Keizer Urban Renewal Board and request that they Plan and Design a Community Focal Plaza for the Old Unocal Site to be Referred back to the Council. Jacque Moir seconded the Motion.

Mr. McGee outlined some of the projects completed with urban renewal dollars noting that financial profit was not the main reason for these projects to be carried forward. He expressed his vision for the site as a focal point, which could include many options and could bring interest to River Road and the local merchants. Mr. McGee indicated if they site was to be sold, that he felt the restrictions would have to be reduced in order to make the property marketable. He urged the Agency to refer the matter to the Urban Renewal Board for their input.

Jacque Moir addressed the opportunity of using this site as an Iris garden to celebrate Keizer's 20th Anniversary. She agreed with Jerry McGee's suggestion of referring the item to the Urban Renewal Board.

Richard Walsh spoke as the liaison to the Urban Renewal Board and he also felt it was important to refer the issue to the Board for their full consideration.

Ray Kelly noted he would only be in favor of the sale of the property if the conditions were removed. He expressed his agreement with Jerry McGee's suggestions for the property.

Mr. Johnson made clarifications to earlier comments regarding restrictions.

Chair Christopher strongly opposed the city keeping the property and developing the area into a public plaza. She cited budget restrictions and monies that would have to be used for the development and maintenance of the area. Chair Christopher felt that working in partnership with a business that purchases the site would be more cost effective for the city. She felt the property was not conducive to a public plaza, but felt a focal point would be a good addition to the area.

Judy Smith supported Mr. McGee's motion.

Jerry McGee added a friendly amendment to his motion to allow the Urban Renewal Board to review all aspects of the use and/or sale of the property. Jacque Moir

seconded the amendment.

Charles Lee expressed his support of the motion with the amendment.

The Agency discussed a possible timeframe for the Urban Renewal Board, which was not set.

Jerry McGee restated his motion to read that the Agency would refer the Unocal site issue to the Urban Renewal Board for their consideration to come back to the Council with recommendations.

The motion passed unanimously as follows:

AYES: Christopher, Kelly, Lee, McGee, Moir, Smith and Walsh (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

CONSENT CALENDAR

- a. Approval of February 5, 2001 Agency Minutes
- b. Approval of February 12, 2001 Urban Renewal Agency Work Session Minutes

Jacque Moir moved for Approval of the Consent Calendar. Charles Lee seconded the Motion.

The motion passed unanimously as follows:

AYES: Christopher, Kelly, Lee, McGee, Moir, Smith and Walsh (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

OTHER BUSINESS

Jerry McGee addressed minutes of the Urban Renewal Board and his concern that the fire hydrants had been removed from the 21st Century Plan. He felt it was important for these items to be part of the plan.

Planning Director Maria Meier noted that during the 2000-2001 Budget discussions comments were included and forwarded to the Urban Renewal Board regarding various items which were discussed as being removed from the 21st Century Plan. Ms. Meier indicated that the Council had never formally adopted the 21st Century Plan.

Richard Walsh addressed the Board's discussions during the last meeting pertaining to fire hydrants, gateways and traffic signal poles.

Public Works Director Rob Kissler again noted that the 21st Century Plan had not been adopted, and that the Board had discussed diverting funds from the traffic signal pole line item towards the installation of fire hydrants and the possible opportunities.

ADJOURNMENT

Chair Christopher adjourned the meeting at 6:53 p.m.

APPROVED:
CHAIR:

Cindy Perry
Recording Secretary

Lore Christopher

AGENCY MEMBERS:

Judy K. Smith

Jacque Moir

Ray Kelly

Charles E. Lee

Richard Walsh

Jerry McGee

CITY OF KEIZER MISSION STATEMENT

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

A G E N D A

KEIZER CITY COUNCIL

REGULAR SESSION

Monday, June 4, 2001

7:00 p.m.

Robert L. Simon Council Chambers

Keizer, Oregon 97303

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC TESTIMONY

This time is provided for citizens to address the Council on any matters other than those on the agenda scheduled for public hearing.

4. COMMITTEE REPORTS

a. Marion County Alcohol and Drug Prevention Program – Keizer Business Recognition

b. Council Liaison Reports

- **Traffic Safety Commission – Councilor Smith**
- **Salem-Keizer Area Transportation System (SKATS) – Councilor Smith**
- **Mid-Willamette Valley Area Transportation System (MWACT) – Councilor Smith**
- **Willamette River Crossing Study – Councilor Smith**
- **Emergency Operations Committee – Council President Moir**
- **Claggett Creek Watershed Council – Council President Moir**
- **Keizer Urban Renewal Board – Councilor Walsh**

5. OTHER BUSINESS

This time is provided to allow the Mayor, Council members or staff an opportunity to bring new or old matters before the Council that are not on tonight's agenda.

a. New Business

b. Old Business

- **Country Glen Park Draft Master Plan**

6. PUBLIC HEARINGS

a. City of Keizer Fee Increases

- **ORDINANCE – Increasing Privilege or License Tax for Qwest, Inc**
- **ORDINANCE – Increasing the amount of the Transient Occupancy Tax**
- **ORDINANCE – Increasing the Administrative Fee for Vehicles that are Uninsured or Driving by Drivers without Driving Privileges**
- **ORDINANCE – Increasing the Administrative Fee for Vehicles Operated by Persons Under the Influence of Intoxicants**

b. 2001-2002 City of Keizer Budget

7. **ADMINISTRATIVE ACTION**

- a. **ORDINANCE** – Regulating Alarm Systems, Requiring Permits, and Providing Penalties for False Alarms, Fees, and Penalties for Ordinance Violations (Second Reading)
- b. **ORDINANCE** – Amending Park Regulations Ordinance 90-188 for Adoption of Regulations for Carlson Skate Park
- c. **RESOLUTION** – Adoption of Standards, Criteria, and Policy Directives to be used in the Evaluating the Performance of the City Manager
- d. Budget Notes for Fiscal Year 2000-2001

8. **CONSENT CALENDAR**

- a. **RESOLUTION** – Approving Engineer's Report for Fultz Estates Street Light District
- b. **RESOLUTION** – Authorization of Expenditures of Specific Purpose Funds
- c. Approval of May 14, 2001 Work Session Minutes
- d. Approval of May 21, 2001 Regular Session Minutes

9. **WRITTEN COMMUNICATIONS**

To inform the Council of significant written communications.

10. **AGENDA INPUT**

June 11, 2001

5:30 p.m. City Council Work Session

- City Boards and Commission Appointment Process

June 18, 2001

6:30 p.m. Urban Renewal Agency Meeting

- Adoption of 2001-2002 Urban Renewal Agency Budget

7:00 p.m. City Council Regular Session

- Adoption of 2001-2002 City of Keizer Budget
- Supplemental Budget Resolutions for FY 2000-2001
- Adoption of Long Range Financial Plan for City of Keizer
- Sanitation Fee Increase
- Country Glen Park Master Plan Hearing and Adoption
- Development Code Text Amendments – Pet Grooming and Chalmers Jones Park

July 2, 2001

7:00 p.m. City Council Regular Session

- Establishing No Parking Zone and Traffic Safety Improvements for Shoreline/Wayne Drive
- Planning Commission Appointments

11. **ADJOURN**

Upon request, auxiliary aids and/or special services will be provided. To request services; please contact us at 503-390-3700 or through Oregon Relay 1-800-735-2900 at least two working days (48 hours) in advance.



June 4, 2001

AGENDA ITEM 4a

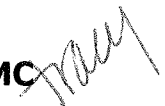
MARION COUNTY ALCOHOL AND DRUG PREVENTION PROGRAM –
KEIZER BUSINESS RECOGNITION

KEIZER CITY COUNCIL MEETING: June 4, 2001

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

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

**SUBJECT: MARION COUNTY ALCOHOL AND DRUG PREVENTION
PROGRAM – KEIZER BUSINESS RECOGNITION**

ISSUE:

Jennifer Robin, Marion County Health Department Alcohol and Drug Prevention Program Director has requested time on the agenda this evening to recognize nine local businesses for their refusal to sell alcohol to minors. These businesses include Scholotsky's Deli, Ming Yang Restaurant, McNary Restaurant, Ringo's Tavern, Bray's Family Restaurant, Abby's Pizza, Porter's Pub, Primetime Pizza, and Caruso's Italian Café. Attached is a letter from Ms. Robin outlining the program.



HEALTH DEPARTMENT
Marion County
OREGON

May 23, 2001

Keizer City Council
City Hall
930 Chemawa Rd, NE
Keizer, OR 97303

To Whom It May Concern,

**BOARD OF
COMMISSIONERS**
Randall Franke, Chair
Patti Milne, Vice Chair
Mike Ryan,
Commissioner

**COUNTY
ADMINISTRATOR**
Melinda Carlton

ADMINISTRATOR
Jeffrey R. Davis

ADMINISTRATION
(503) 588-5357
FAX (503) 364-6552

**CHILDREN'S
MENTAL HEALTH
SERVICES**
(503) 588-5352
FAX (503) 585-4990

TTY/TTD
(503) 588-5400

This is a formal letter of request to make a presentation at the June 4th City Council meeting recognizing local alcohol retailers with certificates applauding their efforts for "not selling alcohol to minors" through a recent Minor Decoy Operation program visit by Salem Police Department and Oregon Liquor Control Commission. The nine alcohol retailers include Schlotsky's Deli (River Road), Ming Yang Restaurant (River Road), McNary Restaurant & Lodge (McNary Estates), Ringo's Tavern (River Road), Bray's Family Restaurant (River Road), Abby's Pizza Inn of Keizer (River Road), Porter's Pub (River Road), Primetime Pizza (River Road), and Caruso's Italian Café (River Road).

The special presentation is due in part to of local partners participating in the "Community Partnership Response" program including Salem-Keizer Together, Marion County Victims Impact Panel, Marion County Health Department and Oregon Coalition to Reduce Underage Drinking (OCRUD). The Oregon Coalition to Reduce Underage Drinking (OCRUD) has been implementing a program throughout the State of Oregon for past seven months called "CPR: Community Partnership Response". The CPR this program works closely with local community groups interested in working with alcohol retailers to send the positive message of not selling alcohol to minors. OCRUD is also in statewide partnership with OLCC, who shares their recent findings after conducting "minor decoy operations". These "minor decoy operations" identify stores whom "did not sell" and those who failed by "selling alcohol" to minor decoys.

The CPR program provides unique opportunities for each community partnership group to give *positive recognition* to alcohol retailers in their area who "did not sell" and what further education/ reminder system is needed for the retailers who "sold alcohol" to minor decoys. The program implements the environmental strategies for reinforcing policy and laws to reduce underage drinking, which is considered a best practice by Office Alcohol and Drug Abuse Programs, Salem and Office of Juvenile Justice Delinquency Programs (OJJDP), Washington, D.C.

If you have any questions or confirm approval of presentation on June 4th, please call Jennifer L. Robin at (503) 361-2785.

Sincerely,

Jennifer L. Robin
Jennifer L. Robin, Coordinator
Marion County Health Department-
A&D Prevention Program

Cyndi Astley
Cyndi Astley, Outreach Manager
Salem-Keizer Together



June 4, 2001

AGENDA ITEM 5b

OLD BUSINESS – COUNTRY GLEN PARK DRAFT MASTER PLAN

CITY COUNCIL MEETING: _____

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

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



SUBJECT: DRAFT COUNTRY GLEN PARK MASTER PLAN

DATE: MAY 30, 2001

BACKGROUND:

The 2000/2001 budget allows for development of a Parks Master Plan for the recently acquired properties known as Country Glen and Hidden Creek Parks. Council directed staff to solicit vendors for developing this master plan. The City Attorney determined that vendors must be certified landscape Architects to design and write the plan, or develop the plan in house. City Staff and the Parks Board decided to take on this task. The Parks Advisory Board held a series of Public Open Houses soliciting input from citizens and several associations. Attachment 1 is the draft plan developed by Staff, Parks Advisory Board, Country Glen Park Task Force, Gubser Neighborhood Association and Claggett Creek Watershed Council. Attachment 2 was the timeline expended to receive input on the proposed plan. Attachment 3 is supporting letters of the plan.

FISCAL IMPACT:

Costs to develop a Master Plan for Country Glen Park were included in the Revenue Sharing portion of the 2000/2001 City budget. The budgeted amount is \$20,000.00. Current expenditures to date are \$1500.00. Document printing of \$500.00 is the anticipated final costs to complete the plan.

RECOMMENDATION:

City Staff recommends City Council conducts a Public Hearing June 18 2001 at 7:00 pm to allow for final public testimony and adopt a final version of the Country Glen Park Master Plan.

Draft Master Plan For:

**Country Glen - Hidden Creek
Park**

City of Keizer, Oregon

May 2001

Draft Master Plan For:

Country Glen - Hidden Creek Park

Prepared By:

City of Keizer Parks Maintenance Supervisor

Terry Witham

City of Keizer Public Works Superintendant

Bill Lawyer

Parks and Recreation Advisory Board

Jim Taylor : Chair

Clark Williams : Vice-Chair

Richard Ford

Kenny Perry

Ed Bartlett

Ron Burns

Significant Input Provided By:

Country Glen Park Task Force

Brian Flannigan : C.G.N.A. President

Chris Mickelsen : C.G.N.A. Vice President

Ali Hassoun : Area Representative

Robert James : Area Representative

Gubser Neighborhood Association

Beth Daniel : Representative

Claggett Creek Watershed Council

Gary Miller : President

Country Glen - Hidden Creek Park

Contents:

- Introduction
- Scope of Improvements
- Flooding issues
- Landscaping Issues
- Play Areas
- Miscellaneous
- Capital Improvements (in numerical priority)
- Map/Chart
- Neighborhood Association Letters of Support

Country Glen - Hidden Creek Park

Introduction

Country Glen Park was acquired in 1997 after several years of negotiations with Epping Construction. The time of these negotiations were influenced by the flooding of 1996 and 1997. Hidden Creek Park was acquired in 2000 to complete the property. At the direction of the Keizer City Council, City staff began compiling a Master Plan in Autumn 2000. This document is the result.

Country Glen - Hidden Creek Park is located in North Keizer, to the South of Parkside Court and Whisper Creek Loop. It is bordered on the South by Labish Creek. It is designated as a neighborhood Park, and as such will generally serve those residents within walking distance. There will be some parking available, but it will be limited to curbside spaces.

The purpose of this Master plan is to establish a direction for development of this Park. This plan is a compilation of the desires of the neighborhood citizens, the vision of the Parks Advisory Board and the recommendations of City staff.

Scope of Improvements

This Master Plan is to be used as a guideline for the development of this property. It is not meant to dictate any particular order of development or to be used as a binding document. Specific siting issues and logistical planning will be considered as funding availability, volunteer resources, donations and staff recommendations dictate.

Flooding Issues

All development will proceed with the flood control measures and plans developed by the City Engineer as the foremost priority.

Landscaping Issues

The development of the landscaping will start with irrigation. A system will be installed prior to grass being planted. This system will be designed so as to minimize any effect on the flood control area.

Trees will be added as funds or grants become available, but with consideration given to allowing for open spaces for un-organized sports activities.

Play Areas

The play area will include a “*big toy*” type apparatus that can be added to as time and funds warrant.

A concrete “*Sport Court*” will provide for basketball and associated activities.

All play area amenities will meet A.D.A. and safety standard requirements.

Miscellaneous

Picnic tables and benches will be added at appropriate areas throughout the Park. Tables will be placed in sunny and shady sites.

An A.D.A. accessible drinking fountain will be placed convenient to the play areas. A restroom pad will also be provided in an area convenient to Park users and for ease of servicing.

A walking/running trail will be developed in conjunction with the flood control measures. It may be comprised of surfaces that are compatible with the flood control measures and available funding.

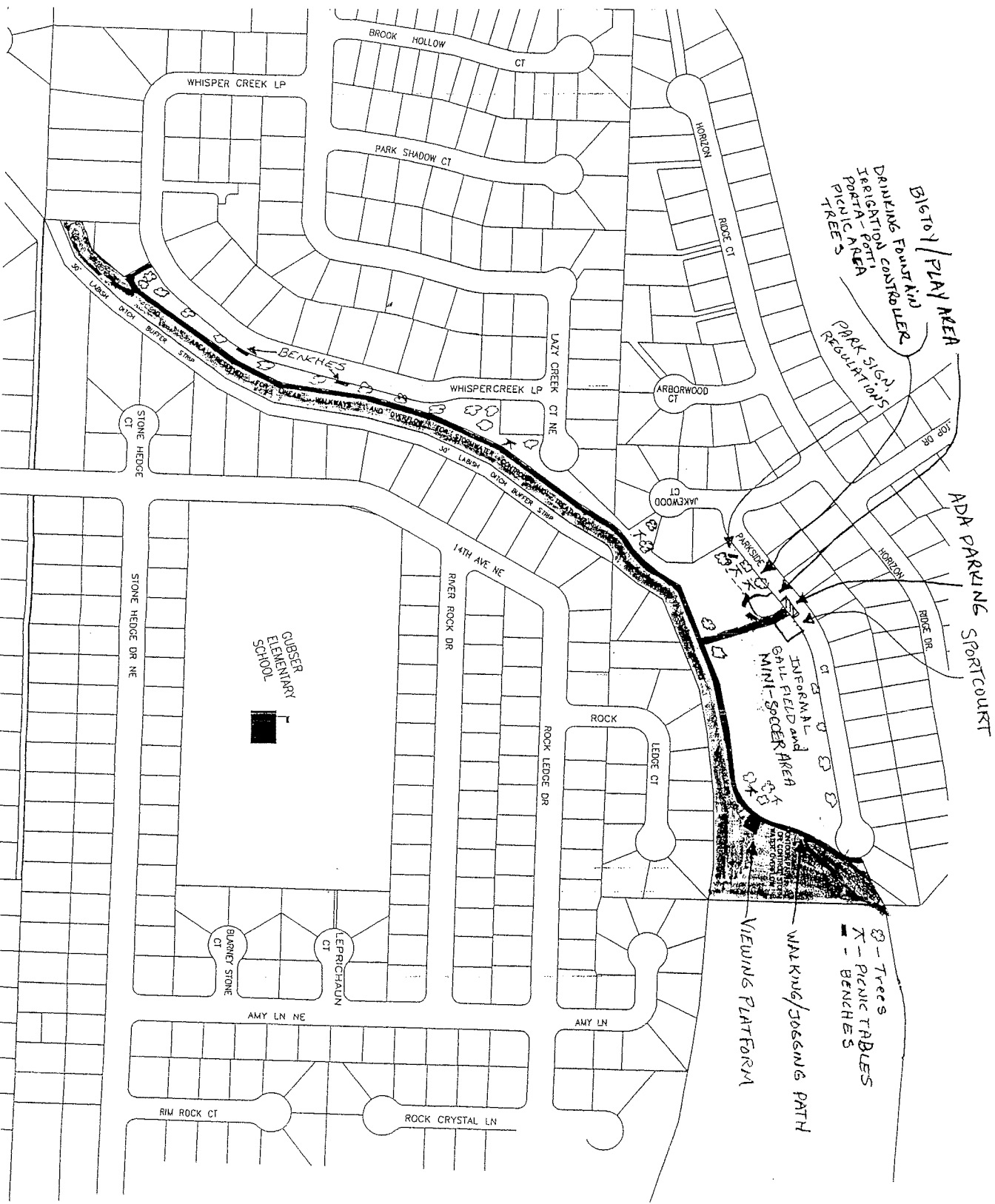
Other amenities may be added as are appropriate at the discretion of the City Staff and the Parks Advisory Board.

Due consideration for future development will be given to the requests and volunteer efforts of civic groups, neighborhood associations, special projects and Eagle Scout projects.

Country Glen - Hidden Creek Park

Capital Improvements:

- 1. Flooding/ Storm Water Control - (funding by other sources)***
- 2. Irrigation - \$5000.00***
- 3. Lawn/Turfgrass - \$5000.00***
- 4. Parking - \$1500.00***
- 5. Pathway - \$4500.00***
- 6. Picnic Tables - \$2500.00***
- 7. Drinking Fountain - \$2000.00***
- 8. Portable Restrooms - \$400.00 (concrete pad)***
- 9. Bike Rack - \$500.00***
- 10. Big Toy/Playstructure/Swings - \$ 60,000.00***
- 11. Viewing Platform - \$2500.00***
- 12. Tetherball - \$100.00***
- 13. Soccer Field - \$1500.00***
- 14. Baseball/Softball Backstop - \$1500.00***
- 15. Sportcourt (Basketball, Tennis, etc.) - \$15,000.00***
- 16. Practice Wall - \$8,000.00***
- 17. Bridge - (funding by other sources)***



616101 / PLAY AREA
DRINKING FOUNTAIN
IRRIGATION CONTROLLER
PORTA-POTTY
PICNIC AREA
TREES

ADA PARKING
SPORTCOURT

VIEWING PLATFORM
WALKING/JOEING PATH
T-Trees
PICNIC TABLES
BENCHES

Country Glen - Hidden Creek Park Chronology/Timeline for Master Plan

August 2000: City Council directs staff to pursue vendors for developing Country Glen - Hidden Creek Park Master Plan.

September-October 2000: Sent request for proposal letters to three vendors. Two responded with quotes.)

November 2000: City Attorney advises that a licensed Landscape Architect must be used unless Master Plan is done by City Staff in house as a conceptual plan. With this in mind, staff and Parks Board agree to host an open house in December 2000 to acquaint public with the project and to seek input.

December 12, 2000: Open House at City Hall with invitations sent to all residents of the Country Glen - Hidden Creek area. A conceptual plan/map designed by Cascade Landscape Service was presented as a starting point for the Master Plan.

January 9, 2001: Country Glen Park Task Force and Gubser Neighborhood Association representatives meet with Parks Board and Staff to report on wishes and priorities for the Master

Plan. They were encouraged by Parks Board and Staff to include the Hidden Creek citizens.

February 13, 2001: *Parks Board and Staff discussed original conceptual plan from 12/12/2000 open house. The consensus was to have Staff develop plan and bring back to Parks Board for approval, revision, etc.*

March 13, 2001: *Country Glen Park Task Force reports that Hidden Creek citizens not responding to requests for their participation in Master Plan considerations. Mayor Christopher requests that they try one last time.*

April 10, 2001: *City Staff designed draft Master Plan presented to Parks Board, Country Glen Park Task Force and Gubser Neighborhood Association representatives. Revisions and changes to be made prior to next Parks Board meeting.*

May 8, 2001: *Revised Draft Master Plan for Country Glen - Hidden Creek Park approved and adopted by Parks Board with the agreement of Country Glen and Gubser Neighborhood Association representatives. (Country Glen Neighborhood Association official as of 4/16/01) Letters of support from Neighborhood Associations to be included in Master Plan.*

**Country Glen
Neighborhood Association**

Memo

To: Keizer City Council Members
From: Brian Flannigan, President, CGNA
CC: CGNA Board of Directors
Date: May 23, 2001
Re: Endorsement of Master Plan for Country Glen Park

At a recent neighborhood association meeting for Country Glen on May 17th, the master plan for Country Glen Park was endorsed unanimously. Much discussion in our meetings as well as Park Board meetings has taken place over the last four months on this plan that is fairly comprehensive.

We have appreciated the cooperative attitude and effort taken by the Parks Board, especially, Jim Taylor, the Chairperson, Terry Witham, Parks Supervisor and Bill Lawyer, Parks Liaison as well as their attention to our desire to have a park finished as soon as possible.

With this master plan in place, we believe the hydrology plan, the funding methodology, and the placement of amenities can be enacted in a timely manner.

We will continue dialogue amongst our neighbors and obtain more input on the actual placement of amenities at future monthly meetings and will continue to communicate regularly with the Parks Board as we reach each level of completion.

Of note, maintaining our park is a concern, and when I suggested that we need to take heed of the Parks Board proposal to assess the water bill to obtain funding for maintenance, not one member in attendance (about 30-35 people) spoke against it.

Thank you for your consideration.

May 17, 2001

Keizer City Council
930 Chemawa Rd. NE
Keizer, OR 97303

Dear City Council Members,

At the last Parks Advisory Board meeting, Terry Witham presented the revised Master Plan for Country Glen Park and asked if the Gubser Neighborhood Association would be willing to write a letter supporting it. We do support the plan in its present form. We believe it addresses our concerns about the layout of the park and the design of the flood control measures recorded in our letters to the Parks Advisory Board of May 18th, 2000 and January 18, 2001. We would like to review our concerns and how the Master Plan addresses them below.

Layout of the Park

The park is right next to the Curly's Dairy Wetland, a sensitive ecological area (with over 40 types of birds sighted since '96) which can also create a hazard for children playing nearby. Gubser residents regularly access both this wetland area and the Country Glen Park via the path from Koufax Lane. Our May, 2000 letter requested that high-density uses (such as parking and sport courts) should be kept away from the wetland to protect the both the children playing in the park and the wetland wildlife. The current plan layout addresses our concern.

We understand that Country Glen residents have added a list of potential amenities to the Master Plan. We have no objection to the amenities, but may have some concern about their placement. Terry Witham promised at the last Parks Advisory Board meeting that the Gubser Neighborhood Association would be consulted before alterations to the current plan were considered.

Flooding Issues

The flooding issue is more complex, because the current plan only delineates the land area retained for flood control. In contrast, the conceptual plan presented at the "open house" last December included a north-south dike for flood control between the wetland and the park. Believing that this would endanger Gubser homes, we objected to this plan in our January, 2001 letter.

In a subsequent March 13th meeting with Rob Kissler and Bill Lawyer of Public Works, Bill Peterson of Peterson Engineering, plus members of the Gubser Neighborhood Association and the Claggett Ck. Watershed Council, we learned that the plan for a dike or berm had been replaced with an "equal conveyance" concept which would use the dirt from the planned Labish Ditch overflow

channel to create a level playground, funneling the water to the flood control area without creating a water blockage that could endanger Gubser. It is with this understanding that we can support the current Master Plan.

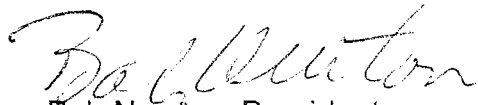
We especially appreciate two additional features of the flood control measures that we can see in the plan. The overflow channel will move around the large trees along the Labish Ditch across from 14th Street. We appreciate the effort to keep the trees in place for Gubser and Hidden Creek residents.

The plan also shows a large area to the west of the wetland and City boundary reserved for flood control. This area includes a small secondary wetland, which is an important buffer between the park and the primary wetland. Bill Peterson has assured Gubser member Beth Daniell that this secondary area will not be disturbed.

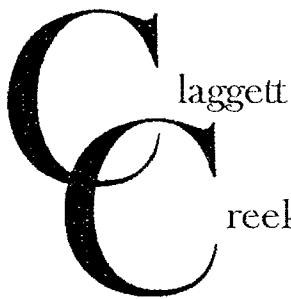
Additional Comments

On the whole, the Country Glen Master Plan appears to be very carefully thought out. Our compliments go to the designers for keeping the play areas away from the ditch and wetlands to promote the safety of the children. We appreciate the concern for the wetlands, and the efforts to balance the land's use for both recreation and flood control priorities. Our members look forward to using the Country Glen Park and want to thank the City for its concern about our greenspaces.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bob Newton".

Bob Newton, President
Gubser Neighborhood Association



c/o 105 High St. SE
Salem, OR 97301-3667

Creek Watershed Council ▲ 503-588-6177 ▲ FAX 503-588-6094 ▲ mwvcog@open.org

May 22, 2001
Keizer City Council
930 Chemawa Rd. NE
Keizer, OR 97303

Dear City Council Members,

The Claggett Creek Watershed Council (CCWC) is pleased to offer its support for the Proposed Master Plan for Country Glen Park. We take an active interest in the development of Keizer's greenspaces, especially when they are adjacent to sensitive wetland areas. The current plan incorporates park design suggestions in our letter of April 25, 2000 to the Parks Advisory Board. We also appreciate City staff's attention to our concerns about flood mitigation.

Park Design

Our letter of April 2000 recognized that Curly's Dairy Wetland could enhance the beauty of the park and bring nature closer to Keizer's citizens. We also worried that the park could endanger both the wetland and the children playing near it. The current plan addresses these concerns by keeping high-density uses such as the sportcourt, bigtoy areas and restroom accommodations away from the wetland. We also appreciate the walking path and viewing platform, which could enhance wetland awareness. We'd like to discuss interpretive signage as well.

Flood Mitigation

We also appreciate your willingness to meet with our members on March 13th about flood mitigation concerns. Rob Kissler, Bill Lawyer and Bill Peterson all assured us that no dike or berm would be built, potentially creating new flooding hazards for nearby residents. Instead, an "equal conveyance" concept would be followed, using dirt from the Labish Ditch overflow channel to level the playing field, funneling the water away from Jakewood without diverting it to Gubser. Further, all earthwork will be done outside of the current wetland areas (including the small secondary one to the west of the main one) to help preserve them.

Additional Comments

Our April 2000 letter stressed the importance of setting aside adequate funding for park maintenance. Prompt trash removal and periodic monitoring for problems is especially important in a complex combination of land uses like this. Also, if the development of the entire greenspace offers opportunities for wetland mitigation in the future, we would be interested in discussing it with you.

Sincerely,

Gary Miller, President
Claggett Creek Watershed Council

Local stewardship of a local stream.



June 4, 2001

AGENDA ITEM 6a

FEE INCREASES

COUNCIL MEETING: June 4, 2001

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

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



SUBJECT: PROPOSED FEE INCREASES

BACKGROUND:

The 2001-2002 Committee Approved Budget provides for the following fee increases in revenues in the General Fund beginning July 1, 2001.

- Telephone Franchise Tax - from 4% of gross revenues on basic service to 7% of gross revenues on basic service
- Transient Occupancy Room Tax – from 6% of gross revenues to 9% of gross revenues
- Vehicle Impound Fee – from \$75 per towed vehicle to \$100 per towed vehicle

The City's telephone provider, Qwest, has been given a 180-day notice of this potential increase as required. Wittenberg Inn, the City's only eligible lodging facility, has been notified of the proposed 3% increase in the TOT tax. All three fee increases have been noticed in the newspaper informing the public of the hearing scheduled for this evening.

FISCAL IMPACT

The impact of these increases on the fiscal year 2001-2002 general fund budget is as follows:

- Telephone Franchise Tax
 - 4% of gross revenues \$91,700 annually
 - 7% of gross revenues \$160,475 annually
 - Increase is \$68,775 annually
- Increased cost per average household:
- \$12.80 basic service * 3% = \$0.38 per bill
 - \$0.38 * 12 months = \$4.56 annually

June 4, 2001
City Council Meeting
Proposed Fee Increases

- Transient Occupancy Room Tax – from 6% of gross revenues to 9% of gross revenues
 - 6% of lodging revenues \$50,000 annually
 - 9% of lodging revenues \$75,000
 - Increase in revenue is \$25,000 annually

Proposed increases in expenditures include:

- Change in payment to Keizer Fire District from 20% with no cap (estimated at \$10,000) to 20% with a \$12,500 cap
- Change in payment to KAVA from 20% with a \$10,000 cap to 20% with a \$12,500 cap

Net increase to the City is \$20,000

Approximate increase per night's stay:

$\$60/\text{night} * 3\% = \1.80 per night

- Vehicle Impound Fee
 - \$75 per violation \$33,511 annually
 - \$100 per violation \$44,681 annually
 - Increase is \$11,170
 - Increased cost per violation is \$25

RECOMMENDATION:

Staff recommend the Council hold the public hearing as scheduled and pass the attached ordinance amendments if it so desires.

1 BILL NO. _____ A BILL ORDINANCE NO.
2 2001-_____
3 FOR

4 AN ORDINANCE

5 INCREASING PRIVILEGE OR LICENSE TAX FOR QWEST, INC.;
6 **AMENDING ORDINANCE NO. 94-287**

7 WHEREAS, Ordinance No. 94-287 (Granting U S WEST Communications,
8 Incorporated the Right and Privilege to Operate Within the City of Keizer) was adopted
9 on June 20, 1994; and

10 WHEREAS, U S WEST Communication, Incorporated has succeeded to Qwest,
11 Inc.; and

12 WHEREAS, the City Council of the City of Keizer finds it necessary and
13 appropriate to increase the license or privilege tax for operating within the City of Keizer
14 from four percent (4%) to seven percent (7%); and

15 WHEREAS, Qwest, Inc. was sent appropriate notice of this anticipated and
16 proposed amendment as provided by Section 8 of Ordinance No. 94-287; and

17 WHEREAS, the home rule powers of the City of Keizer and state and federal law
18 allow for this increase in license or privilege tax;

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

20 Section 1. INCREASE IN LICENSE OR PRIVILEGE TAX. Ordinance No. 94-
21 287 (Granting U S WEST Communications, Incorporated the Right and Privilege to do

1 a General Communication Business and to Operate Within the City of Keizer) is hereby
2 amended in Section 6 as follows:

3 Section 6. In consideration of the rights, privileges, and
4 franchise hereby granted, said Grantee, U S WEST
5 Communications, Incorporated, its successors and assigns,
6 shall pay to the City of Keizer from and after the date of the
7 acceptance of this franchise, and until its expiration,
8 quarterly, 4 ~~seven~~ percent (47%) per annum of its gross
9 revenues derived from exchange access services as defined
10 in ORS 401.710 within the corporate limits of the City of
11 Keizer less net uncollectibles. Payment shall be made on a
12 quarterly basis on or before April 30, July 31, October 31,
13 and January 31 for the calendar quarters immediately
14 preceding. Such payment made by the Grantee will be
15 accepted by the City of Keizer from the Grantee, also in
16 payment of any license, privilege or occupation tax or fee
17 for revenue or regulation, or any permit or inspection fees
18 or similar charges for street openings, installations,
19 construction or for any other purpose now or hereafter to be
20 imposed by the City of Keizer upon the Grantee during the
21 term of this franchise.

22 Section 2. CHANGE OF NAME. Ordinance No. 94-287 (Granting U S
23 WEST Communications, Incorporated the Right and Privilege to do a General
24 Communication Business and to Operate Within the City of Keizer) is hereby amended
25 in each place where appropriate to change the name of U S WEST Communication,
26 Incorporated to Qwest, Inc.

27 ///

28 ///

5 GRANTING U S WEST COMMUNICATIONS, INCORPORATED, THE RIGHT AND
6 PRIVILEGE TO DO A GENERAL COMMUNICATION BUSINESS AND TO OPERATE
7 WITHIN THE CITY OF KEIZER.
8

9 The city of Keizer ordains as follows:
10

11 Section 1. There is hereby granted by the City of Keizer to U S West
12 Communications, Incorporated, its successors and assigns, the right and privilege to do a
13 general communication business within said City of Keizer and to place, erect, lay, maintain
14 and operate in, upon, over and under the streets, alleys, avenues, thoroughfares, and public
15 highways, places and grounds within the said City, poles, wires and other appliances and
16 conductors for all telephone and other communications purposes. Such wires and other
17 appliances and conductors may be strung upon poles or other fixtures above ground, or at the
18 option of the Grantee, its successors and assigns, may be laid underground, and such other
19 apparatus may be used as may be necessary or proper to operate and maintain the same.
20

21 Section 2. It shall be lawful for said Grantee, its successors and assigns, to make all
22 needful excavations in any of the streets, alleys, avenues, thoroughfares and public highways,
23 places and grounds in said City for the purpose of placing, erecting, laying and maintaining
24 poles or other supports or conduits for such wires and appliances and auxiliary apparatus or
25 repairing, renewing or replacing the same. The work shall be done in compliance with the
26 necessary rules, regulations, ordinances or orders, which may during the continuance of this
27 franchise be adopted from time to time by the City of Keizer.

28 Except in an emergency, Grantee shall not excavate in the rights-of-way without first
29 obtaining a "Utility Work in the Right-of-Way" permit. Grantee will ensure that all
30 requirements are met as the contractor for the work. In emergency situations, Grantee may
31 make initial contact by telephone, but a permit must be obtained as soon as possible.
32

33 Section 3. Whenever Grantee, its successors and assigns, shall disturb any of the
34 streets for the purpose aforesaid, it or they shall restore the same to good order and condition
35 as soon as practicable without unnecessary delay, and failing to do so the City of Keizer,
36 shall have the right to fix a reasonable time within which such repairs and restoration of
37 streets shall be completed, and upon failure of such repairs being made by the Grantee, its
38 successors and assigns, the said City shall cause the repairs to be made at the expense of the
39 Grantee, its successors and assigns.
40

41 Section 4. Nothing in this Ordinance shall be construed in any way to prevent the
42 proper authorities of the City of Keizer from sewerage, grading, planking, rocking, paving,
43 repairing, altering, or improving any of the streets, alleys, avenues, thoroughfares and public
44 highways, places and grounds within the City of Keizer in or upon which the poles, wires,
45 conductors of the Grantee shall be placed, but all such work or improvements shall be done if

1 possible so as not to obstruct or prevent the free use of said poles, wires, conductors,
2 conduits, pipes, or other apparatus. Grantee shall relocate or remove such facilities when in
3 conflict with City work at no cost to the City. However, the costs of relocating or removing
4 Grantee's facilities for the convenience of or at the request of a private developer or
5 development shall be borne by such private developer or development. The City shall not
6 require Grantee to remove or relocate its facilities or vacate any street, alley or other public
7 way incidental to any public housing or renewal project under ORS Chapters 456 or 457
8 without reserving Grantee's right to access available grant funding. In the event of major
9 improvements projects the City may direct that all aerial transmission and distribution
10 facilities be placed jointly underground. Payment for such work shall be in accordance with
11 applicable Oregon Revised Statutes and Administrative Rules.

12
13 Section 5. Whenever it becomes necessary to temporarily rearrange, remove, lower
14 or raise the aerial cables or wires or other apparatus of the Grantee to permit the passage of
15 any building, machinery or other object moved over the roads, streets, alleys, avenues,
16 thoroughfares and public highways within the City, the Grantee will perform such a
17 rearrangement within a reasonable period after written notice from the owner or contractor-
18 mover desiring to move said building, machinery or other objects. Said notice shall bear the
19 approval of the City, shall detail the route of movement of the building, machinery, or other
20 object, shall provide that the costs incurred by the Grantee in making such a rearrangement of
21 its aerial facilities will be borne by the contractor-mover and shall further provide that the
22 contractor-mover will indemnify and save the Company harmless of and from any and all
23 damages of claims whatsoever kind or nature caused directly or indirectly from such
24 temporary rearrangement of the facilities of the Grantee, and if required by the Grantee, shall
25 be accompanied by a cash deposit or a good and sufficient bond to pay any and all such costs
26 as estimated by the Grantee.

27
28 Section 6. In consideration of the rights, privileges, and franchise hereby granted,
29 said Grantee, U S WEST Communications, Incorporated, its successors and assigns, shall
30 pay to the City of Keizer from and after the date of the acceptance of this franchise, and until
31 its expiration, quarterly, 4 percent (4%) per annum of its gross revenues derived from
32 exchange access services as defined in ORS 401.710 within the corporate limits of the City of
33 Keizer less net uncollectibles. Payment shall be made on a quarterly basis on or before April
34 30, July 31, October 31, and January 31 for the calendar quarters immediately preceding.
35 Such payment made by the Grantee will be accepted by the City of Keizer from the Grantee,
36 also in payment of any license, privilege or occupation tax or fee for revenue or regulation, or
37 any permit or inspection fees or similar charges for street openings, installations, construction
38 or for any other purpose now or hereafter to be imposed by the City of Keizer upon the
39 Grantee during the term of this franchise.

40
41 Section 7. Grantee shall indemnify and hold harmless the City and its officers, agents
42 and employees from damages, costs and expense arising from any injury to persons or
43 property by reason of the negligent act or omission of Grantee, its agents or employees in
44 exercising the rights and privileges herein granted.
45

Section 8. The rights, privileges and franchise herein granted shall continue and be in force for the period of ten (10) years from and after the date this Ordinance becomes effective, except that it is understood and agreed that either party may terminate or renegotiate this Agreement after 180 days notice in writing. This Ordinance shall be subject to any and all State or Federal legislative enactments.

Section 9. This Ordinance shall, if accepted by Grantee, take effect and be in force thirty (30) days from and after its passage and approval. Said Grantee shall, within thirty (30) days of the passage and approval of this Ordinance, file with the Recorder of the City of Keizer its written acceptance of all the terms and conditions of the Ordinance.

PASSED ON FIRST READING

PASSED this 20th day of June, 1994.

SIGNED this 20th day of June, 1994.

Dennis (Goh)

Mayor

Gracy H. Davis

City Recorder

1 BILL NO. _____

A BILL

ORDINANCE NO.

2

2001-_____

3

FOR

4

AN ORDINANCE

5

INCREASING THE AMOUNT OF THE TRANSIENT OCCUPANCY

6

TAX; **AMENDING ORDINANCE NO. 98-382**

7

WHEREAS, the City Council of the City of Keizer finds that transient

8

accommodations provide for an influx of population which have varied and extra need

9

for municipal services; and

10

WHEREAS, Ordinance No. 98-382 imposed a transient occupancy tax at the

11

amount of six percent (6%) and provided for certain administrative procedures; and

12

WHEREAS, the City Council finds that it is appropriate and necessary to

13

increase the amount of such tax to provide for additional and needed services related to

14

the transient population; and

15

WHEREAS, the City Council has adopted Resolution No. 98-1011 which finds

16

that a transient occupancy tax is not subject to Section 11(19), Article XI of the Oregon

17

Constitution; and

18

WHEREAS, the City Council finds it in the best interest of the community to

19

increase the amount of such transient occupancy tax;

20

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

1 BILL NO. 363

A BILL

ORDINANCE NO.

98- 382

2
3 FOR

4 AN ORDINANCE

5 AN ORDINANCE PROVIDING FOR A TRANSIENT OCCUPANCY
6 TAX AND PROVIDING ADMINISTRATIVE PROCEDURES FOR
7 COLLECTING SUCH TAX.

8 WHEREAS, transient accommodations provide for an influx of population which
9 may have varied and extra needs for municipal services, and

10 WHEREAS, a tax upon those who generate the demand for extra services is a
11 common principle within local government and is not uncommon in its application to
12 transients and tourists; and

13 WHEREAS, the City has authority to impose said tax absent any statutory
14 restriction; and

15 WHEREAS, the City Council has adopted Resolution No. 98-1011 which finds
16 that a transient occupancy tax is not subject to Section 11(19), Article XI of the Oregon
17 Constitution; and

18 WHEREAS, the City Council finds it in the best interest of the community to tax
19 said transient occupancy;

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

21 Section 1. DEFINITIONS. For purposes of this ordinance, the following mean:

(1) Accrual Accounting. A system of accounting in which the operator enters the rent due from a transient into the record when the rent is earned, whether or not it is paid.

(2) Cash Accounting. A system of accounting in which the operator does not enter the rent due from a transient into the record until the rent is paid.

(3) Hotel. A structure, any portion of a structure, or any space that is occupied or intended or designed for transient occupancy for less than thirty (30) days for dwelling, lodging or sleeping purposes; and including, but not limited to, any hotel, inn, tourist home or house, motel, studio hotel, bed and breakfast, lodging house, public or private dormitory, fraternity, sorority, rooming house, public or private club, space in a mobile home or trailer park, space in a recreational vehicle park, or other similar structure if the occupancy is for less than 30 days.

(4) Occupancy. The use or possession or right to the use or possession of a room or space in a hotel for lodging or sleeping purposes.

(5) Operator. A person who is a proprietor of a hotel in any capacity. When the operator performs his functions through a managing agent of a type or character other than an employee, the managing agent shall also be considered an operator and shall have the same duties and liabilities as his principal. Compliance with the provisions of this ordinance by either the principal or the managing agent shall be considered compliance by both.

1 (6) Person. "Person" means any individual, firm, partnership, joint venture,
2 association, social club, fraternal organization, fraternity, sorority, public or private
3 dormitory, joint stock company, corporation, estate, trust, business trust, receiver,
4 trustee, syndicate, or an other group or combination acting as a unity.

5 (7) Rent. The consideration charged (gross rent), whether or not received by
6 the operator, for the occupancy or space in a hotel valued in money, without any
7 deduction.

8 (8) Rent Package Plan. The consideration charged for both food and rent
9 when a single rate is made for the total of both. The amount applicable to rent for
10 determination of the transient occupancy tax shall be the same charge made for rent
11 when it is not a part of a package plan.

12 (9) Tax. The tax payable by the transient or the aggregate amount of taxes due
13 from an operator during the period for which he is required to report his collections.

14 (10) Tax Administrator. The Finance Director or designee.

15 (11) Transient. An individual who exercises occupancy for a period of less
16 than 30 consecutive calendar days, counting portions of calendar days as full days. The
17 day a transient checks out of the hotel shall not be included in determining the period of
18 occupancy if the transient is not charged rent for that day by the operator. An individual
19 occupying space in a hotel shall be a transient until a period of 30 days has expired
20 unless there is an agreement in writing between the operator and the occupant providing

1 for a longer period of occupancy. Said agreement must be initiated within the first five
2 (5) days of occupancy. A person who pays for lodging on a monthly basis, irrespective
3 of the number of days in such month, shall not be deemed a transient.

4 Section 2. IMPOSITION OF TAX. For the privilege of occupancy in a hotel, a
5 transient shall pay a tax in the amount of six percent (6%) of the rent charged by the
6 operator. The tax constitutes a debt owed by the transient to the City, and the debt is
7 extinguished only when the tax is remitted by the operator to the City. The transient
8 shall pay the tax to the operator for the hotel at the time the rent is paid. The operator
9 shall enter the tax into the records when rent is collected if the operator keeps his records
10 on the cash accounting basis and when earned if the operator keeps his records on the
11 accrual accounting basis. If rent is paid in installments, a proportionate share of the tax
12 shall be paid by the transient to the operator with each installment. If for any reason the
13 tax due is not paid to the operator of the hotel, the tax administrator may require that the
14 tax be paid directly to the City. In all cases, the rent paid or charged for occupancy shall
15 exclude the sale of any goods, services and commodities other than the furnishing of
16 rooms, accommodations, and parking space in mobile home parks, trailer parks, or
17 recreation vehicle parks.

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1 Section 3. RULES FOR COLLECTION OF TAX BY OPERATOR.

2 (1) Every operator renting space for lodging or sleeping, the occupancy of
3 which is not exempted under the terms of this ordinance, shall collect a tax from the
4 occupant. The tax collected or accrued constitutes a debt owed by the operator to the
5 City.

6 (2) In cases of credit or deferred payment of rent, the payment of tax to the
7 operator may be deferred until the rent is paid, and the operator shall not be liable for
8 the tax until credits are paid or deferred payments are made.

9 (3) The tax administrator shall enforce this ordinance and may adopt rules and
10 regulations not inconsistent with this Ordinance as may be necessary for administration
11 and enforcement.

12 (4) For rent collected on portions of a dollar, fractions of a penny of tax shall
13 not be remitted.

14 Section 4. OPERATOR'S DUTIES. An operator shall collect the tax when the
15 rent is collected from the transient. The amount of tax shall be stated separately in the
16 operator's records and on the receipt given by the operator. An operator shall not
17 advertise that the tax will not be added to the rent, that a portion of it will be assumed
18 or absorbed by the operator, or that a portion will be refunded, except in the manner
19 provided by this ordinance. The operator shall pay the tax to the city as imposed by this
20 ordinance as provided for in Section 8 of this ordinance.

1 Section 5. EXEMPTIONS. The tax shall not be imposed on:

2 (1) An occupant staying for 30 or more consecutive days.

3 (2) A person who rents a private home, vacation cabin or similar facility from
4 an owner who personally rents the facility incidentally to the owner's personal use.

5 (3) Any occupant whose rent is paid for a hospital room or a stay in a medical
6 clinic, convalescent home or home for aged people.

7 (4) Any occupant whose rent is of a value less than \$2.00 per day.

8 (5) Federal Government employees on official government business provided
9 documentation of the same is presented to the operator.

10 Section 6. OPERATOR'S REGISTRATION.

11 (1) An operator of a hotel shall register for and possess a valid certificate of
12 authority in accordance with the requirements of this Ordinance.

13 (2) Failure to hold a certificate of authority does not relieve the operator from
14 collecting the tax imposed by this ordinance, or a person from paying said tax.

15 Section 7. CERTIFICATE OF AUTHORITY.

16 (1) The tax administrator shall, within 10 days after registration, issue without
17 charge a certificate of authority to each registrant to collect the tax from the occupant,
18 together with a duplicate for each additional place of business of each registrant.
19 Certificates are nonassignable and nontransferable and shall be surrendered immediately
20 to the tax administrator on the cessation of business at the location, a change of names

1 or on the sale or transfer of the business. Each certificate and duplicate shall state the
2 place of business to which it is applicable and shall be prominently displayed so as to
3 be seen by all occupants and persons seeking occupancy.

4 (2) The certificate shall state:

5 (a) The name of the operator.

6 (b) The address of the hotel.

7 (c) The date on which the certificate was issued.

8 (d) "This Transient Occupancy Registration Certificate signifies that
9 the person has fulfilled the requirements of the Transient
10 Occupancy Tax Ordinance of the City of Keizer by registering with
11 the tax administrator for the purpose of collecting from transients
12 the occupancy tax imposed by the City and remitting the tax to the
13 tax administrator. This certificate does not authorize any person to
14 operate a hotel without strictly complying with all applicable laws
15 including, but not limited to those requiring a permit from any
16 board, commission, department or office of the City of Keizer or
17 any other governmental body. This certificate does not constitute
18 a permit. This certificate does not authorize any person to conduct
19 any unlawful business or to conduct any lawful business in an
20 unlawful manner."

1 Section 8. COLLECTIONS, RETURNS AND PAYMENTS.

2 (1) The tax shall be paid by the transient to the operator at the time that rent
3 is paid. The taxes collected by the operator are due and payable to the tax administrator
4 on a quarterly basis on the 15th day of the month following each quarter and are
5 delinquent on the last of the month in which they are due. (Example: The January 1-
6 March 31 quarter due date is April 15.)

7 (2) A return for the preceding quarter's tax collections shall accompany the
8 taxes remitted to the tax administrator. The return shall be filed on a form prescribed
9 by the tax administrator.

10 (3) Returns shall show the amount of tax collected or otherwise due for the
11 related period. The tax administrator may require returns to show the total rentals on
12 which tax collected or is due, gross receipts of the operator for the period, an
13 explanation in detail of any discrepancy between the amounts, and the amounts of rents
14 that are exempt.

15 (4) The Operator is entitled to withhold five percent (5%) of the tax due to
16 cover the administrative expense of collecting and remitting the tax. This withholding
17 shall be so noted in the appropriate place on the return form.

18 (5) The Operator shall deliver the return and the tax due the City to the tax
19 administrator's office either by personal delivery or by mail. If the return is by mail, the
20 postmark shall be considered the date of delivery for determining delinquencies.

(1 (6) For good cause, the tax administrator may extend the time for filing a
2 return or paying the tax for not more than one month. An operator to whom an
3 extension is granted shall pay interest at the rate of one percent (1%) per month on the
4 amount of tax due, without proration for a fraction of a month. If a return is not filed,
5 and the tax and interest due are not paid by the end of the extension, then it becomes
6 delinquent and the interest shall become part of the tax computation of penalties
7 described in Section 9.

8 (7) The tax administrator may require returns and payment of the amount of
9 taxes for other than quarterly periods in individual cases to ensure payment or to
10 facilitate collection by the City.

11 Section 9. DELINQUENCY PENALTIES.

12 (1) An operator who fails to remit the tax prior to delinquency shall pay a
13 penalty of ten percent (10%) of the tax due in addition to the tax.

14 (2) An operator who fails to pay a delinquent remittance before the expiration
15 of 31 days following the date on which the remittance became delinquent shall pay a
16 second delinquency penalty of fifteen percent (15%) of the tax due, the amount of the
17 tax, and the ten percent (10%) penalty first imposed.

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(1 (3) If the tax administrator determines that nonpayment of a remittance is due
2 to fraud or intent to evade the tax, a penalty of twenty-five percent (25%) of the tax shall
3 be added to the penalties stated in subsections (1) and (2).

4 (4) In addition to the penalties imposed by this section, an operator who fails
5 to remit the required tax shall pay interest at the rate of one percent (1.0%) per month,
6 without proration for portions of a month, on the tax due, exclusive of penalties, from
7 the date on which the tax first became delinquent until paid.

8 (5) Each penalty imposed and the interest accrued under provisions of this
9 section shall be merged with and become part of the tax required to be paid.

(10 (6) An operator who fails to remit the tax within the required time may
11 petition the tax administrator for waiver and refund of the penalty or a portion of it. The
12 City Manager may, if good cause is shown, direct a waiver or refund of the penalty or
13 a portion of it.

14 Section 10. DEFICIENCY DETERMINATIONS.

15 (1) In making a determination that the returns are incorrect, the tax
16 administrator may determine the amount required to be paid on the basis of the facts
17 contained in the return or on the basis of any other reliable information.

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(2) Deficiency determinations may be made on the amount due for one or more than one period. The determined amount shall be payable immediately on service of notice, after which the determined amount is delinquent. Penalties on deficiencies shall be applied as provided in Section 9.

(3) In making a determination, the tax administrator may offset overpayments that have been made against a deficiency for a subsequent period or against penalties and interest on the deficiency. The interest on the deficiency shall be computed as provided in Section 9.

Section 11. REDEMPTION PETITION. A determination becomes payable immediately on receipt of notice and becomes final within 10 days after the tax administrator has given notice. However, the operator may petition for redemption and refund by filing a petition before the determination becomes final.

Section 12. FRAUD; REFUSAL TO COLLECT; EVASION.

(1) If an operator fails or refuses to collect the tax, make the report, or remit the tax, or makes a fraudulent return or otherwise willfully attempts to evade the tax payment, the tax administrator shall obtain facts and information on which to base an estimate of the tax due. After determining the tax due and the interest and penalties, the tax administrator shall give notice of the total amount due.

(2) Determination and notice shall be made and mailed within three years after discovery of fraud, intent to evade, failure or refusal to collect the taxes, or failure to file

1 a return. The determination becomes payable immediately on receipt of notice and
2 becomes final 10 days after the tax administrator has given notice.

3 (3) The operator may petition for redemption and refund if the petition is filed
4 before the determination becomes final.

5 Section 13. NOTICE OF DETERMINATION.

6 (1) The tax administrator shall give the operator a written notice of the
7 determination. If notice is mailed it shall be addressed to the operator at the address that
8 appears on the records of the tax administrator, and service is complete when the notice
9 is deposited in the United States Postal Service.

10 (2) Except in the case of fraud or intent to evade the tax, a deficiency
11 determination shall be made and notice mailed within three years after the last day of the
12 month following the close of the monthly period for which the determination has been
13 made or within three years after the return is filed, whichever is later.

14 Section 14. OPERATOR DELAY. If the tax administrator believes that
15 collection of the tax will be jeopardized by delay, or if a determination will be
16 jeopardized by delay, the tax administrator shall determine the tax to be collected and
17 note facts concerning the delay on the determination. The determined amount is payable
18 immediately after service of notice. After payment has been made, the operator may
19 petition for redemption and refund of the determination if the petition is filed within 10
20 days from the date of service of notice by the tax administrator.

1 Section 15. REDETERMINATION.

2 (1) An operator against whom a determination is made under Section 10, or
3 a person directly interested, may petition for a redetermination, redemption and refund
4 within the time required in Section 14. If a petition for redetermination and refund is not
5 filed within the time required, the determination is final on expiration of the allowable
6 time.

7 (2) If a petition for redetermination and refund is filed within the allowable
8 period, the tax administrator shall reconsider the determination and, if the operator
9 requested a hearing in the petition, shall grant the hearing and give the operator no less
10 than 10 days notice of the time and place of the hearing. The tax administrator may
11 continue the hearing if necessary.

12 (3) The tax administrator may change the amount of the determination as a
13 result of the hearing. If an increase is determined, the increase is payable immediately,
14 and delinquent if not paid within 14 days of the service of notice.

15 (4) The decision of the tax administrator on a petition for redetermination
16 becomes final 10 days after service of notice on the petitioner unless appeal of the
17 decision is filed with the City Council within 10 days after notice is served.

18 (5) A petition for determination or an appeal is not effective unless the
19 operator has complied with the payment provisions.

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1 Section 16. SECURITY FOR COLLECTION OF TAX.

2 (1) The tax administrator may require an operator to deposit security in the
3 form of cash, bond or other security. The amount of security shall be fixed by the tax
4 administrator, but shall not be greater than twice the operator's estimated average
5 quarterly liability for the period for which the operator files returns or \$5,000, whichever
6 amount is less. The amount of the security may be increased or decreased by the tax
7 administrator, subject to the limitations of this subsection.

8 (2) Within three years after any amount of the tax becomes due and payable
9 or within three years after any determination becomes final, the tax administrator may
10 bring an action in the courts of this state, or any other state, or of the United States, in
11 the name of the city to collect the amount delinquent, together with penalties and
12 interest.

13 Section 17. LIENS

14 (1) The tax, interest, penalty imposed herein, and filing fees paid to the
15 County Clerk of Marion County and any advertising costs incurred when the tax
16 becomes delinquent shall be a lien from the date of its recording with the County Clerk
17 of Marion County, Oregon until the tax is paid. The lien shall be superior to all
18 subsequently recorded liens on all tangible personal property in the operator's hotel.
19 The lien may be foreclosed and the necessary property may be sold to discharge the lien.

1 (2) Notice of the lien shall be issued by the tax administrator when the
2 operator has defaulted in payment of the tax, interest or penalty. A copy of the notice
3 shall be sent by certified mail to the operator.

4 (3) Personal property subject to the lien may be sold at public auction after 10
5 days notice in a newspaper of general circulation in the city.

6 (4) A lien for the tax, interest and penalty shall be released by the tax
7 administrator when the full amount has been paid to the City. The operator or person
8 making the payment shall receive a receipt stating that the full amount of the tax, interest
9 and penalty has been paid, that the lien is released and that the record of the lien is
10 satisfied.

11 Section 18. REFUNDS BY CITY TO OPERATOR. When the tax, penalty or
12 interest has been paid more than once or has been erroneously or illegally collected or
13 received by the tax administrator, it may be refunded if a written verified claim stating
14 the specific reason for the claim is filed within three years from the date of payment.
15 The claim shall be submitted on forms provided by the tax administrator. If the claim
16 is approved, the excess amount may be refunded to the operator or it may be credited to
17 an amount payable by the operator and any balance refunded.

18 Section 19. REFUNDS BY CITY TO TRANSIENT. If the tax has been
19 collected by the operator and deposited with the tax administrator and it is later
20 determined that the tax was erroneously or illegally collected or received by the tax

1 administrator, it may be refunded to the transient if a written verified claim stating the
2 specific reason for the claim is filed with the tax administrator within three years from
3 the date of payment.

4 Section 20. RECORDS REQUIRED FROM OPERATORS. Every operator
5 shall keep guest records, accounting books, and records of room rentals for a period of
6 three years and six months.

7 Section 21. EXAMINATION OF RECORDS. During normal business hours
8 and after notifying the operator, the tax administrator or the designee may examine
9 books, papers, and accounting records related to room rentals to verify the accuracy of
10 a return or, if no return is made to determine the amount to be paid. To assist in this
11 process, the tax administrator may request certified copies of the annual income tax
12 return covering the hotel operator.

13 Section 22. CONFIDENTIALITY. The tax administrator or a person having
14 an administrative or clerical duty under the provisions of this ordinance shall not make
15 known in any manner the business affairs, operations, or information obtained by an
16 investigation of records and equipment of a person visited or examined in the discharge
17 of official duty; or the amount or source of income, profits, losses or expenditures
18 contained in a statement or application; or permit a statement or application, or a copy
19 of either, or a book containing an abstract or particulars to be seen or examined by any
20 person. However, nothing in this section shall be construed to prevent:

(1) Disclosure to or examination of records and equipment by a city official, employee or agent for collection of taxes for the purpose of administering or enforcing the provisions or collecting the taxes imposed by this ordinance.

(2) Disclosure, after filing a written request, to the taxpayer, receivers, trustees, executors, administrators, assignees, and guarantors, if directly interested, of information concerning tax paid, unpaid tax, amount of tax required to be collected, or interest and penalties. However, the City Attorney shall approve each disclosure, and the tax administrator may refuse to make a disclosure referred to in this subsection when, in the tax administrator's opinion, the public interest would suffer.

(3) Disclosure of names and addresses of persons making returns.

(4) Disclosure of general statistics regarding taxes collected or business done in the City.

(5) Disclosure required under the state Public Records Laws.

Section 23. DISPOSITION OF TAX FUNDS. All revenue received from the transient occupancy tax shall be accounted for by a special line item account commonly referred to as "Hotel Tax", and distributed pursuant to council resolution.

Section 24. APPEALS TO COUNCIL. A person aggrieved by a decision of the tax administrator may appeal to the City Council by filing a notice of appeal with the tax administrator within ten days of the notice of decision. The tax administrator shall transmit the notice, together with the file of the appealed matter to the Council. The

1 Council shall fix a time and place for hearing the appeal and shall give the appellant not
2 less than ten days written notice of the time and place of hearing.

3 Section 25. SEVERABILITY. The provisions of this ordinance are severable.
4 If a portion of this ordinance is for any reason held by a court of competent jurisdiction
5 to be invalid, such decision shall not affect the validity of the remaining portions of this
6 ordinance.

7 Section 26. VIOLATIONS.

8 (1) It is unlawful for any operator or other person so required to fail or refuse
9 to register as required herein, or to furnish any return required to be made, or to fail to
10 pay the tax collected, or fail or refuse to furnish a supplemental return or other data
11 required by this tax administrator, or to render a false or fraudulent return. No person
12 required to make, render, sign, or verify any report shall make any false or fraudulent
13 report, with intent to defeat or evade the determination of any amount due required by
14 the ordinance.

15 (2) Notwithstanding paragraph (1) of this section, the City Attorney, in
16 addition to other remedies permitted by law, may commence and prosecute to final
17 determination in any court of competent jurisdiction an action at law to collect the tax
18 imposed.

19 Section 27. CIVIL INFRACTION. A violation of any provision of this
20 ordinance shall constitute an infraction and shall be dealt with according to the

1 procedures established by Ordinance No. 86-063. Each day of non-compliance with this
2 ordinance shall constitute a separate violation.

3 Section 28. EFFECTIVE DATE. This ordinance shall be effective April 19,
4 1998. FIRST READING FEBRUARY 18, 1998
PASSED ON SECOND READING

5 PASSED this 2nd day of March, 1998.

6 SIGNED this 6th day of March, 1998.

7 James Kelly
8 Mayor

9 Gracy L. Davis
10 City Recorder

1 BILL NO. _____

A BILL

ORDINANCE NO.
2001-_____

2

3

FOR

4

AN ORDINANCE

5

6

7

8

INCREASING THE ADMINISTRATIVE FEE FOR
VEHICLES THAT ARE UNINSURED OR DRIVEN
BY DRIVERS WITHOUT DRIVING PRIVILEGES;
AMENDING ORDINANCE NO. 94-310

9

WHEREAS, the City Council of the City of Keizer has adopted Ordinance No.

10 94-310 which declares vehicles that are uninsured or driven by unlicensed drivers to be

11 nuisances and allows such vehicles to be impounded;

12

WHEREAS, such Ordinance provides that certain persons are responsible for

13 expenses incurred in the towing and storage of certain motor vehicles;

14

WHEREAS, such fees include a \$75.00 administrative fee to the City as

15 amended by Ordinance No. 98-396;

16

WHEREAS, the expense to the City in personnel costs in such matters exceeds

17 \$75.00;

18

WHEREAS, the City Council finds that the it is appropriate to increase the

19 administrative fee to \$100.00;

20

NOW, THEREFORE,

21

The City of Keizer ordains as follows:

22

Section 1. AMENDMENT OF SECTION 3 OF ORDINANCE NO. 94-310.

23 Section 3 of Ordinance No. 94-310 is hereby amended as follows:

1 Section 3. PERSON RESPONSIBLE FOR FEES. The
2 person operating the motor vehicle at the time it is towed and
3 impounded shall be liable for the expenses incurred in the towing
4 and storage of the motor vehicle under this Ordinance, including a
5 \$100.00 administrative fee, whether or not the motor vehicle is
6 returned to the person who was operating it at the time of impound.

7 Section 2. AMENDMENT OF SECTION 4 OF ORDINANCE NO. 94-310.

8 Section 4 of Ordinance No. 94-310 is hereby amended as follows:

9 Section 4. RETURN OF VEHICLE. The vehicle
10 impounded under this Ordinance shall be returned to the owner of
11 the vehicle or the owner's authorized agent only upon payment of
12 the \$100.00 administrative fee and the expenses incurred in the
13 towing and storage of the vehicle under this Ordinance. The owner
14 may claim a refund of these charges under section 6 of this
15 Ordinance.

16 Section 3. AMENDMENT OF SECTION 8 OF ORDINANCE NO. 94-310.

17 Section 8 of Ordinance No. 94-310 is hereby amended as follows:

18 Section 8. IMPOUNDING UNINSURED VEHICLES.
19 (1) A police officer who reasonably believes that a person is
20 driving an uninsured vehicle in violation of ORS 806.010 may,
21 without prior notice, order the vehicle impounded until a person
22 with right to possession of the vehicle complies with the conditions
23 for release or the vehicle is ordered released by the Keizer
24 Municipal Judge.

25 (2) Notice that the vehicle has been impounded shall be
26 given to the same parties, in the same manner and within the same
27 time limits as provided in ORS 819.180 for notice after removal of
28 a vehicle.

29 (3) A vehicle impounded under subsection (1) of this
30 section shall be released to a person entitled to lawful possession
31 upon proof of compliance with financial responsibility requirements

1 for the vehicle, payment to the City of Keizer of a fee of \$100.00
2 and payment of any towing and storage charges. Proof shall be
3 presented to the impounding police agency, which shall authorize
4 the person storing the vehicle to release it upon payment of the
5 charges.

6 Section 4. EFFECTIVE DATE. This Ordinance shall take effect thirty (30)
7 days after its passage.

8 PASSED this _____ day of _____, 2001.

9 SIGNED this _____ day of _____, 2001.

10 _____
11 Mayor

12 _____
13 City Recorder

AN ORDINANCE

*DECLARING UNINSURED VEHICLES AND VEHICLES OPERATED
BY DRIVERS WITHOUT DRIVING PRIVILEGES OR WHOSE
LICENSES ARE SUSPENDED OR REVOKED TO
BE NUISANCES AND ALLOWING FOR THE
VEHICLES TO BE IMPOUNDED*

ORDINANCE NO. 94- 310

LIEN, HOBSON & JOHNSON

Attorneys at Law
4855 River Rd. N.
Keizer, Oregon 97303
(503) 390-1635

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Ordinance No. 94- 310

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1 BILL NO. 292

A BILL

ORDINANCE NO.
94- 310

3 FOR

4 AN ORDINANCE

5 DECLARING UNINSURED VEHICLES AND VEHICLES OPERATED
6 BY DRIVERS WITHOUT DRIVING PRIVILEGES OR WHOSE
7 LICENSES ARE SUSPENDED OR REVOKED TO
8 BE NUISANCES AND ALLOWING FOR THE
9 VEHICLES TO BE IMPOUNDED

10 WHEREAS, the City Council of the City of Keizer finds that vehicles
11 operated on the city streets while uninsured or by persons without driving
12 privileges or whose operators' licenses have been suspended or revoked are
13 detrimental to the public's health, safety and welfare, and constitute a public
14 nuisance; NOW, THEREFORE,

15 The City of Keizer ordains as follows:

16 Section 1. VEHICLES IMPOUNDED. Whenever a traffic citation
17 is issued or a physical arrest made for a violation of Oregon's vehicle code or
18 a local traffic regulation, and the operator of such motor vehicle is cited or
19 arrested for operating the motor vehicle without driving privileges (ORS
20 807.010), or for having a suspended or revoked operator's license (ORS 811.175
21 or 811.182), a police officer may order the vehicle towed and impounded as
22 provided herein.

23 Section 2. NOTICE REQUIRED. Notice that the vehicle has been
24 impounded shall be given to the same parties, in the same manner and within the
25 same time limits as provided in ORS 819.180 for notice after removal of a
26 vehicle.

27 ///

1 Section 3. PERSON RESPONSIBLE FOR FEES. The person
2 operating the motor vehicle at the time it is towed and impounded shall be liable
3 for the expenses incurred in the towing and storage of the motor vehicle under
4 this Ordinance, including a \$50.00 administrative fee, whether or not the motor
5 vehicle is returned to the person who was operating it at the time of impound.

6 Section 4. RETURN OF VEHICLE. The vehicle impounded under
7 this Ordinance shall be returned to the owner of the vehicle or the owner's
8 authorized agent only upon payment of the \$50.00 administrative fee and the
9 expenses incurred in the towing and storage of the vehicle under this Ordinance.
10 The owner may claim a refund of these charges under section 6 of this
11 Ordinance.

12 Section 5. UNCLAIMED VEHICLES. If the motor vehicle is not
13 reclaimed within 30 days after the motor vehicle is impounded, the vehicle may
14 be disposed of in accordance with the procedure set forth in ORS 819.180,
15 819.190, 819.210, 819.220 and 819.240 to 819.260.

16 Section 6. HEARING PROCEDURES; OWNER LIABILITY. (1)
17 The person operating the motor vehicle at the time it is towed and impounded or
18 the owner of the vehicle impounded under Section 1 of this Ordinance may
19 request a hearing to contest either the validity of the impoundment or the liability
20 for the administrative fee and the expenses incurred in the towing and storage of
21 the vehicle, or both. A request must be made within five (5) calendar days of
22 the impoundment. The request shall be made to a person designated by the
23 impounding police agency to receive such requests.

24 ///

(2) When a timely request for a hearing is made, a hearing shall be set for four calendar days after the request is received, excluding Saturdays, Sundays and holidays, but may be postponed at the request of the person asking for the hearing.

(3) The impounding police agency shall have the burden of proving by a preponderance of the evidence that there were reasonable grounds to believe that the vehicle was being operated in violation of ORS 807.010 (operating vehicle without driving privileges), ORS 811.175 (infraction driving while suspended or revoked or in violation of permit), or ORS 811.182 (criminal driving while suspended or revoked or in violation of a permit). The police officer who ordered the vehicle impounded may submit an affidavit to the Keizer Municipal Judge in lieu of making a personal appearance at the hearing. If the Keizer Municipal Judge finds that the impoundment of the vehicle was proper, the Keizer Municipal Judge shall enter an order supporting the removal and shall find that the person operating the motor vehicle at the time it is towed and impounded is liable for usual and customary towing and storage costs.

(4) The Keizer Municipal Court shall order that the owner of a motor vehicle impounded under this Ordinance is not liable for payment of the administrative fee and the expenses incurred in the towing and storage of the vehicle under section 4 of this Ordinance unless the court is satisfied by a preponderance of the evidence that the owner knew or had good reason to know that the motor vehicle operator was operating the vehicle in violation of ORS 807.010, 811.175 or 811.182.

///

1 The Keizer Municipal Judge may also find the person operating the motor
2 vehicle at the time it is towed and impounded or the owner of the vehicle liable
3 for costs of the hearing.

4 (5) If the Keizer Municipal Judge finds that impoundment of the vehicle
5 was improper, the Keizer Municipal Judge shall order the vehicle released to the
6 person entitled to possession and shall enter a finding that the operator or owner
7 of the vehicle is not liable for any towing or storage costs resulting from the
8 impoundment. If there is a lien on the vehicle for towing and storage costs, the
9 Keizer Municipal Judge shall order it paid by the impounding police agency.

10 (6) The City of Keizer may contract with another agency or entity to
11 conduct hearings under this section.

12 Section 7. SECURITY INTEREST HOLDER RIGHTS. (1) The
13 authority to impound any vehicle under this Ordinance is subject to the rights of
14 a security interest holder under a security agreement executed before the vehicle
15 was impounded under this Ordinance. A vehicle shall be released for the
16 purpose of satisfying a security interest if:

17 (a) Request in writing is made to the Keizer Municipal Court;

18 (b) If the vehicle has been impounded, the security interest
19 holder pays the administrative fee and the expenses in
20 removal and storage of the vehicle; and

21 (c) If the registration of the vehicle has been suspended under
22 ORS 809.010, the security interest holder takes possession
23 of the vehicle subject to the suspension of the registration
24 remaining in effect against the registered owner.

(2) A security interest holder's obligation to pay and right to recover removal and storage expenses under this subsection are limited to the recovery of those removal and storage expenses incurred during the initial 20-day period when the vehicle was in public storage, unless the authority taking the vehicle into custody under this subsection has transmitted by certified mail a written notice to the holder concerning the accrual of storage expenses. If the vehicle is in private storage, the lien claimant shall transmit the written notice.

Section 8. IMPOUNDING UNINSURED VEHICLES. (1) A police officer who reasonably believes that a person is driving an uninsured vehicle in violation of ORS 806.010 may, without prior notice, order the vehicle impounded until a person with right to possession of the vehicle complies with the conditions for release or the vehicle is ordered released by the Keizer Municipal Judge.

(2) Notice that the vehicle has been impounded shall be given to the same parties, in the same manner and within the same time limits as provided in ORS 819.180 for notice after removal of a vehicle.

(3) A vehicle impounded under subsection (1) of this section shall be released to a person entitled to lawful possession upon proof of compliance with financial responsibility requirements for the vehicle, payment to the City of Keizer of a fee of \$50.00 and payment of any towing and storage charges. Proof shall be presented to the impounding police agency, which shall authorize the person storing the vehicle to release it upon payment of the charges.

Section 9. UNINSURED VEHICLE HEARING PROCEDURE. (1) A person entitled to lawful possession of a vehicle impounded under Section 8 of this Ordinance may request a hearing to contest the validity of the

1 impoundment. A request must be made within five (5) calendar days of the
2 impoundment. The request shall be made to a person designated by the
3 impounding police agency to receive such requests.

4 (2) When a timely request for a hearing is made, a hearing shall be set
5 for four calendar days after the request is received, excluding Saturdays, Sundays
6 and holidays, but may be postponed at the request of the person asking for the
7 hearing.

8 (3) The impounding police agency shall have the burden of proving by
9 a preponderance of the evidence that there were reasonable grounds to believe
10 that the vehicle was being operated in violation of ORS 806.010. The police
11 officer who ordered the vehicle impounded may submit an affidavit to the Keizer
12 Municipal Judge in lieu of making a personal appearance at the hearing.

13 (4) If the Keizer Municipal Judge finds that the impoundment of the
14 vehicle was proper, the Keizer Municipal Judge shall enter an order supporting
15 the removal and shall find that the owner or person entitled to possession of the
16 vehicle is liable for usual and customary towing and storage costs. The Keizer
17 Municipal Judge may also find the owner or person entitled to possession of the
18 vehicle liable for costs of the hearing.

19 (5) If the Keizer Municipal Judge finds that impoundment of the vehicle
20 was improper, the Keizer Municipal Judge shall order the vehicle released to the
21 person entitled to possession and shall enter a finding that the owner or person
22 entitled to possession of the vehicle is not liable for any towing or storage costs
23 resulting from the impoundment. If there is a lien on the vehicle for towing and

1 storage costs, the Keizer Municipal Judge shall order it paid by the impounding
2 police agency.

3 (6) The City of Keizer may contract with another agency or entity to
4 conduct hearings under this section.

5 Section 10. UNCLAIMED UNINSURED VEHICLES. If the
6 uninsured motor vehicle is not reclaimed within 30 days after the motor vehicle
7 is impounded, the vehicle may be disposed of in accordance with the procedure
8 set forth in ORS 819.180, 819.190, 819.210, 819.220 and 819.240 to 819.260.

9 Section 11. SEVERABILITY. If any section, subsection, sentence,
10 clause, phrase, or portion of this Ordinance is for any reason held invalid or
11 unconstitutional by any court or board of competent jurisdiction, such portion
12 shall be deemed a separate, distinct, and independent provision and such holding
13 shall not affect the validity of the remaining portions hereof.

14 Section 12. EMERGENCY. This Ordinance being necessary for the
15 immediate preservation of the public health, safety, and welfare, an emergency
16 is declared to exist and this Ordinance shall take effect immediately upon its
17 passage.

18 PASSED this 21st day of November, 1994.

19 SIGNED this 23rd day of November, 1994.

20 Al Miller, Council President
21 Mayor
22 Gracy L. Davis
23 City Recorder

24 3896COK2.004

1 BILL NO. _____

A BILL

ORDINANCE NO.

2

2001-_____

3

FOR

4

AN ORDINANCE

5

INCREASING THE ADMINISTRATIVE FEE FOR

6

VEHICLES OPERATED BY PERSONS UNDER

7

THE INFLUENCE OF INTOXICANTS;

8

AMENDING ORDINANCE NO. 95-322

9

WHEREAS, the City Council of the City of Keizer has adopted Ordinance No.

10 95-322 which declares vehicles driven by persons under the influence of intoxicants to

11 be nuisances and allows such vehicles to be impounded;

12

WHEREAS, such Ordinance provides that certain persons are responsible for

13 expenses incurred in the towing and storage of certain motor vehicles;

14

WHEREAS, such fees include a \$75.00 administrative fee to the City as

15 amended by Ordinance No. 98-395;

16

WHEREAS, the expense to the City in personnel costs in such matters exceeds

17 \$75.00;

18

WHEREAS, the City Council finds that it is appropriate to increase the

19 administrative fee to \$100.00;

20

NOW, THEREFORE,

21

The City of Keizer ordains as follows:

22

Section 1. AMENDMENT OF SECTION 3 OF ORDINANCE NO. 95-322.

23 Section 3 of Ordinance No. 95-322 is hereby amended as follows:

1 Section 3. PERSON RESPONSIBLE FOR FEES. The
2 person operating the motor vehicle at the time it is towed and
3 impounded shall be liable for the expenses incurred in the
4 towing and storage of the motor vehicle under this Ordinance,
5 including a \$100.00 administrative fee, whether or not the
6 motor vehicle is returned to the person who was operating it at
7 the time of impound.

8 Section 2. AMENDMENT OF SECTION 4 OF ORDINANCE NO. 95-322.

9 Section 4 of Ordinance No. 95-322 is hereby amended as follows:

10 Section 4. RETURN OF VEHICLE. The vehicle
11 impounded under this Ordinance shall be returned to the owner of
12 the vehicle or the owner's authorized agent only upon payment of
13 the \$100.00 administrative fee, the expenses incurred in the towing
14 and storage of the vehicle under this Ordinance, furnishing proof of
15 a valid operator's license of the person obtaining the vehicle, and
16 proof of motor vehicle liability insurance pursuant to Oregon State
17 law. The owner may claim a refund of these charges under section
18 6 of this Ordinance.

19 Section 3. EFFECTIVE DATE. This Ordinance shall take effect thirty (30)
20 days after its passage.

21 PASSED this _____ day of _____, 2001.

22 SIGNED this _____ day of _____, 2001.

23 _____
24 Mayor

25 _____
26 City Recorder

1 BILL NO. 304

A BILL

ORDINANCE NO.
95-322

3 FOR

4 AN ORDINANCE

5 DECLARING VEHICLES OPERATED BY PERSONS UNDER THE
6 INFLUENCE OF INTOXICANTS TO BE NUISANCES AND
7 ALLOWING FOR VEHICLES TO BE IMPOUNDED

8 WHEREAS, the City Council of the City of Keizer finds that vehicles operated
9 on the city streets by persons who are driving under the influence of intoxicants are
10 detrimental to the public's health, safety and welfare, and constitute a public
11 nuisance; NOW, THEREFORE,

12 The City of Keizer ordains as follows:

13 Section 1. VEHICLES IMPOUNDED. Whenever a traffic citation is issued
14 or a physical arrest made for a violation of Oregon's vehicle code or a local traffic
15 regulation, and the operator of such motor vehicle is cited or arrested for driving
16 under the influence of intoxicants (ORS 813.010), a police officer may order the
17 vehicle towed and impounded as provided herein.

18 Section 2. NOTICE REQUIRED. Notice that the vehicle has been impounded
19 shall be given to the same parties, in the same manner and within the same time
20 limits as provided in ORS 819.180 for notice after removal of a vehicle.

21 Section 3. PERSON RESPONSIBLE FOR FEES. The person operating the
22 motor vehicle at the time it is towed and impounded shall be liable for the expenses
23 incurred in the towing and storage of the motor vehicle under this Ordinance,
24 including a \$50.00 administrative fee, whether or not the motor vehicle is returned
25 to the person who was operating it at the time of impound.

26 ///

1 Section 4. RETURN OF VEHICLE. The vehicle impounded under this
2 Ordinance shall be returned to the owner of the vehicle or the owner's authorized
3 agent only upon payment of the \$50.00 administrative fee, the expenses incurred in
4 the towing and storage of the vehicle under this Ordinance, furnishing proof of a
5 valid operator's license of the person obtaining the vehicle, and proof of motor
6 vehicle liability insurance pursuant to Oregon State law. The owner may claim a
7 refund of these charges under section 6 of this Ordinance.

8 Section 5. UNCLAIMED VEHICLES. If the motor vehicle is not reclaimed
9 within 30 days after the motor vehicle is impounded, the vehicle may be disposed
10 of in accordance with the procedure set forth in ORS 819.180, 819.190, 819.210,
11 819.220 and 819.240 to 819.260.

12 Section 6. HEARING PROCEDURES; OWNER LIABILITY. (1) The
13 person operating the motor vehicle at the time it is towed and impounded or the
14 owner of the vehicle impounded under Section 1 of this Ordinance may request a
15 hearing to contest either the validity of the impoundment or the liability for the
16 administrative fee and the expenses incurred in the towing and storage of the vehicle,
17 or both. A request must be made within five (5) calendar days of the impoundment.
18 The request shall be made to a person designated by the impounding police agency
19 to receive such requests.

20 (2) When a timely request for a hearing is made, a hearing shall be set for
21 four calendar days after the request is received, excluding Saturdays, Sundays and
22 holidays, but may be postponed at the request of the person asking for the hearing.

23 (3) The impounding police agency shall have the burden of proving by a
24 preponderance of the evidence that there were reasonable grounds to believe that the

1 vehicle was being operated in violation of ORS 813.010 (driving under the influence
2 of intoxicants). If the Keizer Municipal Judge finds that the impoundment of the
3 vehicle was proper, the Keizer Municipal Judge shall enter an order supporting the
4 removal and shall find that the person operating the motor vehicle at the time it is
5 towed and impounded is liable for usual and customary towing and storage costs.

6 (4) The Keizer Municipal Court shall order that the owner of a motor
7 vehicle impounded under this Ordinance is not liable for payment of the
8 administrative fee and the expenses incurred in the towing and storage of the vehicle
9 under section 4 of this Ordinance unless the court is satisfied by a preponderance of
10 the evidence that the owner knew or had good reason to know that the motor vehicle
11 operator was operating the vehicle in violation of ORS 813.010.

12 The Keizer Municipal Judge may also find the person operating the motor
13 vehicle at the time it is towed and impounded or the owner of the vehicle liable for
14 costs of the hearing.

15 (5) If the Keizer Municipal Judge finds that impoundment of the vehicle was
16 improper, the Keizer Municipal Judge shall order the vehicle released to the person
17 entitled to possession and shall enter a finding that the operator or owner of the
18 vehicle is not liable for payment of the administrative fee or any towing or storage
19 costs resulting from the impoundment. If there is a lien on the vehicle for towing
20 and storage costs, the Keizer Municipal Judge shall order it paid by the impounding
21 police agency.

22 (6) The City of Keizer may contract with another agency or entity to conduct
23 hearings under this section.

24 ///

1 Section 7. BASIS FOR REFUND OF ADMINISTRATIVE FEE, TOWING
2 AND STORAGE CHARGES BY ADMINISTRATIVE ACTION. In addition to the
3 hearing process, if the operator of the vehicle is determined to be not guilty of DUII
4 by a court of law, or if the DUII citation issued to the operator is dismissed by a
5 court of law for lack of evidence, then the person who paid the administrative fee,
6 towing, and storage charges incurred as a result of this incident may apply for and
7 shall receive a full refund from the City of Keizer for all sums paid under this
8 Ordinance upon submitting satisfactory proof to the Clerk of the Court.

9 Section 8. SECURITY INTEREST HOLDER RIGHTS. (1) The authority
10 to impound any vehicle under this Ordinance is subject to the rights of a security
11 interest holder under a security agreement executed before the vehicle was
12 impounded under this Ordinance. A vehicle shall be released for the purpose of
13 satisfying a security interest if:

14 (a) Request in writing is made to the Keizer Municipal Court;

15 (b) If the vehicle has been impounded, the security interest holder pays the
16 administrative fee and the expenses in removal and storage of the vehicle;
17 and

18 (c) If the registration of the vehicle has been suspended under ORS 809.010,
19 the security interest holder takes possession of the vehicle subject to the
20 suspension of the registration remaining in effect against the registered
21 owner.

22 (2) A security interest holder's obligation to pay and right to recover removal
23 and storage expenses under this subsection are limited to the recovery of those
24 removal and storage expenses incurred during the initial 20-day period when the

1 vehicle was in public storage, unless the authority taking the vehicle into custody
2 under this subsection has transmitted by certified mail a written notice to the holder
3 concerning the accrual of storage expenses. If the vehicle is in private storage, the
4 lien claimant shall transmit the written notice.

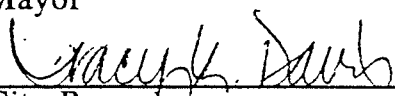
5 Section 9. SEVERABILITY. If any section, subsection, sentence, clause,
6 phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional
7 by any court or board of competent jurisdiction, such portion shall be deemed a
8 separate, distinct, and independent provision and such holding shall not affect the
9 validity of the remaining portions hereof.

10 Section 10. EMERGENCY. This Ordinance being necessary for the immediate
11 preservation of the public health, safety, and welfare, an emergency is declared to
12 exist and this Ordinance shall take effect immediately upon its passage.

13 PASSED this 3 day of April, 1995.

14 SIGNED this 7 day of April, 1995.

15 
16 Mayor

17 
18 City Recorder
19

3896COK2.014



June 4, 2001

AGENDA ITEM 6b

CITY OF KEIZER 2001-2002 BUDGET

COUNCIL MEETING: June 4, 2001

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

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



SUBJECT: COMMITTEE APPROVED BUDGET

BACKGROUND:

Enclosed in the City Council packet is the Budget Committee's Approved Budget for fiscal year 2001-2002. This document is the committee's recommendation to the Council and includes a property tax rate of \$2.0838 per \$1,000 assessed value, the maximum allowed for the City.

Oregon Budget Law requires a municipality to conduct a public hearing to take public comment from any interested person. Adoption of the budget is scheduled for June 18, 2001.

FISCAL POWERS:

Before July 1 the Council has the power to:

- 1) Impose taxes (ORS 294.435)
 - a) Republish the financial summary and hold a second hearing before July 1 to raise the tax amount above the rate or amount approved by the budget committee. *(Note: this provision only applies if the maximum rate has not been approved).*
 - b) Reduce the tax amount.
- 2) Adjust resources (ORS 294.435)
 - a) Take notice of underestimated resources and:
 - i) Make a corresponding reduction in the taxes,
or
 - ii) Provide for additional expenditures (see "Adjust requirements" below)
 - b) Take notice of underestimated resources and make a corresponding reduction in expenditures.

June 4, 2001

City Council Meeting

Committee Approved Budget

- 3) Adjust requirements (ORS 294.435)
 - a) Reduce or eliminate any requirement or proposed expenditure.
 - b) Increase expenditures by not more than \$5,000 or 10 percent, whichever is greater, of budget committee approved total in each or any fund.
 - c) Increase expenditures by more than \$5,000 or 10 percent of any fund by republishing the budget and holding a second hearing before July 1.
- 4) Amend the adopted budget before July 1 (ORS 294.435)

RECOMMENDATION:

Staff recommends that the Council conduct a public hearing on the Committee Approved Budget and deliberate changes if any.

All Funds Combined

	Actual 1998-99	Actual 1999-00	Adopted 2000-01		Manager Recommended	Committee Approved	Adopted 2001-02	
1	\$	3,398,619	\$	2,544,367	\$	3,092,502	\$	3,092,502
2				Beginning Fund Balance				
3				RESOURCES				
4								
5	2,290,349	2,461,628	2,627,122	Taxes & Assessments	2,748,142	2,773,142	2,773,142	
6	1,755,190	1,455,839	1,503,234	Licenses & Fees	1,879,998	1,949,023	1,949,023	
7	1,730,469	2,391,749	2,148,307	Intergovernmental	2,091,983	2,216,983	2,216,983	
8	370,681	413,823	416,000	Fines & Forfeits	352,463	389,633	389,633	
9	4,616,655	4,929,535	5,188,604	Charges for Services	5,333,713	5,333,713	5,333,713	
10	360,799	268,194	271,768	Miscellaneous	258,306	258,306	258,306	
11								
12	187,670	281,746	185,000	TRANSFERS IN	588,732	588,732	588,732	
13								
14	\$	14,710,432	\$	14,851,776	\$	16,345,839	\$	16,602,034
15				TOTAL RESOURCES				
16				EXPENDITURES				
17								
18	\$	3,990,804	\$	4,724,687	\$	5,061,729	\$	5,061,729
19	5,739,122	5,752,485	6,578,433	Personal Services	6,657,982	6,684,650	6,684,650	
20	1,714,077	1,427,762	1,567,615	Materials & Services	1,881,887	2,003,887	2,003,887	
21	390,069	391,005	390,439	Capital Outlay	8,330	8,330	8,330	
22				Debt Service				
23	\$	11,834,072	\$	13,261,174	\$	13,609,928	\$	13,758,596
24				TOTAL EXPENDITURES				
25	332,670	176,530	85,000	TRANSFERS OUT	698,336	698,336	698,336	
26								
27				FUND BALANCE				
28								
29	-	-	465,999	Contingency	498,628	498,628	498,628	
30	-	-	287,000	Reserves	742,397	742,397	742,397	
31	2,543,690	2,499,569	752,603	Undesignated Ending Fund Balances	796,550	904,077	904,077	
32								
33	\$	14,710,432	\$	14,851,776	\$	16,345,839	\$	16,602,034
				TOTAL EXPENDITURES & FUND EQUITY				

CITY OF KEIZER

2001-2002 Property Tax Revenue Estimates

	2000-01 Actual Tax Revenues	Maximum Assessed Value Increase 3%	\$20,146,982 New Construction 3%
District Net Value	\$1,298,321,890	\$1,337,271,547	\$1,357,418,529
Urban Renewal Increment (see below)	(188,673,965)	(194,334,184)	(202,167,611)
District Net Value w/o Urban Renewal	\$1,109,647,925	\$1,142,937,363	\$1,155,250,918
Permanent Tax Rate per \$1,000	\$ 2.0838	\$ 2.0838	\$ 2.0838
Gross Property Tax Revenues	\$2,312,284	\$2,381,653	\$2,407,312
Penalties/Compression/adjustments	219	225	225
Property Tax Revenues	\$2,312,503	\$2,381,878	\$2,407,537
Uncollectables and Discounts (6.6%)	(153,688)	(159,586)	(161,305)
Net Anticipated Tax Collected	\$2,158,814	2,222,292	2,246,232
1999-00 Actual Tax Revenues		(2,158,814)	(2,158,814)
Increase over 1999-00 Revenues			87,418

District Net Value

Urban Renewal Increment (see below)

District Net Value w/o Urban Renewal

Permanent Tax Rate per \$1,000

Gross Property Tax Revenues

Penalties/Compression/adjustments

Property Tax Revenues

Uncollectables and Discounts (6.6%)

Net Anticipated Tax Collected

1999-00 Actual Tax Revenues

Increase over 1999-00 Revenues

	Maximum Assessed Value Increase 3%	\$7,833,427 Construction 3%
Urban Renewal Property Tax Revenues		
Real Market Value inside Keizer's Plan Area	\$ 251,940,839	
Assessed Value (frozen)	63,266,874	
Increment Value	\$ 188,673,965	\$ 194,334,184
Tax Rate per \$1,000 Increment Value Adjustments	\$ 15.4024	\$ 15.4024
Division of Tax Revenues	(13,409)	
Uncollectables and Discounts (6.6%)	\$ 2,892,623	\$ 2,993,213
Net Anticipated Tax Collected	(192,243)	(197,552)
	\$ 2,700,380	2,795,660.79
		2,908,351.23

Urban Renewal Property Tax Revenues

Real Market Value inside Keizer's Plan Area

Assessed Value (frozen)

Increment Value

Tax Rate per \$1,000 Increment Value Adjustments

Division of Tax Revenues

Uncollectables and Discounts (6.6%)

Net Anticipated Tax Collected

General Fund Summary

	Actual 1998-99	Actual 1999-00	Adopted 2000-01	Manager Recommended	Committee Approved	Adopted 2001-02
1 \$ 611,969	\$ 447,439	\$ 139,333	Beginning Fund Balance	\$ 338,523	\$ 338,523	
2						
3						
4						
5	1,995,506	2,166,795	2,339,422	Taxes	2,380,865	2,405,865
6	1,146,330	1,038,399	1,115,748	Licenses & Fees	1,554,499	1,623,524
7	355,597	692,409	534,461	Intergovernmental	514,226	514,226
8	370,681	413,823	416,000	Fines & Forfeits	352,463	389,633
9	142,998	115,716	178,293	Miscellaneous	134,586	134,586
10						
11	62,260	5,216	18,000	TRANSFERS IN	-	-
12						
13 \$ 4,685,341	\$ 4,879,797	\$ 4,741,257	TOTAL RESOURCES	\$ 5,275,162	\$ 5,406,357	
14						
15						
16						
17 \$ 3,069,795	\$ 3,417,850	\$ 3,639,132	Personal Services	3,918,356	3,918,356	
18	1,160,586	1,078,329	1,008,183	Materials & Services	1,167,420	1,181,170
19	1,834	88,800	6,716	Capital Outlay	-	-
20						
21 \$ 4,232,215	\$ 4,584,979	\$ 4,654,031	TOTAL EXPENDITURES	\$ 5,085,776	\$ 5,099,526	
22						
23						
24						
25 \$ 5,687	\$ -	\$ -	To Utility Assessment Fund	-	-	
26						
27						
28						
29	-	-	36,837	Contingency	50,000	50,000
30	-	-	-	Reserve for PEG Equipment	97,258	97,258
31	447,439	294,818	50,389	Undesignated Ending Fund Balance	42,128	159,573
32						
33 \$ 4,685,341	\$ 4,879,797	\$ 4,741,257	TOTAL GENERAL FUND	\$ 5,275,162	\$ 5,406,357	

GENERAL FUND

General Support Resources

	Actual 1998-99	Actual 1999-00	Adopted 2000-01	Beginning Fund Balance	Manager Recommended	Committee Approved	Adopted 2001-02
1 \$	611,969	\$ 447,439	\$ 139,333	\$	338,523	\$	338,523
2							
3							
4							
5	120,899	126,547	122,000	Salem Electric	200,429		200,429
6	262,752	267,933	260,000	PGE	457,325		457,325
7	142,658	127,804	98,500	NWNG	213,007		213,007
8	114,680	91,957	94,800	US West	91,700		160,475
9	203,683	234,438	230,496	AT & T Cable	244,776		244,776
10	45,531	46,021	46,345	Lorens Sanitation	46,058		46,058
11	27,021	28,023	28,000	Valley Garbage	30,174		30,174
12	-	-	133,000	Water Sales Assessments	89,011		89,011
13	145,230	20,148	-	PEG Fees	97,258		97,258
14	7,272	6,825	7,260	Cell Tower Rent	7,260		7,260
15	5,121	-	2,000	Systems Development Administration Fee - Sewer	2,208		2,208
16	-	-	-	Systems Development Administration Fee - Parks	10,560		10,560
17	-	-	-	Driveway Permits	6,000		6,000
18	3,840	3,276	4,100	Licenses/Permits	3,373		3,373
19 \$	1,078,687	\$ 952,972	\$ 1,026,500	Total Licenses & Fees	\$ 1,499,139	\$	1,567,914
20							
21							
22							
23 \$	215,201	\$ 246,529	\$ 231,769	Liquor Tax	266,938	\$	266,938
24	63,575	70,256	62,486	Cigarette Tax	65,687		65,687
25 \$	278,776	\$ 316,785	\$ 294,255	Total Intergovernmental	\$ 332,625	\$	332,625

Notes:

- 5-6 The City increased franchise fees from 3.5% to 5% in FY 00-01. Anticipate 20% increase in electricity costs in October 2001 resulting in an increase in franchise revenues.
- 7 The City increased franchise fees from 3% to 5%.
- 12 In FY 00-01 the City budgeted a 17% franchise fee beginning November 2000. Actual fee imposed was 5% beginning December 2000.
- 13 In FY 98-99 the City collected \$145,230 as a one-time revenue to pay for PEG equipment. Beginning FY 99-00, the City began collecting a 1.5% fee from gross revenues to be used for public access cable equipment. Revenues were not budgeted in FY 00-01, however, the City anticipates receiving approximately \$97,000 in this year.
- 16 New Parks system development fees went into effect in FY 01-02. The new fees provide for 10% of the revenues to be paid to cover administrative costs.
- 17 Driveway permit fees went into effect in FY 00-01 at \$50 per permit.
- 23 Liquor Tax revenues are expected to increase 1.88% over FY 00-01 projections of \$262,000.
- 24 Cigarette tax revenues are expected to decrease 1.8% over FY 00-01 projections of \$66,884.

General Support Resources

Notes:

31 Miscellaneous revenues include lien search fees paid by title companies and one time revenues that are not characterized by line-item descriptions.

47 In FY 00-01 actual delinquent tax payments from property taxpayers have increased above FY 00-01 budgeted amounts. FY 01-02 budget reflect this trend.

48 In FY 00-01 actual tax revenues indicate a higher percentage of uncollected taxes over total taxes levied than in FY 99-00. The FY 01-02 budget reflects this trend.

GENERAL FUND

Administration

	Actual 1998-99	Actual 1999-00	Adopted 2000-01	Manager Recommended	Committee Approved	Adopted 2001-02
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RESOURCES

1	\$	400,224	\$	482,951	\$	344,619	GENERAL SUPPORT	\$	474,413	\$	486,813
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EXPENDITURES

PERSONAL SERVICES

2											
3											
4											
5											
6											
7	43,768	52,682	27,673	City Manager	28,522	28,522					28,522
8	51,716	41,231	42,671	Administrative Support Staff	36,493	36,493					36,493
9	31,371	42,527	51,051	Human Resources Director	53,001	53,001					53,001
10	11,586	14,308	14,973	Finance Director	15,444	15,444					15,444
11	4,661	6,270	5,761	Facility Maintenance Worker	5,281	5,281					5,281
12	1,419	97	1,000	Overtime	1,000	1,000					1,000
13	2,253	2,376	2,117	Medicare	2,147	2,147					2,147
14	20,628	16,603	25,198	Retirement	25,430	25,430					25,430
15	12,859	15,570	15,728	Insurance Benefits	15,854	15,854					15,854
16	(607)	-	1,575	Unemployment Insurance	1,575	1,575					1,575
17	1,696	827	297	Workers Compensation	314	314					314
18	5,210	-	-	Benefit Cash-Out	-	-					-
19	\$	186,560	\$	192,491	\$	188,044	TOTAL PERSONAL SERVICES	\$	185,061	\$	185,061

GENERAL FUND

Administration

Actual 1998-99	Actual 1999-00	Adopted 2000-01		Manager Recommended	Committee Approved	Adopted 2001-02
MATERIALS & SERVICES						
20						
21						
22	\$ 9,140	\$ 12,400	\$	\$ 10,139	\$	10,139
23	510	438		450		450
24	7,869	4,607		8,990		8,990
25	20,554	17,337		19,350		19,350
26	5,448	8,548		4,778		4,778
27	6,517	5,202		6,947		6,947
28	32,151	42,898		33,273		33,273
29	8,278	9,581		11,762		11,762
30	7,711	8,389		5,400		5,400
31	8,388	10,157		8,823		8,823
32	5,733	3,578		7,878		7,878
33	8,722	8,542		3,855		8,255
34	4,388	4,759		5,550		5,550
35	4,684	4,198		1,337		1,337
36	4,363	4,620		5,561		5,561
37	-	-		22,000		22,000
38	444	-		-		-
39	14,000	-		-		-
40	53,409	22,563		97,258		97,258
41	6,485	10,284		10,000		12,500
42	-	10,000		10,000		12,500
43	521	2,834		3,000		5,000
44	806	1,362		1,000		1,000
45	-	3,000		750		750
46	3,141	1,112		-		1,000
47	-	5,251		1,251		1,251
48	\$ 213,262	\$ 201,660	\$	\$ 289,352	\$	301,752

Notes:

- 24 Costs have increased because of changes in cost allocation methods to more accurately match costs with the benefit derived among funds.
- 26 In FY 00-01 funds were not budgeted for Travel & Training for the City Manager position. The FY 01-02 budget includes Travel & Training for the current City Manager.
- 29 Costs were paid from the Revenue Sharing fund in FY 00-01. FY 01-02 increases include courier service for interagency mail. This service was not billed in prior years.
- 32 Costs have been inconsistent from year to year due to changes in cost allocation methods. FY 01-02 estimates include a projected 30% increase in electricity costs.
- 33 Costs are less than previous years because of changes in cost allocation methods to more accurately match costs with the benefit derived among funds.
- 34 The City's Insurance carrier projects a 10% increase in insurance costs.
- 35 Costs are less than previous years because of changes in cost allocation methods to more accurately match costs with the benefit derived among funds.
- 36 Equipment maintenance increased \$4400 over FY 01-02 Mgr. Recommended to included an upgrade of the telephone system.
- 37 The City does not have a revenue source to fund the City Hall Facility Fund. Therefore, maintenance costs need to be paid directly from the City's operating funds.

GENERAL FUND

Administration

Actual 1998-99	Actual 1999-00	Adopted 2000-01	Manager Recommended	Committee Approved	Adopted 2001-02
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40 PEG fee revenues budgeted in General Support Resources are to be used for Cable related equipment expenditures.

41-42 Payments are 20% of the Hotel/Motel Tax revenues up to a cap of \$12,500

46 Miscellaneous costs are one time expenditures that are not characterized by existing line-item descriptions.

GENERAL FUND

Administration

	Actual 1998-99	Actual 1999-00	Adopted 2000-01		Manager Recommended	Committee Approved	Adopted 2001-02
49							
50							
51							
52	\$	227	\$	-	\$	-	-
53		-		2,716		-	-
54		175		-		-	-
55		-	88,800	-		-	-
56	\$	402	\$	88,800	\$	-	-
57							
58							
59	\$	400,224	\$	482,951	\$	474,413	\$ 486,813

CAPITAL OUTLAY

Office Furniture
Copier
Software
PEG Equipment

TOTAL CAPITAL OUTLAY

TOTAL EXPENDITURES

Notes:

Capital outlay costs associated with the general fund are budgeted in the Revenue Sharing Fund.

GENERAL FUND

Parks

Actual 1998-99	Actual 1999-00	Adopted 2000-01	Manager Recommended	Committee Approved	Adopted 2001-02
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RESOURCES

LICENSES & FEES

1	\$	420	\$	670	\$	500	Parks Fees	\$	600	\$	850
2											
3		116,962		113,373		86,574	GENERAL SUPPORT		126,497		126,497
4	\$	117,382	\$	114,043	\$	87,074	TOTAL RESOURCES	\$	127,097	\$	127,347

GENERAL FUND

Parks

	Actual 1998-99	Actual 1999-00	Adopted 2000-01		Manager Recommended	Committee Approved	Adopted 2001-02
5							
6							
7							
8							
9							
10	\$ 34,213	\$ 31,713	\$ 34,042	Municipal Utility Worker	\$ 35,376	\$ 35,376	35,376
11	5,145	7,028	8,004	Administrative Support Staff	8,337	8,337	8,337
12	5,857	9,855	13,000	Seasonal Help	13,000	13,000	13,000
13	-	761	-	Overtime	-	-	-
14	661	745	639	Medicare	872	872	872
15	5,801	6,253	7,148	Retirement	8,406	8,406	8,406
16	6,544	7,025	7,644	Insurance Benefits	8,216	8,216	8,216
17	291	2,278	1,247	Workers Compensation	1,190	1,190	1,190
18	\$ 58,512	\$ 65,658	\$ 71,724	TOTAL PERSONAL SERVICES	\$ 75,397	\$ 75,397	75,397
19							
20							
21							
22	\$ 637	\$ 288	\$ 250	Office Materials & Supplies	\$ 400	\$ 400	400
23	11,173	7,551	11,000	Parks Materials & Supplies	11,000	11,000	11,000
24	10	26	300	Dues	300	300	300
25	947	70	500	Travel & Training	500	500	500
26	1,489	201	1,000	Legal Services	1,600	1,600	1,600
27	44,052	38,694	-	Contractual Services	35,000	35,000	35,000
28	150	489	300	Computer Maintenance	700	700	700
29	388	(78)	500	Vehicle Maintenance	600	600	600
30	24	95	500	Equipment Maintenance	600	600	600
31	-	1,049	1,000	Youth Recreation	1,000	1,250	1,250
32	\$ 58,870	\$ 48,385	\$ 15,350	TOTAL MATERIALS & SERVICES	\$ 51,700	\$ 51,950	51,950
33							
34	\$ 117,382	\$ 114,043	\$ 87,074	TOTAL EXPENDITURES	\$ 127,097	\$ 127,347	127,347

Notes:

27 Costs were paid from the Revenue Sharing fund in FY 00-01.

GENERAL FUND

Community Development

Actual 1998-99	Actual 1999-00	Adopted 2000-01	Manager Recommended	Committee Approved	Adopted 2001-02
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RESOURCES

LICENSES & FEES

1	\$	23,904	\$	27,532	\$	25,852	Land Use Application Fees	\$	26,260	\$	26,260
2		22,022		23,592		20,895	Building Fees - Zoning		9,600		9,600
3		21,717		33,633		42,000	Building Fees - Sinking Fund		18,900		18,900
4	\$	67,643	\$	84,757	\$	88,747	Total Licenses & Fees	\$	54,760	\$	54,760

INTERGOVERNMENTAL

7											
8	\$	-	\$	-	\$	3,092	Land Conservation Grant	\$	-	\$	-
9											
10	\$	67,643	\$	84,757	\$	91,839	TOTAL ACTIVITY GENERATED	\$	54,760	\$	54,760
11											
12		172,361		135,953		160,752	GENERAL SUPPORT		205,964		205,964
13	\$	240,004	\$	220,710	\$	252,591	TOTAL RESOURCES	\$	260,724	\$	260,724

Notes:

2&3 Revenue reductions reflect a decline in growth in the area.

GENERAL FUND

Community Development

	Actual 1998-99	Actual 1999-00	Adopted 2000-01	Manager Recommended	Committee Approved	Adopted 2001-02
EXPENDITURES						
PERSONAL SERVICES						
19	\$ 7,189	\$ 11,683	\$ 32,786	\$	\$ 35,892	\$ 35,892
20	39,641	32,884	29,736	29,563	29,563	29,563
21	31,062	35,908	33,037	27,509	27,509	27,509
22	5,145	8,209	8,003	8,337	8,337	8,337
23	-	11,331	14,996	15,716	15,716	15,716
24	3,844	7,323	3,000	3,000	3,000	3,000
25	1,417	1,635	1,822	1,846	1,846	1,846
26	13,118	13,903	20,155	20,433	20,433	20,433
27	12,195	13,711	16,368	18,300	18,300	18,300
28	1,179	643	316	368	368	368
29	\$ 114,790	\$ 137,230	\$ 160,219	\$ 160,964	\$ 160,964	\$ 160,964
30						
MATERIALS & SERVICES						
32						
33	\$ 3,381	\$ 3,579	\$ 4,300	\$ 5,000	\$ 5,000	5,000
34	1,507	412	1,200	1,200	1,200	1,200
35	4,927	3,290	7,500	7,500	7,500	7,500
36	469	676	650	500	500	500
37	3,553	1,327	4,500	2,710	2,710	2,710
38	6,719	6,923	2,000	6,000	6,000	6,000
39	40,338	37,141	35,850	35,850	35,850	35,850
40	53,905	12,919	18,280	26,000	26,000	26,000
41	7,335	10,827	5,400	5,400	5,400	5,400
42	3,080	4,323	4,600	4,600	4,600	4,600
43	-	155	5,000	5,000	5,000	5,000
44	-	1,908	3,092	-	-	-
45	\$ 125,214	\$ 83,480	\$ 92,372	\$ 99,760	\$ 99,760	99,760
46						
47	\$ 240,004	\$ 220,710	\$ 252,591	\$ 260,724	\$ 260,724	260,724
48	TOTAL EXPENDITURES					

Notes:

38 Budget projections have increased from FY 00-01 to more accurately allocate costs to the programs benefited.

40 Increases from FY 00-01 reflect a more appropriate allocation of expenditures with the programs benefited.

GENERAL FUND

City Recorder - Municipal Court

Actual 1998-99	Actual 1999-00	Adopted 2000-01	Manager Recommended	Committee Approved	Adopted 2001-02
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RESOURCES

1 \$ 234,335 \$ 271,342 \$ 262,008 GENERAL SUPPORT \$ 253,651 \$ 254,751

EXPENDITURES

PERSONAL SERVICES

7 \$ 40,088 \$ 41,306 \$ 41,059 City Recorder \$ 42,353 \$ 42,353
8 22,061 27,963 30,214 Administrative Support Staff 30,240 30,240
9 32,848 35,518 37,397 Court Clerk 39,000 39,000
10 471 24 500 Overtime 500 500
11 1,546 1,596 1,651 Medicare 1,723 1,723
12 15,481 16,764 18,885 Retirement 19,483 19,483
13 14,684 16,454 18,547 Insurance Benefits 19,374 19,374
14 1,121 553 180 Workers Compensation 244 244
15 \$ 128,300 \$ 140,178 \$ 148,433 TOTAL PERSONAL SERVICES \$ 152,917 \$ 152,917

MATERIALS & SERVICES

19 \$ 2,260 \$ 2,625 \$ 2,500 Materials & Supplies \$ 2,500 \$ 2,500
20 2,626 2,986 3,075 Travel & Training 3,075 3,075
21 1,260 1,325 1,600 Legal Services 1,400 1,400
22 9,930 16,987 17,000 Professional Services - Judge 17,000 17,000
23 2,412 2,840 3,500 Contractual Services 2,400 3,500
24 3,125 1,996 1,950 Computer Maintenance 2,500 2,500
25 - 196 350 Equipment Maintenance - -
26 7,266 9,907 10,000 Collections Cost 10,000 10,000
27 15,348 17,653 12,800 CC Assessments 10,758 10,758
28 56,837 74,649 60,800 Unitary Assessment 51,101 51,101
29 4,971 - Refunds - -
30 \$ 106,035 \$ 131,164 \$ 113,575 TOTAL MATERIALS & SERVICES \$ 100,734 \$ 101,834

32 \$ 234,335 \$ 271,342 \$ 262,008 TOTAL EXPENDITURES \$ 253,651 \$ 1,100

Notes:

27& 28 Costs equal 4% and 19% of municipal court fine revenues, respectively.

GENERAL FUND

Police

Actual 1998-99	Actual 1999-00	Adopted 2000-01	Manager Recommended	Committee Approved	Adopted 2001-02
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RESOURCES

INTERGOVERNMENTAL

1	\$	40,000	\$	73,047	\$	96,114	SRO Contract	\$	129,934	\$	129,934
2		35,276		302,389		141,000	Grants		51,667		51,667
3		1,545		188		-	Crime Prevention		-		-
4	\$	76,821	\$	375,624	\$	237,114	Total Intergovernmental	\$	181,601	\$	181,601

FINES & FORFEITS

8	\$	292,216	\$	320,997	\$	320,000	Municipal Court Fines	\$	268,952	\$	268,952
9		-		-		-	Court Fine Administrative Assessment		-		26,000
10		34,833		47,409		50,000	Collections - Past Due		50,000		50,000
11		39,153		45,417		46,000	Impoundment Fees		33,511		44,681
12		4,479		-		-	Civil Forfeitures		-		-
13	\$	370,681	\$	413,823	\$	416,000	Total Fines & Forfeits	\$	352,463	\$	389,633

MISCELLANEOUS

17	\$	168	\$	540	\$	-	Police Donations	\$	-	\$	-
18		9,317		333		3,000	K-9 Donations		500		500
19		1,376		2,009		1,500	Special Duty Officers		2,000		2,000
20		-		-		33,493	Exchange of Equipment		-		-
21	\$	10,861	\$	2,882	\$	37,993	Total Miscellaneous	\$	2,500	\$	2,500
23	\$	458,363	\$	792,329	\$	691,107	TOTAL ACTIVITY GENERATED	\$	536,564	\$	573,734
24		2,752,750		2,670,083		2,982,105	GENERAL SUPPORT		3,398,299		3,361,129
25	\$	3,211,113	\$	3,462,412	\$	3,673,212	TOTAL RESOURCES	\$	3,934,863	\$	3,934,863

Notes:

- Additional grant funds will be received in FY 01-02, which partially pay for the school resource officer assigned to the new school.
- The 3-year COPPS grant expires in FY 01-02, which partially funded 6 police officers. Additional grant funds have been awarded to the City to help fund the new school resource officer position.
- Fines continue to decline over budget projections. FY 01-02 estimates reflect revenue trends from FY 00-01 amounts received. \$10 administrative assessment on tickets at 2600 tickets per year increases revenue \$26,000 over FY 01-02 Mrg Recommended.
- Tow Fee increase fm \$75 to \$100 increases revenue \$11,170 over FY 01-02 Mgr. Recommended.
- Due to changes in Oregon Law, the City no longer collects civil forfeitures.
- The Exchange of Equipment in FY 00-01 was a one time barter agreement where s equipment was exchanged for police ammunition and weapons.

GENERAL FUND

Police

	Actual 1998-99	Actual 1999-00	Adopted 2000-01	Manager Recommended	Committee Approved	Adopted 2001-02
EXPENDITURES						
PERSONAL SERVICES						
31 \$	34,790	\$ 38,777	\$ 40,717	40,956	\$ 40,956	
32	4,661	5,016	5,761	5,281	5,281	
33	69,713	84,436	82,536	85,140	85,140	
34	127,776	140,663	142,600	142,584	142,584	
35	274,582	276,596	476,767	493,204	493,204	
36	126,266	191,843	187,475	248,686	248,686	
37	13,360	4,824	-	-	-	
38	954,501	1,085,855	921,383	895,234	895,234	
39	44,741	25,093	28,091	33,136	33,136	
40	132,767	154,922	169,396	181,933	181,933	
41	40,322	35,440	-	-	-	
42	-	-	109,318	144,788	144,788	
43	-	34,726	37,809	40,944	40,944	
44	490	-	-	-	-	
45	104,162	92,206	90,000	133,116	133,116	
46	29,859	33,022	33,841	37,575	37,575	
47	340,190	353,548	400,710	486,494	486,494	
48	226,395	268,451	288,082	300,436	300,436	
49	-	8	1,575	1,575	1,575	
50	26,549	56,867	54,651	72,935	72,935	
51	30,509	-	-	-	-	
52 \$	2,581,633	\$ 2,882,293	\$ 3,070,712	\$ 3,344,017	\$ 3,344,017	

Notes:

- 36 Through a Department reorganization the number of detectives increased from 4 officers to 5 officers.
- 38 The number of police officers decreased from 21 officers in 00-01 to 19 officers in 01-02. The two police officer positions were reassigned to Detective and School Resource Officer positions.
- 42 The number of School Resource Officer positions increased from 2 officers in FY 00-01 to 3 officers in FY 01-02 to cover the new middle school.
- 45 The need for overtime depends on the number and complexity of crimes over the next year. The City estimates overtime costs to be approximately 10% of sworn-represented staff salaries.
- 46 The PERS employer contribution went from 6% in FY 00-01 to 7.96% in FY 01-02.
- 47 Worker's compensation costs are expected to increase 30% in FY 01-02.

GENERAL FUND

Police

	Actual 1988-99	Actual 1999-00	Adopted 2000-01	Manager Recommended	Committee Approved	Adopted 2001-02
MATERIALS & SERVICES						
53						
54						
55						
56	\$ 16,893	\$ 19,378	\$ 20,000	\$ 20,000	\$ 20,000	20,000
57						
58	36,016	27,913	5,150	3,000	3,000	3,000
59	10,977	2,388	26,000	26,000	26,000	26,000
60	5,331	4,031	3,000	3,000	3,000	3,000
61	5,080	7,000	5,000	4,500	4,500	4,500
62	15,470	22,804	8,000	8,500	8,500	8,500
63	973	4,823	24,000	24,000	24,000	24,000
64	6,749	4,090	5,000	5,000	5,000	5,000
65	9,642	3,848	4,000	4,000	4,000	4,000
66	2,533	1,805	6,000	4,000	4,000	4,000
67	8,652	9,617	-	-	-	-
68	8,410	6,042	9,000	9,000	9,000	9,000
69	28,395	26,869	6,000	7,800	7,800	7,800
70	50,351	39,499	23,000	23,000	23,000	23,000
71	16,469	22,100	45,700	50,270	50,270	50,270
72	2,923	3,495	-	25,000	25,000	25,000
73	27,686	35,860	5,500	5,000	5,000	5,000
74	36,602	20,404	35,000	35,000	40,000	40,000
75	50,060	41,376	19,250	22,531	22,531	22,531
76	18,252	17,987	25,000	25,000	25,000	25,000
77	4,286	4,210	19,500	19,000	19,000	19,000
78	16,848	27,988	5,000	5,000	5,000	5,000
79	-	-	29,000	29,000	24,000	24,000
80	161,731	152,582	38,193	5,000	5,000	5,000
81	60,019	61,288	162,316	167,250	167,250	167,250
82	12,979	8,088	50,891	41,995	41,995	41,995
83	4,218	1,728	13,000	13,000	13,000	13,000
84	8,115	-	4,000	4,000	4,000	4,000
85	1,000	404	-	-	-	-
86	1,388	2,502	1,000	1,000	1,000	1,000
87	\$ 628,048	\$ 580,119	\$ 598,500	\$ 590,846	\$ 590,846	590,846
88						
TOTAL MATERIALS AND SERVICES						

GENERAL FUND

Police

Actual 1998-99	Actual 1999-00	Adopted 2000-01	Manager Recommended	Committee Approved	Adopted 2001-02
<u>CAPITAL OUTLAY</u>					
91 \$	1,047 \$	- \$	4,000	Protective Vests	\$ -
92	385	-	-	Computer Equipment	-
93 \$	1,432 \$	- \$	4,000	TOTAL CAPITAL OUTLAY	\$ -
94					
95 \$	3,211,113 \$	3,462,412 \$	3,673,212	TOTAL EXPENDITURES	\$ 3,934,863

GENERAL FUND

Stadium Operations

	Actual 1998-99	Actual 1999-00	Adopted 2000-01		Manager Recommended	Committee Approved	Adopted 2001-02
RESOURCES							
MISCELLANEOUS							
1	\$	71,557	\$	70,000	Stadium Rent	\$	58,344
2	\$	71,557	\$	70,000	TOTAL RESOURCES	\$	58,344
3							
4	EXPENDITURES						
5							
6							
7	<u>MATERIALS & SERVICES</u>						
8	\$	243	\$	-	Legal Services	\$	-
9		221		-	Contractual Services		-
10		28,694		34,527	Property Tax	35,028	35,028
11	\$	29,158	\$	34,527	TOTAL MATERIALS & SERVICES	\$	35,028
12							
13	\$	42,399	\$	37,463	AVAILABLE FOR GENERAL SUPPORT	\$	23,316
14	\$	71,557	\$	70,984	TOTAL EXPENDITURE & GENERAL SUPPORT	\$	58,344

Notes:

- 1 FY 00-01 Revenues are down from previous years' actuals. The FY 01-02 budgeted amount reflects this trend.
- 10 Property taxes are paid on the parking lot as provided in the lease agreement with the Volcanoes ball club. The City anticipates a 3% increase in assessed value, which is the maximum allowed under ballot measure 50. Actual payment in FY 00-01 was \$34,008.

SPECIAL REVENUE FUND

Revenue Sharing

	Actual 1998-99	Actual 1999-00	Adopted 2000-01		Manager Recommended	Committee Approved	Adopted 2001-02
1	\$ 26,365	\$ 45,942	\$ 64,790	Beginning Fund Balance	\$ 48,295	\$ 48,295	
2							
3				RESOURCES			
4							
5	134,999	149,953	161,370	State Revenue Sharing	\$ 166,827	\$ 166,827	
6	62	-	-	Interest	-	-	
7	\$ 161,426	\$ 195,895	\$ 226,160	TOTAL RESOURCES	\$ 215,122	\$ 215,122	

Notes:

- 5 State shared revenues are expected to increase 1.88% over FY 00-01. FY 00-01 revenues are projected to be \$163,750 by year end.
- 6 Interest earned on cash balances in this fund are allocated to the General Fund.

SPECIAL REVENUE FUND

Revenue Sharing

Actual 1998-99	Actual 1999-00	Adopted 2000-01	Manager Recommended	Committee Approved	Adopted 2001-02
EXPENDITURES					
MATERIALS & SERVICES					
13	\$ -	\$ -	\$ 5,800	\$ -	\$ -
14	-	-	35,000	-	-
15	-	-	25,000	-	-
16	-	-	13,500	-	-
17	\$ -	\$ -	\$ 79,300	\$ -	\$ -
CAPITAL OUTLAY					
21	\$ -	\$ 4,409	\$ -	\$ -	\$ -
22	5,558	1,546	4,000	1,660	1,660
23	-	12,287	-	-	-
24	-	1,000	20,000	2,000	2,000
25	-	-	7,500	7,500	7,500
26	-	2,592	-	-	-
27	7,364	19,045	-	39,000	39,000
28	-	277	-	4,000	4,000
29	12,411	10,220	-	-	-
30	42,717	39,171	10,313	10,313	10,313
31	4,068	-	-	-	-
32	43,366	17,024	87,500	87,500	87,500
33	-	6,709	-	-	-
34	-	14,110	14,110	14,110	14,110
35	-	14,216	-	-	-
36	\$ 115,484	\$ 142,606	\$ 145,960	\$ 166,083	\$ 166,083
37	TOTAL CAPITAL OUTLAY				
38	\$ 115,484	\$ 142,606	\$ 225,260	\$ 166,083	\$ 166,083
39	TOTAL EXPENDITURES				

Notes:

- Materials & Services for General Fund operations were funded in the Revenue Sharing Fund in FY 00-01. These costs are funded in the General Fund in FY 01-02.
- Costs include lease payments for a photocopy machine. The lease expires in 2003.
- The Parks Master Plan is for the Chalmers Jones park.
- Costs include lease purchase payments for a pick up for the Parks Department. The vehicle will be paid for by the end of FY 02-03.
- Costs include the purchase of 2 motorcycles plus \$4000 for related equipment.
- Costs include anticipated computer replacement equipment.
- Costs include \$62,000 for 7 vehicles for the 2nd year of a 3-year lease plus \$25,500 for the 3rd year of a 5-year lease.

Revenue Sharing

Notes:

43 The transfer to the Urban Renewal District is repayment for funds used by the City for facility maintenance. The City discovered this error and is repaying the Urban Renewal District in FY 01-02 with interest.

SPECIAL REVENUE FUND

Housing Services

	Actual 1998-99	Actual 1999-00	Adopted 2000-01		Manager Recommended	Committee Approved	Adopted 2001-02
1	\$ 17,479	\$ 52,445	\$ 23,454	Beginning Fund Balance	\$ 35,178	\$ 35,178	
2							
3				RESOURCES			
4							
5	54,740	16,423	80,000	Loan Proceeds	80,000	80,000	
6	2,228	1,984	-	Interest Revenue	-	-	
7	\$ 74,447	\$ 70,852	\$ 103,454	TOTAL RESOURCES	\$ 115,178	\$ 115,178	
8							
9				EXPENDITURES			
10							
11				MATERIALS & SERVICES			
12							
13	\$ 3,797	\$ 5,738	\$ 5,000	Contractual Services	\$ 11,518	\$ 11,518	
14	18,205	26,936	80,000	Housing Rehabilitation Services	103,660	103,660	
15	\$ 22,002	\$ 32,674	\$ 85,000	TOTAL MATERIALS & SERVICES	\$ 115,178	\$ 115,178	
16							
17	\$ 22,002	\$ 32,674	\$ 85,000	TOTAL EXPENDITURES	\$ 115,178	\$ 115,178	
18							
19				TRANSFERS			
20							
21	\$ -	\$ -	\$ 3,000	Transfer to General Fund	\$ -	\$ -	
22							
23				FUND BALANCE			
24							
25	52,445	38,178	15,454	Undesignated Ending Fund Balance	-	-	
26							
27	\$ 74,447	\$ 70,852	\$ 103,454	TOTAL EXPENDITURE & FUND BALANCE	\$ 115,178	\$ 115,178	

Notes:

- 5 Proceeds from loan repayments are difficult to forecast. \$80,000 has been budgeted to provide appropriation should funds become available.
- 6 Interest earned on cash balances in this fund are allocated to the General Fund.
- 13 This program is operated through a contract with the City of Salem whereby Salem receives 10% on loans made to cover its administrative costs.
- 14 Expenditure represents loans made from all available resources including beginning fund balance should funds become available. (See note 5)

SPECIAL REVENUE FUND

Street Fund

	Actual 1998-99	Actual 1999-00	Adopted 2000-01		Manager Recommended	Committee Approved	Adopted 2001-02
1	\$ 888,894	\$ 482,055	\$ 855,182	Beginning Fund Balance	\$ 683,493	\$ 683,493	
2							
3				RESOURCES			
4							
5	14,236	38,160	47,987	Planning Construction Fees	19,080	19,080	
6	-	31,439	-	ODOT Bike Grant	-	-	
7	-	53,906	-	Disaster Grant (1099 HMGF)	-	-	
8	1,158,171	1,313,465	1,327,696	State Fuels Tax	1,278,740	1,278,740	
9	7,330	3,109	-	Alder Street Grant	-	125,000	
10	1,515	751	2,200	Orchard-Filmore Assessments	1,630	1,630	
11	28,877	37,212	1,200	Orchard-Filmore Assessment Interest	760	760	
12	1,405	10,559	-	Interest	-	-	
13	-	125,565	-	Miscellaneous Revenue	-	-	
14	19,723	-	-	Transfer from Utility Fund	-	-	
15	\$ 2,120,151	\$ 2,096,221	\$ 2,234,265	Transfer from Street Assessments	-	-	
				TOTAL RESOURCES	\$ 1,983,703	\$ 2,108,703	

Notes:

- 8 No change is anticipated for State Fuel Tax Revenues over FY 00-01 projections of \$1,278,740.
- 11 Interest earned on cash balances in this fund are allocated to the General Fund.
- 12 Miscellaneous revenues are one time revenues that are not characterized by line-item descriptions.

SPECIAL REVENUE FUND

Street Fund

Actual 1998-99	Actual 1999-00	Adopted 2000-01	Manager Recommended	Committee Approved	Adopted 2001-02
EXPENDITURES					
PERSONAL SERVICES					
21	\$ 10,750	\$ 17,924	\$ 7,130	\$ 7,130	7,130
22	29,279	37,687	28,930	28,930	28,930
23	17,334	20,160	22,579	22,579	22,579
24	5,291	5,901	6,050	6,050	6,050
25	24,145	38,353	35,376	35,376	35,376
26	4,104	2,596	3,205	3,205	3,205
27	-	5,896	5,913	5,913	5,913
28	-	-	3,057	3,057	3,057
29	10,640	11,910	17,466	17,466	17,466
30	-	-	2,827	2,827	2,827
31	2,897	3,577	3,861	3,861	3,861
32	-	7,523	5,281	5,281	5,281
33	1,380	2,768	3,300	3,300	3,300
34	1,672	2,320	2,227	2,227	2,227
35	15,266	23,538	26,274	26,274	26,274
36	13,710	18,086	21,186	21,186	21,186
37	433	-	500	500	500
38	1,409	1,994	2,255	2,255	2,255
39	5,618	-	-	-	-
40	\$ 143,928	\$ 200,233	\$ 197,417	\$ 197,417	197,417
41	TOTAL PERSONAL SERVICES				

SPECIAL REVENUE FUND

Street Fund

	Actual 1998-99	Actual 1999-00	Adopted 2000-01		Manager Recommended	Committee Approved	Adopted 2001-02
<u>MATERIALS & SERVICES</u>							
42							
43							
44	\$ 1,119	\$ 1,362	\$ 1,413	Materials & Supplies	\$ 1,500	\$ 1,500	1,500
45	-	-	-	Postage & Printing	1,152	1,152	1,152
46	2,003	2,743	1,401	Dues/Subscriptions	3,000	3,000	3,000
47	3,553	2,962	3,232	Training & Travel	4,446	4,446	4,446
48	10,698	11,879	7,000	Legal Services	7,000	7,000	7,000
49	898	1,273	1,000	Contractual Services	1,500	1,500	1,500
50	-	12,742	3,000	River Wall Contract Services	-	-	-
51	1,820	1,865	1,916	Audit	1,900	1,900	1,900
52	110,161	88,378	75,000	Engineering Services	79,190	79,190	79,190
53	-	5,802	7,000	Traffic Engineering	9,000	9,000	9,000
54	480	1,195	1,000	Janitorial	1,200	1,200	1,200
55	3,965	8,258	8,800	Insurance	9,690	9,690	9,690
56	4,384	1,408	1,127	Computer Maintenance	1,687	1,687	1,687
57	1,794	3,702	3,000	Equipment Maintenance	4,000	4,000	4,000
58	-	5,165	10,500	Facility Maintenance	1,200	1,200	1,200
59	-	-	2,846	Office Equipment-Maintenance	3,000	3,238	3,238
60	17,209	31,310	25,000	Sidewalk Maintenance	10,000	10,000	10,000
61	69,008	33,650	50,000	Storm Drain Maintenance	65,000	65,000	65,000
62	51,954	67,604	68,000	Street Sweeping	68,000	68,000	68,000
63	273,620	74,806	526,000	Street Resurfacing	300,000	300,000	300,000
64	65,245	109,372	100,000	Street Maintenance	115,000	115,000	115,000
65	31,071	47,924	55,000	Street Light Utilities	55,000	55,000	55,000
66	9,770	17,026	19,000	Traffic Light Utilities	22,000	22,000	22,000
67	14,000	22,563	-	CCTV - Cable Reg. Commission	-	-	-
68	5,000	-	-	Miscellaneous Expense	-	-	-
69	11,109	32,602	15,000	Flood & Drainage Services	15,000	15,000	15,000
70	\$ 688,861	\$ 585,591	\$ 986,235	TOTAL MATERIALS & SERVICES	\$ 779,465	\$ 779,703	

Notes:

45 The Street Fund has not previously paid its share of Postage & Printing costs.

55 The City's Insurance carrier projects a 10% increase in insurance costs.

SPECIAL REVENUE FUND

Street Fund

	Actual 1998-99	Actual 1999-00	Adopted 2000-01		Manager Recommended	Committee Approved	Adopted 2001-02
<u>CAPITAL OUTLAY</u>							
71							
72							
73							
74	\$ 3,138	\$ 7,379	\$ 7,407	GIS System	\$ 7,407	\$ 7,407	7,407
75	-	-	472	Copier	472	472	472
76	-	545	685	Office Equipment & Furniture	25	25	25
77	1,257	488	523	Computer Equipment	1,700	1,700	1,700
78	-	612	-	Software	-	-	-
79	39,868	435	-	Vehicle	-	-	-
80	830	-	125,000	Master Plan	125,000	125,000	125,000
81	57,582	-	-	Keizer Levee Study	-	-	-
82	63,531	96,949	50,000	Bike Paths	80,000	80,000	80,000
83	436,930	167,470	220,000	Street Improvements	425,000	547,000	547,000
84	-	-	-	Infill Sidewalk Completions	25,000	25,000	25,000
85	-	-	-	School Zone Flasher Update	15,000	15,000	15,000
86	57,171	26,835	135,000	Storm Drains	50,000	50,000	50,000
87	-	1,740	-	Shop Paving	-	-	-
88	-	4,000	-	Shop Addition	-	-	-
89	-	5,994	5,300	Field Equipment	1,500	1,500	1,500
90	-	318,110	267,728	Keizer Levee Construction	-	-	-
91	-	148,060	-	Labish HMG Grant Expenditures	-	-	-
92	-	-	5,000	Fork Lift	-	-	-
93	\$ 660,307	\$ 778,617	\$ 817,115	TOTAL CAPITAL OUTLAY	\$ 731,104	\$ 853,104	
94							
95	\$ 1,493,096	\$ 1,564,441	\$ 1,989,441	TOTAL EXPENDITURES	\$ 1,707,986	\$ 1,830,224	

Notes:

80 The \$125,000 budgeted in FY 00-01 was not expended and is therefore carried over to FY 01-02. The master plan is for storm drain improvements.

SPECIAL REVENUE FUND

Street Fund

	Actual 1998-99	Actual 1999-00	Adopted 2000-01	Manager Recommended	Committee Approved	Adopted 2001-02
96						
97						
98						
99	\$ 145,000	\$ -	\$ -	\$ 1,696	\$ 1,696	
100						
101						
102						
103	-	-	120,000	100,000	100,000	
104	-	-	25,000	35,000	35,000	
105	-	-	-	50,000	50,000	
106	482,055	531,780	99,824	89,021	91,783	
107						
108	\$ 2,120,151	\$ 2,096,221	\$ 2,234,265	\$ 1,983,703	\$ 2,108,703	

TRANSFERS

- Transfer to Urban Renewal \$ 1,696 \$ 1,696

FUND BALANCE

Contingency 100,000 100,000
Reserve for Shop Addition 35,000 35,000
Reserve for Foot Bridge 50,000 50,000
Undesignated Ending Fund Balance 89,021 91,783

TOTAL EXPENDITURE & FUND BALANCE \$ 1,983,703 \$ 2,108,703

Notes:

99 The transfer to the Urban Renewal District is repayment for funds used by the City for facility maintenance. The City discovered this error and is repaying the Urban Renewal District in FY 01-02 with interest.

SPECIAL REVENUE FUND

Crime Prevention Grant

	Actual 1998-99	Actual 1999-00	Adopted 2000-01	Manager Recommended	Committee Approved	Adopted 2001-02
1	\$	10,351	\$	11,795	Beginning Fund Balance	\$
2						
3						
4						
5	500	-	-	-	-	-
6	570	539	-	-	-	-
7	\$	11,421	\$	11,795	TOTAL RESOURCES	\$
8						
9						
10						
11						
12						
13	\$	370	\$	-	\$	5,898
14	\$	370	\$	-	\$	5,898
15						
16						
17						
18	\$	64	\$	-	\$	5,897
19	\$	64	\$	-	\$	5,897
20						
21						
22	\$	-	\$	-	\$	-
23	\$	-	\$	-	\$	-
24	\$	-	\$	-	\$	-
25						
26	\$	434	\$	-	\$	11,795
27						
28						
29						
30	10,987	11,526	\$	-	\$	-
31						
32	\$	11,421	\$	11,795	TOTAL EXPENDITURE & FUND BALANCE	\$

Notes: The Crime Prevention Grant Fund has been funded by federal grants. No grant revenues are anticipated in FY 01-02 and the City plans to fully expend existing grant money.

SPECIAL REVENUE FUND

911 Communications

	Actual 1998-99	Actual 1999-00	Adopted 2000-01		Manager Recommended	Committee Approved	Adopted 2001-02
1	\$ 198,807	\$ 170,439	\$ 167,025	Beginning Fund Balance	\$ 159,995	\$ 159,995	
2							
3				RESOURCES			
4							
5	81,702	150,577	124,780	911 Excise Tax	132,190	132,190	
6	11,075	8,488	-	Interest	-	-	
7	\$ 291,584	\$ 329,504	\$ 291,805	TOTAL RESOURCES	\$ 292,185	\$ 292,185	
8							
9				EXPENDITURES			
10							
11				MATERIALS & SERVICES			
12							
13	\$ 52,130	\$ 50,861	\$ 60,544	911 Calls	\$ 52,058	\$ 52,058	
14	44,207	50,860	56,275	Police Dispatch	55,704	55,704	
15	24,808	27,454	53,655	DST. to 911 Agencies	56,842	56,842	
16	\$ 121,145	\$ 129,175	\$ 170,474	TOTAL MATERIALS & SERVICES	\$ 164,604	\$ 164,604	
17							
18	\$ 121,145	\$ 129,175	\$ 170,474	TOTAL EXPENDITURES	\$ 164,604	\$ 164,604	
19							
20				FUND BALANCE			
21							
22							
23	-	-	121,331	Contingency	127,581	127,581	
24	170,439	200,329	-	Undesignated Ending Fund Balance	-	-	
25							
26	\$ 291,584	\$ 329,504	\$ 291,805	TOTAL EXPENDITURE & FUND BALANCE	\$ 292,185	\$ 292,185	

Notes:

- 5 911 Excise Tax revenue is expected to increase 1% over FY 00-01 actual projections.
- 6 Interest earned on cash balances in this fund are allocated to the General Fund.
- 13 Of the estimated \$275,012 to be expended to Willamette Valley Communications Center, 19% is expected to be paid for 911 Calls.
- 14 Of the estimated \$275,012 to be expended to Willamette Valley Communications Center, 20.3% is expected to be paid for Police Dispatch.
- 15 Of the estimated \$132,190 to be received in 911 Excise Tax revenues, 39% is to be remitted to the Keizer Fire District and 4% is to be remitted to the Marion County Fire District.

CAPITAL PROJECTS FUND

City Hall Facility Fund

Actual 1998-99	Actual 1999-00	Adopted 2000-01	Manager Recommended		Committee Approved	Adopted 2001-02
\$ 103,265	\$ 12,857	\$ 60,431	Beginning Fund Balance	\$ 56,008	\$ 56,008	
RESOURCES						
3,615	4,361	3,000	Interest	-	-	-
-	100,000	100,000	Transfer from Urban Renewal Project Fund	-	-	-
\$ 106,880	\$ 117,218	\$ 163,431	TOTAL RESOURCES	\$ 56,008	\$ 56,008	
EXPENDITURES						
<u>CAPITAL OUTLAY</u>						
\$ 94,023	\$ 66,577	\$ 60,000	Improvements	-	\$ -	-
\$ 94,023	\$ 66,577	\$ 60,000	TOTAL EXPENDITURES	\$ -	\$ -	-
TRANSFERS						
\$ -	\$ -	\$ -	Transfer to Urban Renewal Fund	\$ 56,008	\$ 56,008	
FUND BALANCE						
-	-	103,431	Contingency	-	-	-
12,857	50,641	-	Undesignated Ending Fund Balance	-	-	-
\$ 106,880	\$ 117,218	\$ 163,431	TOTAL EXPENDITURE & FUND BALANCE	\$ 56,008	\$ 56,008	

Park Improvement Fund

Notes:

5 FY 00-01 interest earned was budgeted in the General Fund. It was later determined that this revenue is to be used for Park Improvements. The accounting records reflect this correction and the FY 01-02 budget provides for interest revenue.

6 In FY 00-01 the City increased System Development Fees and provides that 10% of the revenue is to be allocated to the General Fund to cover administrative costs.

DEBT SERVICE FUND

Street Assessments

	Actual 1998-99	Actual 1999-00	Adopted 2000-01		Manager Recommended	Committee Approved	Adopted 2001-02
1	\$	80,673	\$	-	\$	-	\$
2				-	Beginning Fund Balance		-
3					RESOURCES		
4							
5					<u>Keizer Heights LID</u>		
6	-	-	-	-	- Assessments	-	-
7	-	-	-	-	- Assessment Interest	-	-
8							
9					<u>Orchard-Filmore</u>		
10	-	-	-	-	- Assessments	-	-
11	-	-	-	-	- Assessment Interest	-	-
12							
13	1,391	-	-	-	- Interest	-	-
14	(81)	-	-	-	- Miscellaneous Revenue	-	-
15	\$	81,983	\$	-	\$	-	\$
16					TOTAL RESOURCES		
17							
18					TRANSFERS		
19	\$	19,723	\$	-	\$	-	\$
20		62,260	-	-	- Transfer to Street Fund	-	-
21	\$	81,983	\$	-	\$	-	\$
22					- Transfer to General Fund	-	-
23	\$	-	\$	-	- TOTAL TRANSFERS	-	-
24							
25	\$	81,983	\$	-	\$	-	\$
					- Undesignated Ending Fund Balance	-	-
					TOTAL EXPENDITURE & FUND BALANCE		

Notes:

The Assessment bonds for this fund have matured and been paid by the City. The corresponding assessments to property owners have expired as well.

ENTERPRISE FUND

Utilities Fund

	Actual 1998-99	Actual 1999-00	Adopted 2000-01	Manager Recommended	Committee Approved	Adopted 2001-02
1	\$ 174,484	\$ 281,659	\$ 81,946	\$ 274,336	\$ 274,336	
2						
3						
4						
5	1,631	8,697	11,000	4,000	4,000	
6	2,703,007	2,962,384	3,249,768	3,336,000	3,336,000	
7	247,237	218,802	240,214	211,500	211,500	
8	281,963	1,573	-	-	-	
9	-	4,764	4,600	4,641	4,641	
10	909	-	900	-	-	
11	\$ 3,409,231	\$ 3,457,879	\$ 3,588,428	\$ 3,556,141	\$ 3,556,141	
12						
13						
14	\$ -	\$ 3,754	\$ 3,700	\$ 3,380	\$ 3,380	
15	573	-	575	-	-	
16	9,688	7,791	-	-	-	
17	1,798	9,444	-	-	-	
18	\$ 12,059	\$ 20,989	\$ 4,275	\$ 3,380	\$ 3,380	
19						
20						
21	\$ 3,421,290	\$ 3,478,868	\$ 3,592,703	\$ 3,833,857	\$ 3,833,857	

RESOURCES

MISCELLANEOUS

Notes:

- 5 Revenue decreases reflect the decline in growth over previous years.
- 6 Increases reflect the City of Salem staff's proposed increase of 8% in FY 01-02.
- 8 The Lighting District activity was moved to the Street Lighting District fund in FY 99-00.
- 10 The Wheatland Sewer Assessments have been fully paid by the property owners.
- 16 Interest earned on cash balances in this fund are allocated to the General Fund.

Utilities Fund

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PERSONAL SERVICES

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ENTERPRISE FUND

Utilities Fund

	Actual 1998-99	Actual 1999-00	Adopted 2000-01	Manager Recommended	Committee Approved	Adopted 2001-02
MATERIALS & SERVICES						
43						
44						
45	\$ 4,789	\$ 7,049	\$ 5,460	\$ 7,400	\$ 7,400	7,400
46	8,093	9,217	9,977	18,380	18,380	18,380
47	1,020	1,449	933	2,250	2,250	2,250
48	2,033	2,866	4,900	2,637	2,637	2,637
49	349	933	1,000	335	335	335
50	4,017	3,115	2,300	3,435	3,435	3,435
51	7,018	3,182	3,000	1,200	1,200	1,200
52	910	1,149	3,335	3,335	3,335	3,335
53	40,152	36,666	24,000	29,800	29,800	29,800
54	2,394	899	500	2,200	2,200	2,200
55	521	87	100	-	-	-
56	28	4,960	5,300	8,735	8,735	8,735
57	3,576	2,727	4,270	2,854	2,854	2,854
58	-	-	73	360	542	542
59	-	4,731	10,500	900	900	900
60	244,874	-	-	-	-	-
61	2,692,607	2,916,306	3,246,007	3,337,113	3,337,113	3,337,113
62	14,000	20,651	-	-	-	-
63	\$ 3,026,381	\$ 3,015,987	\$ 3,321,655	\$ 3,420,934	\$ 3,421,116	\$ 3,421,116
CAPITAL OUTLAY						
64						
65						
66						
67	\$ 8,430	\$ -	\$ -	\$ -	\$ -	-
68	-	-	571	360	360	360
69	-	210	400	-	-	-
70	334	2,159	1,780	100	100	100
71	2,992	2,462	422	714	714	714
72	\$ 11,756	\$ 4,831	\$ 3,173	\$ 1,174	\$ 1,174	\$ 1,174

Notes:

- 46 Costs have increased because of changes in cost allocation methods to more accurately match costs with the benefit derived among funds.
- 56 Costs have increased because of changes in cost allocation methods to more accurately match costs with the benefit derived among funds. Also, the City's Insurance carrier projects a 10% increase in insurance costs in FY 01-02.
- 60 The Lighting District activity was moved to the Street Lighting District fund in FY 99-00.
- 61 Increases reflect the City of Salem staff's proposed increase of 8% in FY 01-02.

Actual	Actual	Adopted	Manager Recommended	Committee Approved	Adopted
1998-99	1999-00	2000-01			2001-02

Notes:

87 When the SLD fund was created a beginning balance of \$34,644 was calculated as the amount attributed to SLD activities. The transfer was not made at that time, therefore, interest for 2 years at 5.9% has been added to the amount owed.

88 The transfer to the Urban Renewal District is repayment for funds used by the City for facility maintenance. The City discovered this error and is repaying the Urban Renewal District in FY 01-02 with interest.

89 The fund balance represents an amount owed to the City of Salem for sewer payments and is due by July 10, 2002.

ENTERPRISE FUND

Water Fund

	Actual 1998-99	Actual 1999-00	Adopted 2000-01		Manager Recommended	Committee Approved	Adopted 2001-02
1	\$	690,611	\$	440,927	Beginning Fund Balance	\$	414,752
2							
3							
4							
5	12,218	17,139	14,000		Planning & Construction Fees	14,000	14,000
6	1,660,098	1,737,849	1,691,122		Water Sales	1,780,213	1,780,213
7	73,346	56,638	50,000		Service Fees	47,000	47,000
8	17,347	5,350	3,000		Interest	5,880	5,880
9	36,801	4,241	2,000		Miscellaneous	2,000	2,000
10	6,313	10,500	7,500		Live Tap Reimbursement	6,000	6,000
11	\$	2,496,734	\$	2,329,584	\$	2,269,845	\$ 2,269,845
					TOTAL RESOURCES		

RESOURCES

Notes:

- 6 In FY 00-01 Water Rates were reduced by 5% and the City imposed a 5% franchise fee on Water Sales to be paid to the General Fund. The City anticipates 1.5% growth in Water Sales over current year projections.
- 9 Miscellaneous revenues include one time revenues that are not characterized by line-item descriptions.

ENTERPRISE FUND

Water Fund

Actual 1998-99	Actual 1999-00	Adopted 2000-01	Manager Recommended	Committee Approved	Adopted 2001-02
EXPENSES					
PERSONAL SERVICES					
12					
13					
14					
15					
16					
17	\$ 15,357	\$ 58,363	\$ 6,918	\$ 7,130	\$ 7,130
18	14,640	18,843	19,449	20,664	20,664
19	26,000	30,240	32,194	33,869	33,869
20	283,636	280,996	296,805	301,840	301,840
21	4,105	2,596	965	1,282	1,282
22	-	1,966	1,896	1,971	1,971
23	72,399	86,053	91,684	97,889	97,889
24	13,445	18,226	10,135	11,307	11,307
25	26,069	18,567	18,716	19,305	19,305
26	4,661	6,270	6,709	6,601	6,601
27	-	-	38,000	38,000	38,000
28	-	-	3,000	2,500	2,500
29	17,840	16,959	16,000	16,000	16,000
30	5,200	5,400	5,200	10,400	10,400
31	7,468	8,305	7,462	8,160	8,160
32	74,181	84,632	84,163	93,851	93,851
33	73,422	79,376	81,950	93,470	93,470
34	4,325	-	8,000	8,000	8,000
35	5,454	7,910	6,779	9,499	9,499
36	7,015	-	-	-	-
37	\$ 655,217	\$ 724,702	\$ 736,025	\$ 781,738	\$ 781,738

Notes:

30 Per the Union contract negotiated in FY 00-01, Duty Pay went from \$100 per week to \$200 per week. One Public Works employees is assigned to after hours duty each week.

ENTERPRISE FUND

Water Fund

	Actual 1998-99	Actual 1999-00	Adopted 2000-01	Manager Recommended	Committee Approved	Adopted 2001-02
--	-------------------	-------------------	--------------------	------------------------	-----------------------	--------------------

38						
39						
40						
41	\$	14,873	\$	13,736	Materials & Supplies	13,500
42		12,075		14,581	Postage & Printing	14,500
43		-		4,000	Concrete	4,000
44		3,472		5,000	Rock & Backfill	6,000
45		8,222		10,000	Paving	10,000
46		26,858		55,000	Sequestering Agent	55,000
47		9,646		12,000	Fluoride	12,000
48		4,940		5,885	Dues & Subscriptions	5,885
49		14,336		13,665	Travel & Training	16,553
50		1,186		1,000	Advertising	1,000
51		2,470		3,000	Legal Services	5,000
52		23,390		19,000	Contractual Services	49,000
53		2,600		1,870	Audit	1,870
54		463		2,000	Flagging	2,000
55		28,150		25,000	Engineering Services	25,000
56		8,057		7,000	Janitorial	7,500
57		2,590		3,000	Clothing	3,000
58		103,831		104,000	Utilities	135,200
59		5,210		5,500	Natural Gas	7,680
60		29,245		29,000	Telephone	29,000
61		(515)		6,000	Telemetry	10,000
62		32,107		31,600	Insurance	34,760
63		7,717		10,000	Gasoline	16,000
64		3,185		6,000	Diesel Fuel	11,200
65		15,432		6,494	Computer Maintenance	8,472
66		16,236		13,000	Vehicle Maintenance	13,000
67		12,876		9,821	Equipment Maintenance	9,986
68		-		10,500	Facility Maintenance	4,940
69		31,750		32,000	Plant Maintenance	32,000
70		5,738		5,000	Live Taps	5,000
71		15,019		20,000	Pumphouse Maintenance	20,000
72		27,755		25,000	Pump Maintenance	25,000
73		22,887		30,000	Op Mat/Supplies	32,000
74		194,012		120,000	Watermains	-

ENTERPRISE FUND

Water Fund

	Actual 1998-99	Actual 1999-00	Adopted 2000-01		Manager Recommended	Committee Approved	Adopted 2001-02
75	-	22,563	-	Cable Regulatory Commission	-	-	-
76	5,088	3,816	4,000	Well Property Lease	3,816	3,816	3,816
77	28,325	15,754	12,000	Lab Tests	36,000	36,000	36,000
78	-	5,276	18,000	Contract Meter Reading	19,000	19,000	19,000
79	-	9,621	15,000	Consumer Confidence Report/ Public Education	10,000	10,000	10,000
80	242	909	-	Miscellaneous	-	-	-
81	\$ 719,468	\$ 645,188	\$ 708,652	TOTAL MATERIALS & SERVICES	\$ 682,396	\$ 694,862	694,862
82							
83							
84							
85	\$ 3,435	\$ 7,180	\$ 2,000	Base Maps	-	-	-
86	-	-	1,322	Copier	1,960	1,960	1,960
87	-	932	550	Telephone System	-	-	-
88	571	2,555	2,285	Office Furniture & Equipment	2,825	2,825	2,825
89	-	2,572	5,000	Field Equipment	3,400	3,400	3,400
90	14,764	5,177	-	Iron System Upgrade	-	-	-
91	4,152	855	2,200	Computer Equipment	5,100	5,100	5,100
92	740	2,654	-	Software	-	-	-
93	19,542	19,200	-	Public Works Vehicle	-	-	-
94	56,161	-	-	Auxiliary Water Garage	-	-	-
95	34,282	36,195	35,000	Water Meters	35,000	35,000	35,000
96	10,315	40,439	25,000	Water Pump	-	-	-
97	-	-	5,000	Fork Lift	-	-	-
98	-	3,000	-	Telemetry System	-	-	-
99	-	6,315	-	Shop Paving	-	-	-
100	-	11,000	-	Shop Addition	-	-	-
101	-	8,990	-	Water Master Plan Amendment	-	-	-
102	-	-	35,000	Pressure Relief Valves	-	-	-
103	\$ 143,962	\$ 147,064	\$ 113,357	TOTAL CAPITAL OUTLAY	\$ 48,285	\$ 48,285	48,285

CAPITAL OUTLAY

Notes:

- 52 Costs include \$30,000 for a Water Rate Study.
- 58 Anticipate a 30% increase in electricity costs.
- 59 Anticipate a 10% increase in natural gas costs.
- 62 The City's insurance carrier projects a 10% increase in insurance costs.
- 77 Costs have increased over FY 00-01 due to an increase in commitments for lab tests in FY 01-02 as required by the State Health Division.

ENTERPRISE FUND

Water Fund

	Actual 1998-99	Actual 1999-00	Adopted 2000-01		Manager Recommended	Committee Approved	Adopted 2001-02
	<u>DEBT SERVICE</u>						
104							
105							
106							
107	\$ 320,000	\$ 340,000	\$ 360,000	Bond Principal-6/3/1991 Issue	\$ -	\$ -	-
108	60,220	41,660	21,600	Bond Interest-6/3/1991 Issue	-	-	-
109	\$ 380,220	\$ 381,660	\$ 381,600	TOTAL DEBT SERVICE	\$ -	\$ -	-
110							
111	\$ 1,898,867	\$ 1,898,614	\$ 1,939,634	TOTAL EXPENSES	\$ 1,512,419	\$ 1,524,885	
112							
113							
114							
115	\$ 100,000	\$ 50,000	\$ 67,000	Transfer to Water Facility Replacement Reserve	\$ 550,000	\$ 550,000	
116	-	-	-	- Transfer to Urban Renewal	3,844	3,844	
117	\$ 100,000	\$ 50,000	\$ 67,000	TOTAL TRANSFERS	\$ 553,844	\$ 553,844	
118							
119							
120							
121	\$ -	\$ -	\$ 60,000	Contingency	\$ 60,000	\$ 60,000	
122	-	-	25,000	Shop Reserve	35,000	35,000	
123	497,867	380,970	116,916	Undesignated Fund Balance	108,582	96,116	
124							
125	\$ 2,496,734	\$ 2,329,584	\$ 2,208,549	TOTAL EXPENSES & BUDGETED FUND BALANCE	\$ 2,269,845	\$ 2,269,845	

Notes:

107 The City's outstanding debt matured January 1, 2001 and was fully paid as of that date.

108 Since the City no longer has debt service payments funds have been transferred to the Water Facility Reserve Fund for future capital improvements.

116 The transfer to the Urban Renewal District is repayment for funds used by the City for facility maintenance. The City discovered this error and is repaying the Urban Renewal District in FY 01-02 with interest.

ENTERPRISE FUND

Water Facility Replacement Reserve

	Actual 1998-99	Actual 1999-00	Adopted 2000-01		Manager Recommended	Committee Approved	Adopted 2001-02
1	\$ 151,457	\$ 29,079	\$ 169,935	Beginning Fund Balance	\$ 402,939	\$ 402,939	
2							
3				RESOURCES			
4							
5	11,997	13,881	-	Interest	14,700	14,700	
6	108,030	145,861	54,000	Systems Development Fees	32,400	32,400	
7	-	-	6,000	Oversized Reimbursement Fees	3,600	3,600	
8	100,000	50,000	67,000	Transfer from Water Fund	550,000	550,000	
9	\$ 371,484	\$ 238,821	\$ 296,935	TOTAL RESOURCES	\$ 1,003,639	\$ 1,003,639	
10							
11				EXPENSES			
12							
13				CAPITAL OUTLAY			
14							
15	\$ 49,518	\$ -	\$ 58,800	Repayment for Oversized Watermain	\$ -	\$ -	
16	-	-	-	CIP Well Improvements	318,500	318,500	
17	-	-	-	CIP Distribution Improvements	160,000	160,000	
18	292,887	295	-	Reservoir	-	-	
19	\$ 342,405	\$ 295	\$ 58,800	TOTAL EXPENSES	\$ 478,500	\$ 478,500	
20							
21				FUND BALANCE			
22							
23	\$ -	\$ -	\$ 237,000	Reserve for Storage Tank	\$ 525,139	\$ 525,139	
24	29,079	238,526	1,135	Undesignated Ending Fund Balance	-	-	
25							
26	\$ 371,484	\$ 238,821	\$ 296,935	TOTAL EXPENSES & BUDGETED FUND BALANCE	\$ 1,003,639	\$ 1,003,639	

Notes:

- 5 FY 00-01 interest earned was budgeted in the General Fund. It was later determined that this revenue is to be used for water related services. The accounting records reflect this correction and the FY 01-02 budget provides for interest revenue.
- 8 Since the City no longer has debt service payments funds have been transferred from the Water Fund for future capital improvements.

ENTERPRISE FUND

Street Lighting Districts

	Actual 1998-99	Actual 1999-00	Adopted 2000-01		Manager Recommended	Committee Approved	Adopted 2001-02
1	\$	-	\$	52,484	Beginning Fund Balance	\$	22,046
2							
3							
4							
5	-	285,387	280,000		Lighting District Assessments	361,006	361,006
6	-	2,779	-		Interest	-	-
7	-	-	-		Transfer from Utility fund	38,732	38,732
8	\$	288,166	\$	332,484	TOTAL RESOURCES	\$ 421,784	\$ 421,784

Notes:

- Electricity costs are expected to increase 30% in FY 01-02. Additionally, a 1.5% increase in franchise revenues will result in an increase in street lighting costs. An increase in assessments are needed to cover these costs.
- Interest earned on cash balances in this fund are allocated to the General Fund.
- When the SLD fund was created a beginning balance of \$34,644 was calculated as the amount attributed to SLD activities. The transfer was not made at that time, therefore, interest for 2 years at 5.9% has been added to the amount owed.

Street Lighting Districts

Notes:

- 33 Anticipate a 30% increase in electricity costs.
- 37 Increases from FY 00-01 reflect a more appropriate allocation of expenditures with the programs benefited.
- 38 Electricity costs are expected to increase 30% in FY 01-02. Additionally, a 1.5% increase in franchise revenues will result in an increase in street lighting costs.

Street Lighting Districts

Notes:

54 The transfer to the Urban Renewal District is repayment for funds used by the City for facility maintenance. The City discovered this error and is repaying the Urban Renewal District in FY 01-02 with interest.

ENTERPRISE FUND

Utilities Assessment Fund

Actual 1998-99	Actual 1999-00	Adopted 2000-01	Manager Recommended	Committee Approved	Adopted 2001-02
\$	(4,788)	\$ -	\$ -	\$ -	\$ -
- Beginning Fund Balance					
RESOURCES					
Oakwood Sewer District					
4,641	-	-	-	-	-
4,244	-	-	-	-	-
3	-	-	-	-	-
\$ 4,100	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL					
TRANSFERS					
\$ 5,687	\$ -	\$ -	\$ -	\$ -	\$ -
From General Fund					
\$ 9,787	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL RESOURCES					

ENTERPRISE FUND

Utilities Assessment Fund

Actual 1998-99	Actual 1999-00	Adopted 2000-01	Manager Recommended	Committee Approved	Adopted 2001-02
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EXPENSES

MATERIALS & SERVICES

\$	615	\$	-	\$	-	\$	-	\$	-
\$	615	\$	-	\$	-	\$	-	\$	-

DEBT SERVICE

Bond Principal

\$	5,000	\$	-	\$	-	\$	-	\$	-
\$	5,000	\$	-	\$	-	\$	-	\$	-

Bond Interest

\$	4,849	\$	-	\$	-	\$	-	\$	-
\$	4,849	\$	-	\$	-	\$	-	\$	-

\$	9,849	\$	-	\$	-	\$	-	\$	-

\$	10,464	\$	-	\$	-	\$	-	\$	-

FUND BALANCE

(677)	-	-	-	-	-

\$	9,787	\$	-	\$	-	\$	-	\$	-

ENTERPRISE FUND

Sewer Reserve

Actual 1998-99	Actual 1999-00	Adopted 2000-01		Manager Recommended	Committee Approved	Adopted 2001-02
\$ 128,298	\$ 248,354	\$ 194,621	Beginning Fund Balance	\$ 272,450	\$ 272,450	
RESOURCES						
262,653	11,273	112,500	Sanitary Sewer Acreage Fee	110,379	110,379	
-	56,172	32,000	Storm Sewer Acreage Fee	-	-	
13,890	8,066	-	Interest	-	-	
-	965	-	Transfer from the Sewer Fund	-	-	
\$ 404,841	\$ 324,830	\$ 339,121	TOTAL RESOURCES	\$ 382,829	\$ 382,829	
EXPENSES						
CAPITAL OUTLAY						
\$ 156,487	\$ 105,063	\$ 270,000	Sewer Line Extensions	\$ 270,000	\$ 270,000	
-	55,610	32,000	Storm Drain Reimbursement	-	-	
\$ 156,487	\$ 160,673	\$ 302,000	TOTAL EXPENSES	\$ 270,000	\$ 270,000	
FUND BALANCE						
\$ -	\$ -	\$ -	Contingency	\$ 112,829	\$ 112,829	
248,354	164,157	37,121	Undesignated Ending Fund Balance	-	-	
\$ 404,841	\$ 324,830	\$ 339,121	TOTAL EXPENSES & BUDGETED FUND BALANCE	\$ 382,829	\$ 382,829	



June 4, 2001

AGENDA ITEM 7a

ORDINANCE – REGULATING FALSE ALARMS, REQUIRING
PERMITS, AND PROVIDING PENALTIES FOR ORDINANCE
VIOLATIONS (SECOND READING)

KEIZER CITY COUNCIL MEETING: June 4, 2001

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

THROUGH: CHRIS EPPLEY
CITY MANAGER

FROM: TRACY L. DAVIS, CMC
CITY RECORDER

SUBJECT: **ORDINANCE** – Regulating Alarm Systems, Requiring
Permits, and Providing Penalties for Ordinance Violations
Second Reading

ISSUE:

On May 21, 2001 an ordinance *Regulating Alarm Systems, Requiring Permits, and Providing Penalties for Ordinance Violations* was presented to the Council for discussion and adoption. The following motion was made and passed with the following votes:

Council President Moir moved a Bill For An Ordinance Regulating Alarm Systems, Requiring Permits, and Providing Penalties for Ordinance Violations, as amended. Councilor Smith seconded the Motion.

The Motion passed with the following votes:

AYES: Christopher, Lee, Moir, and Smith (4)
NAYS: Kelly, McGee, and Walsh (3)
ABSTENTIONS: None (0)
ABSENT: None (0)

The Charter states "*an ordinance of the Council shall, before being put upon its final passage, be read fully and distinctly in open council meeting on two different dates. The exception to this is an ordinance may be enacted at a single meeting of the Council by unanimous vote of all councilors present.* Since the vote was not unanimous on May 21st, the Ordinance is before the Council for a second reading.

RECOMMENDATION:

It is recommended the Council make a motion and vote on the Ordinance.

1 BILL NO. ____

A BILL

ORDINANCE NO.

2

2001-_____

3

FOR

4

AN ORDINANCE

5

6

7

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

8

The City of Keizer ordains as follows:

9

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

10 and phrases mean:

11

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

12

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

13

Ordinance.

14

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

15

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

16

Center or the Keizer Police Department.

17

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

18

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

19

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

20

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

21

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

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

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

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

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

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

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

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

6 (11) "Monitored fire alarm system" is an alarm system which incorporates a
7 remote annunciator or an automatic dialer, and is designed to give warning of fire only.

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

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

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

17 (15) "Residential fire alarm system" is a monitored fire alarm system serving
18 a single dwelling unit.

19 (16) "Security alarm system" is an alarm system designed to give warning of
20 criminal activity or unauthorized entry only.

1 (17) “Sensor” means that part of an alarm system which is designed to detect
2 the happening of some event or designed to detect the happening of some event or
3 existence of some condition indicative of fire, criminal activity or unauthorized entry.

4 (18) “Silent alarm system” means a security alarm system having an automatic
5 dialer, a remote annunciator, or both, and having no audible annunciator.

6 (19) “Universal alarm system” means an alarm system which incorporates both
7 a monitored fire alarm function and a security alarm function.

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

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

19 ///

20 ///

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

5 Section 5. REQUIREMENTS FOR AUDIBLE ANNUNCIATORS.

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

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

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

18 Section 6. REQUIREMENTS FOR AUTOMATIC DIALERS.

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

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

4 Section 7. ALARM SYSTEM REQUIREMENTS - GENERAL.

5 (1) No alarm system shall be installed, used, or maintained in violation of any of
6 the requirements of Keizer City Ordinances, or of any applicable statute, law, or
7 administrative regulation of the United States of America, the State of Oregon, or any
8 administrative rule-making body thereof.

9 (2) The holder of an alarm system permit shall be responsible for training and
10 retraining all employees, family members, and other persons who may make regular use
11 of the protected premises and who may, in normal course of their activities be in a
12 position to accidentally trigger a sensor. Such training shall include procedures and
13 practices to avoid accidental alarms and steps to follow in the event the system is
14 accidentally triggered.

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

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1 Section 8. PERMITS REQUIRED.

2 (1) As of the effective date of this Ordinance, all alarm users within the City of
3 Keizer must apply for and receive alarm system permits. No fee shall be charged to such
4 users who make application within ninety (90) days of the effective date. Thereafter,
5 permits for any alarm systems with the City of Keizer, including any activated after the
6 effective date of this Ordinance, shall pay a fee of \$20.00 for issuance. Permits shall
7 remain in effect unless revoked or suspended under this Ordinance or until the alarm
8 system is dismantled or abandoned by the user. Permits are not transferable; subsequent
9 users on the same premises must obtain a new permit. The City shall not, by the issuance
10 of a permit, be obligated to respond or accord any priority to an alarm from such system.
11 It shall be unlawful for any person to use or maintain any security alarm system,
12 monitored fire alarm system or universal alarm system without first obtaining a permit
13 therefor as provided in this Ordinance.

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

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

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

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

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

6 (d) The names, addresses, and telephone numbers including home phone
7 numbers, of the principal and at least two natural persons who reside within ten miles
8 of the corporate limits of Keizer and who have immediate access to keys to the protected
9 premises, and who have agreed to come to the protected premises upon request of police
10 or fire agencies when the principal cannot be contacted.

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

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

15 (g) The information provided by the applicant pursuant to subsections (d) and (e)
16 of this Section and all updates thereof, shall be given and accepted in confidence and
17 kept from public disclosure to the extent permitted by law. However, the City of Keizer
18 shall not be liable for any types of claims, actions of suits if the City in good faith
19 attempts to prevent disclosure of such information.

1 Section 10. INSPECTION OF ALARM SYSTEMS. Prior to issuing an alarm
2 system permit and at any time thereafter during the term thereof, the Chief of Police of
3 the City of Keizer or an officer designated by the Chief may inspect any alarm system
4 for which a permit is required. Such inspection shall be for the purpose of ascertaining
5 that information furnished by the applicant or permittee is correct and that the system
6 is maintained in conformance with the provision of this Ordinance.

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

12 Section 12. SUSPENSION OF PERMITS.

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

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

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

17 (c) Failure to pay a false alarm fee within thirty (30) days of demand.

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

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

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

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

11 Section 13. FALSE ALARM FEES. As a condition of any alarm system permit
12 issued under the provisions of this Ordinance, the permittee shall pay to the City of
13 Keizer upon and within ten (10) days of invoice fees for false alarms generated within
14 a calendar year by the permittee's alarm system as follows:

15 3rd false alarm \$50.00

16 4th false alarm \$100.00

17 5th false alarm \$150.00

18 6th false alarm \$200.00

19 7th and subsequent false alarm \$250.00

20 ///

1 Section 14. EXCUSABLE FALSE ALARMS. An alarm which is a false alarm
2 as defined in this Ordinance may be excused at the discretion of the responding agency
3 or the investigator upon being satisfied that:

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

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

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

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

16 (e) The false alarm was not the result of user error or neglect. "User" includes
17 owners, employees, residents, family members and guests of the protected premises.

18 (f) No more than two false alarms shall be excused during a calendar year unless
19 the permittee provides satisfactory evidence that each component of the alarm system
20 whose malfunction or failure is capable of producing the false alarm have been replaced

1 by competent technicians and the system has been found free of apparent fault after
2 inspection as provided in subsection (a) of this Section.

3 Section 15. APPEALS.

4 (1) Any person whose alarm system permit has been suspended under the
5 provision of this Ordinance may appeal that action by giving written notice to Chief of
6 Police. Such notice shall be given with thirty (30) days after receipt of the notice of
7 suspension. The filing of a Notice of Appeal shall stay the action appealed until
8 disposition of the appeal by the Chief.

9 (2) Any person who has been assessed a false alarm fee may appeal such charge
10 by giving written notice to the Chief of Police. Such notice shall be given within ten
11 (10) days of invoice assessing such charge. If the invoice is based on the third false
12 alarm during a calendar year, the permittee may challenge the determination only as to
13 the alarm or alarms for which a fee is assessed. Upon receipt of the appeal notice, the
14 City Recorder shall forward the notice to the Chief of Police, if the challenged alarms
15 resulted from a security alarm system, or the Keizer Fire Marshall, if the challenged
16 alarms resulted from a monitored fire alarm system. The Chief or Fire Marshall shall
17 appoint one or more officers to investigate the circumstances of the alarms upon which
18 the appeal is based. The investigators shall notify the appellant of a time certain, not less
19 than two weeks nor more than four weeks following the date which the appeal was filed,
20 at or before which the appellant shall file with the investigator whatever factual

1 information may be relevant in support of the appeal. If the investigator determines the
2 charge to have been made in error, the invoice shall be canceled, and the appellant and
3 the City Recorder shall be notified of such determination; otherwise the investigator
4 shall make a full report of his findings and file the same, together with any information
5 filed by the appellant, with the City Recorder. The investigators' determination shall be
6 filed with the City Recorder within sixty (60) days of the date on which the appeal was
7 filed. A determination by the investigator that the invoice should be canceled shall be
8 a final disposition of the appeal.

9 (3) An appeal under subsection (1) of this Section shall be set by the City
10 Recorder for public hearing before the City Council within thirty (30) days of the date
11 of filing. At the hearing the appellant and the Chief shall be given an opportunity to
12 present whatever facts or arguments they deem relevant to the suspension of the permit.

13 (4) An appeal which is not disposed of by the investigator under subsection (2)
14 of this Section shall be set down by the City Recorder for public hearing before the City
15 Council within thirty (30) days of the date on which the investigator's report was filed.
16 At the hearing the appellant and the Chief shall be given the opportunity to present
17 whatever arguments they deem relevant to the investigator's determination. The hearing
18 shall be limited to the record filed by the investigator under subsection (2) of this Section
19 unless the City Council, by majority vote, decides to review the matter de novo.

20 Section 16. VIOLATION. Violation of this Ordinance is a civil infraction.

1 BILL NO. _____

A BILL

ORDINANCE NO.
2001-_____

2

3

FOR

4

AN ORDINANCE

5

6

7

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

8

The City of Keizer ordains as follows:

9

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

10 and phrases mean:

11

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

12

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

13

Ordinance.

14

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

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

16

Center or the Keizer Police Department.

17

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

18

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

19

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

20

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

21

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

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

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

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

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

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

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

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

6 (11) "Monitored fire alarm system" is an alarm system which incorporates a
7 remote annunciator or an automatic dialer, and is designed to give warning of fire only.

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

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

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

17 (15) "Residential fire alarm system" is a monitored fire alarm system serving
18 a single dwelling unit.

19 (16) "Security alarm system" is an alarm system designed to give warning of
20 criminal activity or unauthorized entry only.

1 (17) "Sensor" means that part of an alarm system which is designed to detect
2 the happening of some event or designed to detect the happening of some event or
3 existence of some condition indicative of fire, criminal activity or unauthorized entry.

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

6 (19) "Universal alarm system" means an alarm system which incorporates both
7 a monitored fire alarm function and a security alarm function.

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

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

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

5 Section 5. REQUIREMENTS FOR AUDIBLE ANNUNCIATORS.

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

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

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

18 Section 6. REQUIREMENTS FOR AUTOMATIC DIALERS.

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

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

4 Section 7. ALARM SYSTEM REQUIREMENTS - GENERAL.

5 (1) No alarm system shall be installed, used, or maintained in violation of any of
6 the requirements of Keizer City Ordinances, or of any applicable statute, law, or
7 administrative regulation of the United States of America, the State of Oregon, or any
8 administrative rule-making body thereof.

9 (2) The holder of an alarm system permit shall be responsible for training and
10 retraining all employees, family members, and other persons who may make regular use
11 of the protected premises and who may, in normal course of their activities be in a
12 position to accidentally trigger a sensor. Such training shall include procedures and
13 practices to avoid accidental alarms and steps to follow in the event the system is
14 accidentally triggered.

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

19 ///

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1 Section 8. PERMITS REQUIRED.

2 (1) As of the effective date of this Ordinance, all alarm users within the City of
3 Keizer must apply for and receive alarm system permits. No fee shall be charged to such
4 users who make application within ninety (90) days of the effective date. Thereafter,
5 permits for any alarm systems with the City of Keizer, including any activated after the
6 effective date of this Ordinance, shall pay a fee of \$20.00 for issuance. Permits shall
7 remain in effect unless revoked or suspended under this Ordinance or until the alarm
8 system is dismantled or abandoned by the user. Permits are not transferable; subsequent
9 users on the same premises must obtain a new permit. The City shall not, by the issuance
10 of a permit, be obligated to respond or accord any priority to an alarm from such system.

11 It shall be unlawful for any person to use or maintain any security alarm system,
12 monitored fire alarm system or universal alarm system without first obtaining a permit
13 therefor as provided in this Ordinance.

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

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

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

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

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

6 (d) The names, addresses, and telephone numbers including home phone
7 numbers, of the principal and at least two natural persons who reside within ten miles
8 of the corporate limits of Keizer and who have immediate access to keys to the protected
9 premises, and who have agreed to come to the protected premises upon request of police
10 or fire agencies when the principal cannot be contacted.

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

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

15 (g) The information provided by the applicant pursuant to subsections (d) and (e)
16 of this Section and all updates thereof, shall be given and accepted in confidence and
17 kept from public disclosure to the extent permitted by law. However, the City of Keizer
18 shall not be liable for any types of claims, actions of suits if the City in good faith
19 attempts to prevent disclosure of such information.

1 Section 10. INSPECTION OF ALARM SYSTEMS. Prior to issuing an alarm
2 system permit and at any time thereafter during the term thereof, the Chief of Police of
3 the City of Keizer or an officer designated by the Chief may inspect any alarm system
4 for which a permit is required. Such inspection shall be for the purpose of ascertaining
5 that information furnished by the applicant or permittee is correct and that the system
6 is maintained in conformance with the provision of this Ordinance.

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

12 Section 12. SUSPENSION OF PERMITS.

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

- 15 (a) Any false or incomplete statement made on the permit application.
16 (b) Any violation of Sections 3, 5, 6, or 7 of this Ordinance.
17 (c) Failure to pay a false alarm fee within thirty (30) days of demand.
18 (d) Maintenance, installation, or use of the alarm system in violation of any
19 applicable law, ordinance or regulation, including the requirements of this Ordinance.
20 (e) Failure to provide current information as required.

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

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

11 Section 13. FALSE ALARM FEES. As a condition of any alarm system permit
12 issued under the provisions of this Ordinance, the permittee shall pay to the City of
13 Keizer upon and within ten (10) days of invoice fees for false alarms generated within
14 a calendar year by the permittee's alarm system as follows:

15 3rd false alarm \$50.00
16 4th false alarm \$100.00
17 5th false alarm \$150.00
18 6th false alarm \$200.00
19 7th and subsequent false alarm \$250.00

20 ///

1 Section 14. EXCUSABLE FALSE ALARMS. An alarm which is a false alarm
2 as defined in this Ordinance may be excused at the discretion of the responding agency
3 or the investigator upon being satisfied that:

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

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

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

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

16 (e) The false alarm was not the result of user error or neglect. "User" includes
17 owners, employees, residents, family members and guests of the protected premises.

18 (f) No more than two false alarms shall be excused during a calendar year unless
19 the permittee provides satisfactory evidence that each component of the alarm system
20 whose malfunction or failure is capable of producing the false alarm have been replaced

1 by competent technicians and the system has been found free of apparent fault after
2 inspection as provided in subsection (a) of this Section.

3 Section 15. APPEALS.

4 (1) Any person whose alarm system permit has been suspended under the
5 provision of this Ordinance may appeal that action by giving written notice to Chief of
6 Police. Such notice shall be given with thirty (30) days after receipt of the notice of
7 suspension. The filing of a Notice of Appeal shall stay the action appealed until
8 disposition of the appeal by the Chief.

9 (2) Any person who has been assessed a false alarm fee may appeal such charge
10 by giving written notice to the Chief of Police. Such notice shall be given within ten
11 (10) days of invoice assessing such charge. If the invoice is based on the third false
12 alarm during a calendar year, the permittee may challenge the determination only as to
13 the alarm or alarms for which a fee is assessed. Upon receipt of the appeal notice, the
14 City Recorder shall forward the notice to the Chief of Police, if the challenged alarms
15 resulted from a security alarm system, or the Keizer Fire Marshall, if the challenged
16 alarms resulted from a monitored fire alarm system. The Chief or Fire Marshall shall
17 appoint one or more officers to investigate the circumstances of the alarms upon which
18 the appeal is based. The investigators shall notify the appellant of a time certain, not less
19 than two weeks nor more than four weeks following the date which the appeal was filed,
20 at or before which the appellant shall file with the investigator whatever factual

1 information may be relevant in support of the appeal. If the investigator determines the
2 charge to have been made in error, the invoice shall be canceled, and the appellant and
3 the City Recorder shall be notified of such determination; otherwise the investigator
4 shall make a full report of his findings and file the same, together with any information
5 filed by the appellant, with the City Recorder. The investigators' determination shall be
6 filed with the City Recorder within sixty (60) days of the date on which the appeal was
7 filed. A determination by the investigator that the invoice should be canceled shall be
8 a final disposition of the appeal.

9 (3) An appeal under subsection (1) of this Section shall be set by the City
10 Recorder for public hearing before the City Council within thirty (30) days of the date
11 of filing. At the hearing the appellant and the Chief shall be given an opportunity to
12 present whatever facts or arguments they deem relevant to the suspension of the permit.

13 (4) An appeal which is not disposed of by the investigator under subsection (2)
14 of this Section shall be set down by the City Recorder for public hearing before the City
15 Council within thirty (30) days of the date on which the investigator's report was filed.
16 At the hearing the appellant and the Chief shall be given the opportunity to present
17 whatever arguments they deem relevant to the investigator's determination. The hearing
18 shall be limited to the record filed by the investigator under subsection (2) of this Section
19 unless the City Council, by majority vote, decides to review the matter de novo.

20 Section 16. VIOLATION. Violation of this Ordinance is a civil infraction.



June 4, 2001

AGENDA ITEM 7b

ORDINANCE – AMENDING PARK REGULATIONS ORDINANCE TO
ADD CARLSON SKATE PARK REGULATIONS

COUNCIL MEETING: June 4, 2001

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**FROM: CHRIS EPPLEY
CITY MANAGER**

SUBJECT: CARLSON SKATE PARK REGULATIONS

BACKGROUND:

The Keizer Bikeways Committee and staff have been working to develop wording for a park rule at Carlson Skate Park that would make the use of helmets mandatory for persons using the park. The language recommended by the Bikeways Committee is:

*The use of **HELMETS** is **MANDATORY** for all persons using Carlson Skate Park. Knee pads, elbow pads, and wrist guards are **STRONGLY** recommended. Persons not wearing **HELMETS** while using Carlson Skate park will be asked to leave and will forfeit their privilege to use the park. Repeat violators may be charged with trespassing.*

At the May 21, 2001 meeting the Council discussed the helmet requirement and the recommended language. It was suggested the park regulation state that the use of helmets is mandatory and that knee pads, elbow pads, and wrist guards are strongly recommended. Staff proposes the rule will be enforced by periodic daily visits to the Park by Parks Employees, Facility Maintenance Employees, Police Employees, and volunteers whenever feasible.

ISSUE:

Upon review of the Ordinance setting forth Keizer Park Regulations, it was noted that the rules for Carlson Skate Park had not been incorporated when the Park opened. The attached ordinance amends the Parks Regulations Ordinance to include all of the Carlson Skate Park regulations with the inclusion of the mandatory helmet requirement.

An emergency clause was added to ensure the regulation is put in place immediately before the use of the park increases dramatically due to the ending of the school year. It will also tie in with the helmet giveaway program the Bikeways Committee is sponsoring over the next few weeks.

RECOMMENDATION:

It is recommended City Council adopt a the attached Ordinance Amending the Keizer Park Regulations in the City of Keizer – Amending Ordinance 90-188.

1 **BILL NO. _____**

A BILL

ORDINANCE NO.

2001- _____

FOR

AN ORDINANCE

7 **AMENDING THE KEIZER PARK REGULATIONS IN THE CITY OF KEIZER**
8 **AND DECLARING AN EMERGENCY**
9 **(AMENDING ORDINANCE NO. 90-188)**

11 The City of Keizer ordains as follows:

12 Section 1. Section 2 of Ordinance No. 90-188 is hereby amended

13 as follows:

14 Section 2. PARK REGULATIONS. The following regulations apply
15 in Keizer City Parks:

16 (a) Pets must be in the care, custody and control of their owners at all
17 times.

18 (b) Parks will be closed at sunset and reopen at sunrise on the following
19 day. The City Manager or the City Manager's designee may grant
20 permission for use of a park after sunset if the proposed use is
21 appropriate for the park or designated area and consistent with park
22 policies and regulations.

23 (c) Fires are allowed only in established fire pits or barbecues.

24 (d) CARLSON SKATE PARK REGULATIONS:

25 1. The Carlson Multi-Use Skate Park is not supervised. USE AT
26 YOUR OWN RISK. Permitted uses include skateboards,
27 rollerblades, and BMX bikes only – NO foot traffic or motorized
28 vehicles.

29 2. The involvement of children and youth at this park is the
30 responsibility of parents and guardians. YOUR children and youth
31 are YOUR responsibility for abiding by the posted rules.

32 3. The use of HELMETS IS MANDATORY for all persons using
33 Carlson Skate Park. Knee pads, elbow pads, and wrist guards
34 are STRONGLY recommended.

4. Know your ability and stay within them while using Carlson Skate Park.
5. This is YOUR Skate Park – take care of it. Keep the Skate Park safe, clean, and friendly.
6. Be respectful of other park users, avoid user conflicts. Be courteous.
7. Additional obstacles or other materials (ramps/jumps) may not be used at Carlson Skate Park.
8. Alcohol, tobacco products, drugs, and glass containers are not allowed in Carlson Skate Park.
9. Keep food and/or drink off the skate park surface.
10. Do not use Carlson Skate Park if hazardous conditions exist. Report any damage/hazardous conditions to the City of Keizer Parks Department.
11. Do not use Carlson Skate Park when the surface is wet.
12. DO NOT LITTER. Use trash containers provided.
13. By using Carlson Skate Park you agree to abide by the above rules. The City of Keizer is not responsible for any loss, damages, or injuries resulting from use of Carlson Skate Park.

Section 2. Emergency. This Ordinance being necessary for the immediate preservation of the public health, safety, and welfare, an emergency is declared to exist and this Ordinance shall take effect immediately upon its passage.

PASSED this ____ day of _____, 2001.

SIGNED this ____ day of _____, 2001.

MAYOR

CITY RECORDER

1 BILL NO.170

A BILL

ORDINANCE NO.
90-188

3 FOR

4 AN ORDINANCE

5 ESTABLISHING KEIZER PARK REGULATIONS

6 The City of Keizer ordains as follows:

7 Section 1. PROHIBITED ACTIONS. The following actions are
8 prohibited in Keizer City parks:

9 a) Operating any motor vehicle, except authorized
10 maintenance vehicles, in areas other than those designated for
11 parking.

12 b) Overnight camping.

13 c) Walking or riding horses.

14 d) Hitting golf balls.

15 e) Riding or pushing skate boards or scooters on tennis
16 courts.

17 f) Dumping of any items or materials.

18 g) Being present in a park when the park is closed.

19 h) Open fires.

20 i) Action in violation of a parks reservation or
21 alcoholic beverage permit.

22 Section 2. PARK REGULATIONS. The following regulations apply
23 in Keizer City parks:

24 a) Pets must be in the care, custody and control of their
25 owners at all times.

26 b) Parks will be closed at sunset and reopen at sunrise
27 on the following day. The City Manager or the City Manager's

1 designee may grant permission for use of a park after sunset if
2 the proposed use is appropriate for the park or designated area
3 and consistent with park policies and regulations.

4 c) Fires are allowed only in established fire pits or
5 barbecues.

6 Section 3. PARK RESERVATIONS.

7 a) A group that has an approved reservation of a section
8 or sections of a park will have exclusive use of said section
9 or sections for the date and time outlined in its reservation
10 form.

11 b) "Group" is defined as fifteen or more people wishing
12 to use a specific City park area for a specific date and time.

13 c) A designated person from the group who will be
14 responsible for the group's action while using the park and for
15 the condition of the park after the scheduled event shall
16 complete and sign the park reservation form.

17 d) The park reservation fee of \$10.00 must be submitted
18 along with the reservation form. If the reservation is denied,
19 the reservation fee will be refunded to the designated person.

20 e) Reservations will be approved on a first come, first
21 served basis provided that the proposed use by the group is
22 appropriate for the designated area and consistent with park
23 policies and regulations.

24 Section 4. USAGE OF KEIZER LITTLE LEAGUE PARK COMPLEX. The

25 Keizer Little League Complex is a unique park and use of this park
26 is limited to those persons or groups whose usage of this park will

1 not degrade its condition or alter its configuration or in any way
2 interfere with the park functioning as the Little League Park
3 Complex.

4 Section 5. ALCOHOLIC BEVERAGES IN PARKS.

5 a) Possession of alcoholic beverages in Keizer City parks
6 is prohibited unless the person or group in possession of the
7 alcoholic beverages has a valid permit.

8 b) "Group" has the meaning set forth in Section 3 b) of
9 this Ordinance.

10 c) Persons or groups wishing to possess alcoholic
11 beverages in the park must complete a permit application form
12 setting forth the name of the group, if any, the number of
13 persons in the group, the type of alcoholic beverages to be
14 served, the date and time the alcoholic beverages will be served
15 in the park, the park and the area of the park to be used, the
16 name, address and phone number of the applicant and signed by
17 the applicant who will also be responsible for compliance with
18 park rules and regulations and the limitations set forth in the
19 permit.

20 c) The permit allowing the use of alcohol in the park
21 will only be granted if the proposed use is consistent with park
22 regulations and policies and the following criteria:

23 (1) Any beverage with more than 14 percent alcohol content
24 is prohibited.

25 (2) Alcoholic beverages are prohibited at Keizer Little
26 League Park Complex and Sunset Park.

1 (3) Sale of alcoholic beverages is prohibited.

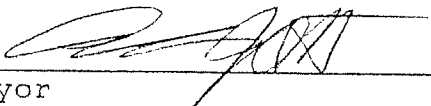
2 Section 6. REVOKING RESERVATION OR ALCOHOLIC BEVERAGE PERMIT.

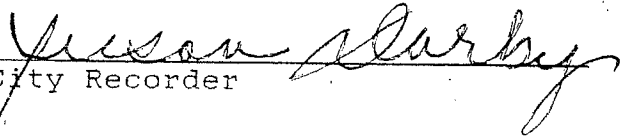
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4 permit as determined by a police officer immediately revokes the
5 reservation or alcoholic beverage permit.

6 Section 7. INFRACTION. Violation of this Ordinance is an
7 infraction.

8 PASSED on first reading this 17th day of September, 1990
9 PASSED this 1st day of October, 1990.

10 SIGNED this 3rd day of October, 1990.

11 
Mayor

12 
13 City Recorder

14 824H.003



June 4, 2001

AGENDA ITEM 7C

RESOLUTION – ADOPTION OF STANDARDS, CRITERIA, AND
POLICY DIRECTIVES TO BE USED IN EVALUATING THE
PERFORMANCE OF THE CITY MANAGER

CITY COUNCIL MEETING: June 4, 2001

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS

FROM: E. SHANNON JOHNSON, CITY ATTORNEY 

SUBJECT: *ADOPTION OF STANDARD, CRITERIA AND POLICY DIRECTIVES IN EVALUATING THE CITY MANAGER*

The City Manager contract calls for evaluation of the manager at least once each fiscal year. It is my understanding the Council has begun the evaluation process.

State statutes provide that an executive session may be held for the purpose of reviewing and evaluating the employment-related performance of the chief executive officer (City Manager). Such statute goes on to require that the standards, criteria and policy directives used in evaluating the manager shall be adopted by the governing body in a meeting open to the public in which there has been an opportunity for comment. I have set forth below the entire subsection on this subject:

(i) To review and evaluate, pursuant to standards, criteria and policy directives adopted by the governing body, the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member unless the person whose performance is being reviewed and evaluated requests an open hearing. The standards, criteria and policy directives to be used in evaluating chief executive officers shall be adopted by the governing body in meetings open to the public in which there has been opportunity for public comment. An executive session for purposes of evaluating a chief executive officer or other officer, employee or staff member shall not include a general evaluation of an agency goal, objective or operation or any directive to personnel concerning agency goals, objectives, operations or programs.

I am unaware of any formal adoption of such standards and criteria in the past. Though there was often public discussion regarding the criteria, we are unable to find a formally adopted list.

Page 2

Adoption of Standard, Criteria and Policy
Directives in Evaluating the City Manager

Consequently, it would be appropriate after hearing any public comments for the Council to adopt standards, criteria and policy directives to be used in the evaluation process. To that end, I have attached a draft Resolution setting forth these items for Council consideration.

An explanation is in order regarding the attached Resolution. It was drafted by reviewing the City Charter and taking general points from the proposed evaluation form. It does not represent any suggestion or recommendation on my part. It is merely used as a starting place for Council consideration. The Council can certainly choose to make the standards, criteria and policy directives different, more general or more specific as you may see fit.

As an aside, it is not necessary to have public input and formal adoption of the evaluation form itself. However, if in the future a particular City Council wishes to evaluate the City Manager based on standards and criteria that are different or additional to the ones previously adopted, then a new public input and formal adoption should take place.

If you have any questions in this regard, please do not hesitate to contact me. Thank you.

ESJ/tmh

enclosure

c: Christopher C. Eppley

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Mayor

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City Recorder

14 824H.003



June 4, 2001

AGENDA ITEM 7C

RESOLUTION – ADOPTION OF STANDARDS, CRITERIA, AND
POLICY DIRECTIVES TO BE USED IN EVALUATING THE
PERFORMANCE OF THE CITY MANAGER

CITY COUNCIL MEETING: June 4, 2001

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS

FROM: E. SHANNON JOHNSON, CITY ATTORNEY 

**SUBJECT: *ADOPTION OF STANDARD, CRITERIA AND POLICY
DIRECTIVES IN EVALUATING THE CITY MANAGER***

The City Manager contract calls for evaluation of the manager at least once each fiscal year. It is my understanding the Council has begun the evaluation process.

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If you have any questions in this regard, please do not hesitate to contact me. Thank you.

ESJ/tmh
enclosure

c: Christopher C. Eppley

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2 Resolution R2001-_____

3 IN THE MATTER OF ADOPTION OF STANDARDS, CRITERIA AND
4 POLICY DIRECTIVES TO BE USED IN THE EVALUATING THE
5 PERFORMANCE OF THE CITY MANAGER

6 WHEREAS, it is appropriate and necessary to set forth standards, criteria and
7 policy directives in evaluation of the City Manager as chief executive officer for the
8 City;

9 WHEREAS, ORS 192.660(i) sets forth that such standards, criteria and policy
10 directives shall be adopted by the governing body in meetings open to the public in
11 which there has been opportunity for public comments;

12 WHEREAS, the City Council has met in public session and considered any public
13 comments regarding the adoption of such standards, criteria and policy directives;

14 NOW, THEREFORE,

15 BE IT RESOLVED by the City Council of the City of Keizer that the following
16 standards, criteria and policy directives for evaluating the performance of the City
17 Manager are hereby adopted:

18 1. Successfully carries out the powers and duties of the City Manager as set
19 forth in the Keizer City Charter as now adopted or hereafter amended;

20 2. The ability to cultivate and maintain positive relations with the public,
21 Councilors, staff and others;



June 4, 2001

AGENDA ITEM 7d

BUDGET NOTES FOR FISCAL YEAR 2000-2001

COUNCIL MEETING: June 4, 2001

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

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



SUBJECT: BUDGET NOTES FOR FISCAL YEAR 2000-2001

BACKGROUND:

The following issues are provided for in the fiscal year 2000-2001 budget notes. Staff would like to update the City Council on these issues and recommend changes to these budget notes, if needed.

- K-9 Donations – The K-9 Donation expenditure line item is to be fully funded by K-9 Donation revenues.

Update – The City has not received an adequate amount of donations to fund this program. As of May 30, 2001, the City has received \$896 in donation revenue and has expended \$3,589 on the K-9 program.

- The Sewer Administration Fee, established by Council resolution R99-1105, shall be reviewed annually after the annual audit and prior to adoption of the annual budget. The fee shall be adjusted as necessary to reflect current year administrative costs.

Update – Currently \$2.43 is assessed on each utility bill for administrative costs. In addition, another \$1.77 is paid to the City of Keizer by the City of Salem for processing sewer bills. Staff is currently working with City of Salem staff on the administrative fee Keizer residences pay to Salem. These discussions have been in conjunction with our discussions with Salem regarding it's Cost of Services Analysis (COSA). Salem City Council is currently considering rate changes for all sewer rates.

June 4, 2001
City Council Meeting
2000-2001 Budget Notes

- The Street Lighting Administration Fee, established by Council Resolution R99-1106, shall be reviewed annually after the annual audit and prior to the tax certification to the Marion County Assessors Office. The fee shall be adjusted as necessary to reflect current year administrative costs.

Update – The Street Lighting Administration Fee has been reviewed each year since 1999 and adjustments have not been necessary, as administrative costs have remained relatively consistent. Staff does not anticipate a change in the 2001 administrative cost, however, this rate will be reviewed prior to our tax certification to Marion County and any proposed changes will be brought to the City Council.

Other Issues

Prior to the conclusion of the 2000-2001 budget process the City will research the following issues:

- Street opening improvement fees
- In-house seat belt diversion program
Update – Keizer Fire District currently provides the seat belt diversion program to the Keizer Community. The purpose of pursuing this program was to bring added revenues into the City.
- Base fines for traffic citations
Update – Fines have been reviewed and the 2001-2002 budget provides for a \$25 increase in Vehicle Impound Fees and a \$10 Administrative fee on each traffic citation. These fee increases are expected to generate an additional \$11,170 and \$26,000 respectively, in the City's General Fund.

RECOMMENDATION:

Staff recommends that the following changes be made to the 2001-2002 budget notes:

- K-9 Donations – Staff recommend that the budget note be eliminated and the all funds received for the K-9 program be used to support this program.
- Sewer Administration Fee – Staff is currently gathering data on this issue and expects to make a recommendation to the Council in the near future. No change to the budget note is recommended at this time.

June 4, 2001
City Council Meeting
2000-2001 Budget Notes

- The Street Lighting Administration Fee – Staff will assess the need to change the administrative fee after the close of fiscal year 2000-2001 and prior to our certification to Marion County in August 2001.

Other Issues:

- Street opening improvement fees – Staff will assess these fees as well as other City fees (NSF fees, water fees, water shut off fees etc.) beginning July 2001.
- In-house seat belt diversion program – Staff recommend the Keizer Fire District continue to administer the Seat Belt Diversion Program.
- Base fines for traffic citations – This has been accomplished and will continue to be reviewed on an on-going basis.



June 4, 2001

AGENDA ITEM 8a

RESOLUTION – APPROVING ENGINEER’S REPORT FOR FULTZ
ESTATES STREET LIGHTING DISTRICT

COUNCIL MEETING: June 4, 2001

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND CITY COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

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

Tracy

**SUBJECT: FULTZ ESTATES STREET LIGHTING LOCAL IMPROVEMENT
DISTRICT**

ISSUE:

Upon review of the City Engineer's report filed for Fultz Estates Street Lighting Local Improvement District, should City Council adopt a Resolution approving this report - or amend and approve the report as amended - and set a public hearing date to receive remonstrances to the project; or, in the alternative, abandon formation of the district.

BACKGROUND:

On April 2, 2001, the City Council adopted Resolution R2001-1257 declaring the City's intent to initiate Fultz Estates Street Lighting Local Improvement District and directing the City Engineer to make a survey and file a written report with the City Recorder. This Council action was taken in response to a petition from the developer requesting the formation of a lighting district in this area.

FISCAL IMPACT:

The costs for establishing the district in the first year include a fee for the engineers report and an administrative fee to cover the costs for advertising and staff time in establishing the district. The City receives reimbursement from the property owners for these costs and the actual electricity used through assessments placed on the tax rolls. All activity is budgeted through the Street Lighting District Fund.

RECOMMENDATION:

It is recommended City Council adopt a Resolution approving the City Engineer's Report and set the public hearing date for June 18, 2001 to consider remonstrances and other comments on the district's formation and objections to proposed assessments, and directing the City Recorder to provide notice of public hearing.

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Resolution R2001-_____

APPROVING THE CITY ENGINEER'S REPORT; DECLARING THE CITY'S INTENT TO FORM FULTZ ESTATES STREET LIGHTING LOCAL IMPROVEMENT DISTRICT; PROVIDING NOTICE AND SETTING HEARING

BE IT RESOLVED by the City Council of the City of Keizer, Oregon:

Section 1. That the City Council hereby finds the City Engineer's Report, marked as exhibit "A" and by this reference incorporated herein, containing preliminary plans and an estimate of probable costs for Fultz Estates Street Lighting Local Improvement District which was filed with the City Recorder on May 3, 2001 to be satisfactory, and the same are hereby approved and adopted.

Section 2. That the City Council hereby declares its intention to form Fultz Estates Street Lighting Local Improvement District and to make the lighting district improvements to serve Fultz Estates Street Lighting Improvement District.

Section 3. That the City Council hereby directs the City Recorder to give notice of its intention to form Fultz Estates Street Lighting Local Improvement District and to make the improvements by sending notice to the property owners within the district stating a public hearing will be held on June 18, 2001, said notice to also provide that information required under City of Keizer Ordinance 94-278, an ordinance providing for procedures for municipal lighting districts and special assessments.

PASSED this _____ day of _____, 2001.

SIGNED this _____ day of _____, 2001.

Mayor

City Recorder



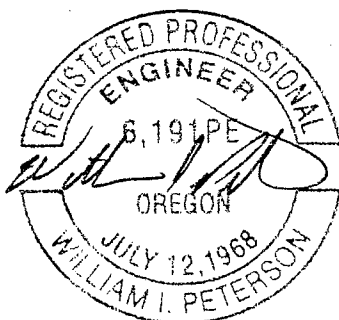
City of Keizer

Phone: 390-3700 • Fax: 393-9437
930 Chemawa Rd. N.E. • P.O. Box 21000 • Keizer, Oregon 97307-1000

Administration • Public Works • Community Development • Municipal Court • Police (business only) Phone 503.390.3713 Fax 503.390.8295

ENGINEER'S REPORT
FOR
FULTZ ESTATES SUBDIVISION
STREET LIGHTING DISTRICT

For City Council Action May 7, 2001



Renewal date: December 31, 2002

PREPARED BY:
William I. Peterson
Engineering Consultants, Inc.
4300 Cherry Ave. N
Keizer, OR 97303
(503) 390-7402

Date: April 26, 2001

Project File K2000-20

TO: The Hon. Mayor and City Council

FROM: City Engineer's Office

SUBJECT: Street Lighting District for Fultz Estates Subdivision

Authority and Purpose: This report is submitted in accordance with the requirements of City of Keizer **Ordinance No. 94-278** and Council **Resolution 2001-1257** for the purpose of creating the subject Street Lighting District.

District Boundaries and Map: A Map of the proposed District is attached showing the areas benefitted by the street lights proposed to be installed.

Lighting Plan The lighting improvements will consist of 4, 100 Watt, high pressure sodium, Durastar 2000 flat lens luminaires mounted on 4 foot long mast arms and attached to 30 foot gray fiberglass poles, plus an additional Durastar 2000 mounted on an existing wood distribution pole. This design is selected to be consistent with adjacent lighted areas. It is recommended that installation be accomplished by the following method:

Portland General Electric (PGE) would supply, install and maintain the luminaires, poles and underground or overhead wiring. PGE would also supply the electrical power to the District.

Estimated Costs:

Initial Cost and Annual costs -

(5) 100 Watt luminaires @ \$6.45 per month each x 12 mos. =	\$387.00
(4) Gray fiberglass poles @ \$4.77 per month each x 12 mos. =	228.96
Administrative Fee @ \$6.00/Lot:	102.00
Engineering @ \$14.00/Lot:	<u>238.00</u>
Total Assessment	\$955.96
(1)Per Lot Assessment (First Year, 17 Lots)	\$56.23

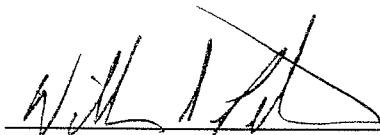
(1) Includes tax roll preparation, audit, delinquencies and miscellaneous administrative costs to the City as authorized by Res. 94-716.

Method of Assessment: It is recommended that the costs be assessed on a per lot basis to each parcel in the district.

The first year assessment would include the one time costs for District formation and engineering. Subsequent years assessments would reduce to \$36.23 per lot.

Assessment Roll: The attached preliminary assessment roll identifies the benefitted properties and the first year assessments to be levied against each.

Respectfully submitted,



William I. Peterson, PE

PRELIMINARY ASSESSMENT ROLL

BEIER ESTATES
STREET LIGHTING DISTRICT

*Assessors Map 6 3W 26AA
Tax Lot # 1900, 2000, 2500

<u>Lot #</u>	<u>Owners Name and Address</u>	<u>Cost per Lot</u>	<u>Lots</u>	<u>Assessment</u>
1 - 17	BEIER ESTATES LLC 9255 72 ND AVE NE SALEM, OR 97305	\$56.23	17	\$955.96

TOTAL ASSESSMENT: \$955.96



June 4, 2001

AGENDA ITEM 8b

RESOLUTION – AUTHORIZATION OF EXPENDITURES OF SPECIFIC
PURPOSE FUNDS

COUNCIL MEETING: June 4, 2001

AGENDA ITEM NUMBER: _____

TO: MAYOR CHRISTOPHER AND COUNCIL MEMBERS

**THROUGH: CHRIS EPPLEY
CITY MANAGER**

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



SUBJECT: Authorization of Expenditures of Specific Purpose Funds

BACKGROUND:

During fiscal year 2000-2001 the Police Department received \$7,000 in cash as a part of plea bargain agreements. As stipulated in the agreements, these funds are to be used for Police Investigations.

Oregon Budget Law (ORS 294.326(3)) provides for expenditure in the year of receipt of grants, gifts, bequests or devises transferred to the local government in trust of a specific purpose. The Law further provides that a resolution or ordinance be passed to provide authority for the expenditure of these funds.

RECOMMENDATION:

Staff recommends the council adopt the attached resolution authorizing the expenditure of these specific purpose funds.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2001-_____

AUTHORIZATION OF EXPENDITURE OF SPECIFIC PURPOSE FUNDS

WHEREAS, the City of Keizer received funds during fiscal year 2000-2001 that were not anticipated prior to the adoption of the budget;

WHEREAS, such funds are to be used specifically for the expenditures identified below;

WHEREAS, ORS 294.326(3) provides for expenditure in the year of receipt of grants, gifts, bequests or devises transferred to the local government in trust for a specific purpose; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Keizer, that appropriations for the fiscal year ending June 30, 2001 be authorized in the amounts indicated below:

GENERAL FUND - <u>Police Department</u>	<u>Increase</u>	<u>Increase</u>
Expenditure – Investigations	\$7,000	
Revenue – Plea Bargain Agreement		\$7,000

PASSED this _____ day of _____, 2001.

SIGNED this _____ day of _____, 2001.

Mayor

City Recorder



June 4, 2001

AGENDA ITEM 8C

APPROVAL OF MAY 14, 2001 WORK SESSION MINUTES

MINUTES
KEIZER CITY COUNCIL
WORK SESSION
Monday, May 14, 2001
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Christopher called the work session to order at 5:30 p.m. Roll Call was taken as follows:

Present:

Lore Christopher, Mayor
Ray Kelly, Councilor (arrived at 5:31 p.m.)
Charles E. Lee, Councilor
Jerry McGee, Councilor
Judy K. Smith, Councilor
Richard Walsh, Councilor

Absent:

Jacque Moir, Council President

Staff:

Chris Eppley, City Manager
Rob Kissler, Public Works Director
Maria Meier, Senior Planner
Dianne Hunt, Human Resources Director
Shannon Johnson, City Attorney
Tracy L. Davis, City Recorder

WORK SESSION
Chemawa Activity
Center Concept Plan-
Presented by Northwest
National LLC

City Manager Eppley introduced members of the LLC team and the group's intention to receive input from the Council to supply a formal presentation to the City Council on May 21, 2001.

City Attorney Shannon Johnson noted unless there were some large issues to address that the Council would initiate the public process.

Chuck Sides- introduced members of the team that had worked on the draft master plan and who would be part of the process.

Frank Angelo-addressed the concept plan and its main points and physical constraints. Mr. Angelo indicated that the Village Center was the heart of the concept plan enveloping approximately 100 acres. This area would provide commercial, entertainment and hospitality services. He explained the concept of Radiant Loop and it's importance to the plan. He also reviewed the Retail Service Center, Keizer Station Area, Commerce Center and the Recreation Sports Center as outlined in the

concept plan. He summarized the *Keizer Station Master Plan Next Steps* and approximate timeframes and processes for completion.

Responding to questions Mr. Sides indicated their intent to purchase and develop the entire project. He noted that they had purchased properties in areas A, B and C.

Councilor McGee expressed an interest in the transportation portion of the plan.

Chris Stanley, Kittleson and Associates- noted that they were just beginning the transportation process and over the next few months would be able to develop scenarios to determine what types of development would coordinate to the various areas and transportation needs.

Tom Jones, Kittleson and Associates-outlined roundabouts as part of the concept plan and the intent to review traffic concerns to make the traffic flow smoothly.

Dorothy S. Cofield, Attorney at Law-responded to questions regarding amendments to the Comprehensive Plan and Chemawa Activity Center Plan. She noted that most of the amendments would take place in the CAC Plan.

Members of the group answered questions pertaining to bike lanes and the proposed Recreational Center. Council's interest in a timeframe that the development could begin elicited a response from Mr. Sides, "as one year as the best case scenario and five years as the worst case scenario," before development could begin.

Councilor McGee expressed concern with the possibility of other municipalities appealing the process of the Activity Center and the delays that could take place.

Ms. Cofield addressed that their economist would be doing evaluations regarding commercial and industrial needs for the area in order to meet the requirements of goal nine. She indicated if these needs were met, it would be difficult for a jurisdiction to appeal.

Responding to questions Mr. Eppley indicated that issues related to housing and transportation would be reviewed during the goal analysis portion of the development.

The group discussed and answered additional questions regarding possible municipal appeals to LUBA and Northwest National LLC's burden to meet state law throughout the process in an attempt to terminate any

appeals processes.

Also addressed was the water system capacity, revenue streams, the jughandle and railway transportation. Funding opportunities for these components was discussed.

City Manager Eppley noted with the information received that staff would recommend moving forward to initiate the legislative process. He urged the Council to bring forth any issues to staff to address.

City Attorney Shannon Johnson indicated that in a legislative matter ex-parte contact did not apply and indicated to the Council that they had the ability to solicit or accept comments from the community.

Mayor Christopher thanked Northwest National LLC and their team for their presentation.

ADJOURNMENT

Mayor Christopher adjourned the meeting at 6:50 p.m.

APPROVED:
MAYOR:

Cindy Perry
Recording Secretary

Lore Christopher

COUNCIL MEMBERS:

Councilor #1 - Judy K. Smith

ABSENT
Councilor #4 - Jacque Moir

Councilor #2 - Ray Kelly

Councilor #5 - Richard Walsh

Councilor #3 - Charles E. Lee

Councilor #6 - Jerry McGee

Minutes approved:



June 4, 2001

AGENDA ITEM 8d

APPROVAL OF MAY 21, 2001 REGULAR SESSION MINUTES

MINUTES
KEIZER CITY COUNCIL
Monday, May 21, 2001
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

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

Present:

Lore Christopher, Mayor
Ray Kelly, Councilor
Charles E. Lee, Councilor
Jerry McGee, Councilor
Jacque Moir, Council President
Judy K. Smith, Councilor
Richard Walsh, Councilor

Staff:

Chris Eppley, City Manager
Susan Gahlsdorf, Finance Director
Rob Kissler, Public Works Director
Maria Meier, Senior Planner
Marc Adams, Chief of Police
Dianne Hunt, Human Resources Director
Shannon Johnson, City Attorney
Tracy L. Davis, City Recorder

PUBLIC TESTIMONY

B.J. Quinlan, 1423 Woodward, Street, Keizer

Debra Scott, 3785 Brooks Ave NE, Keizer

Robin Yankus, 1432 Woodward Street, Keizer-

Ms. Yankus spoke as the representative of areas of the Southeast Keizer regarding children in that area being designated to be bussed to West Salem High School. They felt these boundary changes would sever them from the community. She requested support from the Council pertaining to these suggested boundary changes.

Mayor Christopher noted that the decision regarding the boundaries had not been made and encouraged everyone to participate in the School District Boundary Meeting on Wednesday, May 23 at 7:00 p.m. She noted concerns of the school board include the increase of population at McNary and the socioeconomic and diversity issues. She urged the group to address other options during the meeting.

Council President Moir urged the group to get in touch with the President of SEKNA, Ken Gierloff.

Councilor Walsh congratulated the group for acting on

COMMITTEE REPORTS

this prior to a decision being changed. He expressed his agreement with the Southeast Area's cause and declared his unhappiness with some of the suggested changes.

The remainder of the Council expressed support of the group's concerns.

Mayor Christopher thanked them for coming.

a. Presentation of Award for 2001-2002 Budget Cover Winner-Greg Westervelt, Clearlake Elementary School (taken out of order before public testimony)

Mayor Christopher provided a background regarding the contest for the Budget Cover. She read the proclamation submitted to Greg Westervelt a student at Clearlake School and noted that he received a \$100 Savings Bond for being selected as the winner of the contest.

b. Volunteer of the Quarter Award-Family of John Copeland (taken out of order)

Council President Moir reported that the Volunteer Coordinating Committee recently selected John Copeland as the Volunteer of the Quarter. She noted some of Mr. Copeland's volunteer accomplishments. Due to Mr. Copeland's recent death the award was presented to his wife, Shirley.

c. Council Liaison Reports

- **Parks Advisory Board**-Mayor Christopher reported that the budget process was discussed.
- **Planning Commission**-Council President Moir reported that the Commission recognized the changes that needed to be made in the Development Code pertaining to Pet Grooming Facilities which would be coming to the Council in the near future.

The Commission also agreed that Chalmers Jones Park should be designated as a community park and referred the issue of definition of boundaries back to the Council for consideration.

- **Keizer Urban Renewal Board**- Councilor Walsh reported that the Board met on May 9th to finalize the urban renewal budget. He noted some of the amendments to the 21st Century Plan and shared that two applications would be coming before the board requesting landscaping funds during the June meeting.
- **Library Services Task Force**-Councilor Walsh reported that they were unable to reach a quorum at

this meeting.

- **Community Policing Committee**-Councilor Kelly had nothing to report.
- **Bikeways Committee**-Councilor Smith reported that the next helmet give away would take place on May 26th at 10:00 a.m. at the Skate Park. She shared that the Fire Safety Open House was that evening and that the Bikeways Committee was participating at this open house.

Councilor Smith noted the committee addressed the lack of crosswalks, specifying Lockhaven from 14th to River Road. She indicated she would be presenting this issue during the next Traffic Safety Commission meeting.

- **Fire Department Meeting**-Councilor McGee reported that he and Councilor Moir met with two representatives from the Fire Department. He suggested that a quarterly meeting be formalized with the fire department to allow the city and the fire department to address issues.

It was noted that this would be addressed during the Council work session pertaining to committees.

OTHER BUSINESS

a. New Business

Library Task Force Resignation

Council President Moir noted that due to other commitments Roy Tribe had tendered his resignation on the Library Task Force. She indicated that she would like the consensus of the Council to appoint Alan Bennett to this position.

It was the consensus of the Council to appoint Mr. Bennett to the Library Task Force.

City Manager Evaluation Process

Mayor Christopher requested that members of the Council complete their evaluation by the first Council meeting in June with an Executive Session taking place the second meeting in June.

Councilor Smith requested a copy of the six-month evaluation to review Mr. Eppley's progress.

The Council and staff discussed the process that should be undertaken for the City Manager's evaluation process and the opportunity for public input. Mr. Johnson read the statutes pertaining to the evaluation of Chief Executive

Officers.

Mayor Christopher requested that this issue be brought back at the next meeting under Administrative Action.

Councilor Lee suggested that someone else other than Mr. Eppley receive the surveys and compiled the information regarding the City Managers evaluation.

After further discussion Mayor Christopher agreed to compile the information regarding the City Managers' evaluation.

b. Old Business

Harmony Drive

Councilor Smith provided a copy of a letter from the resident along Harmony Drive. She requested consensus from the Council to have the City Manager direct staff to review the situation on Harmony Drive.

Councilor McGee noted that the petition from this area came in prior to the approval of the Neighborhood Traffic Management Plan and it was felt that the group might have wished to go through this process since it required 75% approval of citizens in the area.

Councilor Kelly felt that the residents on Harmony Drive needed to go through the formal process before staff became involved.

Councilor Smith noted an exception to this stating that the neighbors in the area had gone through the petition process but that their paperwork had been lost. She urged the Council to make the necessary direction to enable staff to review the traffic situation on Harmony Drive.

The issue of the allegedly lost petition was discussed and Mayor Christopher directed Mr. Eppley to check into the situation and report back to the Council at the next meeting.

Chief Adams shared that an informal traffic check was done and volume was the issue along Harmony Drive. He indicated that he was not aware of any petitions being submitted to the city.

Gateway

Councilor Lee requested feedback on the Gateway Sign from Mr. Kissler at the next Council meeting.

Claggett Creek Park Easement for Watershed

Council- City Attorney Shannon Johnson reported he had submitted a draft regarding an easement for this project. He indicated that he would supply information, as it became available.

Iris Festival

Chief Adams shared the success of the festival and the work that the police department played in its achievement.

FBI Academy

Chief Adams noted that Captain Kent Barker had been invited to attend the FBI Academy.

Chief Executive Officer Training

Chief Adams reported that he had been selected to attend this training dealing with child abduction and/or missing and abused children.

Parking Fee

Mr. Johnson outlined the parking fee at the Volcanoes Stadium during the Iris Festival. He indicated that the fee was not charged because the city required it, but shared that the city did receive 20% or 20 cents per car minimum for events either in the parking lot or at the stadium with the exception of community events.

PUBLIC HEARINGS

a. RESOLUTION- Forming Beier Estates Street Lighting District

Mayor Christopher opened the public hearing.

City Manager Eppley reported that on March 8, 2001 the developer of Beier Estates filed a petition to form a street lighting local improvement district. On March 19, 2001 the City Council adopted a resolution to initiate the formation of a street lighting LID. With approval of the Engineer's report on a notice of public hearing was set for May 15, 2001.

Mr. Eppley noted staff's recommendations to the formation of the district.

With no interested citizens wishing to testify Mayor Christopher closed the public hearing.

Council President Moir moved a Resolution forming Beier Estates Street Lighting Local Improvement District.
Councilor McGee seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Kelly, Lee, McGee, Moir, Smith and Walsh (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Council President Moir moved a Bill for an Ordinance Spreading Assessments to Beier Estates Street Lighting Local Improvement District. Councilor McGee seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Kelly, Lee, McGee, Moir, Smith and Walsh (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

ADMINISTRATIVE ACTION

a. RESOLUTION- Initiating Changes to the Chemawa Activity Center Plan

City Attorney Shannon Johnson reiterated that approval by the Council of the resolution does not mean that the Council approved the design plan but would allow for the public process to take place. He indicated on this type of process that there was no prohibition on exparte contacts. Although Mr. Johnson did go on to advise because of the high political profile of this project that the Council may wish to refrain from exparte contacts.

Charlie Matschek with Ankrom Moisen Firm-noted he was the team project leader and offered to answer questions from the Council.

Don Jensen, Northwest National LLC; Tom Jones, WH Pacific and Frank Angelo Land Use Planner-were also available to answer questions.

Councilor McGee felt that details should be outlined during the public process. He felt general comments or questions would be appropriate during this setting.

Mr. Johnson outlined Councilor McGee's perception encouraging the public to attend the public hearing to have their comments be made part of the record.

Mr. Matschek summarized the development and reviewed the information with display boards.

Councilor Lee felt that the name of Chemawa Activity Center should remain to refrain from confusion of a name

change to Keizer Station.

City Manager Eppley proposed that the formal adopted Chemawa Activity Center Plan should be the document that the development team worked with until amendments had been made to the plan.

Responding to questions Mr. Johnson noted that a formal name change could be one of the amendments to the plan with adoption upon final Council vote.

Doug Parrow, 6782 Amy Lane NE, Keizer-encouraged the Council not take the approach to limit exparte contacts for this project, as the effects of the development were important to the city and its citizens. He indicated that he had been made aware that an updated version of the Comprehensive Plan was not available to the public. He urged the process to be delayed until an updated copy of the plan could be made available to the public.

Responding to questions Planning Director, Maria Meier indicated that the amendments had been compiled and could be incorporated into the document within 30 days.

Bob Herberger, 2805 Chemawa Road NE, Keizer-represents five families in Area "A". He encouraged the involvement of the landowners in the process including any meeting, which took place.

Councilor Kelly asked if it would be possible to make Mr. Herberger a non voting member of the Planning Commission during this process.

Councilor McGee strongly disagreed with this suggestion indicating that the meetings were all noticed and open to the public.

Mr. Herberger reiterated his wish that that the landowners be included in the process.

Council President Moir moved to Adopt a Resolution Initiating Legislative Amendments to the Keizer Comprehensive Plan, Keizer Development Code Regarding the Chemawa Activity Center (1997)-FULL REIVEW 2001. Councilor Smith seconded the motion.

Responding to questions Ms. Meier indicated that the 45-day time frame was to notice DLCD.

The motion passed unanimously as follows:

AYES: Christopher, Kelly, Lee, McGee, Moir, Smith and Walsh (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

b. ORDINANCE- False Alarms

Chief Adams supplied a history of the initiation of the False Alarm Ordinance. He indicated that the police department was responding to 700-800 false alarm calls annually. He indicated that 500-600 hours of police time were spent answering false alarms. Chief Adams shared that the draft ordinance would allow current alarm holders to register their alarms without a fee. Future alarm holders would pay a fee and abusers would be fined on an escalating fine schedule. He indicated that history showed a 50% reduction in false alarms by initiation of the ordinance.

Responding to questions Chief Adams noted that to identify current alarm users press releases would be done to allow current users 90-days to register their alarms free of charge. He stressed that education of this process was the key to the success of the ordinance.

Councilor McGee expressed his support of the false alarm ordinance, but did not support the permitting system. He supplied a brief history of how previous Council's had reviewed the ordinance and the permitting system. Councilor McGee stated that the majority of false alarms were dispatched to businesses and he would not have a problem with businesses being required to submit a permit for an alarm, but was not in favor of residential permits.

Responding to questions Chief Adams indicated that the registration of the alarms was necessary to effectively manage the process.

Councilor Walsh declared a potential conflict because he has a commercial and home alarm system. He went on to note that there were various categories of alarm usage that he felt needed to be addressed.

Councilor Smith spoke in support of the permitting system.

Councilor Kelly spoke in support of the permitting process, but felt incentives rather than fines would have a more positive outcome. He also felt that intentional alarms should be considered a crime. Councilor Kelly felt that the ordinance should be rewritten to address the issues discussed.

Mr. Johnson noted the criminal vs. civil infractions and the municipal courts limited jurisdiction.

Councilor Walsh also indicated he was in favor of a false alarm ordinance, but did not agree with the burden of proof being placed on the property owner regarding a false alarm.

Responding to questions Mr. Johnson indicated that the model of the ordinance was what was being used throughout jurisdictions in the United States.

Council President Moir moved to adopt a Bill for an Ordinance Regulating Alarm Systems, Requiring Permits and Providing Penalties for False Alarms, Fees and Penalties for Ordinance Violators. Councilor Smith seconded the motion.

Councilor Lee urged the Council to vote in favor of the ordinance to help alleviate a growing problem.

Responding to questions Chief Adams noted in his opinion the ordinance could not be administered without a permitting system and the use of the computer software to track the false alarms. He stressed that this would be labor intensive if done manually. Chief Adams stressed that the goal was compliance of the ordinance.

Councilor McGee felt the reduction of false alarms could be accomplished with an ordinance without a permitting system.

Council debated the issue of the permitting process, the ordinance and the confidentiality of the information being obtained during the permitting process.

Councilor Walsh suggested a friendly amendment to page 5 section 4 to read: "The City of Keizer shall not, by virtue of the issuance of an alarm system permit alone, be obligated to respond or accord any additional priority in response to an alarm from a licensed system." Councilor's Moir and Smith accepted the amendment to the motion.

Councilor Lee urged the Council to move forward and adopt the ordinance as it was written.

Councilor Kelly moved a motion to table the ordinance until it could be rewritten and brought back to the Council in a different form. Councilor Walsh seconded the motion.

The motion failed as follows:

AYES: Christopher, Lee, Moir and Smith (4)

NAYS: Kelly, McGee and Walsh (3)

ABSTENTIONS: None (0)

ABSENT: None (0)

The main motion with amendment passed as follows:

AYES: Christopher, Lee, Moir and Smith (4)

NAYS: Kelly, McGee and Walsh (3)

ABSTENTIONS: None (0)

ABSENT: None (0)

Mayor Christopher recessed the meeting till 9:30 p.m.

**c. RESOLUTION-No
Parking 35th Avenue
adjacent to Keizer
Stadium**

City Manager Eppley reported that the Salem Keizer Volcanoes brought to City staff's attention vehicles parking along 35th Avenue and Tepper Lane, which could be creating a hazard. The area of concern was reviewed by the City Manager and the Public Works Director and found to be a valid and safety hazard for pedestrians and the narrowing of vehicular traffic.

Mr. Eppley reported that the fiscal impact would be approximately \$800-\$1,000 for the placement of "No Parking" signs. Staff recommended that the Council adopt the resolution establishing the "No Parking" zone in the areas indicated by the staff report.

Council President Moir Moved to Adopt the Resolution Designating a Portion of Tepper Lane and 35th Avenue as "No Parking" Zones. Councilor Smith seconded the Motion.

Responding to questions, Chief Adams indicated that he was not aware of any accidents that had taken place in that area.

City Manager Eppley shared that the streets in question were narrow and contained no sidewalks. Also any vehicle parking on these streets protruded out into the street narrowing vehicle access.

The motion passed as follows:

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

NAYS: Kelly (1)

ABSTENTIONS: None (0)

ABSENT: None (0)

**d. ORDINANCE-
Amending Park
Regulations Ordinance
90-188 for Adoption of
Regulations for Carlson
Skate Park**

City Manager Eppley noted that the ordinance could not be adopted because the other regulations for Carlson Skate Park had not been adopted. He noted this could be brought back to Council during the next meeting. Mr. Eppley indicated that Council could direct staff to have a sign made and placed regarding the helmet regulations.

After further discussion Mr. Johnson asked if they felt an emergency clause was necessary. It was the consensus of the Council to include an emergency clause.

Councilor Kelly felt it was important to address how long a forfeiture of the use of the park for a violation would be.

Chief Adams felt a one-day ban from the park would be adequate since it would be difficult to track the offenders.

Mayor Christopher asked that remedies for repeat offenders be addressed in the ordinance and that the Council discussed the use of Peer Court for repeat offenders.

After further discussion it was the consensus of the Council to have the ordinance brought back during the June 4, 2001 City Council Meeting.

**CONSENT
CALENDAR**

a. Approval of May 7, 2001 Regular Session Minutes

Council President Moir moved for approval of the May 7, 2001 Regular Session Minutes as amended. Councilor McGee seconded the Motion.

The motion passed unanimously as follows:

AYES: Christopher, Kelly, Lee, McGee, Moir, Smith and Walsh (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**WRITTEN
COMMUNICATIONS**

Mayor Christopher shared a letter from Bob Newton regarding the ceremony at Pleasant View Park. Council President Moir agreed to attend the ceremony.

Mayor Christopher noted a letter from Greg Rands with Cascade Landscaping that indicated that they were contracted to mow five city parks.

Regarding the Marion County Growth Management Project City Manager Eppley indicated that he and Ms. Meier would be attending these meetings as it could

hinder Keizer's participation in UGB expansion.

AGENDA INPUT

June 4, 2001

6:00 p.m. Urban Renewal Agency Meeting

- 2001-2002 Keizer Urban Renewal Budget Public Hearing

7:00 p.m. City Council Regular Session

- 2001-2002 City of Keizer Budget Public Hearing
- Telephone Franchise Fee Increase Public Hearing
- Transient Occupancy room Fee Increase Public Hearing
- Vehicle Impound Administrative Fee Increase Public Hearing
- Municipal Court Administrative Fee Public Hearing

June 11, 2001

5:30 p.m. City Council Work Session

- City Boards and Commission Appointment Process

June 18, 2001

6:00 p.m. Urban Renewal Agency Meeting

- Adoption of 2001-2002 Urban Renewal Agency Budget

7:00 p.m. City Council Regular Session

- Adoption of 2001-2002 City of Keizer Budget
- Supplemental Budget Resolutions for FY 2000-2001
- Adoption of Long Range Financial Plan for City of Keizer

Mayor Christopher noted the agenda items.

ADJOURNMENT

Mayor Christopher adjourned the meeting at 9:54 p.m.

Cindy Perry
Recording Secretary

APPROVED:
MAYOR:

Lore Christopher

COUNCIL MEMBERS:

Councilor #1 - Judy K. Smith

Councilor #4 - Jacque Moir

Councilor #2 - Ray Kelly

Councilor #5 - Richard Walsh

Councilor #3 - Charles E. Lee

Councilor #6 - Jerry McGee

Minutes approved:

Rec'd 6/4/01
CC ✓
CM ✓

Qwest

421 Southwest Oak Street
Suite 880C
Portland, Oregon 97204
Phone 503-242-5508
FAX 503-242-8589
e-mail: gpeden@qwest.com



Greg Peden

Director
Policy and Law

May 31, 2001

Susan Gahlsdorf
Finance Director
City of Keizer
930 Chemawa Rd. N.E.
P.O. Box 21000
Keizer, OR 97307

Dear Ms. Gahlsdorf:

I am in receipt of your letters of December 22, 2000 and May 30, 2001 regarding the City of Keizer's intention to modify Keizer City Ordinance No. 94-287, the ordinance granting US West Communications (now Qwest Communications), the right to occupy the public rights of way within the City's jurisdiction.

Qwest Communications Inc. is very concerned that in light of the recent decision of the Federal Circuit Court for the 9th Circuit in *Qwest v. City of Auburn, et. Al*, filed April 24, 2001, the City's authority to charge any fee that is not based on the actual cost of management of the public rights of way is preempted by the Federal Telecommunications Act. Qwest believes that federal law now preempts the current fee charged by the City (4% of local exchange access revenue) and that a change to 7% would certainly be preempted as well.

Further, Section 8 of Keizer City Ordinance No. 94-287 states... "It is understood and agreed that either party may terminate or renegotiate this Agreement after 180 days notice in writing." The Ordinance does not contemplate nor allow for the unilateral modification that is suggested in your letter of December 22, 2000. Qwest believes at this time that the City of Keizer cannot take action on June 4, 2001 to increase the fee paid by Qwest to use the public rights of way within the City of Keizer. Qwest has received no notice of termination or re-negotiation. Nor have the parties to the Agreement entered into good-faith re-negotiations at this time.

However, if it is the City of Keizer's intent to re-negotiate a new fee for the use of the public rights of way with Qwest Communications, Qwest is willing to enter into such negotiations in light of the *Auburn* decision. If the City intends to terminate the existing Agreement, please notify me immediately.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Greg Kelen". The signature is written in dark ink on a white background.

March 2001 Sting Results - Keizer

3/28/01	3/29/01	Business	Address	City
did not sell	did not sell	Schlotsky's Deli	3861 River Road N	Keizer
did not sell	did not sell	Ming Yang Restaurant	5069 River Road N	Keizer
did not sell	did not sell	McNary Restaurant & Lodge	165 McNary Estates Drive	Keizer
did not sell	did not sell	Ringo's Tavern	4170 River Road N	Keizer
did not sell	did not sell	Bray's Family Restaurant	5024 River Road N	Keizer
did not sell	did not sell	Abby's Pizza Inn of Keizer	3451 River Road N	Keizer
did not sell	did not sell	Porter's Pub	4820 River Road N	Keizer
did not sell	not applicable	Primetime Pizza	5025 River Road N	Keizer
did not sell	sold	Thai Cuisine	4140 River Road N	Keizer
did not sell	sold	Town & Country Lanes	3500 River Road N	Keizer
not applicable	did not sell	Caruso's Italian Café	4907 River Road N	Keizer
not applicable	sold	Elks Lodge #2472	4250 Cherry Avenue N	Keizer
not applicable	sold	Eagles Lodge #3895	4090 Cherry Avenue NE	Keizer
sold	did not sell	JC's Pizzeria	4200 River Road N	Keizer
sold	did not sell	Cooper's Deli & Pub	5408 River Road N	Keizer
sold	did not sell	Dos Hermanos	3590 River Road N	Keizer
sold	did not sell	Blooming Cuisine	3843 River Road N	Keizer



PUBLIC HEARING RE: URBAN RENEWAL AGENCY BUDGET 01-02

June 4, 2001 **TIME: 7:00 p.m.**

AGENDA ITEM # 6a

(PLEASE PRINT)

[illegible]

1 Section 15. APPEALS.

2 (1) Any person whose alarm system permit has been suspended under the provisions of
3 this Ordinance may appeal that action to the municipal court by giving written notice to the City
4 Recorder. Such notice shall be given within thirty days after receipt of the notice of suspension.
5 The filing of a Notice of Appeal shall stay the action appealed until disposition of the appeal by
6 the municipal court.

7 (2) Any person who has been assessed a false alarm fee may appeal such charge to the
8 municipal court by giving written notice to the City Recorder. Such notice shall be given within
9 ten (10) days of invoice assessing such charge. If the invoice is based on the third false alarm
10 during a calendar year, the permittee may challenge the determination only as to the alarm or
11 alarms for which a fee is assessed.

12 (3) Upon receipt of the appeal notice under subsection (1) or (2) of this section, the City
13 Recorder shall set the matter for a hearing before the municipal court within thirty (30) days of
14 the date of filing and shall give notice of the hearing to the appellant and to the Chief of Police, if
15 the challenged alarms resulted from a security alarm system, or to the Keizer Fire Marshall, if the
16 challenged alarms resulted from a monitored fire alarm system.

17 (4) At the hearing the appellant and the Chief or Fire Marshall shall be given an
18 opportunity to present whatever facts or arguments which are relevant to the suspension of the
19 permit, or the assessed charge. The hearing will be conducted denovo.

20 (5) The decision of the municipal court judge shall be final in regard to any appeal based
21 upon an assessed a false alarm fee. The decision of the municipal court judge in regard to the
22 suspension of an alarm system permit may be appealed to the City Council. Said hearing before
23 the City Council shall be heard denovo, but the evidence shall be limited to the evidence presented
24 to the municipal court.
25
26

1 BILL NO. ____

A BILL

ORDINANCE NO.

2

2001-____

3

FOR

4

AN ORDINANCE

5

6

7

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

8

The City of Keizer ordains as follows:

9

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

10

and phrases mean:

11

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

12

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

13

Ordinance.

14

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

15

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

16

Center or the Keizer Police Department.

17

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

18

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

19

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

20

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

21

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

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

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

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

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

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

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

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

6 (11) "Monitored fire alarm system" is an alarm system which incorporates a
7 remote annunciator or an automatic dialer, and is designed to give warning of fire only.

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

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

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

17 (15) "Residential fire alarm system" is a monitored fire alarm system serving
18 a single dwelling unit.

19 (16) "Security alarm system" is an alarm system designed to give warning of
20 criminal activity or unauthorized entry only.

1 (17) "Sensor" means that part of an alarm system which is designed to detect
2 the happening of some event or designed to detect the happening of some event or
3 existence of some condition indicative of fire, criminal activity or unauthorized entry.

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

6 (19) "Universal alarm system" means an alarm system which incorporates both
7 a monitored fire alarm function and a security alarm function.

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

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

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

5 Section 5. REQUIREMENTS FOR AUDIBLE ANNUNCIATORS.

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

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

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

18 Section 6. REQUIREMENTS FOR AUTOMATIC DIALERS.

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

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

4 Section 7. ALARM SYSTEM REQUIREMENTS - GENERAL.

5 (1) No alarm system shall be installed, used, or maintained in violation of any of
6 the requirements of Keizer City Ordinances, or of any applicable statute, law, or
7 administrative regulation of the United States of America, the State of Oregon, or any
8 administrative rule-making body thereof.

9 (2) The holder of an alarm system permit shall be responsible for training and
10 retraining all employees, family members, and other persons who may make regular use
11 of the protected premises and who may, in normal course of their activities be in a
12 position to accidentally trigger a sensor. Such training shall include procedures and
13 practices to avoid accidental alarms and steps to follow in the event the system is
14 accidentally triggered.

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

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1 Section 8. PERMITS REQUIRED.

2 (1) As of the effective date of this Ordinance, all alarm users within the City of
3 Keizer must apply for and receive alarm system permits. No fee shall be charged to such
4 users who make application within ninety (90) days of the effective date. Thereafter,
5 permits for any alarm systems with the City of Keizer, including any activated after the
6 effective date of this Ordinance, shall pay a fee of \$20.00 for issuance. Permits shall
7 remain in effect unless revoked or suspended under this Ordinance or until the alarm
8 system is dismantled or abandoned by the user. Permits are not transferable; subsequent
9 users on the same premises must obtain a new permit. The City shall not, by the issuance
10 of a permit, be obligated to respond or accord any priority to an alarm from such system.

11 It shall be unlawful for any person to use or maintain any security alarm system,
12 monitored fire alarm system or universal alarm system without first obtaining a permit
13 therefor as provided in this Ordinance.

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

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

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

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

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

6 (d) The names, addresses, and telephone numbers including home phone
7 numbers, of the principal and at least two natural persons who reside within ten miles
8 of the corporate limits of Keizer and who have immediate access to keys to the protected
9 premises, and who have agreed to come to the protected premises upon request of police
10 or fire agencies when the principal cannot be contacted.

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

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

15 (g) The information provided by the applicant pursuant to subsections (d) and (e)
16 of this Section and all updates thereof, shall be given and accepted in confidence and
17 kept from public disclosure to the extent permitted by law. However, the City of Keizer
18 shall not be liable for any types of claims, actions of suits if the City in good faith
19 attempts to prevent disclosure of such information.

1 Section 10. INSPECTION OF ALARM SYSTEMS. Prior to issuing an alarm
2 system permit and at any time thereafter during the term thereof, the Chief of Police of
3 the City of Keizer or an officer designated by the Chief may inspect any alarm system
4 for which a permit is required. Such inspection shall be for the purpose of ascertaining
5 that information furnished by the applicant or permittee is correct and that the system
6 is maintained in conformance with the provision of this Ordinance.

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

12 Section 12. SUSPENSION OF PERMITS.

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

- 15 (a) Any false or incomplete statement made on the permit application.
16 (b) Any violation of Sections 3, 5, 6, or 7 of this Ordinance.
17 (c) Failure to pay a false alarm fee within thirty (30) days of demand.
18 (d) Maintenance, installation, or use of the alarm system in violation of any
19 applicable law, ordinance or regulation, including the requirements of this Ordinance.
20 (e) Failure to provide current information as required.

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

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

11 Section 13. FALSE ALARM FEES. As a condition of any alarm system permit
12 issued under the provisions of this Ordinance, the permittee shall pay to the City of
13 Keizer upon and within ten (10) days of invoice fees for false alarms generated within
14 a calendar year by the permittee's alarm system as follows:

15 3rd false alarm \$50.00
16 4th false alarm \$100.00
17 5th false alarm \$150.00
18 6th false alarm \$200.00
19 7th and subsequent false alarm \$250.00

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1 Section 14. EXCUSABLE FALSE ALARMS. An alarm which is a false alarm
2 as defined in this Ordinance may be excused at the discretion of the responding agency
3 or the investigator upon being satisfied that:

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

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

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

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

16 (e) The false alarm was not the result of user error or neglect. "User" includes
17 owners, employees, residents, family members and guests of the protected premises.

18 (f) No more than two false alarms shall be excused during a calendar year unless
19 the permittee provides satisfactory evidence that each component of the alarm system
20 whose malfunction or failure is capable of producing the false alarm have been replaced

1 by competent technicians and the system has been found free of apparent fault after
2 inspection as provided in subsection (a) of this Section.

3 Section 15. APPEALS.

4 (1) Any person whose alarm system permit has been suspended under the
5 provision of this Ordinance may appeal that action by giving written notice to Chief of
6 Police. Such notice shall be given with thirty (30) days after receipt of the notice of
7 suspension. The filing of a Notice of Appeal shall stay the action appealed until
8 disposition of the appeal by the Chief.

9 (2) Any person who has been assessed a false alarm fee may appeal such charge
10 by giving written notice to the Chief of Police. Such notice shall be given within ten
11 (10) days of invoice assessing such charge. If the invoice is based on the third false
12 alarm during a calendar year, the permittee may challenge the determination only as to
13 the alarm or alarms for which a fee is assessed. Upon receipt of the appeal notice, the
14 City Recorder shall forward the notice to the Chief of Police, if the challenged alarms
15 resulted from a security alarm system, or the Keizer Fire Marshall, if the challenged
16 alarms resulted from a monitored fire alarm system. The Chief or Fire Marshall shall
17 appoint one or more officers to investigate the circumstances of the alarms upon which
18 the appeal is based. The investigators shall notify the appellant of a time certain, not less
19 than two weeks nor more than four weeks following the date which the appeal was filed,
20 at or before which the appellant shall file with the investigator whatever factual

1 information may be relevant in support of the appeal. If the investigator determines the
2 charge to have been made in error, the invoice shall be canceled, and the appellant and
3 the City Recorder shall be notified of such determination; otherwise the investigator
4 shall make a full report of his findings and file the same, together with any information
5 filed by the appellant, with the City Recorder. The investigators' determination shall be
6 filed with the City Recorder within sixty (60) days of the date on which the appeal was
7 filed. A determination by the investigator that the invoice should be canceled shall be
8 a final disposition of the appeal.

9 (3) An appeal under subsection (1) of this Section shall be set by the City
10 Recorder for public hearing before the City Council within thirty (30) days of the date
11 of filing. At the hearing the appellant and the Chief shall be given an opportunity to
12 present whatever facts or arguments they deem relevant to the suspension of the permit.

13 (4) An appeal which is not disposed of by the investigator under subsection (2)
14 of this Section shall be set down by the City Recorder for public hearing before the City
15 Council within thirty (30) days of the date on which the investigator's report was filed.
16 At the hearing the appellant and the Chief shall be given the opportunity to present
17 whatever arguments they deem relevant to the investigator's determination. The hearing
18 shall be limited to the record filed by the investigator under subsection (2) of this Section
19 unless the City Council, by majority vote, decides to review the matter de novo.

20 Section 16. VIOLATION. Violation of this Ordinance is a civil infraction.

A Bill
for
An Ordinance

Providing Penalties for False Alarms

The City of Keizer ordains as follows:

Section 1. Definitions For purposes of this Ordinance, the following words and phrases mean:

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

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

(3). "Center" means the "911" emergency communications center serving the City of Keizer.

(4). "False Alarm" means any activation of an alarm system not resulting from fire, criminal activity or unauthorized entry, upon or following which communication is made to the center that an alarm has been triggered. If the alarm, when communicated to the Center is clearly identified to the Center as resulting from authorized entry, authorized system testing or other non-emergency causes, it shall not be considered as a false alarm. If police or fire units, as applicable, respond to an alarm and check the protected premises according to standard operating procedures and are unable to discover any evidence of fire, unauthorized entry or criminal activity, the alarm will be deemed false absent a preponderance of credible evidence to the contrary.

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

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

3 Section 2. "Intentional alarms" is shall be unlawful for any person to intentionally trigger
4 an alarm system except for testing or to signal an actual emergency involving criminal conduct
5 amounting to a felony, fire, or other condition threatening human life or major property loss and
6 requiring police, fire, or other emergency response.

7 Section 3. "Testing of alarm system" no testing of a security alarm system resulting in the
8 activation of an audible annunciator shall be conducted between the hours of 8:00 pm of any day
9 and 7:00am of the following day.

10 Audible annunciator may be activated in conjunction with system testing without notice
11 provided that such activation is for no more than ten seconds duration each during any four-hour
12 period. Alarm activation in compliance with this subsection shall not be deemed a false alarm.

13 Section 4. "False Alarm Fees" Under the conditions of this Ordinance the principal shall
14 pay to the City of Keizer within ten (10) days of invoice, fees for false alarms generated within a
15 calendar year by the principal's alarm system as follows:

16 3rd false alarm \$ 50.00

17 4th false alarm \$100.00

18 5th false alarm \$150.00

19 6th false alarm \$200.00

20 7th and subsequent false alarms \$250.00

21 Section 5. "Excusable false alarms" An alarm which is a false alarm as defined in this
22 Ordinance shall be excused by the responding agency if the false alarm was not the result of user
23 error or neglect. User includes owners, employees, residents and family members of the protected
24 premises or others reasonably within the control of the same.

25 Section 6. "Appeals" Any person who has been assessed a false alarm fee may appeal
26 such charge to the Municipal Court by giving written notice to the City Recorder. Such notice

1 | shall be given within ten (10) days of the invoice assessing such charge. If the notice is based on
2 | the third false alarm during a calendar year, the principal may challenge the determination only as
3 | to the alarm or alarms for which a fee is assessed.

4 | Section. 7. "Violation" Violation of this Ordinance is a civil infraction.
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