



MINUTES
KEIZER CITY COUNCIL
Monday, June 3, 2013
Keizer Civic Center, Council Chambers
Keizer, Oregon

CALL TO ORDER

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

Present:

Lore Christopher, Mayor
Joe Egli, Council President (7:57)
Cathy Clark, Councilor
Dennis Koho, Councilor
Marlene Quinn, Councilor
Jim Taylor, Councilor
One Position Vacant

Staff:

Chris Eppley, City Manager
Susan Gahlsdorf, Finance Director
Shannon Johnson, City Attorney
Marc Adams, Police Chief
Nate Brown, Community Development
Bill Lawyer, Public Works Director
Machell DePina, Human Resources
Tracy Davis, City Recorder

FLAG SALUTE

Mayor Christopher led the pledge of allegiance.

PUBLIC TESTIMONY None

**PUBLIC
HEARINGS**

**a. Outback –
Steakhouse
Liquor License
Application**

Taken out of Order. City Manager Chris Eppley reported that an application was submitted for a Full On Premises Sales Liquor License for Outback Steakhouse, Keizer, Oregon. A public hearing was scheduled, notice published, necessary notification given, a background check was done, and Keizer Planning Department finds the location of the establishment to be properly zoned and has no comment on the application. Staff recommends that following a public hearing, Council recommend approval of the application.

Mayor Christopher opened the Public Hearing. Hearing no testimony, Mayor Christopher closed the Public Hearing.

Councilor Taylor moved that the Keizer City Council recommend approval of the application for a Full On-Premises Sales liquor license for Outback Steakhouse under the guidelines as established by ORS 471.178 and the Ordinances of the City of Keizer and to forward this recommendation to the Oregon Liquor Control Commission for final approval. Councilor Clark seconded.

Councilor Taylor indicated that because the applicant had not attended the meeting, he would oppose this recommendation.

Motion passed as follows:

AYES: Christopher, Quinn, and Clark (3)

NAYS: Koho and Taylor (2)

ABSTENTIONS: None (0)

ABSENT: Egli with One Position Vacant (2)

**b. ORDINANCE –
Setting Water
Rates (2014) –
Repealing
Ordinance
2012-657**

Finance Director Susan Gahlsdorf explained that the Cost of Service Analysis and the Water Master Plan have been updated and approved by Council. The proposed rate increase supports the improvements identified in both the plan and the model to operate the water system. The City Budget (also on the agenda) includes a 4.2% rate increase beginning January 2014.

Mayor Christopher opened the Public Hearing. Hearing no testimony, Mayor Christopher closed the Public Hearing.

Councilor Taylor moved that the Keizer City Council adopt an Ordinance Setting Water Rates (2014) – Repealing Ordinance 2012-657. Councilor Clark seconded. Motion passed unanimously as follows:

AYES: Christopher, Koho, Quinn, Taylor and Clark (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Egli with One Position Vacant (2)

**c. RESOLUTION –
Setting Storm
Water Rates
(2014) –
Amending
Resolution
R2007-1808;
Repealing
Resolution
R2012-2294**

Finance Director Susan Gahlsdorf explained that over the past year the City has gone through an extensive process of reviewing the long term funding needs of the Storm Water Utility. The plan developed over a period of time with the assistance of the Storm Water Advisory Board and was approved by Council in December 2012. The rate increase is necessary in order to meet the Federal compliance requirements. The first rate increase took effect January 2013. This will be the second increase and will begin January 2014.

Mayor Christopher explained that the Federal Government dictates the precautions needed for storm water; they are costly but the City has no choice and the Budget is set up to provide adequate funds to meet those requirements.

Mayor Christopher opened the Public Hearing. Hearing no testimony, Mayor Christopher closed the Public Hearing.

Councilor Taylor moved that the Keizer City Council adopt a Resolution Amending the Storm Water Utility Fee and Declaring an Emergency (Amending Resolution R2007-1808; Repealing Resolution R2012-2294). Councilor Clark seconded. Motion passed as follows:

AYES: Christopher, Koho, Quinn, Taylor and Clark (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Egli with One Position Vacant (2)

- d. RESOLUTION – Certification of Lighting District Assessments** Finance Director Susan Gahlsdorf explained that these assessments are to pay for the electricity costs of street lights in the city. They are divided up by lighting districts. She noted that this is the second year that the administrative costs have been cut in half.

Mayor Christopher opened the Public Hearing. Hearing no testimony, Mayor Christopher closed the Public Hearing.

Councilor Taylor moved that the Keizer City Council adopt a Resolution - Certification of Lighting District Assessments. Councilor Clark seconded. Motion passed as follows:

AYES: Christopher, Koho, Quinn, Taylor and Clark (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Egli with One Position Vacant (2)

- e. RESOLUTION – Adopting FY2013-2014 City of Keizer Budget, Making Appropriations and Imposing and Categorizing Taxes** Finance Director Susan Gahlsdorf reported that the Budget Committee met three times in May to review, deliberate and pass the Budget. She reviewed the adjustments allowed by Oregon law adding that the Budget must be approved by June 30. She noted that since the Budget was approved, staff has identified one change: staff is recommending moving the amphitheater fund, which is very small, into the Park Operations Fund. Fees and amphitheater costs will still be tracked separately.

Councilor Koho indicated that at times he represents the Keizer Chamber of Commerce and under the proposed budget they will receive some money. However, this does not reflect his firm's interest or ability to do business regardless of how he would vote but it could be perceived as a potential conflict of interest. He will still debate and vote on the budget.

Mayor Christopher opened the Public Hearing. Hearing no testimony, Mayor Christopher closed the Public Hearing.

Councilor Clark noted that items in the Keizer Chamber request for funding were not addressed at the Budget meetings. She requested that they be addressed at this time. Ms. Gahlsdorf clarified that none of the Chamber requests are being funded by Transient Occupancy Tax funds; it is all being put in Contingency. Councilor Clark suggested that should TOT funds be released, items in a prioritized list could then be funded.

Mayor Christopher noted that \$5,000 was allocated in the budget for replacement of Christmas lights and that needs to be \$10,000. The supplier is willing to work with the City over a five-year period; \$10,000 each year for a total of \$50,000. That will buy 30 lights at \$300 each.

Mayor Christopher moved that the item under Transient Occupancy Tax funding for the replacement of Christmas lights be changed from \$5,000 to \$10,000 and the TOT revenue estimate be increased by \$5,000. Councilor Clark seconded.

Ms. Gahlsdorf explained that if the revenue is not received then the items will not be funded. Motion passed as follows:

AYES: Christopher, Koho, Quinn, Taylor and Clark (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Egli with One Position Vacant (2)

Councilor Clark noted that the Chamber had requested \$10,000 in a non-itemized request. In past years items from their request have been designated for funding through the budget.

Councilor Clark moved that the notation for the Keizer Chamber support include Police for the Keizer Iris Festival Parade (\$4,000); the Community Calendar Basic (\$1,200); the Iris Kiosk at the Civic Center (\$1,000); the Governor's Conference (\$1,500); and funding for maps (\$300), and discuss allocation of the remaining \$2,000. Councilor Taylor seconded.

Discussion then took place regarding problems encountered with the Iris Kiosk with Council agreeing that it would be the last thing funded.

Mayor Christopher restated the motion: The Chamber be funded: \$4,000 for Police to support the Iris Festival Parade; \$1,200 for the Community Calendar Basic; \$1,500 for the Governor's Conference; \$300 for maps; and the \$1,000 for the Iris Kiosk at the Civic Center; in that order of priority for a total of \$8,000.

Councilor Clark proposed an addition of \$800 for City Center signage to direct people to City Center from Keizer Station. Public Works Director Bill Lawyer explained that signage is a City function and all he needed was a request from the Chamber and a map of where they would like the signs. Councilor Clark withdrew her request.

Motion passed as follows:

AYES: Christopher, Koho, Quinn, Taylor and Clark (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Egli with One Position Vacant (2)

Further discussion took place regarding funding police support for the Good Vibrations parade. Councilor Clark suggested paying it out of contingency and reallocating the funds into the police budget. Ms. Gahlsdorf interjected that funding is already set aside in the police budget for the police overtime for this event and Iris Festival. Councilor Taylor suggested that the Police Budget be reimbursed with the TOT funds.

Councilor Koho voiced opposition to funding a for-profit organization with taxpayer money. He suggested that this item be withdrawn. Further discussion ensued with it being noted that the City is committed for this year but this could be the last year that the City participates. Councilor Taylor pointed out that the non-profit Festival of Lights people pay for police themselves.

Mayor Christopher clarified that any TOT funds received will be used first to reimburse the police budget.

Director Gahlsdorf reviewed the priority list:

- | | |
|--|----------|
| • Holiday Lights | \$10,000 |
| • Festival of Lights Parade | 5,000 |
| • Civic Center Reader Board Reserve | 10,000 |
| • Good Vibrations Motorcycle Rally | 3,300 |
| • Keizer Renaissance Inn directional maps | 300 |
| • Keizer Chamber Support (priorities listed above) | 8,000 |

Councilor Taylor moved that the Keizer City Council approve a Resolution Adopting FY2013-2014 City of Keizer Budget, Making Appropriations and Imposing and Categorizing Taxes as amended. Councilor Clark seconded. Motion passed as follows:

AYES: Christopher, Koho, Quinn, Taylor and Clark (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Egli with One Position Vacant (2)

f. Housing Needs Analysis and Economic Opportunities Analysis

Community Development Director Nate Brown explained that this is a continuation of the May 20 Public Hearing and since that time staff has been addressing issues raised on May 20. He noted that the issue before Council is the Economic Opportunities Analysis Report, the Housing Needs Analysis Report, and proposed amendments to the Keizer Development Code and the Comprehensive Plan. Regarding concern regarding school lands and he directed attention to a letter from Gordon Howard from Department of Land Conservation and Development that explained ORS requirements. He added that, should the City find there is a deficit of school land, they would simply go back and amend the Housing Needs Analysis to incorporate the new information. The school district would be obligated to pay costs for rezoning or acquisition of a conditional use permit. He directed attention to attachments to be included in the study. Attachment 1 states that the school district would be responsible for all technical analyses and documentation necessary if additional land was needed for schools and Attachment 2 is a reiteration of the principle that should another use be desirable for the lands identified for employment lands the same process would have to be followed. By adoption of this information, the City is saying that they are

committed to the principals contained in the reports and accepts the responsibility for execution of necessary measures to implement the requirements.

Mayor Christopher reopened the Public Hearing.

David Dempster, Keizer, compared population growth in Keizer to the rest of the United States based on a New York Times article which predicted that population growth would be greater in urban areas than suburban. He voiced the opinion that the consultant used old data for the population prediction and manipulated the numbers by showing an increased urban growth boundary but if the urban growth boundary was not increased, the population of the city would not increase. He urged the building of starter homes rather than larger homes or building up rather than out.

Bill Close, Eugene, representing Lee and Art Piculles, urged the City to be creative in their vision, pointed out that current ideology is urging growing up rather than out and that the "hold the line" people will never be happy. He recommended the City weigh the statewide planning goals equally giving Goal 14 the same weight as the other Goals. The program is set up to accommodate some expansion; the City's choice is to determine how much to expand.

Bill Horning, Western Planning Associates, Lake Oswego, representing a block of properties east of River Road, south of Perkins Road and outside the current boundary, voiced support for diverse opportunities along with new neighborhoods with multiple price points and a range of services and multi-family housing. He reviewed changes in assumptions and corrections that have been made since the HNA went to Public Hearing, reviewed buildable lots that have been studied, and noted that according to the study 68% of the new houses are within the current boundary as partially vacant land inventory.

Lee Piculles, Vancouver, Washington, noted that his family has acreage north of town. He directed Council attention to his handouts and explained how many units per acre were on each handout. He noted that his calculations show roughly 4 units per acre but the Buildable Lands Inventory was showing 6.6 units per acre. He reviewed additional handouts and pointed out discrepancies and modifications required to existing houses in order to accommodate infill and noted that this kind of housing will not attract medical personnel and that the reason the designated buildable lots remain vacant is because there are problems with them.

Bill Horning pointed out that the summary of those studies is that they are generating about 80% of the target density and it would be safe to assume that 20% of those will never reach the market in the 20-year time frame. Based on that, the partially vacant infill lands are showing 300 to 400 more units than what will actually occur in 20 years. He suggested

that the density will be closer to 4.5 per acre and asked that the numbers be reduced to that amount.

Mr. Brown directed Council attention to letters from Mike Erdman with the Homebuilders Association and 1,000 Friends of Oregon. He noted that during the last ten years subdivision developments have had 6.6 units per acre. Some subdivisions have developed 7.93-6.98 units per acre. The 6.6 number is an average density; some will be lower, others higher.

Brendan Buckley, Portland, Johnson Reid, explained that the 6.6 is applied as the target density for the low density zones; it is an average. Examples shown in previous testimony were gross acreage; that includes acreage for streets and right-of-way. The number in the report of 6.6 is net acres; not including streets or right-of-way. Roads account for 20%.

Mr. Brown added that the "safe harbor" in the ORS includes 25% for roads but that includes roads, schools, parks and other public spaces. So the actual percentage is higher than 20% because Keizer has a higher standard for parks and that is included. He reminded Council that Keizer is a model in the state for its "skinny street" standards. The 6.6 is a defensible number and is indeed the observed density built in Keizer as an average over the past 10 years. Regarding infill lots, Keizer has a history of aggregation of lots for multiple units with shared access.

Tom Hoag, Department of Land Conservation and Development, reported that two bills have been funded: The first one will do a population forecast for every city on a 4-year rotating schedule so housing needs can be adjusted based on a formula; and the other bill will create an outcome and rulemaking as mandated to complete in the next two years. The premise will be that cities keep their plans up to date.

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

Councilor Egli moved to direct staff to prepare an Order to adopt the Economic Opportunities Analysis and Housing Needs Analysis, as amended, and their associated materials from the Council meeting of June 17, and initiate the text amendment process for the proposed changes to the Comprehensive Plan and Keizer Development Code. Councilor Clark seconded. Motion passed unanimously as follows:

AYES: Christopher, Egli, Koho, Quinn, Taylor and Clark (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: One Position Vacant (1)

ADMINISTRATIVE ACTION

a. Candidate for

City Attorney Shannon Johnson reminded Council that they had tentatively come up with the process and it is being presented tonight for formal adoption. For the benefit of the audience he reviewed the process.

Councilor Presentation Process

Councilor Egli moved that the Keizer City Council adopt a process for councilor candidate presentation as set forth in the staff recommendation. Councilor Clark seconded. Motion passed unanimously as follows:

AYES: Christopher, Egli, Koho, Quinn, Taylor and Clark (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: One Position Vacant (1)

CONSENT CALENDAR

- a. RESOLUTION ~ Declaring the City's Election to Receive State Shared Revenues
RESOLUTION – Certifying the City of Keizer Provides Four or More Municipal Services
- b. RESOLUTION – Certification of Delinquent Sewer and Storm Water Accounts
- c. RESOLUTION – Authorizing City Manager to Sign TWI Agreement
- d. RESOLUTION – Authorizing Resolution Transfer
- e. Approval of May 6, 2013 Regular Session Minutes
- f. Approval of May 13, 2013 Work Session Minutes
- g. Approval of May 15, Special Session Minutes

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

AYES: Christopher, Egli, Koho, Quinn, Taylor and Clark (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: One Position Vacant (1)

COMMITTEE REPORTS

Councilor Clark reported that Carol France and the France School of Dance had raised 951 pounds of food and several hundred dollars for the food bank; and Keizer Farmers Market opened on Sunday and will operate through Labor Day weekend. She wished Keizer Parks Superintendent, Terry Witham, well in his retirement, noted that she had attended the Area Commission on Transportation pre-meeting and listed upcoming meetings including Personnel Policies and Area Commission on Transportation. She also reviewed upcoming Salem-Keizer Volcanoes events.

Councilor Egli reported that he would be attending the Planning Commission meeting which will show Transit District route changes; the entire Council is invited to attend that meeting. He will also attend the Joint Fire Districts meeting and the Marion County Commissioners' breakfast.

Councilor Quinn reported that she will be attending the special K-FEST meeting to approve the upcoming band lineup for the Amphitheatre free concert series.

Councilor Taylor suggested that Councilor Koho attend the upcoming Claggett Creek Watershed Council meeting. He reported that he had attended the Traffic Safety/Bikeways/Pedestrian Committee and the Keizer Points of Interest Committee meetings.

OTHER BUSINESS Community Development Nate Brown requested that Council authorize staff to apply for a Transportation Growth Management Grant to help identify the transportation issues that may exist with a potential urban growth boundary expansion. The work done tonight shows the City has a deficit supply of land and with the deficit comes the responsibility to address it. In addressing it, issues such as what kind of traffic impacts will be created on the existing system will have to be quantified. He directed attention to the staff report with the attached resolution.

Councilor Taylor moved that the Keizer City Council suspend the rules to address the resolution to apply for a Transportation and Growth Management Grant. Councilor Egli seconded. Motion passed unanimously as follows:

AYES: Christopher, Egli, Koho, Quinn, Taylor and Clark (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: One Position Vacant (1)

Councilor Egli moved that the Keizer City Council adopt a Resolution Authorizing the City of Keizer to apply for a Transportation and Growth Management Grant for the Study of Transportation Issues Related to Potential Growth Boundary Expansion and Authorizing the City Manager to Sign the Grant Application. Councilor Clark seconded. Motion passed unanimously as follows:

AYES: Christopher, Egli, Koho, Quinn, Taylor and Clark (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: One Position Vacant (1)

Mayor Christopher asked City Recorder Tracy Davis to invite Youth Councilor Joaquine Bell-Urbe to the June 17 Council meeting.

WRITTEN COMMUNICATIONS None

AGENDA INPUT **June 10, 2013**
6:00 p.m. – City Council Special Session
June 17, 2013
7:00 p.m. – City Council Regular Session

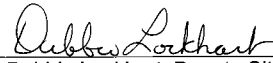
ADJOURNMENT

Mayor Christopher adjourned the meeting at 9:27 p.m.

MAYOR:

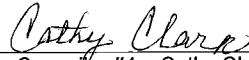

Lore Christopher

APPROVED:

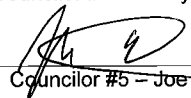

Debbie Lockhart, Deputy City Recorder

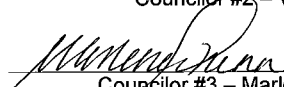
COUNCIL MEMBERS


Councilor #1 – Dennis Koho


Councilor #4 – Cathy Clark

Councilor #2 – Vacant


Councilor #5 – Joe Egli


Councilor #3 – Marlene Quinn

Councilor #6 – James Taylor

Minutes approved: July 1, 2013