



MINUTES KEIZER CITY COUNCIL

Monday, June 1, 2015

**Keizer Civic Center, Council Chambers
Keizer, Oregon**

CALL TO ORDER

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

Present:

Cathy Clark, Mayor
Dennis Koho, Council President
Marlene Quinn, Councilor
Kim Freeman, Councilor
Roland Herrera, Councilor
Brandon Smith, Councilor
Amy Ripp, Councilor
Ryan Edsall, Youth Councilor

Staff:

Chris Eppley, City Manager
Shannon Johnson, City Attorney
Nate Brown, Community
Development Director
Bill Lawyer, Public Works Director
John Teague, Police Chief
Tracy Davis, City Recorder

FLAG SALUTE

Mayor Clark led the pledge of allegiance.

SPECIAL ORDERS OF BUSINESS

a. Commendation for Danielle Howitt – Keizer Utility Billing Division

Finance Director Susan Gahlsdorf explained that after new employee Danielle Howitt received a call from an ailing customer, she contacted the Keizer Police Department who transferred her to dispatch and an ambulance was sent to his house and took him to the hospital. His wife later called the City to thank Danielle for her assistance. The City commends Danielle for her good deed. Director Gahlsdorf also thanked Heidi, Stephanie, Arcelia, Paula and Sara for their good deeds and the excellent work they do every day.

b. Introduction of Keizer Police Officer Esteban Perez

Chief Teague introduced Esteban Perez who was been hired as a full time police officer. He reviewed his qualifications and welcomed him to the police department. City Attorney Shannon Johnson then issued the Oath of Office to Officer Perez. Officer Perez then introduced his wife Miriam.

c. Volunteer of the Quarter Award – Mark Caillier

Mayor Clark explained the award and noted that nominations were received for Mark Caillier from Parks Board members Richard Walsh, Clint Holland and Dylan Juran. She added that any time there was a job to be done, Mark Caillier is there.

Mr. Caillier accepted the tribute clock and provided information about his latest project, the Big Toy playground build at Keizer Rapids Park.

Mayor Clark then recognized Youth Councilor Ryan Edsall noting that the City has been impressed with his abilities and will be attending college at the Virginia Military Institute. She presented him with a certificate of appreciation and a gift card.

COMMITTEE REPORTS

a. Volunteer Committee Recommendation for Appointments – Parks Advisory Board, Keizer Arts Commission, and Festival Advisory Board

City Manager Chris Eppley announced that the Volunteer Coordinating Committee reviewed applications and interviewed candidates for openings on several City committees and recommends the following appointments:

- Keizer Arts Commission, **Kim Steen**, Position #3, term expiring June 2018
- Festival Advisory Board, **Sherrie Gottfried**, Position #2, term expiring May 2018
- Keizer Parks and Recreation Advisory Board, **J. T. Hager**, Position #1, remainder of term expiring December 2016

Councilors Smith and Herrera commended Mr. Hager with Councilor Smith explaining that Mr. Hager is the reason there is a Parks Grant Program.

Councilor Koho moved to accept the recommendations of the Volunteer Coordinating Committee and appoint Kim Steen, Sherrie Gottfried and J.T. Hager as recommended. Councilor Quinn seconded. Motion passed unanimously as follows:

AYES: Clark, Koho, Quinn, Freeman, Smith, Ripp and Herrera (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

PUBLIC TESTIMONY

Darrell Richardson, Keizer, urged that the City not sell Palma Ciea Park and suggested that features of Palma Ciea Park that make it difficult to use could be fixed. Public Works Director Bill Lawyer explained that the Parks Board wants only to look at options for the park and has therefore requested a market analysis or appraisal to begin those discussions. There has been no decision to sell the park.

Gary Blake, Keizer, representing a number of citizens in the area of Palma Ciea Park, voiced opposition to selling the park. He suggested improving the park, adding that one citizen in the area has expressed a willingness to donate money to build walkways in the park.

Rhonda Rich, Keizer, President of West Keizer Neighborhood Association, expressed opposition to selling Palma Ciea Park noting that Sunset Park did not start out pretty but it is now and that could be the case with Palma Ciea.

Mark Caillier, Keizer, reminded everyone about the Big Toy playground build at Keizer Rapids Park and urged everyone to assist in the build.

PUBLIC HEARINGS

a. ORDINANCE – Amending Keizer Development Code Regarding Section 2.403 (Shared Housing Facilities) and Section 3.101 (Summary of Application Types); Declaring an Emergency; Amending Ordinance 98- 389

Mr. Brown explained that the proposed text amendments will allow an accessory residential housing unit to be placed in the front yard of an existing single family home. The Planning Commission voted unanimously to support the proposed text amendment.

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

Councilor Koho moved that the Keizer City Council adopt a Bill for an Ordinance Amending Keizer Development Code Regarding Section 2.403 (Shared Housing Facilities) and Section 3.101 (Summary of Application Types); Declaring an Emergency; Amending Ordinance 98-389. Councilor Quinn seconded.

Councilor Freeman noted that she would abstain due to possible conflict.

Motion passed as follows:

AYES: Clark, Koho, Quinn, Smith, Ripp and Herrera (6)

NAYS: None (0)

ABSTENTIONS: Freeman (1)

ABSENT: None (0)

b. ORDINANCE – Amending the Utility License Fees for Sewer Utilities in the City of Keizer and Declaring an Emergency – Amending Ordinance 2002-468; Repealing Ordinance 2010-626

Assistant Controller Tim Wood explained that City Ordinances allow the City to charge a 5% license fee on the gross amount billed for water and stormwater services but there is no ordinance allowing the City to charge the license fee on Sewer Utilities. In order to be consistent across all utilities, staff recommends updating the Sewer Utility Ordinance to provide for the 5% license fee. City Manager Chris Eppley and City Attorney Shannon Johnson provided additional clarification. Mr. Johnson added that this ordinance clarifies the 5% the City already charges.

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

Councilor Koho moved that the Keizer City Council adopt a Bill for an Ordinance Amending the Utility License Fees for Sewer Utilities in the City of Keizer and Declaring an Emergency – Amending Ordinance 2002-468; Repealing Ordinance 2010-626. Councilor Quinn seconded. Motion passed unanimously as follows:

AYES: Clark, Koho, Quinn, Freeman, Smith, Ripp and Herrera (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

c. RESOLUTION – Establishing Application Fee

Public Works Director Bill Lawyer explained that the current ordinance establishing the process for the formation of Public Improvement Reimbursement Districts does not adequately cover the expected City Engineering costs associated with these reviews. He added that each

for Public Improvement Reimbursement Districts; Repeal of Resolution 2003-1443 and Resolution 2006-1701

application for a Public Improvement Reimbursement District will vary in complexity and scope depending on the type and size of the development. Staff believes setting the application fee to capture the costs of an average development is appropriate and recommends the fee be set at \$3,750.00 plus actual publication costs, recording fees, and mailing costs.

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

Councilor Koho moved that the Keizer City Council adopt a Resolution Establishing Application Fee for Public Improvement Reimbursement Districts; Repeal of Resolution 2003-1443 and Resolution 2006-1701. Councilor Quinn seconded. Motion passed unanimously as follows:

AYES: Clark, Koho, Quinn, Freeman, Smith, Ripp and Herrera (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

d. RESOLUTION – Amending the Stormwater Utility Fee and Declaring an Emergency – Amending Resolution 2014-2504

Mr. Wood reported that consistent with the Budget Committee process, staff recommends the adoption of a \$.40 per ESU per month rate increase for the Stormwater Fund to support ongoing capital projects. Mr. Johnson interjected that the 'declaring an emergency' in the title should be deleted.

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

Councilor Koho moved that Keizer City Council adopt a Resolution Amending the Stormwater Utility Fee – Amending Resolution 2014-2504. Councilor Quinn seconded. Motion passed unanimously as follows:

AYES: Clark, Koho, Quinn, Freeman, Smith, Ripp and Herrera (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

e. ORDINANCE – Setting Water Rates (2016) Repealing Ordinance 2014-688

Mr. Wood reported that consistent with the Water Rate Model, which is based on a Cost of Service Analysis, and the Capital Improvement Plan, staff recommends a 4% rate increase consistent with the Budget Committee process.

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

Councilor Koho moved that the Keizer City Council adopt a Bill for an Ordinance Setting Water Rates (2016). Repealing Ordinance 2014-688. Councilor Quinn seconded. Motion passed unanimously as follows:

AYES: Clark, Koho, Quinn, Freeman, Smith, Ripp and Herrera (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**f. ORDINANCE –
Amending the
Ordinance
Adopting Waste
Water Collection
and Disposal
System Rules
and Regulations**

Mr. Johnson explained that this primarily refers to accounts that are strictly sewer because most accounts are sewer and water and when they become delinquent, water service is terminated. He explained the process wherein the delinquencies are sent to the County and the amount is added to the tax bill. There is currently a 10% penalty and a \$37 administrative charge. The old ordinance says \$10 – not \$37. The recommendation is to adopt the Ordinance and take out the Administrative Charge and put it in the resolution like it is with other fees.

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

**RESOLUTION –
Amending Fees
for Certain
Administrative
Services;
Amending
Resolution
2014-2453;
Repealing
Resolution
2014-2482**

Councilor Koho moved to adopt a Bill for an Ordinance Amending the Ordinance Adopting Waste Water Collection and Disposal System Rules and Regulations – Declaring an Emergency – Amending Ordinance 90-163. Councilor Quinn seconded. Motion passed as follows:

AYES: Clark, Koho, Quinn, Freeman, Smith, and Herrera (6)

NAYS: Ripp (1)

ABSTENTIONS: None (0)

ABSENT: None (0)

Because the ordinance did not pass unanimously, it will be revisited at the next Council meeting and the Resolution will be considered at that time.

**g. RESOLUTION –
Declaring City's
Election to
Receive State
Revenues**

Mr. Wood explained that Oregon law requires cities to annually pass a resolution requesting State revenue sharing money. Currently the City receives \$340,000 per year in shared revenue.

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

Councilor Koho moved that the Keizer City Council adopt a Resolution Declaring the City's Election to Receive State Revenues. Councilor Quinn seconded. Motion passed unanimously as follows:

AYES: Clark, Koho, Quinn, Freeman, Smith, Ripp and Herrera (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**RESOLUTION –
Certifying the
City of Keizer**

Mr. Wood explained that in addition to requesting the money, the City has to certify that it provides at least four municipal types of services. Keizer provides five at this point.

**Provides Four
or More
Municipal
Services**

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

Councilor Koho moved that the Keizer City Council adopt a Resolution Certifying the City of Keizer Provides Four or More Municipal Services. Councilor Quinn seconded. Motion passed unanimously as follows:

AYES: Clark, Koho, Quinn, Freeman, Smith, Ripp and Herrera (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**h. RESOLUTION –
Certification of
Street Lighting
District
Assessments**

Mr. Wood explained that this resolution certifies the street lighting district assessments. This year the City had just over 200 street lighting districts and most of the districts will experience about a 30% decrease due to application of credits to those specific accounts as they apply.

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

Councilor Koho moved that the Keizer City Council adopt a Resolution Certification of Street Lighting District Assessments. Councilor Quinn seconded. Motion passed unanimously as follows:

AYES: Clark, Koho, Quinn, Freeman, Smith, Ripp and Herrera (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

**i. RESOLUTION –
Adopting the
Fiscal Year
2015-2016
Budget, Making
Appropriations,
and Imposing
and
Categorizing
Taxes**

Mr. Wood explained that the Budget Committee provided a document that they approved. However, staff is recommending (1) that, based on the closure of the Urban Renewal District, the City has some Capital Improvement obligations that should be transferred to and made explicit in the General Fund (\$51,700 adjustment); (2) the following clarification within the Keizer Rapids Amphitheater fund: adding a footnote that says once the summer concert series is completed a stipend of \$2,000 be given to KRA. The amount is already included in the Amphitheater line item; and (3) addition of one of the staff employees that was overlooked.

Regarding item (2) Councilor Smith suggested replacing 'KRA' with 'the operator of the concert series'.

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

Councilor Koho moved that the Keizer City Council adopt a Resolution Adopting the Fiscal Year 2015-2016 Budget, Making Appropriations, and Imposing and Categorizing Taxes as amended. Councilor Quinn seconded. Motion passed unanimously as follows:

AYES: Clark, Koho, Quinn, Freeman, Smith, Ripp and Herrera (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

ADMINISTRATIVE

ACTION

**a. RESOLUTION –
Certification of
Delinquent Sewer
Accounts**

Mr. Wood noted that because the Ordinance relating to this item did not pass unanimously, consideration should be postponed until the June 15 Council meeting.

**b. Palma Ciega
Park**

Mr. Johnson explained that the Parks Board is recommending getting an appraisal or evidence of value for Palma Ciega Park. He suggested getting a full appraisal. He provided details about the property and explained that staff would first determine the highest and best use of the property through the Planning Department to maximize revenues adding that another option would be investigate the value with a free program

Discussion followed regarding the cost and benefit of a full appraisal, the location and layout of the park, funding, the definition of a restricted appraisal, the advisability of more discussion at the Parks Board level, and the underutilization and inappropriate use of the park.

Councilor Smith moved that the Keizer City Council move to authorize staff to enter into an agreement for an appraisal of Palma Ciega Park property using contingency funds. Councilor Quinn seconded. Motion passed as follows:

AYES: Clark, Quinn, Smith, Ripp and Herrera (5)

NAYS: Koho and Freeman (2)

ABSTENTIONS: None (0)

ABSENT: None (0)

**c. Municipal
Judge –
Councilor
Check In**

Mr. Johnson reminded Council that the new process for Judge Evaluation was an informal process with two Councilors appointed by the Mayor every year. Staff recommends that this be done at a Council meeting.

Mayor Clark appointed Councilors Ripp and Herrera.

CONSENT CALENDAR

- a. RESOLUTION – Authorizing the City Manager to Sign Contract for Custodial Services
- b. RESOLUTION – Authorizing the City Manager to Enter Into Intergovernmental Agreement for Electronic Records Management Services with Oregon Secretary of State
- c. RESOLUTION – Authorizing Signs Subject to Conditions for Big Toy Community Build Project
- d. RESOLUTION – Authorizing the Keizer Police Department Chief of

COUNCIL LIAISON REPORTS

Police to Enter into Salem-Keizer Youth Services Team
Memorandum of Agreement

- e. RESOLUTION – Authorizing the Community Development Director to Apply for Transportation and Growth Management Grant
- f. RESOLUTION – Authorizing the City Manager to Enter Into First Amendment to Web Development and Maintenance Agreement with Kentucky Underground Storage Inc.
- g. Approval of May 4, 2015 Regular Session Minutes
- h. Approval of May 11, 2015 Special Session Minutes

Councilor Smith pulled items g and h.

Councilor Koho moved for approval of items a through f of the Consent Calendar. Councilor Quinn seconded. Motion passed unanimously as follows:

AYES: Clark, Koho, Quinn, Freeman, Smith, Ripp and Herrera (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Councilor Koho moved for approval of items g and h of the Consent Calendar. Councilor Quinn seconded. Motion passed as follows:

AYES: Clark, Koho, Quinn, Freeman, Ripp and Herrera (6)

NAYS: None (0)

ABSTENTIONS: Smith (1)

ABSENT: None (0)

Councilor Herrera reviewed meetings and events he had attended including the Welcome to Kate Brown, the Dreamers program at McNary, the National Honor Society event, and the McNary Booster banquet.

Councilor Quinn reported that she attended the Salem City Council and Salem Neighborhood Association meetings to promote the Big Toy. She urged volunteers to sign up at www.keizerbigtoy.org

Councilor Koho announced that he had attended the recent Planning Commission meeting and would be attending the Stormwater Advisory Committee meeting and the Marion County Commissioners Breakfast.

Councilor Ripp announced that the Chamber of Commerce, the Art Commission and the Traffic Safety/Bikeways Committee all have issues moving forward but nothing to report at this time.

Councilor Smith announced upcoming Big Toy meetings and build dates.

Councilor Freeman thanked Bill Lawyer for the sidewalk on Shoreline up to Windsor. She commended the Volunteer Coordinating Committee and urged volunteers to sign up for the Big Toy project.

Mayor Clark expressed appreciation for the Community Development Department responsiveness to area realtors and Finance Director Susan Gahlsdorf and Assistant Controller Tim Wood for their outstanding work on the Budget. She announced that she had attended the National Honor Society Induction and Salem Keizer Area Transportation Study Public Hearing and would be attending the Strategic Economic Development Core lunch and Mid-Willamette Area Commission on Transportation meeting.

Youth Councilor Ryan Edsall thanked Mayor Clark and Councilor Herrera for attending the Nation Honor Society Induction, announced that graduation is June 5, and thanked everyone for allowing him to serve as Youth Councilor.

OTHER BUSINESS

Chief Teague announced that he would be working at the Big Toy on the 11th from dawn to dusk.

Public Works Director Bill Lawyer reported that he would be at the Big Toy Build for the full 5 days and a few days before. Crews are working on the roundabout project and pouring the sidewalk at Elizabeth and Chemawa.

Community Development Director Nate Brown announced that he would be working at the Big Toy on the 11th with a group of young single adults. He showed an example of the plaques for the sculptures on River Road.

City Manager Chris Eppley announced that he would be at the Big Toy a number of days during the build.

WRITTEN COMMUNICATIONS

None

AGENDA INPUT

June 8, 2015

5:45 p.m. – City Council Work Session

- Oregon Government Ethics Commission Training

June 15, 2015

7:00 p.m. – City Council Regular Session

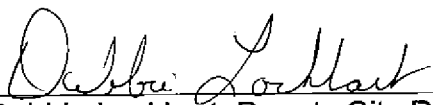
ADJOURNMENT

Mayor Clark adjourned the meeting at 8:07 p.m.

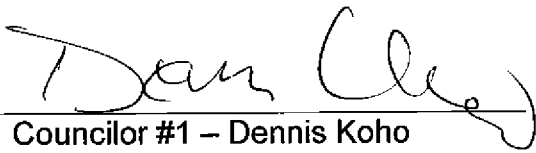
MAYOR:

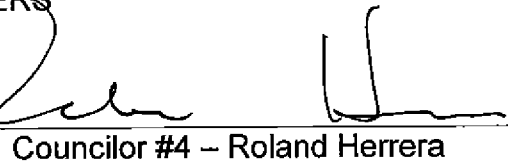
APPROVED:

Cathy Clark

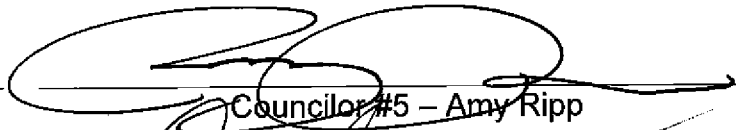

Debbie Lockhart, Deputy City Recorder

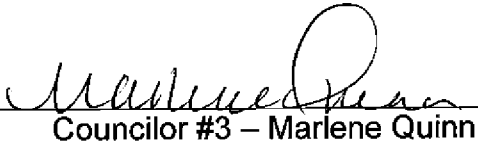
COUNCIL MEMBERS

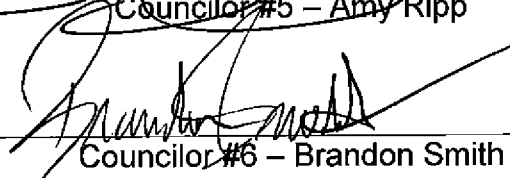

Councilor #1 – Dennis Koho


Councilor #4 – Roland Herrera


Councilor #2 – Kim Freeman


Councilor #5 – Amy Ripp


Councilor #3 – Marlene Quinn


Councilor #6 – Brandon Smith

Minutes approved: June 15, 2015