June 1, 1990
Agenda # 6

City of Keizer

Administration
930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

1982

TO: MAYOR AND CITY COUNCIL

FROM: DONALD H. OTTERMAN M.S.PA, CITY MANAGER DHO

DATE: JUNE 1, 1990

SUBJECT: RESIDENTIAL BUILDING MORATORIUM

There are certain sections of Oregon Revised Statutes that directly pertain to residential building moratoriums. I have reviewed those sections of State law and discussed them with the City Attorney. It appears that a residential building moratorium is **not** a viable alternative for the City Council to consider. I had brought this matter up for discussion by the City Council to discuss the impact of development on the city. I had not been supportive of actually imposing a moratorium, and it now appears that is an alternative that really cannot be considered.

For the Council meeting of June 4, 1990, the matter is on the agenda and the agenda was distributed prior to the review of the ORS sections, by the City Attorney. I would suggest to the City Council that the matter be discussed more from an impact of development on city services, than a discussion of limiting growth in the city.

The sections of the State law actually make the city's job more difficult in providing services. The development does not increase property taxes, raised by the city and does not pay enough revenue from other sources to pay for those services. The city's hands are tied and cannot limit growth. The city must find alternative sources of revenue to provide services for the growth that is occurring and will not stop.

It is my feeling that the discussion at the Council meeting on June 4, 1990, should revolve around the fact that residential development is continuing and will not stop and the staff be given direction to find alternative sources of funding that can be utilized to provide services.

DHO:clm

cc: Agenda recipients

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City of Keizer

Administration
930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

COUNCIL MEETING: JUNE 4, 1990

AGENDA ITEM NO.: 6

TO: MAYOR AND CITY COUNCIL

FROM: DONALD H. OTTERMAN M.S.PA, CITY MANAGER

SUBJECT: DISCUSSION - ESTABLISHMENT OF RESIDENTIAL BUILDING MORATORIUM

ISSUE

Shall the City Council of the City of Keizer establish a residential building moratorium if the June 26, 1990 levy fails?

BACKGROUND

The growth that is occurring in the City of Keizer increases the revenue that is generated on a per capita basis, however, there is no increase in property taxes from the increase of assessed valuation. The city's tax base is a gross amount of revenue and can increase to a maximum of six percent (6%) per year. The millage rate, that is established for the tax base, is established simply by dividing the tax base by the assessed valuation of the city. As the assessed valuation increases, the millage rate for the tax base decreases if the assessed valuation increases at a faster rate than the tax base. In other words, the new development that is occurring is, in effect, reducing the city portion of property taxes paid by the average Keizer resident. However, the addition of new dwelling units and population does not decrease the cost for services. The cost for services is continually increasing and will do so with the increase in population.

Some of the city's General Fund revenues are generated on a per capita basis. The cigarette tax and the liquor tax are distributed to cities, based upon population. If one is to assume the average family size for new dwelling units is three people, there would be a projected increase of $9.00 for cigarette tax and $18.00 for liquor tax per year. In addition to those revenues, there would be an increase in the franchise revenues, due to the fact that there would be more electricity and natural gas consumed and there would be more customers for cable television and the phone system. Based upon a family size of three people, the city could anticipate an increase of approximately $36.00 from the electricity franchise, $8.00 from the gas franchise, $9.00 from the

telephone franchise and $10.00 from the cable television franchise. The total of all of these revenues, both franchises and State Shared Revenue, is $90.00 per year. In other words, the city would have to provide all necessary services to the new dwelling units for a total cost of $90.00 per dwelling unit. If the city is to establish the minimum level of police services, as recommended by the BPST report, the city would have to add approximately one Police Officer for every 300 new dwelling units. Three hundred dwelling units would generate approximately $27,000 additional revenue. The addition of the one Police Officer would cost the city approximately $33,000. Therefore, there is a net negative to the city of approximately $6,000 per year; that is only when police services are considered. In addition to the police services, there would be the other routine general government services that are provided by administration, such as the coordination of planning activities, dissemination of information, the overall coordination of city services, the maintenance of park facilities and various other administrative costs that are not directly related to the individual properties, but are incurred by the city to ensure that all services are provided to the residents in a cost effective manner.

If the levy is not passed before July 1, 1990, the city will be forced to lay off a minimum of ten (10) Police Officers, one (1) Police Records Clerk and, possibly, the Municipal Court. With the lay off of those Officers and the Municipal Court, there will be a net reduction in revenues, due to the fact that the number of citations will reduce and revenue generated from those citations will also reduce. The city will be forced to provide police protection to its residents at a much reduced level. The city will be faced with a growth rate of approximately 3.5 to 5% per year, while at the same time, having a minimum reduction of 55% of its police force. The city will have no choice other than to curtail development.

RECOMMENDATION

It is recommended that the City Council direct the City Attorney to determine the legality of establishing a building moratorium for residential development and report back to the City Council, at the second meeting in June. If it is legally permissible to establish such a moratorium, I would recommend that the City Council hold a special Council meeting the day after the levy vote to do either one of two things:

1. Approve a budget that reflects a voter approval of a one year operating levy, OR

2. Approve a budget that reflects the rejection of a one year operating levy and the adoption of an ordinance ordering Marion County Building & Safety to stop issuance of all building permits for residential development and give final approval to the staff reductions necessary to balance the budget.

DHO:clm

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COUNCIL MEETING: JUNE 4, 1990
AGENDA ITEM NO.: 7

BILL NO. 156 A BILL FOR ORDINANCE NO. 90-174

AN ORDINANCE AMENDING ORDINANCE NO. 89-145 TO COMPLY WITH 1989 OREGON LAWS, CHAPTER 484

The City of Keizer ordains as follows:

Section 1. Ordinance No. 89-145, section 5, paragraph 2 is hereby amended to read:

For a license to engage in its particular business within the City, each telephone utility shall pay to the City of Keizer a business license fee equal to four percent (4%) of the gross revenues, as defined by ORS 221.515(2), derived from the operation of such business within the City, less net uncollectibles and receipts paid directly by the United States of America or any of its agencies. In the event ORS 221.515(2) becomes invalidated, "gross revenues" shall include all local services revenues derived from the operation of such business within the boundaries of the City of Keizer.

Section 2. This ordinance shall become effective July 1, 1990.

PASSED ON FIRST READING this 21st day of May, 1990.

PASSED ON SECOND READING this ____ day of _____, 1990.

SIGNED this _____ day of _____, 1990.

_____
MAYOR

_____
CITY RECORDER

COUNCIL MEETING: JUNE 4, 1990
AGENDA ITEM NO.: 8

BILL NO. _____ A BILL ORDINANCE NO. 90-_____

FOR

AN ORDINANCE

IN THE MATTER OF THE APPLICATION OF RICHARD A. CURRY, FRANK B. HAMMOND AND JOYCE E. HAMMOND (APPLICANTS) AND ROGER STALICK AND DAN JENKS (APPLICANTS FOR AMENDMENT) FOR AN AMENDMENT TO CONDITIONS OF APPROVAL IN PREVIOUSLY APPROVED ZONE CHANGE CASE 87-6 ON PROPERTY LOCATED ON THE SOUTHEAST CORNER OF RIVER ROAD AND PLYMOUTH DRIVE, KEIZER, OREGON (CASE NO. KZC 87-6) IN WHICH THE CITY GRANTED THE AMENDMENT TO THE CONDITIONS OF APPROVAL IN THE ZONE CHANGE DECISION IN ACCORDANCE WITH THE KEIZER HEARINGS OFFICER DECISION DATED MAY 7, 1990

The City of Keizer ordains as follows:

Section 1. THE APPLICATION. This matter comes before the Keizer City Council on the application of Richard A. Curry, Frank B. Hammond and Joyce E. Hammond (Applicants) and Roger Stalick and Dan Jenks (Applicants for Amendment) for an amendment to the ordinance dated December 22, 1987, changing the zone from UT (Urban Transition) to CG (Commercial General) and CR (Commercial Retail) and associated variances on a parcel located at the southeast corner of River Road and Plymouth Drive, Keizer, Oregon. The application requests a modification of Condition of Approval No. 6 of the Zone Change Ordinance to allow regular vehicular access from River Road to that portion of the property subject to the zone change, known as tax account 2100 at 0.42 acres and tax account 2200 at 0.43 acres. The access driveway will be centered on the common lot line between the two parcels and will be a shared driveway, serving both parcels.

Section 2. JURISDICTION. The land in question in this ordinance is within the city limits of the City of Keizer. The City Council is the governing body for the City of Keizer. As the

governing body, the City Council has the authority to make final land use decisions concerning land within the city limits of the City of Keizer.

Section 3. PUBLIC HEARING. A public hearing was held on this matter before the Hearings Officer on April 24, 1990. The following persons either appeared at the hearing or provided written testimony on the application:

1) Skip Wendolowski, Marion County Planning Department

2) Dan Jenks, Applicant for Amendment

3) Rick Curry, Applicant

Section 4. EVIDENCE. Evidence before the City Council in this matter is summarized in Exhibit "A" attached.

Section 5. OBJECTIONS. No objections have been raised as to notice, jurisdiction, alleged conflicts of interest, evidence presented or testimony taken at the hearing.

Section 6. CRITERIA AND STANDARDS. The criteria and standards relevant to the decision in this matter are set forth in Exhibit "A" attached.

Section 7. FACTS. The facts before the City Council in this matter are set forth in Exhibit "A" attached.

Section 8. JUSTIFICATION. Justification for the City Council's decision in this matter is explained in Exhibit "A" attached.

Section 9. ACTION. The decision of the City Council is set forth in Exhibit "A" attached.

Section 10. FINAL DETERMINATION. This ordinance is the final determination in this matter.

Section 11. **EFFECTIVE DATE.** 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.

Section 12. **APPEAL.** A party aggrieved by the final determination in a proceeding for a discretionary permit or a zone change may have it reviewed under ORS 197.830 to ORS 197.834.

PASSED this _____ day of June, 1990.

SIGNED this _____ day of June, 1990.

_____
Mayor

_____
City Recorder

EXHIBIT A

BEFORE THE HEARINGS OFFICE OF THE CITY OF KEIZER

In the Matter of the Application of	) Zone Change Case No. 87-6
RICHARD A. CURRY, FRANK B. HAMMOND and JOYCE E. HAMMOND, (Applicants),	) DECISION AND ORDER ON AMENDMENT TO CONDITION OF APPROVAL NUMBER SIX (6)
ROGER STALICK and DAN JENKS, (Applicants for Amendment).	)

A. **The Application:**

This matter comes before the Hearings Officer on the application of Roger Stalick and Dan Jenks, applicants and Frank Hammond, owner, for approval of an amendment to the ordinance dated December 22, 1987, changing the zone from UT (Urban Transition) to CG (Commercial General) and CR (Commercial Retail) and associated variances on a parcel located at the southeast corner of River Road and Plymouth Drive, Keizer, Oregon. The application requests a modification of Condition of Approval number 6 of the Zone Change Ordinance to allow regular vehicular access from River Road to that portion of the property subject to the zone change, known as tax accounts no. 2100 at 0.42 acres and no. 2200 at 0.43 acres. The access driveway will be centered on the common lot line between the two parcels and will be a shared driveway, serving both parcels.

B. **Public Hearing:**

A public hearing was conducted in the Robert L. Simon Council Chambers on Tuesday, April 24, 1990 at 7:30 p.m. by Sandra Smith Gangle, Keizer Hearings Officer, pursuant to notice sent to affected property owners on April 13, 1990. The notice of hearing contained the land use decision criteria which applied to a zone change application, namely section 4.16 of the Keizer Zoning Ordinance. At the beginning of the hearing, the Hearings Officer read into the record the land use criteria contained in Keizer Zoning Ordinance section 4.16 and section 5.35 (AMENDMENT OF APPROVED APPLICATIONS).

Mr. Skip Wendolowski of the Keizer Planning Department was present at the hearing and presented the Staff Report. A copy of the Staff Report as presented by Mr. Wendolowski is attached hereto, and by this reference is incorporated herein. Applicant Dan Jenks, 3800 River Road N., Keizer, Oregon 97303, appeared on behalf of the requested amendment. Mr. Rick Curry, 600 Plymouth Dr., Keizer, Oregon 97303 appeared and testified at the hearing. All witnesses who appeared at the hearing testified under oath.

At the beginning of the hearing the Hearings Officer asked those present if there were any objections to the notice of

Certified to be a true and correct copy of the original and the whole thereof filed herein:
_____
of attorney ___ for _____

hearing. There were no objections.

c. **Findings of Fact:**

1. The Hearings Officer finds that there is evidence in the record substantiating the facts and comments referenced in the Staff Report and that those facts are true. In addition, the Hearings Officer finds as follows:

2. The Applicants intend to erect two separate buildings on tax lots 2100 and 2200. Those buildings and the parcels on which they are situated will be in separate ownership.

3. The City recommends that both ingress to and egress from the southern parcel (tax lot 2200) be permitted through the shared entrance. As for tax lot 2100, the City recommends that traffic be one way only through the parking lot, exiting on Plymouth Drive. Applicant Dan Jenks testified that he does not object to the proposed traffic pattern. It is his belief that Applicant Roger Stalick, the owner of tax lot 2200, does not object to the proposed traffic pattern either.

4. Witness Rick Curry is the owner of tax lots 2400, 2300, and 2000, which are currently developed as a mini-storage facility pursuant to the terms of the earlier zone change action, which Mr. Curry initiated, along with Frank and Joyce Hammond. Mr. Curry testified that he believes there should be access and egress to his property, through the gate that was earlier required on the River Road frontage of tax lot 2400. He did not testify that he objected to the requested combined driveway that is the subject of this application.

5. Skip Wendolowski testified that he had inquired of Dan Keeley, who is on the staff of the Keizer Department of Public Works, as to whether there was sufficient room for large trucks to enter, turn around, and exit from tax lot 2200 to North River Road through the requested combined access which is the subject of the instant application. Dan Keeley informed him that there was sufficient space, given the development plans of the applicant, for such activity.

6. The entrance to tax lot 2400 is located rather close to two successive traffic signals on River Road, the first at the intersection of Shangri-La Street NE, and the second at the intersection of North River Road and Broadway. The requested point of access and egress that is the subject of the instant amendment application is located north of the entrance to tax lot 2400 and is further removed from the traffic signals identified herein. There is less risk of hazardous traffic congestion from the proposed driveway than there would be from an open driveway leading to and from tax lot 2400.

D. **Applicable Legal Criteria:**

Section 5.35 of the Keizer Zoning Ordinance establishes the procedure for amending an approved application. The application must be submitted on a form that is used for new zone change applications, but a new file need not be established. The request shall be rejected if it involves a significant change of use or cannot be reviewed on the basis of the established record. The decision criteria for a zone change are established in section 4.16 of the Keizer Zoning Ordinance. This application requests a modification of one of the conditions of approval of a previously accepted zone change only.

E. **Conclusions of Law:**

Having carefully considered the evidence in the whole record, the Hearings Officer concludes that the change in use of tax lots 2100 and 2200 was anticipated in the initial zone change application, yet there was no provision for access to and egress from tax lot 2200. There is sufficient evidence in the record to convince the Hearings Officer that the proposed shared driveway is a reasonable means of providing the needed access. Because of the particular location of the requested driveway, the risk of traffic hazard due to vehicles entering and leaving the subject parcels is significantly less than at the River Road boundary of tax lot 2400.

F. **Order:**

Having carefully considered the evidence in the whole record, the Hearings Officer orders that the requested amendment be granted, amending Zone Change Case No. 87-6 to permit regular vehicular access from River Road onto tax lots 2100 and 2200 by way of a shared driveway, the access point of which shall be located along the boundary separating the two parcels. Each parcel shall provide mutual access easements. Access design, easements, and traffic pattern shall be reviewed and approved by the City of Keizer and/or Marion County Departments of Public Works prior to the issuance of any driveway permits or building permits. With the exception of this modification to condition number 6, all remaining conditions of Keizer Zone Change Case No. 87-6 shall remain in effect.

DATED this 7th day of May, 1990.

Respectfully submitted,

/s/ SANDRA SMITH GANGLE

Sandra Smith Gangle
Hearings Officer

Marion County
OREGON
COMMUNITY DEVELOPMENT
DEPARTMENT

DIRECTOR
Craig O. Luedeman

BUILDING INSPECTION
(503) 588-5147

PLANNING & ENFORCEMENT
(503) 588-5038

BOARD OF COMMISSIONERS
Randall Franke
Gary Heer
Garry Kanz

ADMINISTRATIVE OFFICER
Ken Roudybush

MEMORANDUM

TO: Keizer Hearings Officer/Gangle

FROM: Keizer Planning Staff/Wendolowski

SUBJECT: Amendment to Keizer Zone Change Case No. 87-6; Jenks & Stalich, Applicants

DATE: April 18, 1990

The Planning staff reviewed the above referenced case and offers the following comments.

FACTS:

1. The subject properties are designated Commercial in the Keizer Comprehensive Plan and correspondingly zoned CR (COMMERCIAL RETAIL).

2. The properties are located on the southeast corner of the intersection of River Road and Plymouth Drive. The subject area includes Tax Account #2100 at 0.42 acres and Tax Account #2200 at 0.43 acres. Neither parcel is developed.

3. Property to the east and south is zoned CG (COMMERCIAL GENERAL) and contains a mini-storage warehouse. Property to the north is zoned CR and contains a restaurant. Land to the northwest is zoned RM (MEDIUM DENSITY RESIDENTIAL) and is developed with multi-family dwellings. Land to the west lies within the City of Salem.

4. The applicants are requesting an amendment to Keizer Zone Change 87-6 modifying Condition of Approval #6 to allow regular vehicular access to River Road.

COMMENTS:

1. The subject parcels were rezoned to CR (COMMERCIAL RETAIL) as part of Keizer Zone Change Case No. 87-6 (KZC87-6). This action also rezoned the parcel located to the east and south to CG (COMMERCIAL GENERAL). Condition of Approval #6 limited regular vehicular access to Plymouth Drive; access off of River Road was to be gated. Subsequent to the decision, the tax lots were sold to different individuals. This resulted in Tax Lot #2100 retaining access to Plymouth Drive while limiting access to River Road for Tax Lot #2900. Due to Condition #6 this action effectively land-locked Tax Lot #2900. The applicants are requesting amending the condition to permit regular vehicular access from River Road. The proposal would establish one shared access point serving both parcels.

2. The Marion County Department of Public Works did not oppose the application but offered the following comments:

> "The Department of Public Works is requiring that the access to North River Road from your two parcels just south of Plymouth Avenue be a joint use from one 38 foot driveway centered on a common lot line. Before any driveway permits for either lot are issued, for construction or customer access, we will require proof of an exchange of easements between the two parties. The easements shall address only issues affecting access to the two lots from the joint use driveway. If there are other issues the two parties wish to address, they shall be contained in another document which will not require Public Works approval."

   All other commenting agencies did not oppose the proposal.

3. Section 5.35 establishes the procedure for amending an approved application. This section requires the application be submitted on the form supplied for new applications, but also notes a new file need not be established. The application was inadvertently processed on a variance/conditional use/adjustment application form. However, the application requirements for both this type of an application and a zone change are the same. Further, the Planning Division complied with the notice requirements for a zone change, including notice area. Staff is satisfied that the application complies with the intent of this section.

4. The decision criteria for a zone change are established in Section 4.16 of the Keizer Zoning Ordinance. Staff notes the request does not affect the basis of the zone change itself but simply requests a modification in one of the conditions of approval.

5. The original decision restricted access to River Road. A review of that decision indicates the primary concern was over truck traffic serving the proposed mini-storage warehouses on the CG property. The intent here was to direct the traffic to the access on Plymouth Drive (see Finding of Fact #4 and #9). However, Finding of Fact #11 stated the CR zoning was appropriate "...provided that primary access be restricted to Plymouth Drive rather than River Road."

6. The subject tax lots were under separate deeds thus permitting transfer the individual parcels. Even if this were not the case, the Keizer Subdivision and Partitioning Ordinance permits the minor partitioning of CR zoned property without staff review. Unfortunately, due to Condition #6, separating the parcels effectively granted all access authority to the owner of the parcel fronting Plymouth Drive. The net result is a conflict between the zone change's conditions of approval and a permitted action within the zone.

7. Although is was not specifically stated, it appears the access restriction to the CR zoned parcels was placed for reasons of traffic safety. Normally, staff would be opposed to any change in the conditions that would adversely affect traffic safety. However, comments by the Marion County Department of Public Works indicate the proposal is acceptable and that the action is not expected to create adverse traffic impacts. Provided the access is limited as recommended by the Marion County Department of Public Works, staff finds the proposal acceptable. Staff also notes there is limited development opportunity on the two CR parcels so that additional access points to River Road will not be needed.

8. Staff recommends amending Keizer Zone Change Case No. 87-6 to permit regular vehicular access to River Road from Tax Lots #2100 and 2200 subject to the following conditions:

a. The subject CR zoned parcels shall be permitted one shared access point to River Road. The access point shall be located along the boundary separating the two parcels. Each parcel shall provide mutual access easements. Access design, and easements, shall be reviewed and approved by the Marion County Department of Public Works prior to the issuance of any driveway permits and building permits.

b. With the exception of the above modification to Condition #6, all remaining conditions of Keizer Zone Change Case No. 87-6 shall remain in effect.

APPEAL RIGHTS

The decision of the Hearings Officer is final unless a written appeal is filed with the Keizer City Council, Keizer City Hall, 930 Chemawa Road NE, Keizer, Oregon, within the ten (10) days from the date of the mailing of this decision by any person aggrieved by this decision. The appeal must be in writing, must be filed in duplicate and must state wherein this decision is in error. A copy of the appeal notice form is attached hereto.

Questions about this decision or about appeal rights may be addressed to the City of Keizer Planning Department, Marion County Planning Office at 220 High Street NE, Salem, Oregon, telephone 588-5038. An appeal fee of $75.00 plus costs will be collected at the time of filing an appeal.

CERTIFICATE OF MAILING

I hereby certify that I served a true copy of the foregoing Order on the following persons:

KEIZER CITY COUNCIL
Keizer City Hall
930 Chemawa Road NE
Keizer, OR 97303

MARION COUNTY PLANNING DEPARTMENT
ATTN: SKIP WENDOLOWSKI
220 High Street NE
Salem, OR 97301

MARION COUNTY PUBLIC WORKS DEPARTMENT
220 High Street NE
Salem, OR 97301

SHANNON JOHNSON
Attorney at Law
4855 River Road N.
Keizer, OR 97303

ALICE LINKER
Keizertimes
680 Chemawa Rd. NE
Keizer, OR 97303

ROGER STALICK
834 SW St. Clair Ave.
Portland, OR 97205

DAN JENKS
3800 River Road N.
Keizer, OR 97303

RICK CURRY
600 Plymouth Dr.
Keizer, OR 97303

FRANK & JOYCE HAMMOND
Greenwood International
6915 SW Macadam Ave.
Portalnd, OR 97219

GLORIA JACKSON
Caldwell Banker Real Estate
615 Commercial St. NE
Salem, OR 97301

which included those witnesses who appeared at the hearing and requested, in writing, copies of this decision by mail duly posted to them at the above addresses through the United States Post Office at Salem, Oregon, on the 7th day of May, 1990.

s/ SANDRA SMITH GANGLE

SANDRA SMITH GANGLE
Hearings Officer

APPEAL OF HEARINGS OFFICER'S LAND USE DECISION

The undersigned hereby appeals the decision of the Keizer Hearings Officer in the following matter. I understand that this appeal form must be filed in duplicate with the City Recorder of the City of Keizer and must accompany the appropriate appeal fee and costs as determined by the Keizer City Recorder, made payable to the City of Keizer. I further understand that only the applicant, owners and purchasers of the property or those who submitted testimony themselves or through a representative at the Hearings Officer's hearing are aggrieved and have standing to appeal the decision by the Hearings Officer.

LAND USE CASE NO.: _____

APPLICANT: _____

APPELLANT: _____

APPELLANT'S ADDRESS: _____

_____

BASIS FOR APPEAL (Use additional sheet if necessary): _____

_____

_____

_____

_____

DATE HEARINGS OFFICER'S DECISION WAS MAILED: _____

_____ _____

Date of Appeal Signature of Appellant

****

OFFICE USE ONLY

*DATE APPEAL RECEIVED: _____ By: _____

*APPEAL FEE/COSTS PAID:

$ 75.00	Appeal Fee	
$	Mailing of Notice	
$	Photocopies	
$	Advertisement	
$_____	Staff Cost	
$	TOTAL PAID - Receipt	____

*NOTE: In accordance with *Resolution R87-260, a *portion of the appeal fee *may be refunded if the *decision is reversed.

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CITY OF KEIZER
930 Chemawa Road N.E.
P. O. Box 21000
Keizer, Oregon 97307-1000
Telephone: 390-3700

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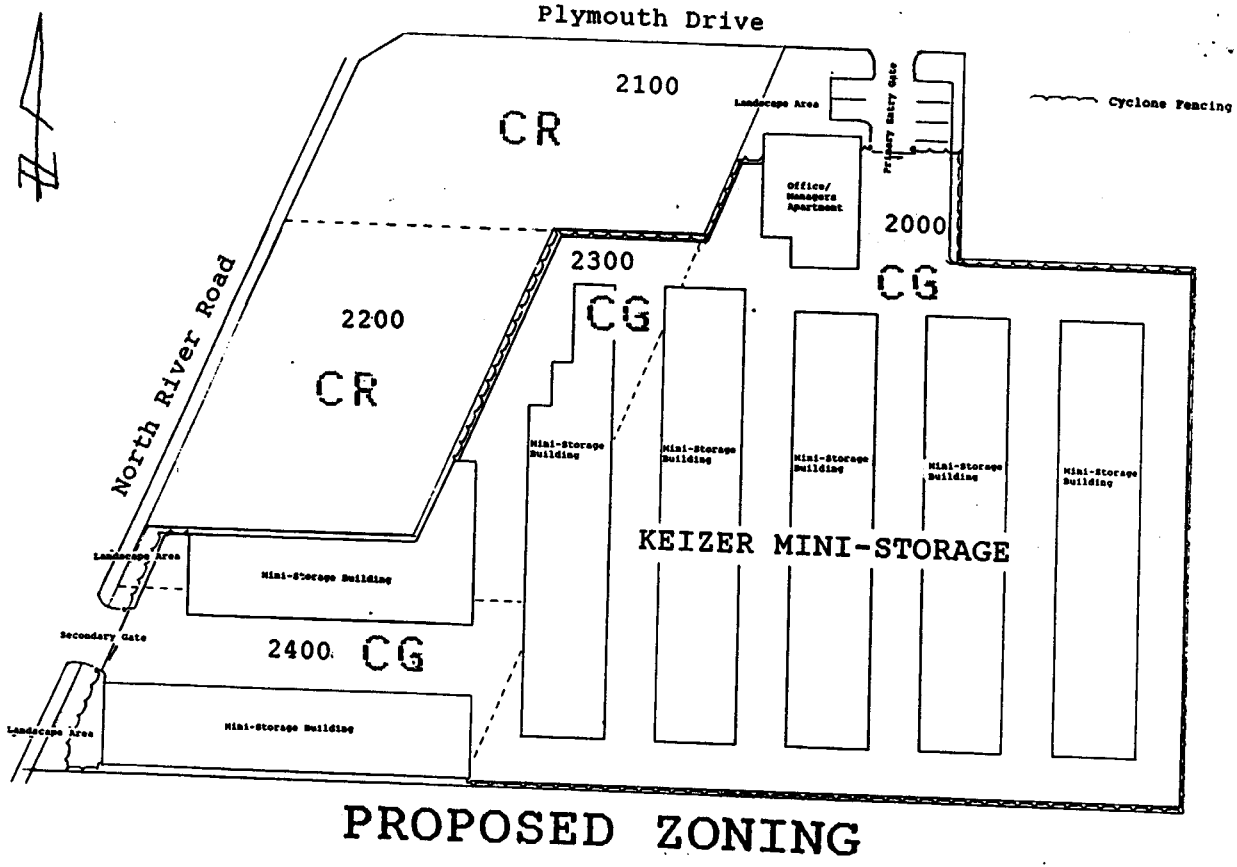
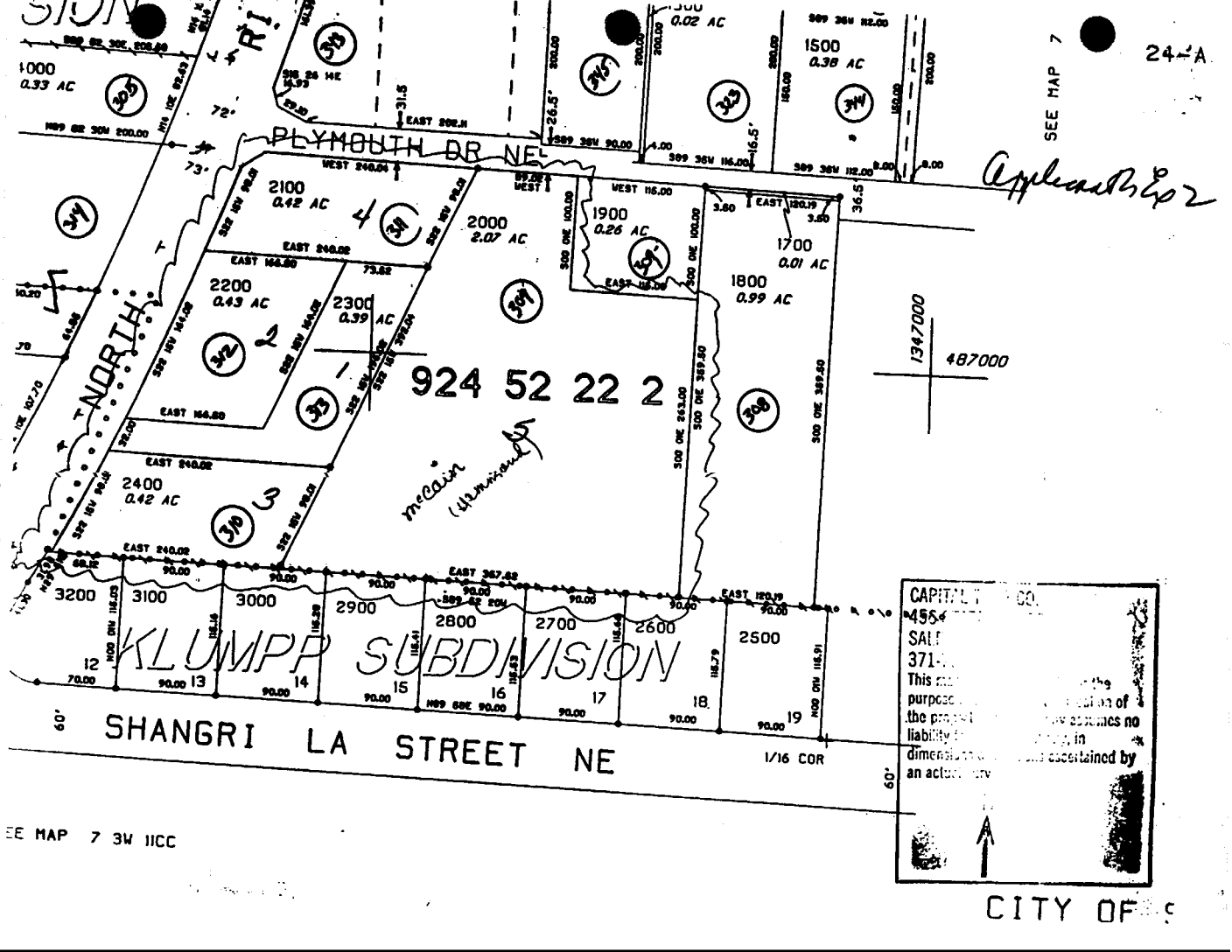


PROPOSED ZONING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M I N U T E S

KEIZER CITY COUNCIL
Monday, May 21, 1990
Robert L. Simon Council Chambers
Keizer City Hall

CALL TO ORDER — Mayor Orcutt called the regular session of the City Council to order at 7:37 p.m. Roll call was taken as follows:

Present: Andrew J. Orcutt, Mayor
Phil Bay, Councilor
Yvonne Fischer, Councilor
Mike Hart, Councilor
Bob Newton, Councilor
Bob Pritchard, Councilor
Joe Van Meter, Councilor

Staff: Don Otterman, City Manager
Chuck Stull, Chief of Police
John Lien, City Attorney
Bill Peterson, Engineer
Sue Darby, City Recorder

PUBLIC TESTIMONY — Bob French, 1384 Manzanita Street NE, Keizer, testified that he will reluctantly support the budget recommended by the Budget Committee. He explained that the Chief of Police is once again put into the position of shooting at a moving target. The City Council must address the level of police service needed in this community. Comments have been made that the BPST study recommends a level higher than this community needs. However, the need of this community has not been determined.

Mr. French stated that the City philosophy is based on basic services. This, he indicated, means different things to different people. To him, basic services means fire and police. The City Council must engage in meaningful dialog with the community with respect to the desires of the residents. The City cannot keep postponing the issue and making the residents think they can have the services which they are unwilling to pay for. This scenario will again be repeated next year after the one year levy ends.

COMMITTEE REPORTS — There were no committee reports to come before the Council.

PUBLIC HEARING

Mayor Orcutt opened the public hearing to consider the manufactured home overlay zone.

Mr. Otterman reported that LCDC has made several comments with respect to this proposal. The Planning Commission is requesting that the City Council continue the hearing until the Commission has had the opportunity to review and comment on LCDC's concerns.

Don Miner, representing the Oregon Manufactured Housing Association, 2255 State Street, Salem, 97301, asked how the ordinance will be applied. Mr. Otterman responded that the Planning Commission has indicated it would like to deal with these requests on a case by case basis rather than designating certain neighborhoods as those in which manufactured homes may be permitted. Mr. Otterman stated that the standards for placing manufactured homes are outlined in Chapter 41.04 (1) through (7). These provisions stipulate the construction materials, roof lines, etc. so that manufactured homes will blend into the existing neighborhoods.

There being no further testimony to come before the Council, Mayor Orcutt continued the public hearing to the City Council's June 18 meeting.

PUBLIC IMPROVEMENT PLAN CHECK AND CONSTRUCTION FEES

Mr. Peterson reviewed with the Council the proposal to initiate a public improvement plan check and construction fee program. He explained that the City provides services, either directly or indirectly, which benefit developers. The developers, in turn, are not required to pay for the cost of these services because the City has not adopted a fee schedule. For example, Marion County reviews street plans for developers in Keizer, and then charges the City for this service. The City, in turn, does not bill the developer. He indicated that the City does its own checking on water and sewer plans, and Salem checks sewer plans but for different reasons.

A typical lot would accrue public improvement costs of about $6,000. This includes $1,500 for water, $1,500 for sewer, $1,800 for streets, and $1,200 for storm drains. Marion County and City of Salem charge minimum plan check fees of $300. Mr. Peterson recommended a similar fee structure for the City of Keizer.

Councilor Pritchard expressed concern with the City of Salem charging developers a minimum $300

for sewer plan checks, and the City of Keizer charging another $300 for its plan checks. A larger development would pay more than the base and would be calculated at 1/4 of 1% of the estimated construction costs.

Councilor Hart questioned whether this is actual recovery of the City's costs or whether staff is recommending it because "everyone else is doing it". Mr. Peterson indicated that the City of Keizer incurs costs for development in excess of the fees he is recommending.

In response to a question from Councilor Hart, Mr. Peterson stated that Marion County reviews plans for street and storm drainage and bills the City of Keizer for those services. The City of Salem performs pressure testing and chlorination testing of water lines, and bills the City of Keizer. Salem does this testing because they have the equipment and it is more economical for them to perform this test.

Eric Meurer, Salem Homebuilders Assn., 549 Union Street NE, Salem, indicated that if developers are incurring expenses for the City, then the City should be paid for those costs. He asked, however, that these funds be placed into a dedicated account and closely monitored to see that they are used only for these purposes. He also asked that the City delay implementation of this until after the current construction season. This, he explained, would give developers advance notice so that they can calculate these costs into their own costs. He believed that January 1, 1991 would be reasonable for implementation.

Mr. Otterman indicated that he would have no objection to dedicating these funds, however, he would not wish to establish a separate accounting system or fund. They can be shown as a line item in the existing budget.

With respect to the implementation of this fee schedule, Mr. Otterman explained that the City is having a difficult time in balancing its budget. One consideration should be that developers are not reimbursing the City for these expenses. In addition, new development, which benefits the developer, does not generate any additional tax revenue for the City to provide services for that new development.

Councilor Pritchard expressed concern that the City not steer development away from Keizer and back into Salem. He objected to penalizing developers if the implementation date is set too soon.

Councilor Bay agreed with Councilor Pritchard's comments. He suggested an October date be set to allow construction now underway to be completed.

Councilor Fischer stated that Keizer does not follow suit because other jurisdictions are doing something. She suggested an earlier date for implementation.

Mr. Otterman indicated that if the Council, for example, set an October 1 date, developers would rush to get their projects filed prior to that time even though they will not be built until next spring. He commented that this fee will not severely impact developers when one considers that Phase 1 lots in The Meadows Subdivision topped out at $17,000 last year and Phase 2 lots are starting at $22,000 this year.

Councilor Pritchard indicated that he does not want to jeopardize the rate of progress in Keizer. He commented that with rising costs, a $50,000 home now could cost $100,000 in five years. The economy and low wages will preclude many people from purchasing homes. He objected to Keizer contributing to that outcome.

Councilor Fischer indicated that this may contribute to the City's deficit position in the near future if costs are not recovered.

Mayor Orcutt indicated that while he appreciates Mr. Meurer's position, he does not feel the fee schedule is excessive.

Councilor Bay moved for adoption of a resolution establishing plan check and construction permit fees with a July 1, 1990 implementation date. Councilor Van Meter seconded the motion. The motion was approved by the following vote:

AYES: Orcutt, Bay, Fischer, Hart, Newton, Pritchard, Van Meter (7)
NAYS: None (0)

TELEPHONE FRANCHISE FEES

Mr. Otterman explained that under recent State legislation, the City will not be able to charge permit fees to telephone companies for using the streets. If the City wishes to offset this amount, it can do so by way of franchise fee. Mr. Otterman indicated that repairs to City streets caused by utility cuts cost the City $3,000 to $4,000 annually. The City is currently collecting a 3% utility franchise fee from the telephone company. Because of the manner in which the fees will be calculated, the City will need to increase the fee to 3.9% to maintain the same level of revenue as the City now receives. In addition, Mr. Otterman suggested the City consider increasing the fee to include the $3,000 to $4,000 in street repair work. Staff will come back later with information on utility permit fees. A 4% fee will generate about $1,400. A 4.25% fee will generate about $6,000.

Mayor Orcutt recalled that early franchise negotiations with the utility companies indicated that the utility companies guaranteed their street cuts for life. Mr. Otterman responded that while the City has asked utility companies to fix the cuts, the end result is that the City ends up doing the work. He cited an existing example of a cut at River Road and Chemawa.

Responding to a question from Councilor Hart, Mr. Otterman indicated that staff will return to the Council with proposed street cut permits for all utilities except the telephone company. In the meantime, staff is researching the cost of repairing street cuts.

Councilor Van Meter moved for passage of an ordinance amending Ordinance No. 89-145 to comply with 1989 Oregon Laws, Chapter 484, with a 4% franchise fee. Councilor Bay seconded the motion.

Councilor Pritchard asked it is it possible to have utility cuts all made at the same time in new development. Mr. Otterman responded that the utilities are generally installed in new developments prior to the streets. Mr. Peterson added that in existing situations, and especially along the main arterials, the utilities come from different directions and it may not be possible to require this.

Councilor Hart indicated that since staff has indicated it costs the City $3,000 to $4,000

annually, he would not support the motion which would set a fee less than $2,000 annually. Councilor Bay interjected that the major portion of the 3.9%, he believed, was for street cut repairs. Councilor Newton felt the charge is appropriate because the City charges its own Water Department for street repairs. He indicated that the City would repair only those that are not satisfactory.

Councilor Pritchard indicated that the percentage of repairs is fairly high, and that 4% will not begin to cover the City's costs at the present time or in the immediate future. He would prefer the fee be increased to 4.5% or 5%.

Mayor Orcutt asked about the utility companies' responsibilities in repairing the cuts to City standards. Mr. Lien believed the City could possibly require the utility companies to do this, perhaps by requiring a maintenance bond or some other form of security. Mayor Orcutt asked Mr. Lien to explore this option. He suggested the possibility of requiring the telephone company to obtain a permit even though there would be no permit fee. Councilor Bay indicated that the franchise agreement may address this matter, and it may be simply be a matter of enforcement. Mr. Lien noted that Keizer technically has a "business license" fee which is charged for the opportunity to do business in the city streets. It may be possible to accomplish the Council's objective through the permitting process.

Councilor Newton indicated that this is the first he has heard about the utility companies not maintaining their street cuts. He asked for additional data on this matter.

Responding to a question from Councilor Pritchard, Mr. Otterman indicated that he would recommend a franchise fee of 4.25% based on the current level of usage of the streets and the City's out of pocket expenses for damage.

The motion was approved by the following vote:

AYES: Orcutt, Bay, Newton, Van Meter (4)
NAYS: Fischer, Hart, Pritchard (3)

Mayor Orcutt indicated that the ordinance would return at the next meeting for second reading. Mr. Otterman said he would transmit the fee

information to the telephone company.

BALLOT LEVY

Councilor Hart moved to propose a one year fixed dollar operating levy for the June 26 ballot as presented by the City Manager, eliminating the lieutenant's position, eliminating the detective/YST clerk position, shifting the personnel clerk to the detective division, and purchasing two patrol vehicles rather than three, for a total of $610,380 including uncollectibles. Councilor Pritchard seconded the motion. The motion was approved by the following vote:

AYES: Orcutt, Bay, Fischer, Hart, Newton, Pritchard, Van Meter (7)
NAYS: None (0)

NOXIOUS VEGETATION

Mr. Otterman reviewed the staff report regarding amendment to the existing ordinance regarding notification to owners of property containing noxious vegetation. He explained that Section 4 of the ordinance is the subject of this proposal. The current ordinance requires posting of the property, along with three mailed notices. The proposed ordinance would eliminate the requirements for posting and the second notice. The remaining notices would be provided by certified mail.

Mr. Lien has asked that the ordinance be amended to include the ordaining clause as is appropriate for ordinances.

Councilor Bay moved for passage of an ordinance amending Ordinance 83-014 regarding removal of noxious vegetation as corrected. Councilor Pritchard seconded the motion. The motion was approved by the following vote:

AYES: Orcutt, Bay, Fischer, Hart, Newton, Pritchard, Van Meter (7)
NAYS: None (0)

CONSENT CALENDAR

The Consent Calendar consisted of:

a. May 7, 1990 Work Session Minutes
b. May 7, 1990 Regular Session Minutes
c. May 16, 1990 Special Session Minutes
d. DUII Grant Proposal

Because of the absence of Councilors Newton and Pritchard at the May 7 meeting, these minutes were pulled from the Consent Calendar.

Councilor Newton moved for approval of the remainder of the Consent Calendar. Councilor Van Meter seconded the motion. The motion was approved by the following vote:

AYES: Orcutt, Bay, Fischer, Hart, Newton, Pritchard, Van Meter (7)
NAYS: None (0)

Councilor Hart moved for approval of the May 7 Work Session Minutes. Councilor Van Meter seconded the motion. The motion was approved by the following vote:

AYES: Orcutt, Bay, Fischer, Hart, Van Meter (5)
NAYS: None (0)
ABSTENTIONS: Newton, Pritchard (2)

Councilor Hart moved for approval of the May 7 Regular Session Minutes. Councilor Bay seconded the motion. The motion was approved by the following vote:

AYES: Orcutt, Bay, Fischer, Hart, Van Meter (5)
NAYS: None (0)
ABSTENTIONS: Newton, Pritchard (2)

OTHER BUSINESS

Development Fee Package

Councilor Hart asked when staff will have the development fee package available. Mr. Otterman responded that the telephone company franchise fee schedule was a part of that package. The remainder he expects to have available by the second meeting in June.

Citizen Request

Mayor Orcutt noted that Juanita King has asked that the City Council hold one of their regular meetings during the daytime so that senior citizens can attend and participate.

AGENDA INPUT

There were no additions suggested for the June 4 City Council agenda.

ADJOURNMENT

The meeting adjourned at approximately 9:15 p.m.

Respectfully submitted,

Susan Darby, City Recorder

APPROVED:

_____
MAYOR

_____ _____

_____ _____

_____ _____

City of Keizer

Administration
930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

COUNCIL MEETING: JUNE 4, 1990

AGENDA ITEM NO.: 9B

TO: MAYOR AND CITY COUNCIL

FROM: DONALD H. OTTERMAN M.S.PA, CITY MANAGER

SUBJECT: CITY STAFF REDUCTIONS IF LEVY FAILS

ISSUE

If the June 26, 1990 levy fails, the city will be forced to lay off employees to reduce the budget to stay within the property tax base. This morning, June 4, 1990, a meeting was held with those employees that have received a lay off notice. A total of twelve (12) Police Officers, one (1) Police Records Clerk and two (2) part-time Municipal Court Clerks have been given notice that their job will not be funded at the end of the business day of June 29, 1990, unless the levy passes.

The net effect on city services is as follows:

1. The number of Police Officers will be reduced from eighteen (18) to six (6); a cut of over 60% of the sworn Police Officers.

2. The Police Records Clerks will be reduced in number from three (3) to two (2); this will be done because of the reduction in Police Officers and the reduction in the paperwork that will be generated.

3. Since the reduction in Police Officers will have a substantial impact upon the number of traffic citations issued, it is not financially feasible to continue with the Municipal Court. The city would collect less in revenue than it would cost to operate the Court. Therefore, the two (2) Court employees have received lay off notices. It is unclear, at this time, how the city will have these citations that are issued processed.

   As the City Council was informed by Roy Payne on January 16, 1989, the alternatives to our own Municipal Court are very few. The city, in the past, has contracted with East Marion County Justice Court for services, however, Keizer is not within the jurisdiction of East Marion County Justice Court and to be included would require that the Marion County Circuit Court conduct a

judicial hearing and pass a ruling allowing the City of Keizer to utilize East Marion County Justice Court for the purpose of hearing city ordinance violations. As Mr. Payne stated in his memorandum, the cost involved in presenting this case to the Circuit Court would be expensive and the likelihood of the Circuit Court ruling favorably toward the City of Keizer is doubtful. The alternative of requiring Marion County to establish a Justice Court in Keizer is not a very likely alternative because the new Justice Court would require an elected Judge for a period of six (6) years and the cash flow for the Court would not pay for the elected Judge and it would not be financially feasible.

The third alternative would be to transfer all citations to the District Court. However, we have been informed by the District Attorney's office that they will not process these cases and, therefore, this is not an alternative.

The last alternative is to contract with the City of Salem Municipal Court for services. However, it is doubtful that the City of Salem would have jurisdiction in Keizer cases without going through the same process that we would have to with East Marion County Justice Court. That alternative is still being discussed with the City of Salem.

The outcome of this election, as you can see, will have a profound impact upon the City of Keizer. The impact will not simply be laying off those Officers hired as a result of the passage of the levy in 1989. The financing of the city has become extremely complicated, due to the lack of revenue, and a reduction in one service causes a reduction in revenue that further causes a reduction in services elsewhere.

If the levy fails, I will attempt to retain as many positions as is feasible with the assistance of funding from other sources, such as grants. However, at this point in time, the other sources do not seem viable and it appears that the total of fifteen (15) lay offs that the city is contemplating, would be a reality. The city currently has 29.5 positions funded from the General Fund. Defeat of the levy will require more than fifty percent (50%) of the city employees to be layed off.

DHO:clm

f:\admin\layoff.adg

City of Keizer
Administration
930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

COUNCIL MEETING: JUNE 4, 1990
AGENDA ITEM NO.: 9c

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R90-____

COMMENDING THE OUTSTANDING ACCOMPLISHMENT OF THE MCNARY CELTICS GIRLS VARSITY SOFTBALL TEAM

WHEREAS, the McNary Celtics Girls Varsity Softball Team, on Saturday, May 26, 1990, placed first and were named Co-Champions in the State AAA Girls Softball Tournament at Wallace Marine Park in Salem; and

WHEREAS, each team member displayed a striking example of natural ability, as well as an outstanding spirit of dedication, enthusiasm and team work; and

WHEREAS, special commendation is due to each team member and to Coach McCormick and his staff for their successful efforts leading to this State Co-Championship; NOW, THEREFORE,

BE IT RESOLVED that the City Council of the City of Keizer does hereby extend its expression of our pride in your accomplishment, and this token of affection and admiration with which you are regarded in this community.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be delivered to each of the following with our best wishes:

Molli Hellbusch
Wendy Peterson
Tricia Sparks
Sally Grossnickle
Susan Burge
Rachelle Kuehn
Joann Gaynor
Kelli DalPonte
Kris Fox
Tara Wellin
Nikki Prall
Staci Walker
Kari Hellbusch
Jennifer Davis
Cari Dobes
Korrine Wellin
Heather Van Meter

Coach Scott McCormick
Asst. Coaches Karen McClelland, Kellie Scarratt

PASSED and SIGNED this 4th day of June, 1990.

MAYOR ANDREW J. ORCUTT

COUNCILOR BOB PRITCHARD
COUNCILOR YVONNE FISCHER
COUNCILOR PHIL BAY
COUNCILOR BOB NEWTON
COUNCILOR MIKE HART
COUNCILOR JOE VAN METER

GENERAL FUND

EXPENDITURE DESCRIPTION

81,502	82,789	**PERSONAL SERVICES**					
564,245	634,971	Administration	91,644	98,115	127,793	133,123	139,021	145,192
		Police	658,838	703,453	693,267	689,594	723,444	759,274
645,747	717,760	Total Personal Services	750,482	801,567	821,060	822,717	862,465	904,465
		MATERIALS & SERVICES						
97,356	99,155	Administration	95,710	101,313	106,523	114,659	123,490	133,080
636	682	City Council	1,850	1,930	2,027	2,128	2,234	2,346
		Municipal Court		33,125	0	0	0	0
15,934	26,816	Parks	26,500	28,800	31,655	34,794	38,246	42,042
37,505	44,236	Planning	40,000	43,080	43,122	46,135	49,384	52,889
167,714	160,582	Police	188,740	237,584	248,668	271,507	286,525	295,619
319,145	331,471	Total Materials & Services	352,800	445,832	431,994	469,223	499,879	525,976
		CAPITAL OUTLAY						
259,085	113,826	Administration	0	0	0	0	0	0
17,181	48,589	Police	9,860	5,000	9,500	0	0	0
0	4,273	Parks	0	0	0	0	0	0
276,266	166,688	Total Capital Outlay	9,860	5,000	9,500	0	0	0
0	0	**GENERAL OPERATING CONTINGENCY**	41,284	50,000	50,000	50,000	50,000	50,000
		TRANSFERRED TO OTHER FUNDS						
7,000	7,000	Vehicle Reserve Fund	0	0	0	0	0	0
0	0	911 Emergency Comm. Fund	0	0	0	0	0	0
		Transfer to Street Fund			35,433			
7,000	7,000	Total Transfers	0	0	35,433	0	0	0
1,248,158	1,222,919	Total Expenditures	1,154,426	1,302,399	1,347,987	1,341,940	1,412,344	1,480,441
287,504	174,960	Unappropriated Ending Fund Balance	83,064	85,518	100,000	100,000	100,000	100,000
1,535,662	1,397,879	TOTAL	1,237,490	1,387,917	1,447,987	1,441,940	1,512,344	1,580,441
0	0	BUDGET SURPLUS/(DEFICIT)	1,186	(1,056)	(50,476)	(19,835)	(31,666)	(31,837)

+59,000

DETAILED EXPENDITURES

ADMINISTRATION - GENERAL

EXPENDITURE DESCRIPTION

PERSONAL SERVICES

35,791	37,157	1	City Manager	38,402	39,938	41,500	43,160	44,886	46,682
18,166	20,636	1	City Recorder	20,140	20,946	21,783	22,655	23,561	24,503
12,948	10,177	1	Clerical - part time (2)	16,228	16,877	17,552	18,254	18,984	19,744
		0.5	Receptionist	0		9,347	9,814	10,305	10,820
		0.5	Accountant	0		12,474	13,098	13,753	14,440
691	0		Vacation Pay	323	1,489	1,549	1,611	1,675	1,742
6,402	7,850		Retirement	7,128	8,519	11,732	12,201	12,689	13,197
5,470	5,357		Health Insurance	7,321	7,833	8,887	9,509	10,175	10,887
95	96		Life Insurance	103	110	200	214	229	245
642	768		Disability Insurance	807	863	900	963	1,030	1,103
1,285	748		Workers Compensation	447	761	750	803	859	919
12	0		Unemployment	745	778	1,118	841	874	909
81,502	82,789	2	Total Personal Services	91,644	98,115	127,793	133,123	139,021	145,192
			MATERIALS & SERVICES						
2,698	3,565		Office Materials/Supplies	2,600	4,000	4,000	4,200	4,410	4,631
797	294		Stationery - Printed	500	500	525	551	579	608
2,432	2,739		Postage	2,400	2,800	2,940	3,087	3,241	3,403
2,785	2,154		Equipment Maintenance	2,500	2,625	2,756	2,894	3,039	3,191
1,070	1,672		Janitorial	1,200	1,260	1,323	1,389	1,459	1,532
2,893	3,304		Utilities	2,700	2,800	2,940	3,087	3,241	3,403
0	0		Election Expense	1,000	1,000	1,000	1,000	1,000	1,000
3,619	4,796		Insurance	6,000	7,800	8,580	9,438	10,382	11,420
3,731	2,055		Advertising	2,000	2,100	0	0	0	0
2,597	2,072		Telephone	2,700	2,000	2,100	2,205	2,315	2,431
31,565	32,533		Professional Services - Legal	31,500	34,650	38,115	41,927	46,119	50,731
11,787	6,016		Contractual Services	10,000	10,000	11,000	12,100	13,310	14,641
3,825	5,840		Travel & Transportation	5,000	5,250	5,513	5,789	6,078	6,382
288	1,110		Dues/Subscriptions/Memberships	750	750	788	827	869	912
1,577	1,086		Training	1,000	1,050	1,103	1,158	1,216	1,277
5,742	6,085		Dues-League of Oregon Cities	6,100	6,405	6,725	7,062	7,415	7,785
4,990	5,889		Dues-Mid-Willamette Val. COG	6,183	6,492	6,817	7,158	7,515	7,891
871	826		Dues- Econ. Develop. District	977	1,026	1,077	1,131	1,188	1,247
3,000	4,500		Dues - SEDCOR	0	0	0	0	0	0
3,073	2,997		Audit	3,100	3,255	3,418	3,589	3,768	3,956
5,312	5,687		Accounting/Payroll	6,000	0	0	0	0	0
2,435	1,930		Miscellaneous Expense	1,000	1,050	1,103	1,158	1,216	1,276
269	271		Noxious Weed Control	500	500	500	500	500	500
	1,734		Rental Property Expense		4,000	4,200	4,410	4,631	4,862
97,356	99,155		Total Materials and Services	95,710	101,313	106,523	114,659	123,490	133,080
			CAPITAL OUTLAY						
-	195		ORS Set						
252,687	0		City Hall Purchase						
-	49,902		City Hall Remodel						
6,398			YST Remodel						
	63,729		Property Purchase						
259,085	113,826		Total Capital Outlay	0	0	0	0	0	0

437,943	295,770	Total Expenditures	187,354	199,428	234,315	247,781	262,511	278,271

CITY COUNCIL-GENERAL

253	639	Office & operating Materials	500	525	551	579	608	638
117	0	Photocopies & printing	100	105	110	116	122	128
266	43	Dues/subscript./memberships	250	250	263	276	289	304
-	0	Meeting space rent	0	0	0	0	0	0
-	0	Utilities	1,000	1,050	1,103	1,158	1,216	1,276
636	682	Total Materials & Services	1,850	1,930	2,027	2,128	2,234	2,346
636	682	Total Expenditures	1,850	1,930	2,027	2,128	2,234	2,346

MUNICIPAL COURT-GENERAL

		MATERIALS & SERVICES						
		Office materials/supplies						
		Prof. services-mun. court						
		Legal services-city attorney						
		Court rent						
		Total Materials & Services						
		Total Expenditures	33,125	0	0	0	0	
		TOTAL	33,125	0	0	0	0	

PARKS-GENERAL

MATERIALS & SERVICES

7,108	8,212	Parks materials & supplies	4,500	5,000	5,500	6,050	6,655	7,321
336	13	Office materials & supplies	500	500	525	551	579	608
8,440	18,561	Contractual services	21,000	23,000	25,300	27,830	30,613	33,674
50	50	Legal services	500	300	330	363	399	439
15,934	26,816	Total Materials & Services	26,500	28,800	31,655	34,794	38,246	42,042
		CAPITAL OUTLAY						
0	0	Picnic Tables						
-	4,273	Parks Improvements	0	0	0	0	0	0
0	4,273	Total Capital Outlay	0	0	0	0	0	0
15,934	31,089	Total Expenditures	26,500	28,800	31,655	34,794	38,246	42,042

PLANNING-GENERAL

2,241	700	MATERIALS & SERVICES						
-	0	Materials & services	700	735	772	810	851	893
0	0	Contractual services	3,000	3,300	3,630	3,993	4,392	4,832
15,000	17,195	Travel & transportation	200	210	221	232	243	255
(131)	0	Marion Co. contractual service	17,500	18,375	25,000	26,250	27,563	28,941
2,100	3,316	LCDC Grant	0	0	0	0	0	0
18,295	23,025	Hearings officer	3,600	3,960	1,500	1,650	1,815	1,997
		Pro Services-Legal	15,000	16,500	12,000	13,200	14,520	15,972
37,505	44,236	Total Materials & Services	40,000	43,080	43,122	46,135	49,384	52,889
37,505	44,236	Total Expenditures	40,000	43,080	43,122	46,135	49,384	52,889

POLICE - GENERAL

		PERSONAL SERVICES							
38,697	42,758	1 Chief of Police	40,092	41,696	43,364	45,098	46,902	48,778
61,330	63,739	2 Sergeant	66,870	132,155	141,188	146,836	152,709	158,817
214,417	227,226	6 Police Officer	282,771	234,453	191,305	198,957	206,915	215,192
43,604	49,161	2 School Liaison Officer	26,112	27,156	0	0	0	0
15,402	17,286	1 Police Support Specialist	19,404	20,180	22,252	23,142	24,068	25,030
7,296	16,454	1 Police Clerk	9,906	13,868	17,080	17,763	18,474	19,213
	0	1 Secretary	12,152	16,848	17,522	18,223	18,952	19,710
5,078	7,214	Court Time	4,800	0	0	0	0	0
8,863	1,824	Holiday	0	0	0	0	0	0
17,109	29,695	Overtime	19,200	24,960	46,000	47,840	49,754	51,744
1,497	2,029	Vacation Pay	2,638	2,744	0	0	0	0
77,469	87,983	Retirement	87,927	92,000	79,622	82,807	86,119	89,564
36,427	42,649	Health Insurance	45,004	49,504	54,516	59,968	65,964	72,561
949	1,014	Life Insurance	1,066	1,173	900	990	1,089	1,198
5,424	6,692	Disability Insurance	7,311	8,100	6,000	6,600	7,260	7,986
28,781	33,837	Workers Compensation	26,412	31,000	30,373	33,410	36,751	40,426
	2,891	Workers Comp - Reserves	2,600	2,860	3,146	3,461	3,807	4,187

1,902	2,532		Reserve Officers						
	(13)		Unemployment	4,573	4,756	3,000 37,000	4,500	4,680	4,867
564,245	634,971	13	Total Personal Services	658,838	703,453	693,267	689,594	723,444	759,274
			MATERIALS & SERVICES						
3,461	5,097		Office Supplies	3,000	5,000	5,200	5,460	5,733	6,020
4,279	6,361		Operating Materials/Equipment	4,000	8,000	6,000	6,300	6,615	6,946
1,070	1,233		Printing	1,500	1,500	1,943	2,040	2,142	2,249
873	555		Postage	700	1,000	1,500	1,575	1,654	1,736
17,785	15,546		Maintenance - Vehicles	13,000	10,000	8,000	8,560	9,159	9,800
3,461	4,132		Maintenance - Radios	3,500	4,000	3,500	3,745	4,007	4,288
1,190	1,316		Maintenance - Office Equip.	1,200	1,300	1,750	1,873	2,004	2,144
12,239	12,182		Gasoline	13,000	14,000	12,500	13,375	14,311	15,313
11,096	7,922		Utilities	6,000	8,000	8,560	9,159	9,800	10,486
1,690	1,833		Uniform Cleaning	2,200	2,200	2,500	2,625	2,756	2,894
10,986	8,753		Liability Insurance	12,000	10,000	11,000	12,100	13,310	14,641
4,230	4,186		Vehicle Insurance	5,000	5,000	6,875	7,563	8,319	9,151
5,998	5,220		Telephone	7,000	5,000	5,775	6,064	6,367	6,685
37,555	40,011		Communications-Net Con	57,000	55,340	29,053	0	0	0
			Salem Communications			67,558	130,000	136,500	136,501
19,224	27,858		RAIN	26,740	30,474	54,912	34,000	35,700	37,485
7,356	5,490		Training and Schools	8,000	8,000	5,500	5,775	6,064	6,367
1,864			Travel and Transportation	-					
2,059	3,541		Investigations	5,000	5,000	0	0	0	0
			Special Investigations	5,000	5,000	0	5,000	5,000	5,000
1,901	1,339		Clothing	2,600	2,730	3,500	3,675	3,859	4,052
3,300	2,960		Vehicle Allowance	2,400	2,520	2,646	2,778	2,917	3,063
910	1,458		Janitorial	1,400	1,470	1,544	1,621	1,702	1,787
339	0		Crime Prevention	0	2,000	0	0	0	0
1,713	1,261		Equipment Rental	2,200	2,200	2,310	2,426	2,547	2,674
11,238	0		Testing	0	2,000	500	525	551	579
			Training Supplies	2,000	2,000	500	525	551	579
	33		Prisoner Medical Expenses	2,000	2,000	2,100	2,205	2,315	2,431
			Grants	500	40,000	500	500	500	500
			K-9 Supplies			1,000			
1,897	2,295		Miscellaneous	1,000	1,000	1,050	1,103	1,158	1,216
			MATERIALS & SERVICES - RESERVE OFFICERS						
	0		Office Supplies	150	150	158	165	174	182
	0		Operating Materials	150	200	210	221	232	243
	0		Uniform Replacement	500	500	525	551	579	608
167,714	160,582		Total Materials & Services	188,740	237,584	248,668	271,507	286,525	295,619
			CAPITAL OUTLAY						
11,270	33,099		Patrol Car (2)	9,860	5,000	0	0	0	0
			Upgrade Radio System			0			
371	1,696		Portable Radio/Chargers (4)	0					
			Weapons			1,000			
5,540	13,794		Uniforms & Equipment	0	0	0	0	0	0
			Portable Computers (4)	0		6,000			
			Paper Shredder			2,000			
			Flashlights			500			

17,181	48,589	Total Capital Outlay	9,860	5,000	9,500	0	0	0
749,140	844,142	Total Expenditures	857,438	946,037	951,435	961,102	1,009,969	1,054,893

MISCELLANEOUS - GENERAL

0	0	Operating Contingency	41,284	50,000	50,000	50,000	50,000	50,000
		Transfers						
7,000	7,000	Transfer to Vehicle Reserve	0	0	0	0	0	0
-	0	Transfer to 911 Emer. Comm.	0	0	0	0	0	0
		Transfer to Street Fund			35,433			
7,000	7,000	Total Transfers	0	0	35,433	0	0	0
1,248,158	1,222,919	Total Expenditures	1,154,426	1,302,399	1,347,987	1,341,940	1,412,344	1,480,441
287,504	174,960	Unappropriated Ending Fund Balanc	83,064	85,519	100,000	100,000	100,000	100,000
1,535,662	1,397,879	TOTAL	1,237,490	1,387,918	1,447,987	1,441,940	1,512,344	1,580,441

Next Resolution No. R90-469
Next Ordinance No. 90-176

CITY OF KEIZER MISSION STATEMENT

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

A G E N D A

KEIZER CITY COUNCIL
Monday, June 4, 1990
Keizer City Hall
7:30 p.m.
Robert L. Simon Council Chambers

		RECOMMENDED ACTION
1.	CALL TO ORDER	
2.	ROLL CALL	
3.	PUBLIC TESTIMONY - This time is provided for citizens to address the Council on matters not on the agenda.	
4.	COMMITTEE REPORTS	
5.	DISCUSSION - Financial Forecast	Information only
6.	DISCUSSION - Establishment of Residential Building Moratorium.	Direct staff
7.	ORDINANCE (Second Reading) - Amending Ordinance No. 89-145 to comply with Oregon Laws, Chapter 484.	Pass on 2nd Reading
8.	ORDINANCE - In the matter of the application of Richard A. Curry, Frank B. Hammond and Joyce E. Hammond (Applicants) and Roger Stalick and Dan Jenks (Applicants for Amendment) for an amendment to Conditions of Approval in previously approved Zone Change Case 87-6 on property located on the southeast corner of River Road and Plymouth Drive, Keizer, Oregon (Case No. KZC 87-6) in which the city granted the amendment to the Conditions of Approval in the zone change decision in accordance with the Keizer Hearings Officer decision dated May 7, 1990.	Pass Ordinance
9.	CONSENT CALENDAR	
	a. May 21, 1990 Regular Session Minutes	Approve
	b. Staff Reductions	Receive & file
	c. Resolution - Commending the Outstanding	Adopt Resolution

Accomplishment of the McNary Celtics Girl's Varsity Softball Team.

10. OTHER BUSINESS - This matter is provided to allow Council members the opportunity to bring matters before the Council which are not on tonight's agenda.

11. AGENDA INPUT - June 18, 1990

Public Hearings:
- KCU 90-5 Parmelee/Kids Time Child Care
- Manufactured Housing Overlay Zone (continued from 5/21/90)
- Development Fee Package
- Holgate Street Vacation
- Grant Update
- Revenue Sharing Resolutions

12. ADJOURN

JUNE
1990

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
					1)	2) AA 8:45-11:45am Library 1-4pm
3)	4) City Council 7:30p	5)	6) Muni Ct (new) 6pm	7) Masonics (old) 7pm Hearings Officer KZC90-4 (new) 7:30pm RAIN Ex (conf) 11am RAIN Policy (new) noon Urban Ren Forum (Aud) 7pm	8) Muni Ct (new) 5:30p	9) AA ditto Library 1-4pm
10)	11) Muni Ct (new) 5:30	12) M/C Solid Waste Adv Bd (new) 6-9:30p COG/Econ Bd (new) 8-10:30a.m. K. Heritage (old) noon	13) Planning Comm (old) 7:30pm Muni Ct (new) 6pm RAIN User (old) 1:30p	14) Hearings Ofcr Case #KSUB90-4 (new) 7:30p.m.	15) Obsolete Fleet Chevy (old) 7:30pm	16) AA ditto Library 1-4pm
17).	18) City Council 7:30	19) Parks & Rec (old) 7:30pm	20) KBRAD (old) 4pm Muni Ct (new) 6pm	21) Masonics (old) 7p	22) Muni Ct (new) 5:30	23) AA ditto Library 1-4pm
24)	25) Muni Ct (new) 5:30	26)	27) Muni Ct (new) 6pm	28)	29)	30) AA ditto Library 1-4pm

City of Keizer

Administration
930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

COUNCIL MEETING: JUNE 4, 1990

AGENDA ITEM NO.: 5

TO: MAYOR AND CITY COUNCIL

FROM: DONALD H. OTTERMAN M.S.PA, CITY MANAGER DHO

SUBJECT: FINANCIAL PROJECTIONS FOR THE NEXT FOUR FISCAL YEARS

The former City Manager had prepared a five year budget projection for the City's general fund that was reviewed by the City Council in 1989, at that time the budget projections showed that the City would be in a deficit position by the end of 1990/91. I have revised the forecast previously done and projected that financial forecast for the next four years. In fiscal year 1990/91, the City will be in a deficit position over $50,000 in the general fund. Even with a reduction in the number of police officers to six and elimination of the Municipal Court, the City's deficit position decreases in fiscal year 1991/92 to $19,000 but increases again the following two years to over $31,000 per year.

The City, of course, cannot operate in a deficit position. That means that cuts in excess of the cuts that have been projected in this budget would have to be made for the next four fiscal years. As I have stated before, the budget projected in this four year projection anticipates a total of six police officers patrolling the City of Keizer.

It appears at the present time that the only way to balance the City's budget for fiscal year 1990/91 would be to layoff 12 police officers, a police clerk, and two Municipal Court clerks. The Municipal Court would have to be eliminated and there would have to be cuts made in other areas of materials and services to make-up the difference of $50,000. Such cuts could be made in the areas of park maintenance and possibly plannings services. If the cuts are made in those two areas the City's staff would be forced to take on the maintenance of all parks and forced to take on the day to day planning activities at a time when development in the City of Keizer is at an all time high. If those changes and services are made there will have to be a very deep cut in services provided to enable the City staff to handle the additional work load.

It is recommended that the City Council take the following actions:

1. The City Council set study sessions to determine the "Basic Services" that the City Council wishes to provide to the residents.

2. The City Council instruct the City Staff to explore every possible alternative source of funding to the property taxes so that a more level source of revenue can be established for the City.

3. After the City Council determines basic services and after it has approved alternative sources to property taxes it is requested that the City Council then establish what would be necessary in the way of a tax base and authorize the City staff to begin the process of educating the public as to the City Councils determination of services to be provided and the necessary tax base to do so.

Attachment

DHO:aag

f:\admin\fiscal.agd

Actual 1986-87	Adopted 1987-88	RESOURCES GENERAL-FUND	Adopted 1988-89	1989-90	1990-91	1991-92	1992-93	1993-94
		RESOURCE DESCRIPTION						
474,871	287,504	Beginning Fund Balance:						
47,886	42,084	Net Working Capital	140,000	147,722	132,366	100,000	100,000	100,000
10,484	9,520	Prior Year Taxes to be Received	40,000	42,099	43,925	46,305	48,855	51,667
533,241	339,108	Interest	8,000	5,814	7,000	7,000	7,000	7,000
		Total Other Resources	188,000	195,635	183,291	153,305	155,855	158,667
		LICENSE FEES						
86,928	87,185	Salem Electric	86,000	90,300	100,515	105,541	110,818	116,359
127,244	132,508	Portland General Electric	125,000	136,000	147,244	154,606	162,337	170,453
48,898	53,712	Northwest Natural Gas	49,000	54,000	56,700	59,535	62,512	65,637
62,704	61,572	Pacific Northwest Bell	61,000	63,000	66,150	69,458	72,930	76,577
19,548	62,809	Cable Television	60,000	63,000	69,549	73,026	76,678	80,512
345,322	397,786	Total License Fees	381,000	406,300	440,158	462,166	485,274	509,538
		STATE SHARED REVENUE						
123,902	124,775	Liquor Tax	126,000	127,149	119,322	121,863	120,628	123,041
71,429	70,939	Cigarette Tax	67,000	71,400	61,377	61,549	60,520	61,730
195,331	195,714	Total State Shared Revenue	193,000	198,549	180,699	183,412	181,148	184,771
		OTHER FEES						
1,015	1,950	Licenses & Permits	1,000	1,010	1,020	1,030	1,041	1,051
5,467	6,240	Planning Fees	4,000	4,100	4,203	4,308	4,415	4,526
11,271	24,261	Traffic Citations	18,000	70,000	15,000	15,375	15,759	16,153
17,753	32,451	Total Other Fees	23,000	75,110	20,223	20,713	21,215	21,730
		OTHER REVENUE						
0	0	Crime Prevention	250	250	250	250	250	250
0	14,698	LCDC Grant	0					
425	200	Noxious Weed Control	400	400	400	400	400	400
60,000	0	Trans from Utility Fund	0					
7,308	500	TSF Rent						
1,415	9,443	City Hall Rent	12,000	9,000	9,180	9,364	9,551	9,742
		Police Grant	500	40,000	0	500	500	500
		Rental Property Income			16,140	16,947	17,794	18,684
15,492	7,137	Civil Forfeitures	5,000	0	5,000	5,000	5,000	5,000
		Miscellaneous	4,000	4,200	4,410	4,631	4,862	5,105
		Transfer from 911 Fund			49,013	51,464	54,037	56,739
		Transfer from Vehicle Reserve			3,885			
84,640	31,978	Total Other Revenue	22,150	53,850	88,278	88,555	92,394	96,420
1,176,287	997,037	Total Resources Except Taxes	807,150	929,444	912,649	908,151	935,887	971,126
**********	**********	Taxes Necessary to Balance	431,526	457,418	484,863	513,954	544,792	577,479
359,375	400,842	Taxes Collected In Year Levied	**********					
1,535,662	1,397,879	TOTAL RESOURCES	1,238,676	1,386,862	1,397,511	1,422,105	1,480,678	1,548,605

EXPENDITURE SUMMARY

JUNE 26, 1990

CITY OF KEIZER POLICE DEPARTMENT
SELECTIVE TRAFFIC ENFORCEMENT PROGRAM

Grant Period: October 1, 1990 -- September 30, 1991

Project Synopsis:

The Keizer Selective Traffic Enforcement Project has been in operation since July 1, 1989, funding two full time traffic patrol..

The first calendar year quarter showed a 25% reduction in accidents over the average number of accidents of a similar time period of the last three years.

A project summary statement is attached.

Project Number:	91-PT-32-12 (315)
Project Cost:	$136,290
402 Funds:	$ 68,145
Match:	$ 68,145

STAFF RECOMMENDATION: Do approve contingent upon a final total program budget and completion of a selective traffic enforcement management system.

COUNCIL MEETING: June 18, 1990

AGENDA ITEM NO.: 10d

May 31, 1990

Andy Orcutt
Mayor
City of Keizer
Keizer, Oregon

Re: Resignation

Dear Andy:

Please accept this letter as notice of my resignation from the position of Municipal Judge.

I want to express my heartfelt thanks for the opportunity to work with the outstanding and talented employees of the City. The police department and officers are exceptional people, and it has been an honor to be associated with them.

Over the last year I've spent many hours in establishing the court and its procedures. I'm very pleased with the result. The Court is a fine organization and I'm proud to have been a part of its creation.

I simply do not have the time to spend on the court. The original concept of three evenings a month has increased to five evenings plus one Saturday afternoon a month. This is in addition to having four Pro Tem judges sitting one evening a month. During the last several months I've realized the amount of time needed to do a good job is beyond what I am willing to commit. The volume of citations has increased dramatically. The officers are doing a fine job, but I can't find the time in my otherwise busy business and personal schedule to commit time to the Municipal Judge position any longer.

It has been my pleasure to serve the city of Keizer. My only sadness is that I do not have the time or energy to give to the city I helped create.

I will continue to serve through June to enable the City to obtain the services of other qualified attorneys to serve as Municipal Judge.

Sincerely,

Robert C. Cannon

COUNCIL MEETING: June 18, 1990

AGENDA ITEM NO.: 11

BILL NO. ____ A BILL FOR ORDINANCE NO. 90-_____

AN ORDINANCE FOR THE TEMPORARY CLOSURE OF STREET FOR BLOCK PARTY

The City of Keizer ordains as follows:

Section 1. TEMPORARY CLOSURE OF STREETS.

A. The manager of public works may issue a permit to temporarily close to vehicular or pedestrian traffic any street upon application by a person or organization to hold a block party in a street right-of-way.

B. In issuing such permit, the public works manager shall set forth the time allowed for the street closure and any other conditions deemed necessary for the safety and protection of the public. All applications for a permit for street closures shall be accompanied by an application fee of $_____.

C. The applying person or organization shall be responsible for placing, maintaining and removal of any barricades and signs deemed necessary by the manager of public works during such temporary closure.

Section 2 APPLICATION FOR PERMIT. An application for a permit required by Section 1, shall be made upon a form provided by the public works manager and shall contain all of the following information:

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

a) The name, residence and business address and phone number of each person and organization sponsoring the temporary street closure. If an organization, the application shall contain the names, residence and business addresses, and phone numbers of the resident or chairman thereof, and all other persons, 1) having an interest or position of management or control in such organization; 2) who are or will be engaged in organizing, promoting, controlling, managing or soliciting participation in such temporary street closure;

b) The date, or dates, and beginning and ending hours of such temporary street closure;

c) The block or intersection in which such closure will occur;

d) The estimated number of persons who will participate;

e) The purpose of the temporary street closure;

f) Whether or not charity, gratuity, or offerings will be solicited or accepted, or sales of food, beverages, or other merchandise will occur;

g) Whether any sound amplification equipment is proposed to be used, and if so, information describing such sound amplification equipment;

h) Whether parking is requested to be restricted or prohibited during such closure;

i) Whether such temporary street closure will occupy all or only a portion of the street or intersection involved;

///

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

j) Such other information as the public works manager deems reasonably necessary in order to carry out his duties under this article.

Section 3. HOLD HARMLESS. Applicants shall agree in writing to assume the defense of and indemnify and save harmless, the City, its councilors, boards, commissions, officers, employees and agents, for all suits, actions, damages, or claims to which the City may be subjected of any kind or nature whatsoever, resulting from, caused by, arising out of or as a consequence of such temporary street closure and the activities permitted in connection therewith.

Section 4. PERSONNEL COST. Applicants shall pay to the City the cost of City personnel who are required by the City to work overtime hours, or other than regular shift or perform duties during or as a result of such temporary street closure. Applicant shall deposit with the City a sum in the amount estimated by the public works manager prior to the permit being issued.

Section 5 CONDITIONS IN PERMITS. Any permit granted under this ordinance may contain conditions reasonably calculated to reduce or minimize the dangers of hazards to vehicular or pedestrian traffic and the public health, safety, tranquility, morals or welfare, including, but not limited to, changes in time, duration, number of participants, or noise levels.

Section 6. STANDARDS OF ISSUANCE. A permit shall be issued by the Manager of Public Works, when, from a consideration of the application, and from such other information as may otherwise be obtained, he finds that all the following circumstances exist:

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a) The applicant has not knowingly and within intent to deceive, made any false, misleading or fraudulent statements of material fact in the application for a permit or any other document required pursuant to this Ordinance.

b) The applicant has met the standards in this article, and paid in advance any fee required and agrees to such conditions as are imposed in the permit;

c) The time, duration and size of the temporary street closure will not substantially disrupt the orderly and safe movement of other traffic;

d) The temporary street closure is of a size or nature such that is will not require the diversion of so great a number of police officers of the City as to prevent the normal police protection to the City;

e) The concentration of persons will not unduly interfere with the proper fire and police protection of, or ambulance service to, areas contiguous to such street closure.

f) The temporary street closure will not unduly interfere with the movement of fire fighting equipment on the way to a fire;

g) The temporary street closure will not unduly interfere with the orderly operation of parks, hospitals, churches, schools or other public, or quasi pubic institutions in this City;

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LIEN & HOBSON
Attorneys at Law
4855 River Rd. N.
Keizer, Oregon 97303
(503) 390-1835

h) The applicant has provided reasonable means for informing all persons listed in Section 2., paragraph a) of this ordinance, and all other persons participating in the temporary street closure of the terms and conditions of such permit and the applicable laws.

Section 7. REVOCATION OF PERMIT. Any permit for a temporary street closure issued pursuant to this article may be revoked by the public works manager or chief of police at any time by reason of emergency, disaster, calamity, disorder, riot, extreme traffic conditions, violation of this article or of any permit conditions, or undue burden on public service, the public works manager or chief of police determines that the health, safety, tranquility, morals or welfare of the public or the safety of any property requires such revocation. Notice of revocation of a permit shall be delivered in writing to at least one person named on the permit by personal service or by certified mail, or if the closure was commenced, orally, or in writing, by personal contact or service, or by telephone. Continuance of a temporary street closure after such notice has been delivered is an infraction.

Section 8. APPEAL. Any person aggrieved by the administrative action taken under section (1) of this ordinance may appeal the action to the City Council. The Council shall hear the appeal promptly and affirm, modify, or repeal the administrative action of the manager of public works.

Section 9. DEFINITIONS. For the purpose of this ordinance, "Block party" is an activity conducted within an area not exceeding

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(503) 390-1635

one city block or one intersection, which is sponsored solely by the owners, residents or tenants in the area, or their organization and is not for commercial advertising purposes or profit.

PASSED this _____ day of _____, 1990.

SIGNED this _____ day of _____, 1990.

_____
Mayor

_____
City Recorder

2276COK.003

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Keizer, Oregon 97303
(503) 390-1635

City of Keizer

Administration
930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

COUNCIL MEETING: June 18, 1990

AGENDA ITEM NO.: 6

TO: MAYOR AND CITY COUNCIL

FROM: DONALD H. OTTERMAN, M.S.PA, CITY MANAGER

SUBJECT: 1990-91 INSURANCE COVERAGES

Attached are the quotes the City has received on its general liability, property, inland marine, auto, boiler, umbrella and crime coverages. The quote from the City's current carriers are provided on colored paper.

Also attached are workers compensation quotes from SAIF and CCIS. SAIF has offered several optional plans and copies of those have also been enclosed.

These are provided for your review at this time. However, staff requests that a decision on selection of coverage be postponed until a meeting after the June 26 levy election. The City's insurance agent, Joe Phillippay of Sedgwick James is conducting further research and will present this information to the Council at its late June meeting.

RECOMMENDATION

No action at this time.

COUNCIL MEETING: June 18, 1990

AGENDA ITEM NO.: 7

BILL NO. _____ A BILL FOR ORDINANCE NO. 90-_____

AN ORDINANCE DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES

The City of Keizer ordains as follows:

Section 1. Pursuant to ORS 221.770, the city hereby elects to receive state revenues for fiscal year 1990-91.

PASSED this _____ day of June, 1990.

SIGNED this _____ day of June, 1990.

_____
Mayor

_____
City Recorder

I certify that a public hearing before the Budget Committee was held February 12, 1990 and a public hearing before the City Council was held on March 5, 1990 giving citizens opportunity to comment on use of State Revenue Sharing.

_____
City Recorder

NEIL GOLDSCHMIDT
GOVERNOR

Executive Department

155 COTTAGE STREET N.E., SALEM, OREGON 97310-0310

March 15, 1990

TO: FINANCE DIRECTOR

FROM: Julie Hittle, Special Projects Coordinator
Accounting Division, Executive Department

SUBJECT: State Revenue Sharing to Cities

State Revenue Sharing Law, ORS 221.770, requires cities to pass an ordinance or resolution each year stating that they want to receive state revenue sharing money. The law also requires that cities certify that two required public hearings were held.

In order to receive state revenue sharing in 1990-91 your city must have levied property taxes in the preceding year and:

1. Pass an ordinance or resolution approving participation in the program and file a copy of that ordinance with the Accounting Division before July 31.

2. Hold the following hearings on the use of state revenue sharing funds:

   a) a public hearing before the budget committee to discuss possible uses of the funds;

   b) a public hearing before the city council on the proposed uses of the funds in relation to the entire budget.

3. Certify to the Accounting Division, before July 31, that these hearings have been held.

The requirements for an Actual Use Report due December 31 of each year and Long Range Fiscal Projections due January 15 were repealed by the 64th Legislative Session. It is no longer necessary for you to file these reports.

If you have any questions please call me at 378-3156.

jh

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City of Keizer

Administration
930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

COUNCIL MEETING: JUNE 18, 1990

AGENDA ITEM NO.: 8

TO: MAYOR AND CITY COUNCIL

FROM: WALLY MULL, PUBLIC WORKS DIRECTOR

THRU: DON OTTERMAN, CITY MANAGER

SUBJECT: WATER RATE INCREASE

BACKGROUND

In 1986 the City of Keizer City Council approved a five year water plan that called for an annual 8% increase in water rates. This increase was established as part of the overall financing program needed to pay for the existing city's water master plan needs. The money will be used to repay the debt service on the 1980 Water Bond issue, scheduled replacement of steel waterlines and to gradually bring water revenues up to a break even point with water expenditures. Without the rate increase, the water fund will operate at an increasing deficit rate. A 1984 Financial Management Plan recommended a 10.9% water rate increase for 1990/91.

RECOMMENDATION

The City Council approve an 8% increase in water rates effective 1st of July 1990.

WM:aag

BILL NO. _____ A BILL FOR ORDINANCE NO. 90-_____

AN ORDINANCE SETTING WATER RATES

Section 1. Repeal of Previous Ordinances. Ordinance No. 89-154, relating to this same matter, is hereby repealed.

Section 2. Water Rates. The following water rates for the Keizer Water Department shall become effective July 1, 1990 and remain in effect until changed by the City Council:

Meter Size	Facility Charge	Fire Charge	Service Charge	Monthly Subtotal	Commodity Charge Per 100 cubic feet	Bimonthly
5/8-3/4"	4.83	.36	3.69	8.88	.42	17.76
1"	12.10	.91	3.69	16.70	.42	33.40
1-1/4"	16.95	1.28	3.69	21.92	.42	43.84
1-1/2"	24.23	1.80	3.69	29.70	.42	59.40
2"	38.70	2.89	3.69	45.27	.42	90.54
3"	77.42	5.77	3.69	86.87	.42	173.74
4"	120.96	9.03	3.69	133.68	.42	267.36
5"	241.94	18.05	3.69	263.67	.42	527.34
8"	387.07	28.89	3.69	419.64	.42	839.28

Miscellaneous Fees:

- Set up/Turn on fee (nonrefundable) $10
- After Hours Turn on fee $15
- Shut off fee for nonpayment of bill $10
- Returned check fee $15
- Fee for three NSF checks within one year $50

PASSED this _____ day of June, 1990.

SIGNED this _____ day of June, 1990.

_____
Mayor

_____
City Recorder

City of Keizer

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930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

LSAC REPRESENTATION STUDENTS

COUNCIL MEETING: June 18, 1990

AGENDA ITEM NO.: 9

TO: MAYOR AND CITY COUNCIL

FROM: DONALD H. OTTERMAN, M.S.PA, CITY MANAGER DHO

SUBJECT: FORMATION OF "KEIZER TOMORROW" COMMITTEE

At the budget study session on June 11, 1990, the Budget Committee approved in concept the formation of a committee to begin work on the development of a plan for future services and the method(s) by which to fund those services. The City Council has called for volunteers to serve on that committee.

I feel there needs to be some Council input on the organizational structure of the committee and that basic criteria needs to be established upon which to review applications for the committee. I would recommend that the following criteria be established for appointment to the committee:

1. At Large. The committee should be broad based geographically. I would recommend that the City be broken down into five sections and that a representative be appointed from each one of those areas. Four sections can be established with the dividing line at the River Road/Chemawa Road intersection, with the fifth section in Clearlake.

2. Business. There should be representation from the business community. I would recommend appointment of the president of the Chamber of Commerce, the KBRAD chairman, and two other business representatives who are not on the Chamber of Commerce Board of Directors.

3. Building/Real Estate. I would recommend that the building industry be represented as well as the real estate industry. Mr. Eric Meurer of the Salem Homebuilders Association has volunteered to serve on the committee. In addition to Mr. Meurer, I would suggest there be three other members: one developer and two representing the real estate industry (one residential and one commercial).

4. School District. I would recommend there be a representative from the Salem-Keizer School District. The appointment of two representatives may be made at the discretion of the School District.

5. Fire District. There should be a representative from the Keizer Rural Fire Protection District. This District will be impacted by any decisions made by this committee. MARION COUNTY ONE

6. Senior Citizens. One representative from the senior citizen population should definitely be included because of the number of people on fixed incomes in the community. Services considered basic by other individuals may not be considered basic by the senior citizen population, and visa versa. ASB PRES OR DESIGNEE

7. City Council. All members of the City Council will be on the committee with the Mayor being the chair of the committee. There will be two members of the Council appointed to each subcommittee.

I would recommend that the City Council establish, at a minimum, the above criteria, along with any other criteria the Council may deem necessary and to formally call for applications from the community. I envision that the application process will take about 30 days. If there are more applicants than there are spaces on the committee, the Council should establish a subcommittee to interview the applicants and recommend the finalists to the Council for formal approval. The first meeting of that subcommittee I anticipate will be in early September.

It is recommended that the City Council take this formal action tonight to begin the process to develop a blueprint for the preparation of a tax base in 1992.

M I N U T E S

KEIZER CITY COUNCIL
Monday, June 4, 1990
Robert L. Simon Council Chambers
Keizer City Hall

CALL TO ORDER

Council President Phil Bay called the regular session to order at 7:35 p.m. Roll call was taken as follows:

Present: Council President Phil Bay
Councilor Yvonne Fischer
Councilor Mike Hart
Councilor Bob Newton
Councilor Bob Pritchard
Councilor Joe Van Meter

Absent: Mayor Andy Orcutt

Staff: City Manager Don Otterman
City Attorney John Lien
City Attorney Shannon Johnson
Public Works Director Wally Mull
Chief of Police Chuck Stull
City Recorder Sue Darby

PUBLIC TESTIMONY

Dennis Koho, 3796 Hart Drive N., Keizer, introduced a pen pal from Moscow who is visiting this area and staying with Mr. Koho.

COMMITTEE REPORTS

There were no committee reports to come before the Council.

FINANCIAL FORECAST

Mr. Otterman reviewed with the City Council a four year financial forecast for the City of Keizer. He explained that under the existing tax base, with police department staffing consisting of six police officers, four sergeants and the police chief, thereby eliminating twelve officers and the Municipal Court operation, along with other adjustments, the City will be in a deficit position of $50,000 in 1990-91. The following year, 1991-92, the City is looking at a deficit position of about $19,000, which rises to over $31,000 for fiscal years 1992-93 and 1993-94.

Mr. Otterman indicated that former City Manager Roy Payne prepared a financial forecast in March of 1989. That forecast shows a deficit of $94,000 next year with a staffing of eight officers. In the following

years, Mr. Payne's forecast shows deficits of $105,000 for 1991-92, $118,000 for 1992-93 and $132,000 for 1993-94.

Mr. Otterman stressed the serious financial situation facing the City and the need to look for alternate sources of funding in addition to the tax base.

If additional funding does not become available, extensive cuts in service will need to be made in order to balance the budget. He stressed that the City Council needs to make some decisions on the basic services offered to the community.

Councilor Pritchard indicated that the Municipal Court was supposed to generate additional income. Mr. Otterman stated that each police officer generates about $4,000 to $5,000 in traffic citation revenue. By cutting twelve officers, revenues to the court will be seriously reduced and will not generate sufficient funds by which to operate the court.

Councilor Hart suggested the City Council schedule a study session to review this issue. He indicated that this is a negative report in view of the favorable indications that the June 26 one year levy will succeed. He suggested the Council begin considering a new tax base for 1992. Mr. Otterman stated that while he also hopes the June 26 levy will pass, in the event it does not pass he needs to be prepared to take a reduced budget to the Council for adoption prior to July 1 which gives him only three days after the June 26 election. However, he has no consensus from the Council on the concept of basic services.

Responding to a question from Councilor Van Meter, Mr. Otterman stated that the original discussion focused on the layoff of ten officers. That number has since been increased to twelve which would be required because of increased costs for Salem Communications, RAIN, shifting the accountant and receptionist to the General Fund, potential unemployment costs for the laid off employees, etc. Councilor Van Meter agreed with the need for an immediate study session to review the basic services concept. He would prefer to have the Budget Committee and

possibly other citizen members involved in the study session.

Councilor Newton advised that caution be used with Mr. Payne's financial forecast since the Council did not conduct an in-depth review of the figures. He added that with the support the levy has been receiving, he is confident that the June 26 levy will be successful. However, he would prefer to have the Budget Committee meet soon to discuss the next budget in order to provide ample time for a thorough public airing.

Councilor Fischer indicated that she believes it best to hear the facts early enough on the potential cutbacks. While there has been support for the levy, she is not surprised that the City is in this position. Councilor Fischer also agreed that work on the next budget should begin immediately with the Budget Committee and citizens.

Councilor Bay indicated that he attended the meeting with the employees to discuss layoffs today. While he is optimistic about the June 26 levy passing, he agrees with Mr. Otterman's need to be realistic in the event the levy does not pass, and to project the future finances of the City.

Mr. Otterman stated that layoff notices were distributed to twelve police officers, one police records clerk and two Municipal Court clerks this morning. He explained that with this number of police officer layoffs, the paperwork for the records clerk will be reduced and traffic citation revenue generated by the Municipal Court will decrease. Mr. Otterman discussed having other courts or jurisdictions handle the citations, however, there appear to be no other viable options. Councilor Newton suggested all court options be investigated, along with Circuit Court.

Responding to a question from Councilor Hart, Chief Stull stated that he has no idea how law enforcement services might be delivered to this community with only six police officers. Councilor Hart indicated that this would mean the elimination of the liaison program and investigations unit and would require that only emergency calls receive responses. Chief Stull agreed, adding that the emergencies

would be only those which are life-threatening. There would be a maximum of one officer on duty at any given time, when vacation, sick leave, holiday time, etc., are factored in to the schedule. He questioned how one officer can provide service to 22,000 people in the community.

Councilor Pritchard indicated that he has not seen any groundswell of enthusiasm in support of this levy. He indicated he would prefer to deliver as much bad news through the press on the potential cutbacks if the June 26 levy fails.

Councilor Fischer added that the Council is naive if it believes that the public knows how shorthanded the staff is at City Hall.

Councilor Van Meter asked Chief Stull to put some thoughts together for the budget meeting on what can be done with six officers.

Mr. Otterman urged the Council to consider continuing the budget discussions after the June 26 levy. He stressed the need for a "basic services" definition and to determine where the City will obtain revenues to pay for those basic services. He suggested a six to nine month study session be undertaken for this purpose.

Councilor Hart recommended that step one be to deal with the immediate emergency for the upcoming election in the event it fails. Step two would be for the Budget Committee to discuss the basic services concept and put together a plan for public review.

Councilor Van Meter suggested that the City not present the completed budget and then ask for input, believing this would backfire. He proposed that public input be solicited in the early stages.

Councilor Newton recommended that the full Budget Committee schedule a meeting for next Monday evening. The first item would be a current definition of basic services. He suggested that the current budget could be slashed by $50,000. The second meeting would be held to determine the next phase if the levy fails. He stressed the need to proceed as soon as possible with budget deliberations

for next year.

The Council agreed to set a Budget Committee work session for Monday, June 11, 6:30 p.m.

BUILDING MORATORIUM

Mr. Otterman indicated that he originally placed the building moratorium issue on the Council agenda to discuss the effect of construction on the City's financial picture. Since doing so, he has discovered that several State statutes speak specifically to building moratoriums and, therefore, it appears that the City cannot put such restrictions into place. Mr. Otterman said that the issue is getting new construction to pay for those services it demands. He suggested that Eric Meurer of the Salem Homebuilders Association be included on a committee to study this issue.

Mr. Otterman noted that City Engineer Bill Peterson recently attended a conference during which he received information on potential sources of revenue and charges for new development. He stressed that this is an issue which needs to be addressed.

Councilor Bay indicated that while he does not personally favor a moratorium, he realizes that new development does put an additional strain on City services.

Councilor Hart suggested that these additional costs and revenues be built into the budget during the budget process.

Mr. Otterman said that the assessed value throughout Keizer has increased by 12.4% this year. With most homeowners receiving a 10% increase in their assessed values, the remaining increase results primarily from new construction. In order to build construction costs into the budget, it will be necessary to set the future tax base high enough and then to back out 6% each year to the current level.

TELEPHONE FRANCHISE ORDINANCE

Councilor Pritchard moved to amend Ordinance No. 90-174 to provide for a 7% telephone business license fee. Councilor Fischer seconded the motion.

In discussing the matter, Councilor Pritchard indicated his reason for this motion is the lack of funds as shown in the projected

budget.

Responding to a question from Councilor Hart, Mr. Otterman stated that business license fees go into the General Fund. There are no restrictions on their expenditure. An increase to 3.9% as of July 1 would result in about the same level of revenues as the City is now receiving at 3%. Four percent would result in an increase of about $2,000 in an attempt to pay for repairs to street cuts made by the telephone company. The fee may be adjusted annually by the City.

Councilor Pritchard indicated that Keizer is at the low end of the rate structure. He suggested the City take advantage of obtaining the funds which are sorely needed and are allowed by law. He also suggested that other license fees be raised to 5% with the exception of the telephone company at 7%. Councilor Pritchard calculated that such an increase would bring in an additional $187,000 to the City.

Councilor Van Meter objected, stating that the City is seeking a levy at this time. Councilor Hart agreed, adding that it is politically dangerous to increase those fees at this time.

Responding to a question from Councilor Newton, Mr. Otterman clarified that if the June 26 levy does not pass, the City will need to reduce the budget not only by the positions that will be cut, but also by another $50,000.

The motion was defeated by the following vote:

AYES: Fischer, Pritchard (2)
NAYS: Bay, Hart, Newton, Van Meter (4)
ABSENT: Orcutt (1)

Councilor Van Meter moved for passage of an ordinance amending Ordinance No. 89-145 to comply with Oregon Laws, Chapter 484, on second and final reading. Councilor Newton seconded the motion. The motion was approved by the following vote:

AYES: Bay, Fischer, Hart, Newton, Van Meter (5)
NAYS: Pritchard (1)
ABSENT: Orcutt (1)

CURRY/HAMMOND ZONE CHANGE, CASE NO. 87-6 AMENDMENT

Mr. Otterman explained that the applicants, Curry, Hammond and Stalick, have asked for an amendment to the conditions of approval for their previously approved zone change relating to vehicular access from River Road. The Hearings Officer has recommended approval of the request.

Councilor Van Meter moved for passage of an ordinance in the matter of the application of Richard A. Curry, Frank B. Hammond and Joyce E. Hammond (Applicants) and Roger Stalick and Dan Jenks (Applicants for Amendment) for an amendment to conditions of approval in previously approved Zone Change Case 87-6 on property located on the southeast corner of River Road and Plymouth Drive, Keizer, Oregon (Case No. KZC 87-6) in which the City granted the amendment to the conditions of approval in the zone change decision in accordance with the Keizer Hearings Officer decision dated May 7, 1990. Councilor Hart seconded the motion. The motion was approved by the following vote:

AYES: Bay, Fischer, Hart, Newton, Pritchard, Van Meter (5)
NAYS: None (0)
ABSENT: Orcutt (1)

CONSENT CALENDAR

The Consent Calendar consisted of:

- May 21, 1990 Regular Session Minutes
- Staff Reductions Report
- Resolution Commending the Outstanding Accomplishment of the McNary Celtics Girls' Varsity Softball Team

Councilor Hart moved for approval of the Consent Calendar. Councilor Newton seconded the motion. The motion was approved by the following vote:

AYES: Bay, Fischer, Hart, Newton, Pritchard, Van Meter (6)
NAYS: None (0)
ABSENT: Orcutt (1)

OTHER BUSINESS
Budget Presentations

Mr. Otterman indicated that he has been scheduling factual presentations to various service and civic clubs in Keizer with respect to the upcoming June 26 levy. The Council members discussed and selected those presentations which they wished to attend.

MCNARY GIRLS SOFTBALL TEAM RESOLUTION	Councilor Bay asked Councilor Van Meter to distribute the resolutions to the McNary Celtics Girls Softball Team which expresses the City's commendation for their recent placement as State co-champions.
AGENDA INPUT	There was no additional agenda input.
ADJOURNMENT	The meeting adjourned at 8:47 p.m.

Respectfully submitted,

Susan Darby, City Recorder

APPROVED:

(Mayor Orcutt Absent)
MAYOR

COUNCIL MEETING: June 18, 1990

AGENDA ITEM NO.: 10b

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution No. R90-_____

WHEREAS, ORS 221.760 provides as follows:

Section 1. The officer responsible for disbursing funds to cities under ORS 323.455, 366.785 to 366.820 and 471.805 shall, in the case of a city located within a county having more than 100,000 inhabitants according to the most recent federal decennial census, disburse such funds only if the city provides four or more of the following services:

(1) Police protection

(2) Fire protection

(3) Street construction, maintenance and lighting

(4) Sanitary sewer

(5) Storm sewers

(6) Planning, zoning and subdivision control

(7) One or more utility services

and

WHEREAS, city officials recognize the desirability of assisting the state officer responsible for determining the eligibility of cities to receive such funds in accordance with ORS 221.760; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Keizer that the City of Keizer hereby provides the following four or more municipal services enumerated in Section 1, ORS 221.760:

(1) Police protection

(2) Street construction, maintenance and lighting

(3) Sanitary sewer

(4) Storm sewers

(5) Planning, zoning and subdivision control

(6) One or more utility services

PASSED this _____ day of June, 1990.

SIGNED this _____ day of June, 1990.

_____
MAYOR

_____
CITY RECORDER

NEIL GOLDSCHMIDT
GOVERNOR

Executive Department

155 COTTAGE STREET N.E., SALEM, OREGON 97310-0310

DATE: May 1, 1990

TO: FINANCE DIRECTOR

FROM: Julie Hittle, Revenue Sharing Coordinator
Accounting Division

SUBJECT: Required Resolution: State-Shared Revenue

The Accounting Division is responsible for certification of eligibility of cities for state-shared revenues (cigarette, liquor and highway taxes) under ORS 221.760.

The law provides that cities located within a county having more than 100,000 inhabitants, according to the most recent decennial census (1980), must provide four or more of the following municipal services to be eligible to receive the revenues:

- Police protection,
- Fire protection,
- Street construction, maintenance and lighting,
- Sanitary sewers,
- Storm sewers,
- Planning, zoning & subdivision control,
- One or more utility services.

In order to gain this certification, we will need to have a Resolution from your Council which states that four or more of these services are being provided. A model resolution, applicable to your city under ORS 221.760 is enclosed for your City Council action.

Please return a copy of the Resolution to this office by July 31, 1990, to assure your city's certification. IF YOU ARE NOT CERTIFIED BY JULY 31, 1990, YOU WILL NOT RECEIVE YOUR PORTION OF THE STATE-SHARED REVENUES.

If you have any questions concerning the level of services or type of services which might qualify, or any other questions, please call 378-3156.

JMH:gh:0220e

Enclosure

City of Keizer

Administration
930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

COUNCIL MEETING: June 18, 1990

AGENDA ITEM NO.: 10c

TO: MAYOR AND CITY COUNCIL

FROM: DONALD H. OTTERMAN, M.S.PA, CITY MANAGER DHO

SUBJECT: OREGON TRAFFIC SAFETY COMMISSION GRANT

Attached is a memorandum from the Chief of Police regarding an Oregon Traffic Safety Commission meeting set for June 26, 1990. As you are aware, in 1989 the City received a grant for two traffic safety officers and an application has been made to continue that grant. To date, the City does not know whether the grant will be funded.

The City is in competition with three other cities for selective traffic enforcement grants. While staff has recommended approval of the continuation of the grant, it is too early to assume that the grant has been approved. Even after the Oregon Traffic Safety Commission takes action, it will be subject to final approval by the Federal government.

This memorandum is provided for the City Council's information. Once the final decision has been made by the Traffic Safety Commission, the Council will be informed.

Attachment

Keizer Police Department
CHIEF'S MEMORANDUM

DATE: JUNE 12, 1990

TO: DON OTTERMAN, CITY MANAGER FROM: CHIEF STULL CRS

SUBJECT: OREGON TRAFFIC SAFETY COMMISSION GRANT HEARINGS NOTIFICATION

On June 11, 1990 we received notification of Grant Request hearings set for June 26, 1990 (Election Day). You will note that we are in the running and their staff recommendation is on page three.

After your review, if you have any questions, please advise.

NOTE: It is still to early to count on any funding, but we are sitting in a good spot!

CRS:cp

RECEIVED MAY 11 1990
RECEIVED JUN 11 1990

NEIL GOLDSCHMIDT
GOVERNOR

Oregon Traffic Safety Commission

400 STATE LIBRARY BUILDING, SALEM, OREGON 97310 PHONE 378-3669
Toll Free 1-800-922-2022

DATE: June 6, 1990

TO: Chief Charles Stull, Project Director

FROM: KC Humphrey, Deputy Administrator

SUBJECT: Oregon Traffic Safety Commission Meeting

Enclosed is a copy of the agenda for the Oregon Traffic Safety Commission June 26, 1990 meeting, as well as a copy of the staff recommendation. Please arrive at this meeting no later than 1:00 p.m.

The Project Director or a representative should arrange to attend the meeting. This person should be prepared to provide information on the project and answer any questions that the Commission members may have.

If the Commission approves your proposal, a pre-work conference will be scheduled by OTSC staff to finalize the project. Modifications to the project objectives and budget may be necessary; therefore, a notification of final approval from OTSC is needed prior to project initiation.

KC:jh

Encls.

AGENDA

OREGON TRAFFIC SAFETY COMMISSION

June 26, 1990
9:30 a.m.

State Library Building. - Room 14
Salem, Oregon

I. Fatality Report - Gil Bellamy

II. Approval of Minutes - Chair Pendergrass

III. Highway Safety Plan

- Overview - KC Humphrey
- Mid-year Project Evaluations - Staff
- Highway Safety Plan - Troy Costales

IV. Projects for Consideration

A. Program Management (9 grants) - KC Humphrey

B. Lake Oswego Selective Traffic Enforcement - Chuck Nelson

C. Newberg Selective Traffic Enforcement - Chuck Nelson

D. West Linn Selective Traffic Enforcement - Chuck Nelson

E. Keizer Selective Traffic Enforcement - Chuck Nelson

F. ODOT Engineering Assistance to Local Governments - Chuck Nelson

G. Statewide Services DUII Countermeasures Program - June Ross

H. Training for DUII System Professionals - June Ross

I. DUII Countermeasures Evaluation/Data Improvements - June Ross

J. College Age Youth Program - Jill Vosper

V. Other Business

A. San Francisco Conference - Kay Glazer & Rollie Pean

B. OSSOM Future - Gil Bellamy

C. Administrator's Report - Gil Bellamy

D. Other

VI. Adjournment

Sedgwick James

INLAND MARINE

Amount of Insurance:

$ 119,100	For scheduled contractors equipment.
$ 126,550	For scheduled miscellaneous equipment.

Perils Covered: "All Risk" coverage subject to policy conditions and exclusions listed in policy.

Deductible: $500

Policy Terms: In addition to the usual terms and conditions, the following provisions apply:
*Subject to locked vehicle warranty
*80% coinsurance
*Actual cash value

Equipment Covered: See Schedule

Sedgwick James

COMPUTER EQUIPMENT

Limits:

$ 52,737	Computer Equipment
$ 12,137	Computer Software & Media

Perils Covered: "All Risk" coverage subject to policy conditions and exclusions listed in policy.

Deductible: $ 500
$2500 Mechanical Breakdown & Electrical Disturbance

Policy Terms: In addition to the terms and conditions, the following provisions apply:

*Replacement Cost
*100% Coinsurance

Sedgwick James

GENERAL LIABILITY

Limits:

Bodily Injury	
$ 200,000	Any one claimant arising out of one single accident or occurrence.
Property Damage	
$ 50,000	Any one claimant arising out of a single accidnet or occurrence.
Both	
$ 500,000	For any number of claims arising out of a single accident or occurrence.

Coverages:

*Premises and Operations
*Products
*Independent Contractors
*Broad Form Property Damage
*Incidental Med Malpractice
*Personal Injury
*Public Officials, Errors & Omissions
*Oregon Tort Claims Act
*Contractual
*Completed Operations
*Employees as Add'l Insureds
*Host Liquor Liability
*Non-Owned Watercraft
**False Arrest, Assault & Battery

Deductible: $250 Per Occurrence.

Policy Terms: In addition to the usual terms and conditions, the following provisions apply:

*Volunteer workers - additional insureds
*$100,000 coverage for legal liability to impounded properties

Sedgwick James

CRIME

Public Employers Blanket Bond

Limit:

$ 100,000 Per Loss

Coverages: Loss of money, securities, and property resulting from employee dishonesty.

Deductible: $1000

Policy Terms: In addition to the terms and conditions, the following provisions apply:

*Blanket Form
*Inventory Shortages excluded
*Treasurer or Tax collectors not included
*Subject to usual conditions & exclusions as stated in policy.

Sedgwick James

AUTOMOBILE

Limits:

$ 200,000	Bodily Injury per person
$ 500,000	Bodily Injury per accident
$ 50,000	Property damage per accident
$ 10,000	Personal Injury Protection
$ 500,000	Uninsured & Underinsured motorists bodily injury

Deductible: $250 - Property damage liability
Physical damage - see schedule

Policy Terms: In addition to the usual terms and conditions, the following provisions apply:

*Coverage includes employers & hired non-owned auto liability

Autos Covered: See Schedule

Sedgwick James

PREMIUM SUMMARY

PROPERTY	$ 2,170
GENERAL & PROFESSIONAL LIAB.	$18,360
INLAND MARINE	$ 1,684
AUTOMOBILE	$10,662
BOILER & MACHINERY	$ 2,517
UMBRELLA, INCL. $450 FEE	$ 9,408
CRIME	$ 610
TOTA ESTIMATED ANNUAL PREMIUM	$45,411

-89-90 PREMIUM $42,770

Carrier on Liability, Automobile & Umbrella: Northland Casualty Company
Carrier on Property & Inland Marine: Zurich Insurance Company
Carrier on Boiler & Machinery: Kemper Insurance Company
Carrier on Crime: United Pacific Insurance Company

IMPORTANT

Higher limits of insurance are available.

The information presented herein is for quick reference only. The insurance policy(s) contain limitations, exclusions and conditions which are not listed here and it forms the contract between the insured and the insurance company. Please read your policy and let us know if you have any questions.

If there are any significant changes in your business which involve exposures not listed in your policy, please let us know of them.

Premium finance plans are available.

Thank you for your cooperation in allowing us to prepare this proposal.

Sedgwick James

Administrat.
Police
Water

PROPERTY

Location:	See Statement of Values
Amount of Insurance:	
$1,908,900	Blanket buildings and/or personal property.
Perils Covered:	*Fire, Lightning and Extended Coverage *Vandalism *Special Form All perils subject ot conditions and exclusions listed in policy.
Deductible:	$1,000
Policy Terms:	In addition to the terms and conditions, the following provisions apply: *Replacement Cost *Agreed Amount
Supplementary Coverages:	
$ 10,000	Property off Premises
$ 5,000	Valuable papers
$ 15,000	Extra Expense
$ 5,000	Money & securities
	Power Failure Endorsment
	Building Ordinance coverage

Sedgwick James

Sedgwick James of Oregon, Inc.
PO Box 31, Salem, Oregon 97308-0031
Telephone (503) 364-9779. Telex 360128. Facsimile (503) 248-6582

CITY OF KEIZER

INSURANCE PROPOSAL

POLICY TERM 7-1-90 TO 7-1-91

PREPARED BY:

JOE PHILLIPPAY
VICE PRESIDENT
SEDGWICK JAMES OF OREGON, INC.
1605 LIBERTY STREET S.E.
SALEM, OREGON 97302
(503) 364-9779

JUNE, 1990

Sedgwick James

MARKETING

Property, Liability, Auto, and Umbrella:

J.G. Newman (Northland, Zurich) - Quoted

CCIS -- Quoted

Workers Compensation:

EBI - Declined

Safeco - Declined

United Pacific - Declined

SAIF - Quoted

CCIS - Quoted

11. The lot contains 7,084 square feet exceeding the minimum lot size requirement. The applicant noted that not all of the existing fencing is sight obscuring, and, the parking area is not screened. This screening requirement can be placed as a condition of approval. The proposal complies or can conditionally comply with items 10(a) and (b).

12. The applicant is required to provide two off-street parking spaces for the day care facility, and two off-street parking spaces for the dwelling, for a total of four (4) parking spaces. The applicant has identified three off-street parking spaces in the front yard, the maximum number permitted pursuant to Section 21.02(e). Normally, the garage can provide some parking, however, the applicant intends to convert the garage for the proposed day-care facility. Therefore, one additional off-street parking space must be created.

13. The Ordinance requires that additional spaces be established in the rear yard. A review of the submitted site plan reveals this cannot be accomplished without a second access and a variance to the driveway width requirement. The staff notes that the parking problem centers on the conversion of the garage to a day-care facility. As an alternative, the applicant could convert only a portion of the garage, leaving at least one parking space, or, place an addition to the house thereby maintaining the garage parking spaces. The applicant may also reduce the maximum number of children within the facility to 7 or less.

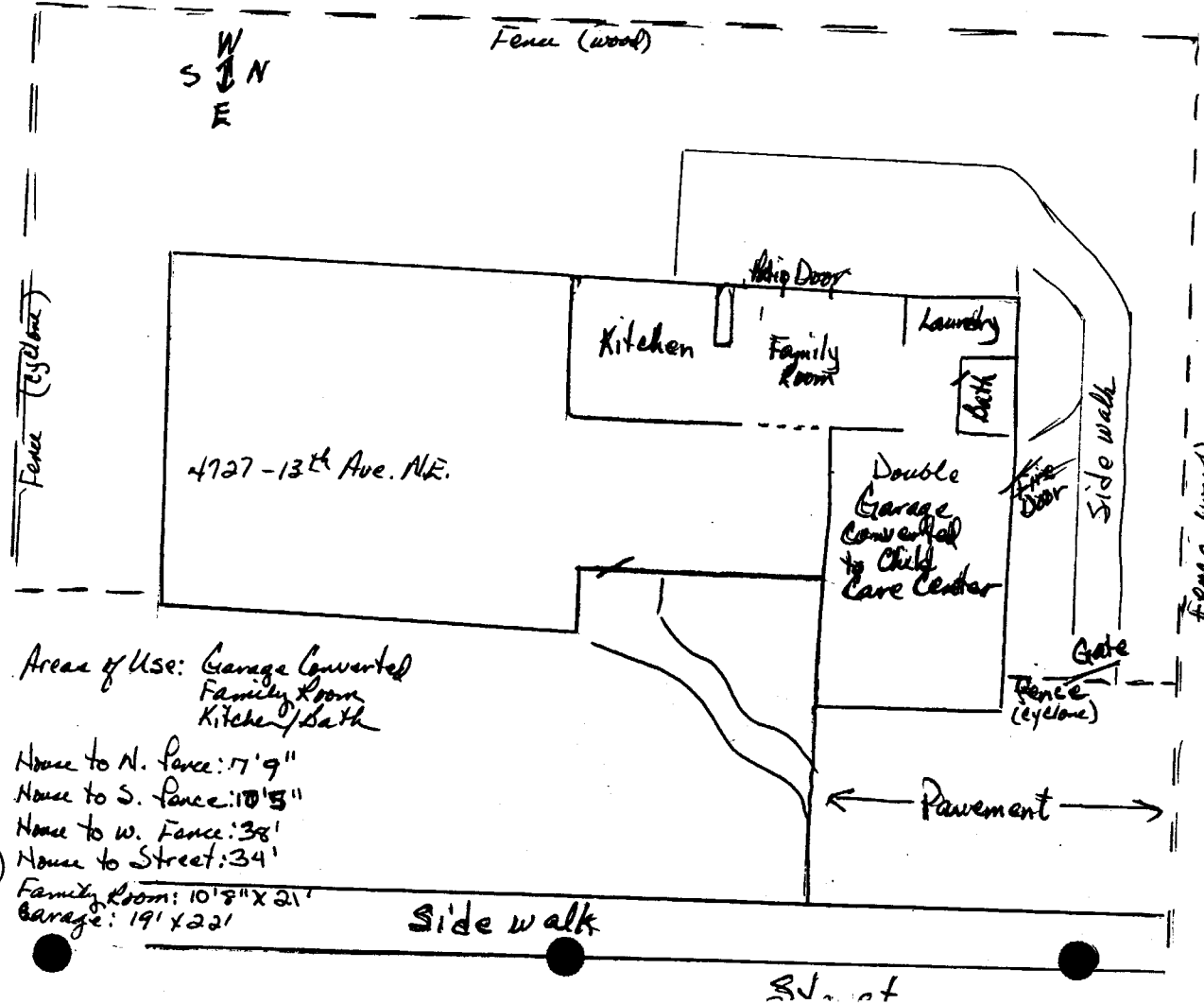
14. The staff believes sufficient alternatives exist to address the parking situation and notes the proposal can conditionally comply with item 10(c) provided sufficient off-street parking is provided.

REPORT PREPARED BY: Skip Wendolowski, Associate Planner

Russell Nebon

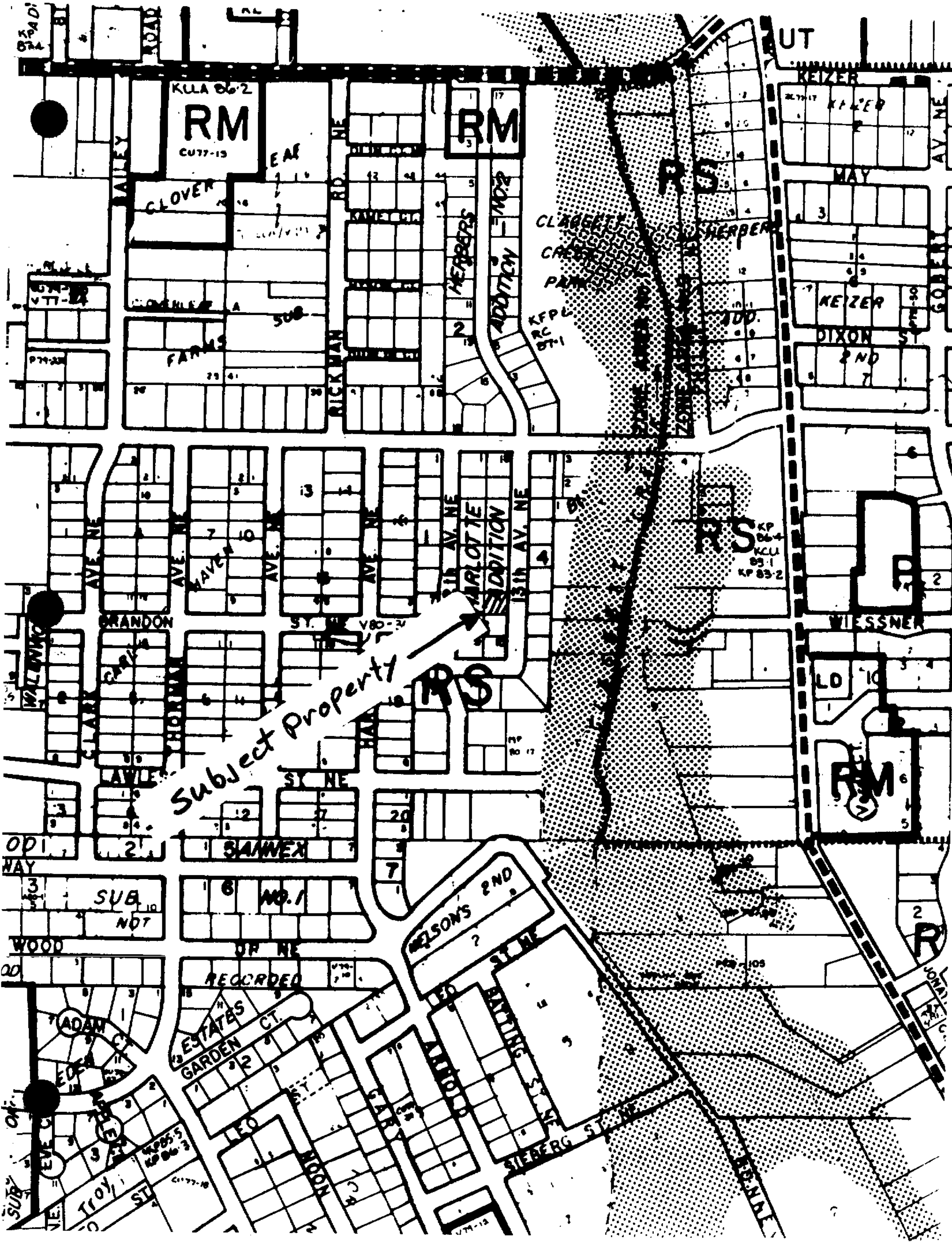
Russell Nebon
Zoning Administrator

May 4, 1990
Date



Areas of Use: Garage Converted
Family Room
Kitchen / Bath

House to N. Fence: 7'9"
House to S. Fence: 10'5"
House to W. Fence: 38'
(Garage) House to Street: 34'
Family Room: 10'8" X 21'
Garage: 19' X 22'



KEIZER
RM
RM
CU77-13
CLOVER
FARMS
SUB
HERBERS
ADDITION
NO 2
CLAGGETT
CREEK
PARK
KFPL
RC
87-1
RS
KEIZER
MAY
DIXON ST
2ND
RS
KP 86-4
KCU 85-1
KP 83-2
WIESSNER
RM
LD
BRANDON
ST NE
13th AV NE
ADDITION
Subject Property
RS
ST NE
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SUB
NO. 1
NOT
RECORDED
WOOD
DR NE
NELSON'S 2ND
ST NE
SIEBERG ST NE
ESTATES
GARDEN CT
ADAN
CT
TROY
ST

City of Keizer

Administration
930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

COUNCIL MEETING: June 18, 1990

AGENDA ITEM NO.: 5

TO: MAYOR AND CITY COUNCIL

FROM: WALLY MULL, PUBLIC WORKS DIRECTOR

THRU: DONALD H. OTTERMAN, M.S.PA, CITY MANAGER

SUBJECT: DEVELOPMENT FEE PACKAGE

This item is being pulled off the June 18 agenda. It will take staff some additional time to develop the package. Hopefully, it will be ready in July and will be presented to the Council as soon as possible.

ENTITY CITY OF KEIZER
INVOICE NO. 25
DATE 05/23/90

	PREMIUMS AND TAXES	POOL ASSESSMENTS	TOTAL CHARGES
GENERAL LIABILITY			
Policy Period 07/01/90 to 07/01/91			
Premium/Assessment	9350.00	15609.00	24959.00
GL/AL Taxes 2,000,000 CSL	289.70		289.70
GL/AL Stamping Fee	32.00		32.00
GL/AL Policy Fee	50.00		50.00
AUTO LIABILITY			
Policy Period 07/01/90 to 07/01/91			
Premium/Assessment	3475.00	5801.00	9276.00
[illegible] PHYSICAL DAMAGE			
Coverage Period 07/01/90 to 07/01/91			
Assessment		3881.00	3881.00
PROPERTY			
Policy Period 07/01/90 to 07/01/91			
Premium	3514.00		3514.00
EXCESS			
Policy Period 07/01/90 to 07/01/91			
Premium	4597.00		4597.00
Excess Taxes	104.56		104.56
Excess Stamping Fee	12.00		12.00
Excess Policy Fee	50.00		50.00
ADMINISTRATIVE FEE		0.00	0.00
Totals	21474.26	25291.00	46765.26
TOTAL DUE			46765.26
LOCAL AGENTS COMMISSION			3911.73

ALL PREMIUMS AND ASSESSMENTS ARE DUE AND PAYABLE ON JULY 1, 1990.
THE ABOVE TOTAL DUE HAS BEEN BILLED DIRECTLY TO THE INSURED.
[illegible]MISSIONS TO LOCAL AGENTS WILL BE REMITTED UPON RECEIPT OF [illegible] FUNDS.

Sedgwick James

CITY OF KEIZER
WORKERS COMPENSATION
1990/1991

Class Code	Classification	Rates: SAIF	Rates: CCIS	Payroll	Premiums: SAIF	Premiums: CCIS
7520	Waterworks	6.66	5.64	$115,458	$ 7,690	$ 6,511
7720	Police	7.81	6.63	593,676	46,366	39,301
8411	Vol. Police	1.37	1.16	14,322	196	166
8742	Field Reps	1.15	.98	121,821	1,401	1,194
8810	Clerical	.69	.59	205,068	1,415	1,210
9102	Parks, NOC	8.37	7.11	5,958	499	424
9402	Street Cleaning	12.37	10.49	10,959	1,356	1,150

	SAIF	CCIS
Estimated Annual Premium:	$58,923	$49,956
Tent. Exp. Mod.	1.00	1.00
Std. Premium	58,923	49,956
Premium Discount	(7,588)*	(3,497)*
Net Premium	51,335	46,459
Ded. Credit	-0-	(15,000)
Ned Net Premium	51,335	31,459
State Tax (4.5%)	2,310	1,416
Total Premium	$53,645	$32,875

*Premium Discount - Saif Guaranteed; CCIS is not

Proposal

Workers' Compensation Insurance

PRESENTED TO:

CITY OF KEIZER

Don Schildmeyer
Sr. Account Representative
Phone 373-8359

Premium Estimate
Guaranteed Cost Plans

For: CITY OF KEIZER
Policy Period: July 1, 1990 thru June 30, 1991

Firm Number 436890

CODE	CLASSIFICATION	PAYROLL	RATE	PREMIUM
7520	WATERWORKS OPERATION-DR	$ 115,458	$ 6.66	$ 7,690
7720	POLICE OFFICERS & DRIVER	$ 593,676	$ 7.81	$ 46,366
8411	VOL PLCMN @4200/QTR EA	$ 14,322	$ 1.37	$ 196
8742	FIELD REPRESENTATIVES	$ 121,821	$ 1.15	$ 1,401
8810	OFFICE CLERICAL	$ 205,068	$ .69	$ 1,415
9102	PARK NOC-ALL EMPLOYEES	$ 5,958	$ 8.37	$ 499
9402	STREET CLEANING & DRIVE	$ 10,959	$12.37	$ 1,356

DISCOUNT SCHEDULE

0 -	$ 5,000	0 %
Next	5,000	10.0 %
Next	10,000	12.5 %
Next	80,000	15.0 %
Over	100,000	20.0 %

Estimated Manual Premium		$ 58,923
Tentative Experience Rating Modification		1.00
Standard Premium		$ 58,923
Less: Guaranteed Premium Discount		$ 7,588
Net Premium		$ 51,335
Plus DIF* Premium Assessment @	4.5 %	$ 2,310
Net Premium with DIF Assessment		$ 53,645

*Department of Insurance and Finance (DIF) premium and workday assessments are in addition to net premium.

Std

Premium Estimate
Guaranteed Cost Plans

For: CITY OF KEIZER
Policy Period: July 1, 1990 thru June 30, 1991

Firm Number: 436890

CODE	CLASSIFICATION	PAYROLL	RATE	PREMIUM
7520	WATERWORKS OPERATION-DR	$115,458	$ 6.66	$ 7,690
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8742	FIELD REPRESENTATIVES	$121,821	$ 1.15	$ 1,401
8810	OFFICE CLERICAL	$205,068	$ .69	$ 1,415
9102	PARK NOC-ALL EMPLOYEES	$ 5,958	$ 8.37	$ 499
[illegible]02	STREET CLEANING & DRIVE	$ 10,959	$12.37	$ 1,356

DISCOUNT SCHEDULE

0 - $	5,000	0%
Next	5,000	10.0%
Next	10,000	12 5%
Next	80,000	15.0%
Over	100,000	20.0%

Annual Prepay Discount: 6.3%

Estimated Manual Premium	$58,923
Tentative Experience Rating Modification	1.00
Standard Premium	$58,923
Adjusted Standard Premium	$55,211
Less: Guaranteed Premium Discount	$ 7,032
Net Premium	$48,179
Plus DIF* Premium Assessment @ 4.5 %	$ 2,168
Net Premium with DIF Assessment	$50,347

*Department of Insurance and Finance (DIF) premium and workday assessments are in addition to net premium.

Std

Retrospective Rating Plan

For: CITY OF KEIZER

Standard Premium $ 58,923

Basic Premium Factor
.559
Maximum Premium Factor
1.100
Loss Conversion Factor
1.200
Reporting Frequency
Tax Multiplier
1.00
Plan Term

LOSS RATIO		INCURRED LOSSES	RETRO PREMIUM
		$ 0	$ 32,938
08.49%		$ 5,000	$ 38,938
16.97%		$ 10,000	$ 44,938
25.46%		$ 15,000	$ 50,938
33.94%		$ 20,000	$ 56,938
36.75%	==|	$ 21,654	$ 58,923
42.43%		$ 25,000	$ 62,938
45.08%		$ 26,564	$ 64,815

Proposal does not reflect the Department of Insurance and Finance (DIF) premium assessment of 4.5%. Premium assessment is applied initially to standard premium and then to retro premium at evaluation.

DIF Premium Assessment Remitted	$ 2,652
Minimum DIF Premium Assessment	$ 1,482
Maximum DIF Premium Assessment	$ 2,917

Department of Insurance and Finance premium and workday assessments are in addition to retro premium.

Std

Retrospective Rating Plan

For: CITY OF KEIZER

Standard Premium $ 58.923

Basic Premium Factor
.534

Maximum Premium Factor
1.150

Loss Conversion Factor
1.200

Reporting Frequency

Tax Multiplier
1.00

Plan Term

LOSS RATIO		INCURRED LOSSES	RETRO PREMIUM
		$ 0	$ 31,465
08.49%		$ 5,000	$ 37,465
16.97%		$ 10,000	$ 43,465
25.46%		$ 15,000	$ 49,465
33.94%		$ 20,000	$ 55,465
38.83%	==|	$ 22,882	$ 58,923
42.43%		$ 25,000	$ 61,465
50.91%		$ 30,000	$ 67,465
51.33%		$ 30,247	$ 67,761

Proposal does not reflect the Department of Insurance and Finance (DIF) premium assessment of 4.5 %. Premium assessment is applied initially to standard premium and then to retro premium at evaluation.

DIF Premium Assessment Remitted	$ 2,652
Minimum DIF Premium Assessment	$ 1,416
Maximum DIF Premium Assessment	$ 3,049

Department of Insurance and Finance premium and workday assessments are in addition to retro premium.

Std

1990-91 Insurance

RECEIVED

'90 MAY 31 AM 10 21

OREGON 972

City County Insurance Services

1212 Court Street NE, Suite 302 P.O. Box 3020 Salem, OR 97302
(503) 585-1121 1-800-922-2684
FAX 585-1140

May 30, 1990

Mr. Donald Otterman
City Manager
City of Keizer
P. O. Box 21000
Keizer, OR 97307-1000

Re: Quote for CIS Coverage

Dear Mr. Otterman:

Enclosed for your information are copies of two quotes for coverage in City/County Insurance Services (CIS) for the period July 1, 1990 to July 1, 1991. These quotes were provided to your local agent. The quote for liability and property coverage is contingent upon your approval of the Resolutions regarding membership in CIS.

CIS, sponsored by the League of Oregon Cities and the Association of Oregon Counties, is now in its tenth year. We now provide property and casualty insurance to over three-fourths of Oregon cities and counties.

CIS gives these cities and counties the means to combine their purchasing power and to seek cooperative solutions to difficulties in obtaining, or affording, insurance coverage.

We welcome the opportunity to give you these quotes. If you have any questions, please do not hesitate to call.

Sincerely yours,

Richard Egan

Richard Egan
Program Administrator

RE:dal
Enclosures
cc: Dick Townsend/LOC
Cindy Utley/Alexsis

ASSOCIATION OF OREGON COUNTIES

LEAGUE OF OREGON CITIES

Quote

ENTITY	CITY OF KEIZER
INVOICE NO.	25
DATE	05/23/90

	PREMIUMS AND TAXES	POOL ASSESSMENTS	TOTAL CHARGES
GENERAL LIABILITY			
Policy Period 07/01/90 to 07/01/91			
Premium/Assessment	9350.00	15609.00	24959.00
GL/AL Taxes	289.70		289.70
GL/AL Stamping Fee 1,000,000 CSL	32.00		32.00
GL/AL Policy Fee	50.00		50.00
AUTO LIABILITY			
Policy Period 07/01/90 to 07/01/91			
Premium/Assessment	3475.00	5801.00	9276.00
AUTO PHYSICAL DAMAGE			
Coverage Period 07/01/90 to 07/01/91			
Assessment		3881.00	3881.00
PROPERTY			
Policy Period 07/01/90 to 07/01/91			
Premium	3514.00		3514.00
EXCESS			
Policy Period 07/01/90 to 07/01/91			
Premium	0.00		0.00
Excess Taxes	0.00		0.00
Excess Stamping Fee	0.00		0.00
Excess Policy Fee	0.00		0.00
ADMINISTRATIVE FEE		0.00	0.00
Totals	16710.70	25291.00	42001.70
TOTAL DUE			42001.70
LOCAL AGENTS COMMISSION			3520.98

ALL PREMIUMS AND ASSESSMENTS ARE DUE AND PAYABLE ON JULY 1, 1990.
THE ABOVE TOTAL DUE HAS BEEN BILLED DIRECTLY TO THE INSURED.
COMMISSIONS TO LOCAL AGENTS WILL BE REMITTED UPON RECEIPT OF PAYMENT BY CIS.

Sedgwick James - Agent

Property Credit 5% Annually Taken

Sedgwick James

UMBRELLA

Limits:

$1,000,000	Each occurrence.
$1,000,000	Annual aggregate

Coverage:

*General Liability
*Automobile Liability

Required Primary Policy Limits:

$ 200,000/500,000 50,000	General liability
$ 200,000/500,000 50,000	Automobile liability
$ 500,000	Employers liability

Self-Insured Retention:

$ 10,000	Each occurrence (when coverage is not provided by primary policy.

Premium Basis: Flat

Policy Terms: Subject to policy conditions, and exclusions as set forth in the policy.

Sedgwick James

BOILER & MACHINERY

Locations:	Per Statement of Values
Limits:	
$2,000,000	Direct damage to covered property, any one accident
Policy Form:	Comprehensive coverage excluding production machines and including public utility equipment. Extra expense included in total limit.
Deductible:	$2,500
Policy Terms:	Subject to conditions & exclusions as listed in the policy.

OCD AGENDA FILE

~~CALL MIKE HANSEN~~

A G E N D A

KEIZER CITY COUNCIL
Special Meeting
Thursday, June 28, 1990
8:00 a.m.
Robert L. Simon Council Chambers
Keizer City Hall

1. CALL TO ORDER
2. ROLL CALL
3. PUBLIC COMMENTS
4. RESOLUTION - Transferring Appropriations
5. DISCUSSION - Results of June 26, 1990 Levy Election
6. RESOLUTION - Adopting the budget
7. RESOLUTION - Making appropriations
8. RESOLUTION - Levying ad valorem taxes
9. DISCUSSION - Liability Insurance Coverage for 1990-91
10. RESOLUTION - Workers Compensation Insurance Coverage for 1990-91
11. RESOLUTION - Intergovernmental Agreement with Marion County for 1990-91 Planning Administration
12. ORDINANCE - Setting water rates
13. OTHER BUSINESS - This time is provided to allow Council members the opportunity to bring matters before the Council which are not on today's agenda.
14. AGENDA INPUT - July 2, 1990
    - Public hearing: Fir Cone Drive Street Vacation
    - Resolution certifying delinquent sewer accounts
    - Oath of Office for Reserve Police Officers
    - Four Winds Engineer's Report
    - River Road Redevelopment Project Update
15. ADJOURN

COUNCIL MEETING: June 28, 1990

AGENDA ITEM NO.: 4

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R90-_____

TRANSFERRING APPROPRIATIONS

WHEREAS, the City Council of the City of Keizer has determined that it is necessary to transfer appropriations in a total amount of $65,622 over the amounts originally estimated for the fiscal year beginning July 1, 1989, as follows:

1. GENERAL (Fund)
   MATERIALS AND SERVICES (Category)
   - Administration $34,180
   - Municipal Court 2,500
   - Police 22,501

2. WATER (Fund)
   ~~MATERIALS AND SERVICES~~ CAPITAL (Category) $ 6,441

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Keizer that appropriations in the total amount of $65,622 are hereby transferred within the General Fund and the Water Fund of the City of Keizer as follows:

FROM		TO	
GENERAL (Fund)		GENERAL (Fund)	
PERSONAL SERVICES (Category)		MATERIALS AND SERVICES (Category)	
Municipal Court	$ 1,500	Administration	$34,180
Police	25,000	Municipal Court	2,500
		Police	$22,501
MATERIALS AND SERVICES (Category)			
Parks	$ 3,000		
Planning	735		
CAPITAL OUTLAY (Category)			
Administration	$ 300		
CONTINGENCY (Category)			
	$28,646		

FROM		TO	
WATER (Fund)		WATER (Fund)	
CONTINGENCY (Category)		MATERIALS AND SERVICES (Category)	
	$ 6,441		$ 6,441

PASSED this _____ day of _____, 1990.

SIGNED this _____ day of _____, 1990.

_____
MAYOR

_____
CITY RECORDER

COUNCIL MEETING: June 28, 1990

AGENDA ITEM NO.: 5

LEVY ELECTION RESULTS

June 26, 1990		
Yes	3,151	53.67%
No	2,720	46.33%
	5,871	

May 15, 1990		
Yes	2,004	40.81%
No	2,907	59.19%
	4,911	

June 26 figures are unofficial.
May 15 figures are final official.

COUNCIL MEETING: June 28, 1990

AGENDA ITEM NO.: 7

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R90- ____

RESOLUTION MAKING APPROPRIATIONS

BE IT RESOLVED by the City Council of the City of Keizer that the amounts for the fiscal year beginning July 1, 1990, and for the purposes shown below, are hereby appropriated as follows:

GENERAL FUND

Personal Services		
Administration	$ 148,789	
Police	1,104,671	
Municipal Court	21,882	
Total Personal Services		$1,275,343
Materials and Services		
Administration	$ 111,021	
City Council	2,027	
Municipal Court	6,080	
Parks	31,655	
Planning	43,122	
Police	303,683	
Total Materials and Services		497,587
Capital Outlay		
Administration	$ 760	
Police	78,959	
Total Capital Outlay		79,719
Operating Contingency		50,000
Unappropriated Ending Fund Balance		100,000
Transfer to Street Fund		35,433
TOTAL GENERAL FUND APPROPRIATIONS		$2,038,082

REVENUE SHARING FUND

Capital Outlay	$ 83,040	
Unappropriated Ending Fund Balance	7,960	
TOTAL REVENUE SHARING APPROPRIATIONS		$ 91,000

STREET FUND		
Personal Services	$ 66,887	
Materials and Services	440,275	
Bonded Debt Payment	36,419	
Capital Outlay	387,901	
Contingency	15,000	
Transfer to Olson Road Improvement Reserve Fund	350,000	
Unappropriated Ending Fund Balance	177,776	
TOTAL STREET FUND APPROPRIATIONS		$1,474,258
UTILITY FUND		
Personal Services	$ 33,665	
Materials and Services	1,517,667	
Bonded Debt Payment	166,749	
Unappropriated Ending Fund Balance	81,708	
TOTAL UTILITY FUND APPROPRIATIONS.		$1,799,789
9-1-1 EMERGENCY COMMUNICATIONS FUND		
Disbursements	$ 144,225	
Capital Outlay	28,000	
Unappropriated Ending Fund Balance	260,255	
TOTAL 9-1-1 EMERGENCY COMMUNICATIONS FUND APPROPRIATIONS.		$ 432,480
WATER FUND		
Personal Services	$ 332,757	
Materials and Services	460,716	
Capital Outlay	70,901	

Transfer to Facility Reserve	100,000	
Contingency	50,000	
Bonded Debt Payment	380,893	
Unappropriated Ending Fund Balance	105,621	
TOTAL WATER FUND APPROPRIATIONS.		$1,500,888
VEHICLE RESERVE FUND		
Capital Outlay	$ 17,000	
Transfer to General Fund	3,885	
TOTAL VEHICLE RESERVE FUND APPROPRIATIONS . . .		$ 20,885
OLSON ROAD IMPROVEMENT RESERVE FUND		
Transferred from Street Fund	$ 350,000	
TOTAL OLSON ROAD IMPROVEMENT RESERVE FUND APPROPRIATIONS.		$ 350,000
WATER FACILITY REPLACEMENT RESERVE FUND		
Reserved for Future Expenditure	$ 379,662	
TOTAL WATER FACILITY REPLACEMENT RESERVE FUND APPROPRIATIONS		$ 379,662
TOTAL APPROPRIATIONS		$ 8,087,044

PASSED this ____ day of _____, 1990.

SIGNED this ____ day of _____, 1990.

_____
MAYOR

_____
CITY RECORDER

COUNCIL MEETING: June 28, 1990

AGENDA ITEM NO.: 8

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R90- ____

RESOLUTION LEVYING AD VALOREM TAXES

BE IT RESOLVED by the City Council of the City of Keizer that the City of Keizer hereby levies the taxes provided for in the adopted budget in the aggregate amount of $1,143,730, and that these taxes are hereby levied upon all taxable property within said district as of 1:00 a.m., July 1, 1990. The following authorized levies constitute the above aggregate levy:

GENERAL FUND

Operating Levy Within 6% Tax Base Limitation	$ 533,350
One Year Operating Levy	$ 610,380
TOTAL GENERAL FUND TAX LEVY	$1,143,730
TOTAL TAX LEVY	$1,143,730

PASSED this ____ day of _____, 1990.

SIGNED this ____ day of _____, 1990.

_____
MAYOR

_____
CITY RECORDER

City of Keizer
Administration
930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

COUNCIL MEETING: June 28, 1990

AGENDA ITEM NO.: 9

TO: MAYOR AND CITY COUNCIL

FROM: DONALD H. OTTERMAN, M.S.PA, CITY MANAGER DHO

SUBJECT: LIABILITY INSURANCE COVERAGE FOR 1990-91

ATTACHMENTS

Comparison of quotations from CCIS and Northland/Zurich/Kemper/ United Pacific.

RECOMMENDATION

It is recommended that the City Council approve the liability insurance coverage that has been recommended by Sedgwick James for the City of Keizer.

DISCUSSION

Joe Phillippay with Sedgwick James has received, on behalf of the City of Keizer, two liability insurance quotations. One quotation is from City/County Insurance Services (CCIS) and the other is from a group of four individual insurance companies. The quotation from CCIS is slightly higher than the quotation from the four individual companies for the same coverage.

An analysis of the proposals has been prepared by Mr. Phillippay and it appears that the coverage is better from the individual insurance companies than from CCIS, especially with respect to the limits of liability.

Therefore, it is recommended that the City Council approve the insurance coverage with the four individual companies. They are Northland Casualty Company, Zurich Insurance Company, Kemper Insurance Company, and United Pacific Insurance Company. The premium for the proposed insurance is within the budget as approved by City Council.

1982

City of Keizer

Administration
930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

COUNCIL MEETING: June 28, 1990

AGENDA ITEM NO.: 10

TO: MAYOR AND CITY COUNCIL

FROM: DONALD H. OTTERMAN, M.S.PA, CITY MANAGER DHO

SUBJECT: APPROVAL OF WORKERS COMPENSATION INSURANCE COVERAGE FOR 1990-91

ATTACHMENTS

Summary of quotations from SAIF and CCIS

RECOMMENDATION

It is recommended that the City of Keizer enroll in the CCIS Workers Compensation Insurance program for 1990-91.

DISCUSSION

The City has received quotations from two workers compensation carriers. Our current carrier, SAIF, has offered three options, while City/County Insurance Services (CCIS) has offered one plan.

Of the three SAIF proposals, one would provide coverage at a guaranteed rate while the other two would provide coverage on what is called retrospective programs. The guaranteed program would mean that the City would pay one premium regardless of the City's loss history for that fiscal year. The premium for coverage under the guaranteed program is $51,335. The two retrospective plans have initial base premiums of $31,465 and $32,938 depending upon the City's loss ratio and the categories of losses. Under the retrospective plans, there could be an additional premium required to the base premium which could total as much as $67,000. For example, the City, over the last five years, has had an average loss ratio of 44.6%. If the City is to continue with that loss ratio, there would be an additional premium of between $26,000 and $30,000. Therefore, the total of the workers compensation premium under the retrospective plans could be between $64,000 and $67,000 depending upon the losses experienced during the year.

If the City continues with the 44.6% loss ratio and enrolls in the CCIS program, the total premium liability for the City would not exceed $49,956. In the last two years, the City's loss ratio

has been between 10% and 12% which would mean that the City's total premium for workers compensation insurance coverage under CCIS would be about $35,000.

It is recommended that the City Council approve the proposal from CCIS to provide workers compensation insurance coverage for the City of Keizer for 1990-91.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R90- ____

WORKERS COMPENSATION GROUP SELF-INSURANCE

BE IT RESOLVED by the City Council of the City of Keizer that effective July 1, 1990, the City of Keizer agrees to be liable for payment of any compensation due subject workers of the City of Keizer or other amounts due to the Oregon Workers' Compensation Department under ORS Chapter 656 incurred by the City of Keizer.

BE IT FURTHER RESOLVED that the City of Keizer understands and agrees that should the City of Keizer terminate from the group that the City of Keizer will continue to be liable for the payment of any compensation due its subject workers and other amounts due the Workers' Compensation Department when such compensation and other amounts arise out of a period when the City of Keizer was a member of the group.

PASSED this ____ day of _____, 1990.

SIGNED this ____ day of _____, 1990.

_____
MAYOR

_____
CITY RECORDER

Sedgwick James

CITY OF KEIZER
WORKERS COMPENSATION
1990/1991

Class Code	Classification	Rates: SAIF	Rates: CCIS	Payroll	Premiums: SAIF	Premiums: CCIS
7520	Waterworks	6.66	5.64	$115,458	$ 7,690	$ 6,511
7720	Police	7.81	6.63	593,676	46,366	39,301
8411	Vol. Police	1.37	1.16	14,322	196	166
8742	Field Reps	1.15	.98	121,821	1,401	1,194
8810	Clerical	.69	.59	205,068	1,415	1,210
9102	Parks, NOC	8.37	7.11	5,958	499	424
9402	Street Cleaning	12.37	10.49	10,959	1,356	1,150
				Estimated Annual Premium:	$58,923	$49,956
				Tent. Exp. Mod.	1.00	1.00
				Std. Premium	58,923	49,956
				Premium Discount	(7,588)*	(3,497)*
				Net Premium	51,335	46,459
				Ded. Credit	-0-	(15,000)
				Ned Net Premium	51,335	31,459
				State Tax (4.5%)	2,310	1,416
				Total Premium	$53,645	$32,875

*Premium Discount - Saif Guaranteed; CCIS is not

Retrospective Rating Plan

For: CITY OF KEIZER

Standard Premium $ 58 923

Basic Premium Factor .534

Maximum Premium Factor 1.150

Loss Conversion Factor 1.200

Reporting Frequency

Tax Multiplier 1.00

Plan Term

LOSS RATIO		INCURRED LOSSES	RETRO PREMIUM
		$ 0	$ 31,465
08.49%		$ 5,000	$ 37,465
16.97%		$ 10,000	$ 43,465
25.46%		$ 15,000	$ 49,465
33.94%		$ 20,000	$ 55,465
38.83%	==|	$ 22,882	$ 58,923
42.43%		$ 25,000	$ 61,465
50.91%		$ 30,000	$ 67,465
51.33%		$ 30,247	$ 67,761

Proposal does not reflect the Department of Insurance and Finance (DIF) premium assessment of 4.5 %. Premium assessment is applied initially to standard premium and then to retro premium at evaluation.

DIF Premium Assessment Remitted	$ 2,652
Minimum DIF Premium Assessment	$ 1,416
Maximum DIF Premium Assessment	$ 3,049

Department of Insurance and Finance premium and workday assessments are in addition to retro premium.

Std

Retrospective Rating Plan

For: CITY OF KEIZER

Standard Premium $ 58,923

Basic Premium Factor
.559

Maximum Premium Factor
1.100

Loss Conversion Factor
1.200

Reporting Frequency

Tax Multiplier
1.00

Plan Term

LOSS RATIO		INCURRED LOSSES	RETRO PREMIUM
		$ 0	$ 32,938
08.49%		$ 5,000	$ 38,938
16.97%		$ 10,000	$ 44,938
25.46%		$ 15,000	$ 50,938
33.94%		$ 20,000	$ 56,938
36.75%	==|	$ 21,654	$ 58,923
42.43%		$ 25,000	$ 62,938
45.08%		$ 26,564	$ 64,815

Proposal does not reflect the Department of Insurance and Finance (DIF) premium assessment of 4.5 %. Premium assessment is applied initially to standard premium and then to retro premium at evaluation.

DIF Premium Assessment Remitted	$ 2,652
Minimum DIF Premium Assessment	$ 1,482
Maximum DIF Premium Assessment	$ 2,917

Department of Insurance and Finance premium and workday assessments are in addition to retro premium.

Std

Sedgwick James

CITY OF KEIZER

WORKERS' COMPENSATION SUMMARY

POLICY YEAR	STANDARD PREMIUM	NO. CLAIMS PAID/RES.	EVAL. DATE	MEDICAL ONLY	TIME LOSS	PAID	RESERVED	TOTAL INCURRED	LOSS RATIO	EXP. MOD.
1989-90 (1)	$ 52,296	3	5-31-90	$100	0	$100	6000	6100	11.8%	.98
1988-89	$ 39,941	8	4-11-90	$2,974	1151	$4,125	0	4125	10.3	.87
1987-88	$ 34,386	8	3-31-90	$12,173	17146	$21,319	6002	35321	102.7	.86
1986-87	$ 35,547	7	4-30-88			$27,032	7247	34279	93.8	
1985-86	$ 20,742	12	7-18-86	$1,749	499	$2,248	0	2248	10.8	.64
	$183,912							82,073	44.6	

(1) 9 MONTHS OF POLICY PERIOD

City of Keizer

Administration
930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

COUNCIL MEETING: June 28, 1990

AGENDA ITEM NO.: 11

TO: MAYOR AND CITY COUNCIL

FROM: DONALD H. OTTERMAN, M.S.PA, CITY MANAGER DHO

SUBJECT: APPROVAL OF AGREEMENT WITH MARION COUNTY FOR COMMUNITY DEVELOPMENT SERVICES FOR 1990-91

ATTACHMENT

Proposed contract with Marion County.

RECOMMENDATION

It is recommended that the City Council approve the proposed agreement with Marion County to provide zoning, planning, and building and safety inspection services for the City of Keizer.

DISCUSSION

Marion County has provided building inspection and planning services for the City of Keizer since incorporation. The services provided have been on a one year contract basis. The City did attempt to solicit proposals from interested private consulting firms to provide the same services that are proposed by Marion County in this contract, however, the City was unsuccessful in obtaining competitive bids.

The contract with Marion County expires on June 30, 1990 unless extended by the City. The proposed contract is identical to last year's contract with the exception of an increase in fees from $18,000 to $20,000. The City has budgeted a total of $25,000 for planning services in 1990-91. The additional $5,000 is to pay for added items that are not included in this contract.

It is recommended that the City Council approve the contract with Marion County for planning and building and safety services for fiscal year 1990-91.

Marion County
OREGON
COMMUNITY DEVELOPMENT
DEPARTMENT

DIRECTOR
Craig O. Luedeman

BUILDING INSPECTION
(503) 588-5147

PLANNING & ENFORCEMENT
(503) 588-5038

BOARD OF COMMISSIONERS
Randall Franke
Gary Heer
Garry Kanz

ADMINISTRATIVE OFFICER
Ken Roudybush

June 19, 1990

Don Otterman
City Manager
City of Keizer
P.O. Box 21000
Keizer, Oregon 97303

RE: FY 90-91 Community Development Contract

Dear Don:

Enclosed is a draft contract for review and, City Council approval. It is identical to last year's except for the dates and fee.

It is not our intent to ask for additional funds for the sign ordinance review process provided we can accommodate these tasks within the new enforcement officer position which has been approved by the budget committee. We should discuss ways to minimize the added tasks at our June 29th meeting. Of course, the contract provides for extra payment should you request assistance for projects outside the scope of normal duties, but we usually discuss those when, and if, they come up.

Please process the contract and return it to me for adoption by the County.

Thanks.

Craig O. Luedeman, Director

Enclosures

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R90- ____

PROVIDING FOR AN INTERGOVERNMENTAL AGREEMENT WITH MARION COUNTY FOR PLANNING ADMINISTRATION AND BUILDING INSPECTION SERVICES AND ESTABLISHING A FEE SCHEDULE FOR LAND USE APPLICATIONS

WHEREAS, the City does not have a Zoning Administrator, Planning Director or a Building, Mechanical, Electrical, Plumbing or Mobile Home Inspector or a Sanitarian; and

WHEREAS, the County has the necessary expertise and certified staff to perform these services and issue said permits, and to perform all necessary inspections relating to the issuance of said permits, land use applications and zoning enforcement; and

WHEREAS, in furtherance of the public interest, the County desires to accommodate the City by making available a permitting and inspection process for building, mechanical, electrical, plumbing, mobile home and on-site sewage disposal applications and an application process to implement the City's zoning and subdivision ordinances; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Keizer that the City enter into the agreement attached hereto and the Mayor and City Recorder are authorized to execute said agreement on behalf of the City of Keizer.

BE IT FURTHER RESOLVED that the City hereby adopts the fee schedule set out in Exhibit "A" of the attached agreement for land use applications filed effective with the date of

this resolution.

PASSED this ____ day of _____, 1990.

SIGNED this ____ day of _____, 1990.

_____
MAYOR

_____
CITY RECORDER

City of Keizer

Administration
930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

COUNCIL MEETING: June 28, 1990

AGENDA ITEM NO.: 9

TO: MAYOR AND CITY COUNCIL

FROM: DONALD H. OTTERMAN, M.S.PA, CITY MANAGER DHO

SUBJECT: LIABILITY INSURANCE COVERAGE FOR 1990-91

ATTACHMENTS

Comparison of quotations from CCIS and Northland/Zurich/Kemper/ United Pacific.

RECOMMENDATION

It is recommended that the City Council approve the liability insurance coverage that has been recommended by Sedgwick James for the City of Keizer.

DISCUSSION

Joe Phillippay with Sedgwick James has received, on behalf of the City of Keizer, two liability insurance quotations. One quotation is from City/County Insurance Services (CCIS) and the other is from a group of four individual insurance companies. The quotation from CCIS is slightly higher than the quotation from the four individual companies for the same coverage.

An analysis of the proposals has been prepared by Mr. Phillippay and it appears that the coverage is better from the individual insurance companies than from CCIS, especially with respect to the limits of liability.

Therefore, it is recommended that the City Council approve the insurance coverage with the four individual companies. They are Northland Casualty Company, Zurich Insurance Company, Kemper Insurance Company, and United Pacific Insurance Company. The premium for the proposed insurance is within the budget as approved by City Council.

COUNCIL MEETING: June 28, 1990

AGENDA ITEM NO.: _____

LIABILITY INSURANCE QUOTATIONS
$1,000,000 Coverage

For 1990-91

	CITY/COUNTY INS. SERVICES	NORTHLAND/ZURICH KEMPER/UN. PACIFIC
General Liability	$25,330	$18,360
Auto Liability & Physical Damage	16,933	13,722
Property	3,514	6,981
Umbrella	NA	9,408*
Commission	3,520	Included
	$49,297	$48,471

* Quote was for $500,000 combined single limits (CSL). The umbrella is needed to increase coverage to $1 million CSL. The CCIS quote is for $1 million CSL and, therefore, the umbrella is not necessary.

AGREEMENT

THIS AGREEMENT is entered into this _____day of _____, 1990, by and between the CITY OF KEIZER, a duly incorporated City within the State of Oregon, to be referred to as "City", and MARION COUNTY, a political subdivision of the State of Oregon, to be referred to as "County".

WHEREAS, the CITY does not have a Zoning Administrator, Planning Director or a Building, Mechanical, Electrical, Plumbing, or Mobile Home Inspector, or a Sanitarian.

WHEREAS, the County has the necessary expertise and certified staff to perform these services and issue said permits, and to perform all necessary inspections relating to the issuance of said permits, land use applications, and zoning enforcement.

WHEREAS, in furtherance of the public interest the County desires to accommodate the City by making available a permitting and inspection process for building, mechanical, electrical, plumbing, mobile home and on-site sewage disposal applications and an application process to implement the City's zoning and subdivision ordinances.

NOW, THEREFORE, the parties, based upon the mutual considerations contained herein, agree as follows:

(1) The City and County agree that the County will issue permits for building, mechanical, electrical, plumbing, mobile home and on-site sewage disposal within the City of Keizer as follows:

(a) The City and County agree that the County will make all necessary inspections prior to and following the issuance of the above permits.

(b) The City agrees that the County shall be paid for issuance of the above referenced permits by the collection of fees for these services. The County shall collect and retain its fees from the person or persons applying for such permits. The fees charged by the County for these services within the City of Keizer shall be the same fees as charged by the County for the same services outside the City of Keizer.

(c) The County agrees that the fees collected for applications, permits and inspections relating to the above matters shall constitute full satisfaction for the services rendered.

(d) If fines or penalties are levied, based upon the County's enforcement of building/subsurface codes or statues within the City of Keizer, the revenue will accrue to the County.

(e) The City agrees that it will issue no building, mechanical, electrical, plumbing, mobile home or on-site sewage disposal permits, nor cause or permit any building, mechanical, electrical, plumbing, mobile home or on-site sewage disposal permits, or inspections to be made on its behalf except as provided herein.

(f) The City hereby consents to the application and enforcement within the City limits of the City of Keizer of all applicable state or county laws or ordinances relating to building, mechanical, electrical, plumbing, mobile home or on-site sewage disposal applications, inspections, permits or enforcement including any applicable enforcement ordinances adopted by the County relating to those matters.

(g) In the event the City provides notice of termination of this Agreement, the County shall retain all permit/inspection fees for applications under this section received and permits issued up to the time of notice of termination unless the City requests that the County continue to receive applications and issue permits during the notice period. In the event the County provides notice of termination of this Agreement, the County shall continue to retain all permit/inspection fees for applications received and permits issued up to the date of termination unless the City requests, in writing, that the County cease receiving applications and issuing permits earlier. The City may request the County complete inspection services on all such applications.

(2) The City and County agree that the County Planning Division will process applications under Keizer zoning

and subdivision ordinances, perform zoning and enforcement investigations including preparation of enforcement letters, and provide other land use planning services as follows:

(a) The City agrees that it shall pay the County the sum of $20,000.00 for processing land use applications during the term of this Agreement. Said sum is to be paid in quarterly amounts of $5,000.00. Marion County Fiscal Services shall submit a billing to the City on the first (1st) of July, October, January and April.

(b) The City agrees to provide a Hearings Officer to hear and decide all land use applications and appeals to be decided by a Hearings Officer.

(c) The County agrees to provide a planner for all hearings, conducted by the Hearings Officer, Planning Commission, and City Council on land use applications or appeals thereto. The County will prepare reports of Planning Commission actions on land use applications. The City agrees to prepare Orders, Resolutions and Ordinances adopted by the Hearings Officer or the City Council.

(d) In the event the City provides notice of termination of this Agreement, the City agrees that the County shall keep any payments for services and the City shall pay the County a pro rata basis up to the date of termination. If the City requests

that the County continue processing applications received prior to termination, the City agrees to pay the actual cost to the County for the services needed to complete processing the applications. In the event the County provides notice of termination of this Agreement, the County agrees to refund payment received for any period following the date of termination or to apply such sums toward the actual cost of completing processing of any applications received prior to the date of termination if requested by the City.

(e) The Planning Division shall collect the fees to be charged to the person or persons making land use applications. The fees thus collected shall be transmitted to the City for deposit. The fees charged by the Planning Department shall be those set forth in Exhibit "A" attached.

(f) The County agrees to provide, at the request of the City, additional land use planning services, and related clerical and graphics support for purposes mutually agreed upon by the parties. The City agrees to pay the County for its actual cost for providing requested services within 30 days of receipt of an itemized bill for services. Requests for services shall be approved by the City Manager, and the nature and extent of the services shall be identified in writing.

(3) A list of responsibilities for administration, enforcement and prosection of the above matters is set forth in Exhibit "B" attached. If the City enacts City laws with regard to any of the above, the County will not be responsible to prosecute violations of those laws. The County will not be responsible to administer or enforce City laws unless prior arrangements have been made.

(4) It is agreed that if any actions or suits are brought against the County, its agents, officials or employees, for alleged negligence in taking or failing to take any action in furtherance of this Agreement, the County shall defend said suit or action in its own name and its own expenses, without any cost to the City.

(5) It is agreed that if any actions or suits are brought against the City, its agents, officials or employees, for alleged negligence in taking or failing to take any action in furtherance of this Agreement, the City shall defend said suit or action at its own expense, without any cost to the County.

(6) The County agrees to indemnify and save the City harmless from damages for any and all errors, omissions, or acts of the County's employees, officials or agents arising out of or under this Agreement.

(7) The City agrees to indemnify and save the County harmless from damages for any and all errors, omissions, or acts of the City's employees, officials or agents arising out of or under this Agreement.

(8) This agreement shall continue in effect for a period of one (1) year from July 1, 1990 to and including June 30, 1991, provided that either party may terminate this Agreement (with or without cause) upon ninety 90 days written notice to the other party, or it may be terminated at any time upon mutual agreement of the parties.

CITY OF KEIZER	MARION COUNTY BOARD OF COMMISSIONERS
_____	_____
Mayor	Chairman
_____	_____
City Recorder	Commissioner
	_____
	Commissioner
APPROVED AS TO FORM:	APPROVED AS TO FORM:
_____	_____
City Attorney	Marion County Legal Counsel

EXHIBIT "A"

KEIZER LAND USE PERMIT FEES

Type of Action	Fee
Comprehensive Plan Amendment	$400
Comprehensive Plan Amendment w/Zone Change	$500 + $25/acre over 3 acres
Zone Change	$400
Zoning Determination or Interpretations (Written)	$ 25
Legal Lot Determination	$ 50
Lot Line or Zoning Adjustment	$ 75
Conditional Use Permit	$150
Variance	$150
Floodplain Development Permit	$ 50
Greenway Permit	$ 50
Partitioning	
Major	$175
Minor	$125
Subdivision/Planning Unit Development	
Conceptual	$500
Additional Detail Approval	$100
Final Map Check	$ 50
Auto Dealer's License	
Initial	$ 15
Annual	$ 5
Road Name Fee	$ 15
Land Use Compatibility	
Without Findings	$ 15
With Findings	$ 25
Documents	
Comprehensive Plan	$ 10
Zoning Ordinance	$ 15
Subdivision and Partitioning Ordinance	$ 5
Zoning Districts	$ 1
Copies Per Page	$ 1 first page and $0.15 pages 2-10 and $0.10 pages 11-up

COUNCIL MEETING: June 28, 1990

AGENDA ITEM NO.: 12

BILL NO. _____ A BILL FOR ORDINANCE NO. 90-_____

AN ORDINANCE SETTING WATER RATES

The City of Keizer ordains as follows:

Section 1. Repeal of Previous Ordinances. Ordinance No. 89-154, relating to this same matter, is hereby repealed.

Section 2. Water Rates. The following water rates for the Keizer Water Department shall become effective July 1, 1990 and remain in effect until changed by the City Council:

Meter Size	Facility Charge	Fire Charge	Service Charge	Monthly Subtotal	Commodity Charge Per 100 cubic feet	Bimonthly
5/8-3/4"	4.83	.36	3.68	8.88	.41	17.75
1"	12.10	.91	3.68	16.69	.41	33.38
1-1/4"	16.95	1.27	3.68	21.90	.41	43.80
1-1/2"	24.22	1.79	3.68	29.70	.41	59.39
2"	38.70	2.88	3.68	45.26	.41	90.52
3"	77.41	5.77	3.68	86.86	.41	173.73
4"	120.96	9.03	3.68	133.67	.41	267.34
6"	241.93	18.05	3.68	263.66	.41	527.32
8"	387.06	28.89	3.68	419.63	.41	839.26

Miscellaneous Fees:

- Set up/Turn on fee (nonrefundable) $10
- After Hours Turn on fee $15
- Shut off fee for nonpayment of bill $10
- Returned check fee $15
- Fee for three NSF checks within one year $50

PASSED this _____ day of June, 1990.

SIGNED this _____ day of June, 1990.

_____
Mayor

_____
City Recorder

TALK ABOUT CHAMBER LIAISON

CITY OF KEIZER MISSION STATEMENT

Keep city government costs and services to a minimum by providing basic city services to the community in a coordinated, efficient and least cost fashion.

A G E N D A

KEIZER CITY COUNCIL
Monday, June 18, 1990 - 7:30 p.m.
Robert L. Simon Council Chambers - Keizer City Hall

	RECOMMENDED ACTION
1. CALL TO ORDER	
2. ROLL CALL	
3. PUBLIC TESTIMONY - This time is provided for citizens to address the Council on matters not on the agenda.	Receive Input
4. PUBLIC HEARINGS	
a) Parmelee/Kids Time Child Care - Keizer Conditional Use Case No. 90-5	Receive Input
5. DISCUSSION - Development Fee Package (Continued from May 21, 1990 Council meeting)	Adopt Recommendation
6. DISCUSSION - 1990-91 Insurance Coverages.	Select Coverage
7. ORDINANCE - Declaring the City's Election to receive State Revenues.	Pass Ordinance
8. ORDINANCE - Setting water rates.	Pass Ordinance
9. DISCUSSION - Composition of Tax Base Committee	Discussion and Selection of Members
10. CONSENT CALENDAR	
a) June 4, 1990 Regular Session Minutes b) Resolution - State Shared Revenue c) Oregon Traffic Safety Grant Update d) Resignation of Judge Bob Cannon	Approve Consent Calendar
11. OTHER BUSINESS - This item is provided to allow the Council members the opportunity to bring matters before the Council which are not on tonight's agenda.	Discuss Other Business
12. AGENDA INPUT - July 2, 1990 Public hearings - Fir Cone Drive Street Vacation - Manufactured Home Overlay Zone (Cont'd from 5/21/90) - 7/16/90 Oath of Office for Reserve Police Officers	Suggest additional agenda items
13. ADJOURN	

TRASH COLLECTION RATE INCREASE

City of Keizer

Administration
930 Chemawa Rd. N.E. • P.O. Box 21000
Keizer, Oregon 97307-1000 • (503) 390-3700

COUNCIL MEETING: June 18, 1990

AGENDA ITEM NO.: 4a

TO: MAYOR AND CITY COUNCIL

FROM: DONALD H. OTTERMAN, M.S.PA, CITY MANAGER DHO

SUBJECT: APPEAL OF CONDITIONAL USE PERMIT NO. 90-5, KIDS TIME CHILD CARE/PARMELEE

ISSUE

Shall the City Council uphold the Zoning Administrator's approval of Case KCU 90-5 approving the establishment of a child care center at 4727 13th Avenue NE, Keizer, Oregon?

DISCUSSION

The City Council, on May 4, 1990, called up the decision of the Zoning Administrator to approve the application for a conditional use permit to establish a child care center in an RS zone. The City Council called this matter up at the request of property owners living within the vicinity of the proposed child care center.

The applicant had requested a child care center with up to 12 children on the premises at one time, and a total enrollment of 20 children. After the City Council called this matter up, there was some question as to whether the City Council had jurisdiction in this matter due to recent State legislation pertaining to child care centers. In reviewing the legislation, State law supercedes local ordinances if a proposed child care center will have a maximum of 12 children on either a full time or part time basis. Since the applicant is requesting a conditional use permit for enrollment of up to 20 children, but only 12 children on the property at any one time, it is the City Attorney's feeling that the conditional use permit is still necessary.

Skip Wendolowski from the Marion County Planning Department will be at the June 18 Council meeting to present the staff report. That staff report is attached to your agenda for this evening.

Don:

Mary Kanz called to say that Salem approved an increase of 5% for all customers on the recycling part; and that the 20 gallon can rates was approved at $7. They had recommended 6% and $8.

You and Mary had discussed bringing this to Keizer on 7/2 - but Marion County staff is off that day and Mary feels they are definitely needed - so she requested that they hold off until 7/16.

She is putting together the tonnage numbers and official request. Let her know how you want it presented...

Her phone is 393-4113.

SD
6/18/90

PS. It's on my agenda unless I hear from you otherwise -

It may be that the applicant will revise her request to enroll not more than 12 children and have not more than 12 children occupy the property at any one time. If the applicant wishes to do so, the conditional use permit will not be required. If this occurs, the City cannot establish any additional parking requirements and, therefore, the public hearing will not have to take place. This, however, does not preclude the City Council from considering the current application and possibly approving the enrollment of up to 20 children. The applicant has not been instructed to amend her application since staff felt it would be up to the applicant to make the decision to either proceed with a determination on the original application, or revise the application which would then not require a conditional use permit.

There will be a discussion of the alternatives available to the Council and the applicant at the beginning of the hearings on June 18.

NOTICE OF DECISION
KEIZER CONDITIONAL USE CASE NO. 90-5

APPLICATION: Application of Kids Time Child Care and Judy Parmelee to operate a child day care center in an RS (SINGLE FAMILY RESIDENTIAL) zone on property located at 4727 13th Avenue NE, Keizer (Sec. 2AC; T7S; R3W) GLADS #12500.

DECISION: Notice is hereby given that the Zoning Administrator for the City of Keizer has **APPROVED** the above described Conditional Use application subject to certain conditions.

This conditional use permit is valid only when exercised by May 14 1992. The effective period of an approved application may be extended for an additional year subject to approval of an extension (Extension form available from the Planning Division).

This decision does not include approval of a building permit.

CONDITIONS: The following conditions must be met before the approved use is established:

1. The applicant shall obtain all necessary permits from the Marion County Building Inspection Division, and comply with all requirements of the Marion County Building Inspection Division.

2. The applicant shall provide sufficient parking and screening complying with the standards contained in Section 12.22 of the Keizer Zoning Ordinance. The parking requirements shall be in addition to the two off-street parking spaces required for the existing dwelling. Two additional spaces shall be required if the maximum number of children served is twelve (12).

3. The applicant shall submit a site plan to the Zoning Administrator identifying the required screening and parking pursuant to Section 12.22 of the Keizer Zoning Ordinance. This site plan shall be reviewed and approved by the Zoning Administrator prior to the issuance of building permits.

4. The required screening and parking shall be in place prior to the establishment of the day-care.

ADDITIONAL CONDITIONS: Once the approved use is established the following conditions must be continually satisfied:

5. The applicant shall continually comply with the requirements established in Section 12.22 of the Keizer Zoning Ordinance.

OTHER PERMITS AND RESTRICTIONS: This approval does not remove or affect any covenants or restrictions imposed on the subject property by deed or other instrument. The proposed use may require permits from other local, State or Federal agencies. This decision does not take the place of, or relieve the responsibility for obtaining other permits or satisfying any restrictions or conditions thereon. It is recommended that the agencies mentioned in Finding #5, below, be contacted to identify restrictions or necessary permits. The applicant is advised of the following:

1. The applicant should contact the Keizer Fire District and obtain a copy of the District's Recommended Building Access and Identification Guidelines. For personal and property safety it is recommended that the applicant follow these guidelines.

PROCEDURE: The Keizer Zoning Ordinance provides that Conditional Use applications be considered first by the City Zoning Administrator. If there is any doubt that application conforms with conditional use criteria the Zoning Administrator must condition or deny the application. Any interested person who disagrees with the Zoning Administrator's decision may request that the application be decided by the Keizer Hearings Officer after a public hearing.

A public hearing is held on appeals subject to the appellant paying an $85.00 fee. The applicant may also request reconsideration on the basis of new information subject to signing a waiver of the 120 day time limit for review of zoning applications. If you have any questions about this application or the decision please call 588-5038 or visit the County Planning Division Office at the address below. Requests for reconsideration by the Zoning Administrator for a public hearing and decision by the Hearings Officer must be in writing and be received in the Marion County Planning Division, 220 High Street NE, Salem by 5:00 p.m. on May 14, 1990.

FINDINGS AND CONCLUSIONS: The findings and conclusions on which the Zoning Administrator based his decision are noted below.

1. The property is designated Low Density Residential in the Keizer Comprehensive Plan. The purpose of this Plan designation and the corresponding RS (SINGLE FAMILY RESIDENTIAL) zone is to provide land for single family housing.

2. The property is located on the west side of 13th Avenue, approximately 500 feet south of its intersection with Dearborn Avenue. The 7084 square foot parcel contains a single family dwelling.

3. All surrounding property is zoned RS and developed with single family dwellings.

4. The applicant is requesting approval of a conditional use to establish a child day-care facility on the subject property. According to the applicant, the facility would serve approximately 20 children, with a maximum of 12 children at any one time.

5. The Marion County Building Inspection Division commented that a change in occupancy permit is required if more than 6 children will be supervised. All remaining commenting agencies did not object to the proposal.

6. The conditional use decision criteria are established in Section 8.30 of the Keizer Zoning Ordinance. These criteria include: (a) the use is listed as a conditional use in the zone; (b) the parcel is suitable for the proposed use; (c) the proposed use, as conditioned, will not materially alter the character of the area; (d) the proposed use will not adversely affect existing wind and solar energy systems, and, (e) adequate public utility facilities are available.

7. Pursuant to Section 23.02(e), child day-care for six or more children is listed as a conditional use in the RS zone. The existing double-car garage will be converted to a day-care facility. The property is fenced and there is sufficient rear and side yard area for outdoor recreation. The staff finds the parcel is suitable for the proposed use. The proposal complies with 6(a) and (b).

8. At its maximum capacity, the day care is expected to create noise impacts with adjacent properties. Some of the existing fencing is open and may not provide sufficient buffering. Provided sufficient buffering is provided the proposal complies with 6(c).

9. The proposal will not create a use or structure that will affect existing solar and wind energy systems. The property fronts a public street and is served by public sewer and water. The proposal complies with 6(d) and (e).

10. Section 23.02(e) also requires the day care facility to comply with the special use criteria in Section 12.22. These criteria include: (a) the subject lot shall contain a minimum of 6000 square feet; (b) outdoor play areas and off-street parking shall be screened; and, (c) at least one off-street parking space shall be provided for every five children served based on the maximum number served at any given time during the day, with a maximum of two spaces provided in the front yard.