



MINUTES
KEIZER CITY COUNCIL
Monday, April 17, 2023
Keizer Civic Center, Council Chambers
Keizer, Oregon

CALL TO ORDER

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

Present:

Cathy Clark, Mayor
Laura Reid, Councilor
Shaney Starr, Councilor
Kyle Juran, Councilor
Daniel Kohler, Councilor
Soraida Cross, Councilor
Robert Husseman, Councilor
Youth Councilor Angelica
Sarmiento Avendano

Staff:

Adam Brown, City Manager
Tim Wood, Assistant City Manager
Shannon Johnson, City Attorney
Shane Witham, Planning Director
Bill Lawyer, Public Works Director
John Teague, Police Chief
Machell DePina, Human Resources
Tracy Davis, City Recorder

FLAG SALUTE

Mayor Clark led the pledge of allegiance.

SPECIAL ORDERS OF BUSINESS

**a. If I Were Mayor
Contest
Recognition**

Mayor Clark explained that this contest is held annually with elementary school children submitting posters, middle school students submitting essays and high school students submitting videos. She noted that Councilor Reid is a teacher and McNary and her students received awards for the videos that were going to be shown. The following students were recognized and given Certificates of Award: Gwendolyn LeDuc, Courtney Brown, Sophia Walden, Jackson Alt, Aiden Wilson and Hailey Schwinof. Videos were shown from Hudson Brunk, one of the top three award winners, and the team of Victor Ceja, Cesar Rodriguez-Delgado and Elia Garnica Romero, whose video was advanced to the state competition.

**COMMITTEE
REPORTS**

**a. Committee
Appointments**

Councilor Hussman announced his appointment of Emerson Carella to the Volunteer Coordinating Committee. Mayor Clark questioned if a person under 18 could serve on a committee. City Attorney Shannon Johnson responded that he would check into this.

Matt Lawyer reported that the Planning Commission had reviewed and approved for recommendation to Council several minor updates to the Code. He praised youth committee liaison Sandhu Amanpreet for her

engagement with the Commission and Councilor Juran for his informative Council Liaison reports.

Clay Rushton reported that the Parks Advisory Board had approved a matching grant request from West Keizer Neighborhood Association for erosion control planting at Willamette Manor Park. He reported that Bob Shackelford with MAK (Men of Action in Keizer) had helped staff remove the tagging at Bob Newton Park, and he gave each Councilor a Pickle Ball Paddle in commemoration of National Pickle Ball month adding that courts are coming soon to Keizer Rapids Park.

PUBLIC COMMENTS

Mayor Clark acknowledged for the record written comments received from *Laura Davis* regarding loud cars, and *Jonathan Thompson*, *Kim Allen*, *Tony Schacher* and *Wendy Valiz* regarding the Right of Way Ordinance.

Barbara Miner, President of the Board of Directors of the Keizer Community Library, shared information about increased library usage, programs offered, and technological improvements at the library and noted that the semi-annual book sale would be May 19-20.

Joe VanMeter, President of the Salem Electric Board of Directors, spoke in opposition to the Right of Way Ordinance on the agenda and suggested that the City consider doing separate ordinances or, if this ordinance is passed, to enter into separate franchise agreements.

J.B. Phillips, Engineering Manager at Salem Electric, echoed the testimony of Mr. VanMeter including the suggestion of entering into a separate franchise agreement.

PUBLIC HEARING

a. Keizer Station Area D Master Plan Amendment

Mayor Clark opened the Public Hearing.

City Attorney Shannon Johnson read into the record the official statement for a quasi-judicial hearing. There was no objection to waiving the reading of the criteria and Council declared no ex parte contacts, bias, or conflict of interest.

Planning Director Shane Witham summarized his staff report and explained that the maps show footprints and general layout and that Council does not approve the tenants. He reviewed the criteria for the master plan and then fielded questions regarding sidewalks, bike paths, storm water mitigation and the traffic study.

Chris Lundberg, attorney for the Siletz Tribe, provided a brief background on the project and explained that he had no objections to the conditions added by the City.

Delores Pigsley, Chair of the Siletz Tribe, urged Council approval of the application noting that the project would benefit the community and provide jobs for people in the area.

Mark Langley, representing the confederated tribes of Grand Ronde, voiced support for this project noting that it would create jobs for the tribes and the community.

Alan Roodhouse, voiced support for this project and shared information about the anticipated timeline and tenants. He noted that the traffic generated by the anticipated tenants will be less than originally planned and will therefore level out the impact of Chick Fil-A and In-and-Out.

Discussion then took place regarding how to get bike/ped traffic from this development to the Keizer Little League fields and extending the MLK walkway path. Councilor Starr indicated that she supported the development but was skeptical of the traffic study. It was suggested that Council begin talks with the railroad, Oregon Department of Transportation and anyone else who deals with traffic issues.

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

Councilor Starr moved that the Keizer City Council direct staff to prepare an order adopting the proposed Area D Master Plan Amendment Approval with conditions. Councilor Reid seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Husseman, Cross, Kohler, Starr and Juran (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

ADMINISTRATIVE ACTION

a. ORDINANCE – Adopting Right of Way Utility Regulations

City Attorney Shannon Johnson summarized his staff report.

Discussion took place regarding exploring other sources of revenue, concern over citizens having to pay more, evolution of businesses, impact on all utility companies and their customers, flexibility in technology, managing property belonging to the people of Keizer to get the essential services for effective, efficient and predictable business management, upkeep and stewardship with respect to right-of-ways, and City liability.

Councilor Reid moved that Keizer City Council adopt a Bill for an Ordinance Adopting Right of Way Utility Regulations. Councilor Husseman seconded. Motion failed as follows:

RESOLUTION – Establishing Fees for Ordinance Adopting Right of Way Utility Regulations

AYES: Clark, Reid and Husseman (3)

NAYS: Kohler, Starr, Juran and Cross (4)

ABSTENTIONS: None (0)

ABSENT: None (0)

Because the Ordinance did not pass, there was no need to adopt the Resolution. Discussion took place regarding revisiting this in the future, exploring the revenue issue in more detail and franchise agreements.

**b. City Council
Liaison Means
of Attendance**

City Manager Adam Brown summarized his staff report. Discussion followed regarding the perceived lack of participation when a person attends via phone rather than in person, amending the Council rules to require in-person attendance by Council liaisons, liaison attendance in person being a barrier to Council service and the ineffectiveness of a substitute Councilor attending a meeting in person rather than the regular liaison who is familiar with the committee attending via phone.

Councilor Starr moved that the Keizer City Council direct staff to bring back an amendment to the Council Rules requiring that Council Liaisons to committees, boards and commissions attend meetings in person. Councilor Cross seconded.

Mayor Clark offered a friendly amendment taking out the word 'requiring' and adding something to the effect that it is preferred but people can attend virtually under certain circumstances after checking with chair and Council. Councilor Starr did not accept the amendment.

Mayor Clark noted that she could not support this motion without flexibility being part of it.

Mayor Clark moved to amend the motion to change 'requiring' to 'preferring'. Councilor Reid seconded. Motion failed as follows:

AYES: Clark, Reid and Husseman (3)

NAYS: Kohler, Starr, Juran and Cross (4)

ABSTENTIONS: None (0)

ABSENT: None (0)

Vote on main motion (not amended). Motion passed as follows:

AYES: Kohler, Starr, Juran and Cross (4)

NAYS: Clark, Reid and Husseman (3)

ABSTENTIONS: None (0)

ABSENT: None (0)

**c. Support for HB
3113**

Mr. Brown summarized his staff report. Mayor Clark added that this bill would affect Keizer residents as they travel within our region and it will strengthen the region. She added that Association of Oregon Counties supports the bill.

Councilor Starr moved to authorize the Mayor to sign a letter of support on behalf of the Keizer City Council for House Bill 3113 a Bill with edits recommended by the League of Oregon Cities to extend it to local main streets that are not state highways. Councilor Reid seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Husseman, Cross, Kohler, Starr and Juran (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

- d. RESOLUTION – Adoption of 2023 and 2024 City Council Goals/Work Plan**
- Mr. Brown summarized his staff report.
- Councilor Starr moved that the Keizer City Council adopt a Resolution Adopting the 2023-2024 City Council Goals/Work Plan. Councilor Reid seconded. Motion passed unanimously as follows:
- AYES: Clark, Reid, Husseman, Cross, Kohler, Starr and Juran (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)
- e. RESOLUTION - Authorizing The City Manager And City Attorney To Work With The Lava Dome And For The Love Of The Game To Prepare Letter Of Intent**
- Mr. Brown summarized his staff report. Discussion followed regarding making sure that playing in the fields is affordable for all Keizer residents, diversity, equity and inclusion goals of the non-profit organization, making scholarships available to Keizer youth and not for youth outside of Keizer and including a Keizer resident on the governing board or having a non-voting liaison for communication purposes.
- Jamie Hogland and Paige Zizzi* from Lava Dome fielded questions and provided clarification regarding diversity, equity and inclusion, scholarship opportunities and mitigation of traffic.
- Councilor Starr moved that the Keizer City Council adopt a Resolution Authorizing the City Manager and City Attorney to work with the Lava Dome and For The Love Of The Game to prepare a Letter of Intent to be approved by the City Council. Councilor Reid seconded. Motion passed unanimously as follows:
- AYES: Clark, Reid, Husseman, Cross, Kohler, Starr and Juran (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)
- f. RESOLUTION – Authorizing City Manager To Initiate Request For Proposal Process To Hire An Executive Recruiting Firm For Purpose Of Recruiting A City Attorney**
- Human Resources Director Machell DePina summarized her staff report. Discussion followed regarding the length of time anticipated for recruitment and which fund would be used to pay the recruiting firm.
- Councilor Starr moved that the Keizer City Council adopt a Resolution authorizing City Manager to initiate request for proposal process to hire an executive recruiting firm for purpose of recruiting a City Attorney. Councilor Reid seconded. Motion passed unanimously as follows:
- AYES: Clark, Reid, Husseman, Cross, Kohler, Starr and Juran (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)
- g. State Capital Funding Request**
- Mr. Brown summarized his staff report and fielded questions regarding the amount requested, details of the proposed letter, possible revenue, and prevailing wage.

Councilor Starr moved that the Keizer City Council authorize the City Manager to submit a capital funding request on behalf of Sports Enterprises Inc. for artificial turf and LED upgrades to Volcano Stadium. Councilor Reid seconded. Motion passed as follows:

AYES: Clark, Reid, Cross, Kohler, Starr and Juran (6)

NAYS: Husseman (1)

ABSTENTIONS: None (0)

ABSENT: None (0)

CONSENT CALENDAR

a. Approval of March 16, 2023 City of Keizer/City of Salem/Marion County Commissioner Meeting Minutes

b. Approval of April 3, 2023 Regular Session Minutes

Item B was pulled for correction.

Councilor Starr moved for approval of Item A of the Consent Calendar. Councilor Reid seconded. Motion passed as follows:

AYES: Clark, Reid, Kohler, Starr, Husseman, Cross and Juran (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

A misspelled name was corrected in the April 3, Regular Session Minutes.

Councilor Starr moved for approval of Item B of the Consent Calendar as corrected. Councilor Reid seconded. Motion passed as follows:

AYES: Clark, Reid, Kohler, Starr, Husseman, Cross and Juran (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

OTHER BUSINESS None

STAFF UPDATES Chief Teague announced that Blast Camp would be held this year.

COUNCIL MEMBER REPORTS Councilor Cross reported on events and meetings she had attended and noted that some winners of the Math Competition came from Weddle.

Councilor Starr shared information about a training she had attended, grant-related work she had done, and meetings and events in which she had participated.

Councilor Kohler reported on meetings and events he had attended, announced upcoming ones and noted that the Church of Jesus Christ of Latter-day Saints had donated a commercial refrigerator and freezer to the Woodburn food bank.

Councilor Husseman announced the upcoming Traffic Safety/Bikeways/ Pedestrian Committee meeting.

Councilor Reid shared information about various events at McNary High School.

Youth Councilor Angelica Sarmiento reported on past events at McNary, shared information regarding various competitions in which the school participated, and listed time and place for various future sporting events.

Mayor Clark shared information about meetings and events she had attended and announced details about grants received to assist the homeless, cancellation of Personnel Policy Committee meeting and future meetings and events.

AGENDA INPUT

May 1, 2023 – 7:00 p.m. - City Council Regular Session
May 8, 2023 – 6:00 p.m. - Budget Committee Meeting
May 9, 2023 – 6:00 p.m.- Budget Committee Meeting
May 15, 2023 – 7:00 p.m. - City Council Regular Session

ADJOURNMENT

Mayor Clark adjourned the meeting at 10:21 p.m.

MAYOR:

APPROVED:

Cathy Clark

Debbie Lockhart, Deputy City Recorder

COUNCIL MEMBERS

Councilor #1 – Laura Reid

Councilor #4 – Soraida Cross

Councilor #2 – Shaney Starr

Councilor #5 – Robert Husseman

Councilor #3 – Kyle Juran

Councilor #6 – Daniel R. Kohler

Minutes approved: 05-01-23