



MINUTES
KEIZER CITY COUNCIL
Monday, May 21, 2012
Keizer Civic Center, Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Christopher called the meeting to order at 7:00 p.m. Roll call was taken as follows:

Present:

Lore Christopher, Mayor
Jim Taylor, Councilor
Brandon Smith, Councilor
Joe Egli, Councilor
Mark Caillier, Councilor
David McKane, Councilor
Michael Courser, Youth Councilor

Absent:

Cathy Clark, Council President

Staff:

Chris Eppley, City Manager
Shannon Johnson, City Attorney
Nate Brown, Community
Development
Bill Lawyer, Public Works
Chief Marc Adams, Police
Wanda Blaylock, Police
Administration

FLAG SALUTE

Mayor Christopher led the pledge of allegiance.

**PUBLIC
TESTIMONY**

None

PUBLIC HEARING

**a. Consideration
of Repeal of
Withdrawal
Ordinance
(Clear Lake
Area)**

City Attorney Shannon Johnson provided background information regarding this matter explaining that since both ballot measures failed, and because the withdrawal was conditioned on the annexation, it could not move forward. He noted, however, that Marion County continued litigation and the judge issued a ruling in favor of Marion County and indicated that if the withdrawal ordinance is repealed then there was no further need for litigation. Mr. Johnson explained that it seemed in the best interest of the City to repeal this ordinance and noted that he had asked Marion County Fire District No. 1 to enter into a Mutual Release of Claims but they declined to do so on the grounds that there is no viable claim.

Mayor Christopher opened the Public Hearing.

Councilor McKane questioned if Keizer Fire District recommends repeal of this ordinance. Mr. Johnson explained that their official position as relayed by their attorney is that they do not see a need to repeal it but they do not object to the repeal.

Chris Crean, for Marion County Fire District No. 1, provided details on the judge's ruling in favor of Marion County and explained that this means that the controversy is done because the judge's decision is binding on the three parties involved. He concluded by admonishing City staff and the Fire District for wasting public resources and taking the potential adverse consequences lightly. Councilor Egli questioned if Council was considering repealing an ordinance that is void which Mr. Johnson confirmed.

Randy Franke, Salem, President of Marion County Fire District Board of Directors, voiced support of the repeal of the withdrawal ordinance, reiterated the testimony of Mr. Crean, encouraged all parties to put the issue behind them and work together to use resources for the benefit of all taxpayers, and assured Council that Marion County Fire District is not contemplating any further legal action on any aspect of this issue.

Councilor McKane questioned why Marion County Fire District was unwilling to sign an agreement that would hold the City of Keizer harmless for anything else that might come in the future relating to this issue. Mr. Franke responded that the District would be willing to sign something that would say they were not going to pursue legal action. Councilor McKane confirmed that they would be willing to sign something that would hold the City harmless for any costs. Mr. Franke indicated that the District is willing to sign something of this nature and move forward in good faith to work together.

Kevin Hansen, Fire Chief for Marion County Fire District #1, explained that he had been trying to work more closely with city leaders over the past year and voiced appreciation for support received from some of the Councilors. He expressed the belief that this issue has turned into a political disaster for both Fire Districts, noted that many options are still on the table and he would continue to reach out to Chief Cowan in this regard. He asked that the withdrawal ordinance be repealed as a demonstration of the City's long term intention.

Matt Chappell, Keizer, voiced the opinion that Keizer Fire is an expensive and unsustainable option for Keizer residents, suggested that the City provide municipal fire service, and provided details on how he thought this could be accomplished.

With no further testimony, Mayor Christopher closed the public hearing.

Councilor Taylor moved that the Keizer City Council direct staff to prepare an ordinance to repeal Resolution R2011-2168 with Withdrawal Ordinance for Annexation of the Clearlake Portion of Keizer from Marion County Fire District 1 to the Keizer Fire District. Councilor Smith seconded.

Councilor Taylor responded to Mr. Crean's admonishment noting that the City did not force anyone from Marion County to file the lawsuits and

spend citizen money. He provided additional background information relating to this issue, noted that this has been a painful process and that Council had done what they thought was best for the citizens of Keizer. He noted that one day after the election Marion County Fire District Board asked their constituents for money when they had said all along that their budget was fine.

Motion passed unanimously as follows:

AYES: Christopher, Egli, Smith, McKane, Caillier and Taylor (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Clark (1)

ADMINISTRATIVE ACTION

CONSENT CALENDAR

- a. RESOLUTION ~ Authorizing the City Manager and Chief of Police to Enter Into Lock and Track usage Agreement with Marion County

Mayor Christopher moved to approve the Consent Calendar. Councilor Taylor seconded. Motion passed unanimously as follows:

AYES: Christopher, Egli, Smith, Caillier, Taylor, and McKane (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Clark (1)

COMMITTEE REPORTS

a. Gubser Neighborhood Association Annual Report

City Manager Chris Eppley pointed out that the report was included in the Council packet.

Councilor McKane moved that the Keizer City Council accept the Gubser Neighborhood Association Annual Report and extend their recognition for another year. Councilor Caillier seconded. Motion passed unanimously as follows:

AYES: Christopher, Egli, Smith, McKane, Caillier and Taylor (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Clark (1)

Councilor Caillier announced the date for Keizer Rapids Park clean-up by the Claggett Creek Watershed Council and the Wallace House Park dedication event.

Councilor Egli announced the cancellation of the Economic Development and Government Affairs meeting and noted that the Iris Festival float by the Keizer Points of Interest Committee, the Wallace House Committee and the Rotary Club won the "Best Theme" award; it will be at the Wallace House event on June 9. The Chamber will report on the Iris Festival at the next Council meeting.

Councilor Taylor thanked Councilor Egli for his work on the float.

Councilor Smith announced that he would be attending the League of Oregon Cities General Government meeting to finalize legislative priorities for the 2013 session.

OTHER BUSINESS
a. New Business
or Old Business
Issues

Captain Kuhns for Police Chief Adams provided a recap of Iris Festival weekend including the parade, various run/walk events, and "Crown the Hound.

Chris Eppley introduced the new Public Works Director, Bill Lawyer.

Youth Councilor Courser announced dates for the Spring Fling and graduation.

Mayor Christopher commended Wanda Blaylock on the Police Department Annual Report and noted that it was available on the Keizer Police website.

Councilor McKane inquired of Shannon Johnson his opinion on developing a document that would essentially mark the termination of the Clearlake withdrawal and annexation. Mr. Johnson responded that it might be possible to memorialize the issue in order to clarify the City's position but there was no need to terminate it. He noted that he would investigate that further and come back to Council.

WRITTEN
COMMUNICATIONS

None

AGENDA INPUT

June 4, 2012

- 6:30 p.m. – Urban Renewal Agency Meeting
 - 2012-2013 Urban Renewal Budget Public Hearing
- 7:00 p.m. – City Council Meeting
 - 2012-2013 – City of Keizer Budget Public Hearing

June 11, 2012

- 5:45 p.m. – City Council/Planning Commission Joint Work Session
 - Interchange Area Management Plan

June 18, 2012

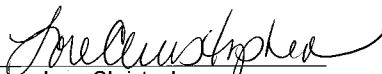
- 7:00 p.m. – City Council Meeting

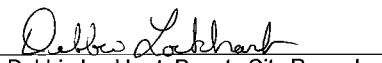
ADJOURNMENT

With no further business, the meeting adjourned at 7:42 p.m.

MAYOR:

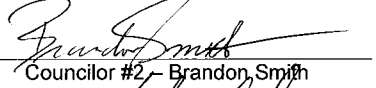
APPROVED:

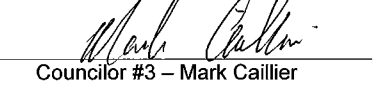

Lore Christopher


Debbie Lockhart, Deputy City Recorder

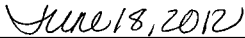
COUNCIL MEMBERS


Councilor #1 – David McKane

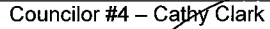

Councilor #2 – Brandon Smith


Councilor #3 – Mark Caillier

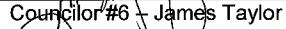
Minutes approved:


June 18, 2012

~ Absent ~


Councilor #4 – Cathy Clark


Councilor #5 – Joe Egli


Councilor #6 – James Taylor