



MINUTES KEIZER CITY COUNCIL

Monday, May 21, 2007

Keizer City Hall

Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Council President Walsh called the regular meeting to order at 7:00 pm.
Roll Call was taken as follows:

Present:

Richard Walsh, Council President
David McKane, Councilor
Troy Nichols, Councilor
Jim Taylor, Councilor
Jacque Moir, Councilor

Absent:

Lore Christopher, Mayor
Cathy Clark, Councilor

Staff:

Chris Eppley, City Manager
Shannon Johnson, City Attorney
Nate Brown, Community
Development
Rob Kissler, Public Works
Marc Adams, Chief of Police
Debbie Lockhart, Deputy City
Recorder

FLAG SALUTE

The Pledge of Allegiance was led by Council President Richard Walsh.

PUBLIC TESTIMONY None

PUBLIC HEARING

a. El Fagon Mexican Grill Liquor License Application

City Manager Chris Eppley reported that an application was submitted for a Full On Premises Sales Liquor License for El Fagon Mexican Grill located at 3852 River Road North, Keizer, Oregon. A public hearing was scheduled, notice published, necessary notification given, a background check was done with the Department's response attached to the report and Keizer Planning Department finds the location of the establishment to be properly zoned and has no comment on the application. Staff recommends that following a public hearing Council carefully consider this particular license based on the report of the Keizer Police Department.

Council President Walsh opened the public hearing. With no testimony, Council President Walsh closed the public hearing.

Councilor Nichols moved, based on the background information provided by the Keizer Police Department, to recommend denial of the application of Israel Garcia for a Limited On-Premises liquor license for El Fagon Mexican Grill to the Oregon Liquor Control Commission. Councilor Taylor seconded.

The applicant was not in attendance so could not answer questions, however, Chief Adams explained the Police Department report. Discussion followed at length regarding past violations of the owner of the establishment and compliance with the Keizer Ordinance. Councilor McKane called for the question.

Motion passed unanimously as follows:

AYES: Walsh, Nichols, Moir, McKane and Taylor (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Christopher and Clark (2)

**b. Keizer
Development
Code Text
Amendments
– Yard
Requirements,
Through Lot
Definition and
Fencing
Requirements
in Side and
Rear Yards**

Community Development Director Nate Brown reported that the Planning Commission had unanimously approved the subject Zone Code Text Amendments on April 18 and reviewed the three separate groups: Clarification to side and rear yard setback requirements (5 sections); clarification and definition of Through Lot (2 sections); and allowance of sight obscuring fences within 10 feet but no closer than 3 feet of the property line along a street for the rear or side yard of a lot (1 section). Mr. Brown then fielded extensive questions from Council.

Council President Walsh opened the public hearing.

Holly Graf, Keizer, Planning Commission Chair addressed Council noting that a member of the Commission would be reporting to Council regularly in the future. She then reviewed the Planning Commission thoughts and agreement on the subject amendments and concluded detailing the Commission plan for review of additional text amendments.

City Attorney Shannon Johnson offered some clarification background and options on the hearing. Following lengthy discussion regarding procedural issues Council agreed by consensus to close the public hearing.

Council President Walsh closed the public hearing.

Councilor Taylor moved to direct staff to prepare an ordinance to adopt the proposed revisions to zone code regulations as amended. Councilor Moir seconded. Motion passed unanimously as follows:

AYES: Walsh, Nichols, Moir, McKane and Taylor (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Christopher and Clark (2)

Councilor Taylor moved to initiate a legislative amendment on the front yard fencing requirements and send to the Planning Commission for their recommendations. Councilor McKane seconded. Discussion followed regarding safety issues, vision clearance, public right of way and opaqueness.

Councilor Walsh offered a friendly amendment to include reviewing the vision issue on 2.312.09 and that any fence or hedge could be nixed by the Traffic Engineer if found unsafe. Amendment was accepted by Taylor and McKane.

Councilor Nichols voiced opposition to the amendment. City Attorney suggested this be a separate motion.

Councilor Walsh withdrew his friendly amendment and restated the original motion. Motion passed unanimously as follows:

AYES: Walsh, Nichols, Moir, McKane and Taylor (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Christopher and Clark (2)

Councilor Taylor moved to initiate a legislative amendment for Planning Commission to revisit section 2.312.09 on vision clearance and any related issues that the Commission deems appropriate. Councilor Moir seconded. Motion passed as follows:

AYES: Walsh, Moir, McKane and Taylor (4)

NAYS: Nichols (1)

ABSTENTIONS: None (0)

ABSENT: Christopher and Clark (2)

ADMINISTRATIVE ACTION

a. RESOLUTION ~ Revising the Purpose or Charge of the Library Task Force

City Attorney Shannon Johnson explained that the Library Task Force has been in place for a number of years and its purpose has evolved over time. He read the proposed "Purpose" statement for the task force noting that this was the only change to the resolution.

Councilor Taylor moved to adopt Resolution R2007 revising the purpose or charge of the Library Task Force, amending R2004-1467. Councilor Nichols seconded. Motion passed unanimously as follows:

AYES: Walsh, Nichols, Moir, McKane and Taylor (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Christopher and Clark (2)

b. RESOLUTION ~ Authorizing the City Manager to Enter Agreement with Group Mackenzie

City Attorney Shannon Johnson explained that the architect agreement includes some changes with regard to the Community Center part of the project and is offered for Council adoption. Chris Eppley then fielded questions regarding the scope and funding.

Councilor Taylor moved to adopt Resolution R2007 Authorizing the City Manager to Sign the Contract for Architect Services for the Civic Center. Councilor Nichols seconded. Motion passed unanimously as follows:

AYES: Walsh, Nichols, Moir, McKane and Taylor (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Christopher and Clark (2)

**c. ORDER ~
Application
of Kim and
Karl Thatcher
for a Variance
to Place an
Eight Foot
High Fence**

City Attorney, Shannon Johnson, reminded Council that they had directed him to prepare an order denying the Thatcher request and it was here offered for review.

Councilor Nichols moved to that the city adopt an order in the Matter of the Application of Kim and Karl Thatcher for a Variance to Place an Eight Foot High Site Obscuring Fence along the Property Line for Property Located at 1724 Chemawa Road Northeast, Keizer Oregon (Case No. 2007-04). Councilor Moir seconded. Motion passed as follows:

AYES: Walsh, Nichols, Moir and McKane (4)

NAYS: None (0)

ABSTENTIONS: Taylor (1)

ABSENT: Christopher and Clark (2)

**d. RESOLUTION ~
Authorization
of Interfund
Loan to the
Keizer
Station LID
Fund**

City Manager Chris Eppley explained the funding strategy for the Keizer Station and repayment of the subject loan concluding that this option is a good way to save money and time and interest accrued goes back into the fund.

Councilor Taylor moved to adopt Resolution R2007 Authorization of Interfund Loan to the Keizer Station LID Fund from the Transportation Improvement Fund and the Water Facility Fund. Councilor Moir seconded. Motion passed unanimously as follows:

AYES: Walsh, Nichols, Moir, McKane and Taylor (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Christopher and Clark (2)

**CONSENT
CALENDAR**

- A. RESOLUTION – Authorizing City Manager to Enter Agreement with Marion County for Inmate Work Crew Services.
- B. RESOLUTION – Keizer Points of Interest Committee – Amendment to Membership
- C. Approval of May 7, 2007 Regular Session Minutes

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

AYES: Walsh, Nichols, Moir, McKane and Taylor (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Christopher and Clark (2)

**COMMITTEE
REPORTS**

- a. Volunteer of the Quarter Award
 - *First Quarter*

(Taken out of order) Council President Richard Walsh explained the Volunteer of the Quarter nomination and how the Volunteer Coordinating Committee determines recipients of this award. He reviewed work the Hittners have done relating to the Keizer Youth Basketball Association and Keizer youth sports and activities.

Mr. Hittner thanked Council and the Volunteer Coordinating Committee,

**COMMITTEE
REPORTS
(General)**

emphasized that participation in sports is not about being good, but about learning life skills; he commended coaches and Board members for their contribution towards this concept.

Councilor Nichols reported that the Keizer Urban Renewal Board would meet May 23 at 5:30, Conference Room A.

Councilor Moir thanked volunteers for their participation in the Iris Festival including the Public Works Department for their float and reported that Civic Center mini-task force would meet on Friday, May 25 at City Hall.

Councilor Walsh thanked Chamber of Commerce, Rotary, Councilor Moir, city staff and all other volunteers for their work on the Iris Festival. He then reported that:

- SKATS (Salem-Keizer Area Transportation Study) will meet on May 22 at noon
- Water Trail opening is June 2 in Portland at the Willamette Water Trail Park. The Governor will be there as well as representatives from Keizer.
- A grant application has been submitted to the Oregon State Parks for Keizer Rapids Park and will be reviewed June 11. Letters of support for this project would be appreciated. A final date for the soft opening has not yet been determined.
- Boy Scouts Camporee was held at Keizer Rapids Park and they helped build trails and clear brush.
- RIVERR Governance Work Group met on April 30.
- Library Task Force approved a library consultant and will bring this to Council for approval at the next meeting.
- County Commissioner Breakfast went well and was well attended.

Councilor Taylor noted that

- The Bikeways Committee has recommended that the school representative position on the committee be changed to a citizen at large position. Shannon Johnson responded that that would involve amending the resolution and it would be added to the agenda. He also suggested that in the future Council keep membership details to a minimum to allow flexibility.
- Not many families rode in the Family Bike Ride on Sunday because of inclement weather.
- River Road Renaissance Advisory Committee meeting on May 22 has been cancelled.

Councilor McKane reported that Traffic Safety Committee will on Thursday, May 24, for their regular monthly meeting. He invited interested citizens to attend.

OTHER BUSINESS

a. New Business

b. Old Business

City Manager Chris Eppley reminded everyone of the Budget Committee meeting on May 22 at 5:45 at City Hall.

Chief Adams reported that the Iris Festival parade went well, thanked Police Officers, staff, reserves, cadets and everyone else and concluded that the festival was well run, well managed and a pleasure to be part of.

Public Works Director Rob Kissler reported that

- The Public Works Open House earlier this evening went well. He explained that it is held in conjunction with the Keizer Fire Department during National Drinking Water Week/Emergency Medical Services Week and the APWA National Public Works Week. He thanked everyone in the department for their work.
- June 4 would begin the Chemawa Road bridge replacement project. Chemawa Road will be closed through October 14. Alternate routes would be Dearborn NE and Lockhaven NE. The project is a partnership with the Federal Highway Administration, Oregon Department of Transportation and the City of Keizer. This bridge will provide an additional evacuation route. More details will be available through the City website.
- The box culvert of the Tepper undercrossing is complete and work will now move onto the access corridors to each end of the box culvert. He thanked Dave Ratliff and Matt Reyes, Portland & Western Railroad, Kerr Construction and Mike Cullen from LCG Pence for their work over the weekend.
- Work continues on the Lockhaven/River Road intersection. He explained the layout of traffic lanes and plans for the signal poles with Nate Brown interjecting details on the beautification aspect of the intersection work.

City Attorney Johnson explained that another public hearing was noticed for this meeting (Reallocation of Retail Square Footage at Keizer Station) however it was not put on the agenda. He requested that this matter be dealt with at the next Council meeting. Council agreed by consensus to continue the public hearing on the Keizer Station amendment until June 4.

Council President Walsh continued the hearing on the Keizer Station amendment until June 4.

City Attorney Johnson noted that a typographical error had been discovered in the Resolution authorizing the City Manager to enter an Agreement with M.L. Houck, page 2 line 1 should read "Construction for a total cost of \$43,812.30 to complete Schedule B – *Park Improvements;*" *(italics are corrected verbiage)* Councilor Taylor moved to suspend the rules. Councilor Nichols seconded. Motion passed unanimously as follows:

AYES: Walsh, Nichols, Moir, McKane and Taylor (5)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Christopher and Clark (2)

Councilor Taylor moved to modify Resolution R2007-1768 Authorizing City Manager to Enter an Agreement with M.L. Houck Construction for Labish Floodway and Drainage Improvements Hidden Creek and Country Glen Parks (Schedule B) to change line 1 on page 2 to read "Schedule B - Park Improvements". Councilor McKane seconded. Motion passed unanimously as follows:

AYES: Walsh, Nichols, Moir, McKane and Taylor (5)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Christopher and Clark (2)

WRITTEN COMMUNICATIONS

None.

AGENDA INPUT

Following discussion, Council agreed to use the June 11 Work Session to visit Bob Zielinski's building and the July 9 Work Session as a tour of the building and viewing of the telemetry system.

June 4, 2007

7:00 p.m. City Council Regular Session

June 11, 2007

5:30 p.m. City Council Work Session

June 18, 2007

6:30 p.m. Urban Renewal Agency Meeting

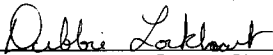
- 2007-2008 Urban Renewal Agency Budget Public Hearing
- 7:00 p.m. City Council Regular Session
- 2007-2008 City of McKane Budget Public Hearing

ADJOURNMENT

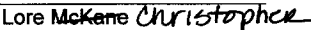
Council President Walsh adjourned the meeting at 9:05 p.m.

MAYOR:

APPROVED:


Debbie Lockhart, Deputy City Recorder

~ Absent ~

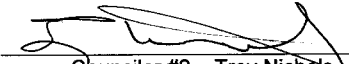

Lore McKane

COUNCIL MEMBERS

Councilor #1 – David McKane

~ Absent ~

Councilor #4 – Cathy Clark

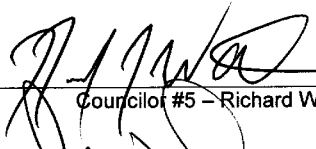


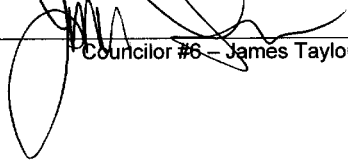
Councilor #2 – Troy Nichols

Councilor #3 – Jacquie Moir

Minutes approved:

June 4, 2007



Councilor #5 – Richard Walsh

Councilor #6 – James Taylor