

MINUTES
KEIZER CITY COUNCIL
Monday, May 19, 2003
Keizer City Hall
Robert L. Simon Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Christopher called the regular meeting to order at 7:10 p.m. Roll Call was taken as follows:

Present:

Lore Christopher, Mayor
Michel Gaynor, Councilor
Charles E. Lee, Councilor
Jacque Moir, Council President
Judy K. Smith, Councilor
James Taylor, Councilor
Richard Walsh, Councilor

Staff:

Chris Eppley, City Manager
Rob Kissler, Public Works Director
Marc Adams, Chief of Police
Dianne Hunt, Human Resources Director
Cheryl Vafakos, Interim Planning Director
Shannon Johnson, City Attorney
Cindy Perry, Recording Secretary

FLAG SALUTE

Cyndi Astley with Salem Keizer Together Program led the City Council in the flag salute.

PUBLIC TESTIMONY

Jerry McGee, 1030 Ridgpoint Street NE, Keizer- thanked the Council for enabling the volunteers to complete the focal point.

Mr. McGee requested the initiation of a committee to research and document points of historical interest within the city. Some of the areas he noted were:

- Lake Labish Train
- Recognize birth place of Charles McNary
- Show levels of various flooding in Sunset Park
- 45th Parallel
- Witness Trees
- Corner posts of land donation claims
- Viewing Keizer from the River and some of the River's points of interest

▪ *Wallace House*

He encouraged the Council to take this into consideration and he offered to serve on a committee.

The Council briefly discussed the concept and was in consensus to have Mr. McGee outline a draft of the historical committee and to bring this information back to the Council.

Marlene Kelly, 275 Lakepoint, Keizer-as a member of the Parks Board she provided an updated from the Board's last meeting. Some of the items included negotiations with Pepsi to place vending machines in the skate park. The contract for this was with the City Manager for further negotiation and finalization. Ms. Kelly noted the Park Board's motion to have any funds from the vending machines to be a designated fund for the skate park for youth activities and non-routine maintenance of the park.

Also addressed was the presentation by Michel Gaynor and Dave Bauer for covered structures at Keizer Little League Park and further incorporating volunteers for parks maintenance.

Bill Quinn, 4918 Shoreline Loop, Keizer-requested fewer curb cuts along River Road.

Mayor Christopher indicated that the Council was in agreement with this suggestion and that this was a progressing project.

Arnie Vohland, 6390 River Road North, Keizer-addressed concern that he would not be able to access the golf course from his residence as the ordinance was written.

City Manager Eppley noted that the Council would be addressing the ordinance later in the evening.

Randy Munson, 741 Bever Drive, Keizer-thanked the police department for addressing the noise emitting from the trailer park on 3701 Cherry.

Greg Pederson, 1345 Harmony Drive, Keizer-noted what he believed was some duplicated verbiage in the draft

golf cart ordinance. Mr. Pederson also addressed the map attached to the ordinance. He believed with discretion from the police department that the ordinance would work well.

Eric Meurer, 517 Lakefair Place, Keizer-encouraged adjusting the golf cart map to allow the areas around Staats Lake the ability to drive their golf carts to McNary Golf Course.

A brief discussion of the gate a McClure took place.

Robert Jacobs-left before testifying.

Dan Meek, 10949 SW 4th Avenue, Portland- as a volunteer for with the Oregon Public Power Coalition he expressed his opposition to the proposed resolution that the City Council would be reviewing that would opposed the Multanomah County PUD.

Mr. Meek also provided some informational handouts pertaining to Enron and PGE financial situation and the continuing rate increases under PGE. He encouraged the Council to reconsider the resolution.

Mr. Meek addressed questions from the Council.

Mayor Christopher thanked everyone for his or her testimony.

PUBLIC HEARINGS

a. Adoption of New City Logo

City Manager Eppley provided a history of the city's logo and the suggestions for change of the logo with the 20th anniversary logo with slight amendments.

Mayor Christopher opened the public hearing.

With no one wishing to testify Mayor Christopher closed the public hearing.

The Council briefly discussed the logo and what should be incorporated into the final design with the permission of David Baker, the creator of the 20th Anniversary logo.

COMMITTEE REPORTS

Council President Moir moved to direct staff to bring back the resolution and the design, which eliminates the words, "Pride, Spirit and Volunteerism", and to add 1982 as the year of incorporation. Councilor Walsh seconded the motion.

Councilor Moir indicated that this design would be used for administrative uses.

The motion passed unanimously as follows:

AYES: Christopher, Gaynor, Lee, Moir, Smith, Taylor and Walsh (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

a. Volunteer of the Quarter Award - Beth Daniell

Councilor Smith noted the nomination of Beth Daniell as volunteer of the quarter, which was unanimously approved by the Volunteer Coordinating Committee. Ms. Daniell's volunteer achievements were outlined.

Mayor Christopher thanked Ms. Daniell for her volunteer efforts and presented her with an inscribed clock from the city.

b. Salem-Keizer Together Presentation

City Manager Eppley introduced Cyndi Astley Director of the Salem-Keizer Together Program.

Ms. Astley summarized the April 2003 Community Profile of Indicators Related to Alcohol, Tobacco and other Drug Use and Abuse, of which she supplied copies of that report to the Council. She also outlined the Responsible Vendor Program and the impact it has had on limiting minors from being able to obtain alcohol.

Ms. Astley addressed questions from the Council.

Mayor Christopher thanked Ms. Astley for her presentation and recessed the meeting at 8:55 p.m.

The meeting was reconvened at 9:06 p.m.

OTHER BUSINESS

▪ New Business

Councilor Smith noted she would not be in attendance at the June 2nd City Council meeting.

Notification Issues

City Manager Eppley addressed some problems with notification regarding drainage concerns north of Volcano Stadium, with the possible expansion of an equestrian facility on North River Rd. He indicated additional information would be provided to the Council, as it became available.

Human Resources

Human Resource Director Dianne Hunt welcomed the new hires to the City.

Public Works Updates

Public Works Director Rob Kissler noted the Wetland Mitigation at Claggett Creek Park should be taking place soon. Upgrades to Harmony and Trail Avenue would begin the week of May 27th.

Planning Update

Cheryl Vafakos Interim Planning Director reported that the Planning Commission approved the variance criteria, which the Council would be reviewing in the near future.

LUBA

City Attorney Johnson reported that a LUBA regarding the Keizer Station Plan had been filed. He expected an answer by the end of the summer.

▪ Old Business

Library Task Force

Councilor Walsh summarized this group's last meeting with the intent of Keizer becoming part of the library system.

Civic Center Task Force

Councilor Gaynor provided an update of the task force's work to narrow down the architectural firms. He indicated more information would be available at the next meeting.

Making After School Task Force

Councilor Lee submitted updates from this task force. The next meeting of this group would be in July after the budget process for the School District and the City of Salem.

City Manager Performance Evaluation

Mayor Christopher polled the Council regarding a date to submit this evaluation to Mr. Eppley. The Council was in consensus to for this to take place on June 9th at 5:30 p.m.

**ADMINISTRATIVE
ACTION**

**a. ORDER- Zone
Change/Major and Minor
Variance-Case No. 2003-03
(500 Bever Drive N)**

City Attorney Johnson reported at the last meeting Council directed staff to prepare the appropriate order. Such order was provided for the Council's review.

Council President Moir indicated that although she was not in attendance during the public hearings that she did review the tapes of the meetings and would participate in the process.

Council President Moir moved to Adopt an Order in the Matter of the Application of Anil Khanna for a Zone Change From CO (Commercial Office) to CM (Commercial Mixed) and a Major and Minor Variance to Reduce the Minimum Street Front Setback, to Reduce the Minimum Street Frontage and to Reduce the Number of Required Parking Spaces for Property Located at 500 Bever Drive NE, Keizer, Oregon (Case No 2003-03) Councilor Smith seconded the motion.

Councilor Walsh expressed concern with denial of the entire application. He recommended denying the Zone Change and ruling that the remainder of the request is mute.

Councilor Walsh recommended a friendly amendment to deny the application based on the Zone Change with no decision on the others and to consider them basically mute.

City Attorney Johnson indicated the code could not be

changed within this proceeding. The provision, which he suggested, was to include in the Order in Exhibit E a sentence to read; The Variance is deemed withdrawn. The Application for the Zone Change is HEREBY denied. The Variance to reduce.....is denied.

Counselor Johnson addressed additional questions from the Council.

Council President Moir and Councilor Smith accepted Counselor Johnson's recommended amendment to the motion.

The motion as amended passed as follows:

AYES: Christopher, Gaynor, Moir, Smith, Taylor and Walsh (6)

NAYS: Lee (1)

ABSTENTIONS: None (0)

ABSENT: None (0)

**b. ORDINANCE-Comp
Plan Map
Amendment/Zone Change
No. 2003-09 (Fernwood
Park)**

City Attorney Johnson reported that at the last meeting Council directed staff to prepare an ordinance granting the requested Comprehensive Plan Map Amendment/Zone Change. Counselor Johnson provided a copy of the ordinance for review by the Council.

Council President Moir moved a Bill for an Ordinance in the Matter of the Application of the City of Keizer for a Comprehensive Plan Map Amendment From Low Density Residential (LDR) to Commercial (C) and a Zone Change From Residential Single Family (RS) to Commercial Mixed (CM) for the Southeastern Most Portion of the Property Located at 250 Chemawa Rd North, Keizer, Oregon (Case No 2003-09) Councilor Lee seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Gaynor, Lee, Moir, Smith, Taylor and Walsh (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

c. Golf Cart Ordinance

City Attorney Johnson reported that the regulation of golf carts was not entirely up to the City Council. He noted state vehicular controls and statutes that allow the Council to adopt a road authority. He summarized the radius of the ordinance as outlined on the map and the Council's limitation to allow golf carts within a ½ mile radius from the golf course.

Counselor Johnson further addressed concerns regarding the radius map as outlined from the public testimony. He indicated if it was the Council's wish to address this further that staff could review and address during the next meeting.

Maximum flexibility in the radius of the map was discussed by the City Council. Councilor Smith expressed concerns that not enough public input had been received on the subject.

Councilor Smith moved a motion to direct staff to notice a public hearing.

Due to the lack of a second the motion died.

Enforcement of the ordinance and costs for additional signage were also discussed.

Council President Moir moved to direct staff to come back with an ordinance pertaining to the use of golf carts in designated areas and to include an adjusted ½ mile limitation map adjusting from edge of golf course in each direction and the cost estimates for the required signage. Councilor Taylor seconded the motion.

The motion passed as follows:

AYES: Christopher, Gaynor, Lee, Moir, Taylor and Walsh (6)

NAYS: Smith (1)

ABSTENTIONS: None (0)

ABSENT: None (0)

**d. RESOLUTION-
Opposing Proposed**

City Manager Eppley briefly summarized the pros and cons as submitted by PGE and Multnomah County

**Multnomah County
People's Utility District**

PUD regarding the formation of this PUD and the possible side effects to the City of Keizer.

Staff recommended that the City Council deliberate on the benefits to the City for approving a resolution that voice opposition to the formation of the Multnomah PUD.

Counselor Johnson indicated since the matter was tabled at an earlier date that the Council would need to make a motion to remove the issue from the table.

Council President Moir moved to take the matter from the table. Councilor Gaynor seconded the motion.

The motion passed as follows:

AYES: Christopher, Gaynor, Lee, Moir, Smith and Taylor (6)

NAYS: Walsh (1)

ABSTENTIONS: None (0)

ABSENT: None (0)

City Attorney Johnson addressed a resolution, which adopted Council policy of non-involvement in state and federal policy issues. He believed this issue fell outside of this limitation but that the Council should cast their vote regarding this issue.

Council President Moir moved that the Keizer City Council determined that the Resolution was not applicable because it was not a state or federal policy. Councilor Taylor seconded the motion.

The motion passed as follows:

AYES: Christopher, Lee, Moir, Smith, Taylor and Walsh (6)

NAYS: Gaynor (1)

ABSTENTIONS: None (0)

ABSENT: None (0)

Council President Moir moved a Resolution in the Matter of Opposing proposed Multnomah County People's Utility District. Mayor Christopher seconded

CONSENT CALENDAR

the motion.

Councilor Walsh expressed concern that he did not have enough information to vote in favor of the motion.

Councilor President Moir believed it was important for the Council to take a stand on the issue to protect its future electrical needs.

Councilor's Lee and Smith also expressed uneasiness with taking a vote without reviewing the information further.

The motion passed as follows:

AYES: Christopher, Gaynor, Moir, and Taylor (4)

NAYS: Lee, Smith, and Walsh(3)

ABSTENTIONS: None (0)

ABSENT: None (0)

- a. RESOLUTION-Initiating Pierce Drive Street Lighting District
- b. Approval of April 7, 2003 Regular Session Minutes
- c. Approval of May 5, 2003 Regular Session Minutes

Council President Moir pulled item "c" from the Consent Calendar noting she would be abstaining from voting on these minutes due to her absence from the meeting.

Council President Moir moved for approval of items "a" and "b" on the Consent Calendar. Councilor Smith seconded the motion.

The motion passed unanimously as follows:

AYES: Christopher, Gaynor, Lee, Moir, Smith, Taylor and Walsh (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Councilor President Moir moved for approval of item "c" on the Consent Calendar. Councilor Smith seconded the motion.

The motion passed as follows:

AYES: Christopher, Gaynor, Lee, Smith, Taylor and Walsh (6)

NAYS: None (0)

ABSTENTIONS: Moir (1)

ABSENT: None (0)

WRITTEN COMMUNICATIONS

None

AGENDA INPUT

June 2, 2003

6:30 p.m. Urban Renewal Agency Meeting

- 2003-2004 Urban Renewal Agency Budget Public Hearing

7:00 p.m. City Council Meeting

- 2003-2004 City of Keizer Budget Public Hearing
- Supplemental Budget
- Sewer Administration Fee Increase
- Sewer Franchise Fee Increase

June 9, 2003

12:00 p.m. (Noon) City Council Work Session

- Keizer Station Development Agreement Review

June 16, 2003

6:30 p.m. Urban Renewal Agency Meeting

- Adoption of 2003-2004 Urban Renewal Agency Budget

7:00 p.m. City Council Meeting

- Adoption of 2003-2004 City of Keizer Budget

Mayor Christopher noted the agenda items.

ADJOURNMENT

Mayor Christopher adjourned the meeting at 10:25 p.m.

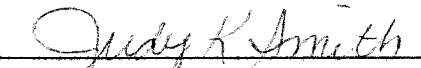
Cindy Perry
Recording Secretary

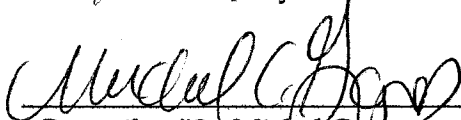
APPROVED:

MAYOR:

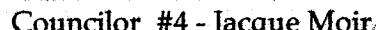

Lore Christopher

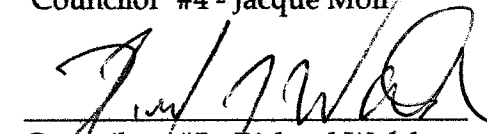
COUNCIL MEMBERS:

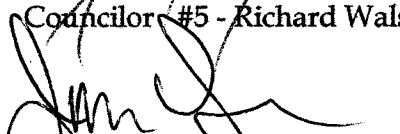

Councilor #1 - Judy K. Smith


Councilor #2 - Michel Gaynor

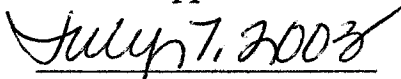

Councilor #3 - Charles E. Lee


Councilor #4 - Jacque Moir


Councilor #5 - Richard Walsh


Councilor #6 - James Taylor

Minutes approved:


July 7, 2003