



MINUTES KEIZER CITY COUNCIL

Monday, May 18, 2015

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
Dennis Koho, Council President
Marlene Quinn, Councilor
Kim Freeman, Councilor
Roland Herrera, Councilor
Ryan Edsall, Youth Councilor

Staff:

Chris Eppley, City Manager
Shannon Johnson, City Attorney
Nate Brown, Community
Development Director
Bill Lawyer, Public Works Director
John Teague, Police Chief
Debbie Lockhart, Deputy City
Recorder

Absent:

Brandon Smith, Councilor
Amy Ripp, Councilor

FLAG SALUTE

Mayor Clark led the pledge of allegiance.

SPECIAL ORDERS OF BUSINESS

None

COMMITTEE REPORTS

Kyle Juran, Keizer, reported that the Planning Commission had discussed a portion of the Development Code dealing with infill, but the Homebuilders Association had requested more time to review the changes and asked the Commission to continue the hearing so they did. He added that in an effort to facilitate a real estate transaction, the Commission made a decision on the Shared Housing portion of the Code removing the size requirement of a percentage of the floor area of the primary residence from Section 2.403.02C so that the area of the accessory residence would be no larger than 750 square feet. Community Development Director Nate Brown provided clarification and additional information.

David Loudon, Keizer, reported that the Keizer Little League had come to the last Parks Board meeting requesting assistance, the Board approved a grant request from Jerry Nuttbrock for installation of a patio at the amphitheater support building, and Hans Schneider requested funding for three volleyball courts but will make his formal request at the June meeting. Mr. Loudon added that Home Grown Theater did not use their

grant but he hoped they would reapply. He urged that Council direct staff to get an appraisal or 'market value' on Palma Ciega Park as requested by the Board, and provided details of the Boy Scout Camporee that took place at Keizer Rapids Park.

Hersch Sangster and *Pat Fisher*, Keizer, Chair and Vice Chair of the Traffic Safety/Bikeways/Pedestrian Committee, reported that the City of Salem is requesting a grant for a Bike Boulevard that would tie into the south end of Cherry. The committee supports this but asks that the Mayor include in her letter of support a recommendation that the route go to the edge of the city limits so that it ties into Keizer's route.

Councilor Koho moved to suspend the rules to consider sending a letter of support for the Transportation Growth Management Grant. Councilor Quinn seconded. Motion passed as follows:

AYES: Clark, Koho, Quinn, Freeman and Herrera (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Smith and Ripp (2)

Councilor Koho moved to authorize the Mayor to send a letter in support of the Bicycle Boulevard grant. Councilor Quinn seconded. Motion passed as follows:

AYES: Clark, Koho, Quinn, Freeman and Herrera (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Smith and Ripp (2)

PUBLIC TESTIMONY

Shane Hollingsworth, Keizer, on behalf of the Keizer Parks Foundation explained that the Foundation has held a fundraising event, Pinot for the Parks, for three years now with the proceeds benefiting Keizer City parks. He noted that so far \$10,000 has been donated for the Keizer Big Toy and then presented a check for an additional \$6,000.

Anthony Ernest, Keizer, stated the he needed help, that he wanted to speak to someone about how to be an American and a US citizen, and that government is evil, but Keizer is doing something right. He concluded his testimony asking that the police come and talk to him.

PUBLIC HEARINGS None

ADMINISTRATIVE ACTION

a. Proposed Remand of Herber Farm

City Attorney Shannon Johnson, explained that because this matter would come before Council again regardless of the outcome of the LUBA appeal, and because costs for the appeal are substantial, staff had raised the issue informally with the Herbers' attorney. The Herbers have since committed to reducing the multi-family development to two stories instead of three, reducing the density, and providing an attractive design. Council

**LLC LUBA
Appeal**

then discussed quasi-judicial hearing restrictions and public engagement. Mayor Clark urged Councilors to fully utilize staff for communicating and for their expertise.

Councilor Koho moved to direct staff to submit a stipulated motion for voluntary remand at LUBA and move forward with scheduling a date for a new public hearing. Motion passed as follows:

AYES: Clark, Koho, Quinn, Freeman and Herrera (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Smith and Ripp (2)

**b. ORDINANCE –
Amending
Keizer
Development
Code
Regarding
Section 2.107
and Section
2.414;
Amending
Ordinance 98-
389**

Mr. Johnson reminded Council that at the May 4, 2015 Council meeting they had directed him to come back with this ordinance. He pointed out one change he had made to include a phrase that he believed had inadvertently been left out of the Planning Commission recommendation.

Councilor Koho moved that the Keizer City Council adopt a Bill for an Ordinance Amending Keizer Development Code Regarding Section 2.107 (Mixed Use) and Section 2.414 (Veterinary Services); Amending Ordinance 98-389. Councilor Quinn seconded. Motion passed as follows:

AYES: Clark, Koho, Quinn, Freeman and Herrera (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Smith and Ripp (2)

**c. ORDINANCE –
Correcting
Scrivener's
Error with
Regard to
Ordinance No.
2015-718**

Mr. Johnson explained that this was simply to correct a reference to an ordinance number that was incorrect.

Councilor Koho moved that the Keizer City Council adopt a Bill for an Ordinance Correcting Scrivener's Error with Regard to Ordinance No. 2015-718; Declaring an Emergency. Councilor Quinn seconded. Motion passed as follows:

AYES: Clark, Koho, Quinn, Freeman and Herrera (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Smith and Ripp (2)

**d. RESOLUTION
– Adopting
Website
Disclaimer and
Policies**

Mr. Johnson explained that the new website is close to going on line but prior to it going public, disclaimers and policies should be established. They are included in this resolution.

Councilor Koho moved that the Keizer City Council approve a Resolution Adopting Website Disclaimer and Policies. Councilor Quinn seconded. Motion passed as follows:

CONSENT CALENDAR

AYES: Clark, Koho, Quinn, Freeman and Herrera (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Smith and Ripp (2)

- A. RESOLUTION – In the Matter of Adoption of the Municipal Judge Evaluation Process; Repealing R2010-2027
- B. RESOLUTION – Authorizing the City Manager to Enter Into Second Amendment to Contract Agreement with Leathers and Associates
- C. RESOLUTION – Approving City Engineer's Report; Declaring the City's Intent to Form Misty Meadows Street Lighting Local Improvement District; Providing Notice and Setting Hearing
- D. RESOLUTION – Approving City Engineer's Report; Declaring the City's Intent to Form Northfield Estates Street Lighting Local Improvement District; Providing Notice and Setting Hearing
- E. RESOLUTION – Amending R2015-2556 (Supporting 2015 Public Arts Commission Holiday Card Contest)

Councilor Quinn pulled item B.

Councilor Koho moved for approval of Items A, C, D, and E of the Consent Calendar. Councilor Quinn seconded. Motion passed as follows:

AYES: Clark, Koho, Quinn, Freeman and Herrera (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Smith and Ripp (2)

Item B: Mr. Lawyer explained that the amendment was to bring an additional person from Leathers to assist with the build.

Councilor Koho moved for approval of Item B of the Consent Calendar. Councilor Quinn seconded. Motion passed as follows:

AYES: Clark, Koho, Quinn, Freeman and Herrera (5)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Smith and Ripp (2)

COUNCIL LIAISON REPORTS

Councilor Freeman thanked everyone who had attended and helped with the Iris Festival and the Big Toy booth and thanked the Budget Committee for their hard work. She announced that May 14 was the last West Keizer Neighborhood Association meeting until fall and provided information about the meeting. She encouraged everyone to volunteer at the Big Toy Build and announced the upcoming Volunteer Coordinating Committee meeting.

Councilor Koho reported that he had attended the Planning Commission meeting for Councilor Smith and voiced appreciation for their in-depth

review; he met with County Commissioners for breakfast last week and participated in the Iris Festival Parade.

Councilor Quinn reported that she had worked on the Big Toy float for the parade and urged everyone to volunteer for the build. She noted that she had missed the Commissioner Breakfast because she 'ran off and got married'.

Councilor Herrera reported that he had attended the Mayor's Prayer Breakfast, the Firemen's breakfast, the Salem-Keizer Coalition for Equality lunch and the kickoff Iris Festival dinner. He expressed appreciation to Joe Egli, Christine and Tom Dieker, Audrey Butler, and Dave Wallery for their work at the Iris Festival and announced that he would be attending mock interviews for area high school students put on by the Inspire Foundation.

Mayor Clark thanked Joe Egli, Debbie Ego, Audrey Butler, Chamber staff, Christine Dieker, Bob Bush and Copper Creek Mercantile, praised the talented Whiteaker Jazz Band and thanked Keizer Public Works and Police Department for making sure the Iris Festival ran smoothly. She thanked Dan Collingham for installing the letters naming the council chambers 'Robert L. Simon Council Chambers', city staff for supporting United Way, Councilor Herrera for attending 'Raising the Bar' ceremonies for her and Councilor Koho for attending the 'Turnaround Awards' for her. She concluded her report noting that she had attended the Love Love Teriyaki ribbon cutting and listing events she planned on attending.

Youth Councilor Edsall announced that on May 28 the 2016 National Honor Society students would be inducted, finals week is coming up and graduation is June 5 at the pavilion. City Manager Chris Eppley added that Mr. Edsall had been selected to continue his education at the prestigious Virginia Military Institute.

OTHER BUSINESS

Police Chief Teague explained that he was late to Council meeting because he had been meeting with CERT (Community Emergency Response Teams). He commended Sgt. Trevor Wenning for his excellent traffic control at the Iris Festival.

Public Works Director Bill Lawyer reported that city staff is relocating the power lines at Verda and Chemawa in preparation for the roundabout. He also asked Council direction regarding having an appraisal done at the Palma Ciega Park property. Council directed that this issue be placed on the agenda for the June 1 meeting.

Community Development Director Nate Brown announced that he had met with the developers of Area C at Keizer Station to work through issues regarding right of way acquisition and making things fit.

WRITTEN COMMUNICATIONS

Mayor Clark read a letter from Comcast thanking participants in 'Comcast Cares' Day at the Boys & Girls Club.

AGENDA INPUT

June 1, 2015

7:00 p.m. – City Council Regular Session

June 8, 2015

5:45 p.m. – City Council Work Session

- Oregon Government Ethics Commission Training

June 15, 2015

7:00 p.m. – City Council Regular Session

ADJOURNMENT

Mayor Clark adjourned the meeting at 8:07 p.m.

MAYOR:

APPROVED:

Cathy Clark

Debbie Lockhart

Debbie Lockhart, Deputy City Recorder

COUNCIL MEMBERS

Dennis Koho

Councilor #1 – Dennis Koho

Roland Herrera

Councilor #4 – Roland Herrera

Kim Freeman

Councilor #2 – Kim Freeman

~ Absent ~

Councilor #5 – Amy Ripp

Marlene Quinn

Councilor #3 – Marlene Quinn

~ Absent ~

Councilor #6 – Brandon Smith

Minutes approved. June 15, 2015