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AGENDA
KEIZER CITY COUNCIL
REGULAR SESSION
Tuesday, February 22, 2022
7:00 p.m.
Robert L. Simon Council Chambers
Keizer, Oregon

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **FLAG SALUTE**

4. **SPECIAL ORDERS OF BUSINESS**

5. **COMMITTEE REPORTS**

a. Volunteer Coordinating Committee - Recommendation for Traffic Safety/Bikeways/Pedestrian Committee Appointment

6. **PUBLIC COMMENTS**

This time is provided for citizens to address the Council on any matters other than those on the agenda scheduled for public hearing.

7. **PUBLIC HEARINGS**

a. 2022 Keizer Liquor License Renewal Recommendation

b. **RESOLUTION** – Authorization for Supplemental Budget – American Rescue Plan Act Fund

8. ADMINISTRATIVE ACTION

- a. **ORDINANCE** – Establishing Stormwater Discharge Control Regulations; Repeal of Ordinance No. 2009-585; Declaring an Emergency

9. CONSENT CALENDAR

- a. **RESOLUTION** – Authorizing the Public Works Director to Apply for Funding for Wheatland Road Multi Modal Corridor Project – Phase I from Salem-Keizer Area Transportation Systems (SKATS)
- b. Approval of February 7, 2022 Regular Session Minutes

10. OTHER BUSINESS

This time is provided to allow the Mayor, City Council members, or staff an opportunity to bring new or old matters before the Council that are not on tonight's agenda.

11. STAFF UPDATES

12. COUNCIL MEMBER REPORTS

13. AGENDA INPUT

March 7, 2022

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

March 14, 2022

6:00 p.m. – Long Range Planning Task Force Meeting

March 21, 2022

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

14. ADJOURNMENT

CITY COUNCIL MEETING: _____

AGENDA ITEM NUMBER: _____

TO: MAYOR CLARK AND CITY COUNCIL MEMBERS

**THROUGH: WES HARE
INTERIM CITY MANAGER**

**FROM: TRACY L. DAVIS, MMC
CITY RECORDER**

**SUBJECT: VOLUNTEER COORDINATING COMMITTEE RECOMMENDATION FOR
TRAFFIC SAFETY/BIKEWAYS/PEDESTRIAN COMMITTEE APPOINTMENT**

ISSUE:

The Volunteer Coordinating Committee met on February 10 to review applications and interview candidates for an opening on the Traffic Safety/Bikeways Pedestrian Committee. The Committee is recommending Tammy Saldivar for Position #4; term expiring November 30, 2024.

RECOMMENDATION:

It is recommended the City Council accept the Volunteer Coordinating Committee recommended appointment.

CITY COUNCIL MEETING: February 22, 2022

TO: MAYOR CLARK AND CITY COUNCIL MEMBERS

**THROUGH: R. WES HARE
INTERIM CITY MANAGER**

**FROM: TRACY L. DAVIS, MMC
CITY RECORDER**

SUBJECT: 2022 LIQUOR LICENSE RENEWALS

- ◆ 7-Eleven Store #2362-17727G
- ◆ 7-Eleven Store #2362-17762C
- ◆ 7-Eleven Store #41537AA
- ◆ Abby's Pizza
- ◆ AJ's Hideaway Bar and Grill
- ◆ All Stars Sports Grill
- ◆ B&S Market
- ◆ Bai Bua Thai Kitchen
- ◆ Best Western Premier Keizer
- ◆ Bi Mart #624
- ◆ Bubba's Pub and Lotto
- ◆ Café Yum
- ◆ Casa Los Dos Amigos Mexican Restaurant
- ◆ Chemawa Market
- ◆ Chen's Dynasty
- ◆ Cherry Ave Market and Deli
- ◆ Chipotle Mexican Grill
- ◆ Coopers Deli & Pub
- ◆ Cost Plus World Market
- ◆ Eagles Lodge #2081
- ◆ Elks Lodge #2472
- ◆ Good Times 1
- ◆ Growl Movement
- ◆ Gustav's Bargarten Keizer
- ◆ Holiday Inn Express
- ◆ Hops N Drops
- ◆ JC's Pizzeria
- ◆ John's Chinese Restaurant
- ◆ Keizer Food Market
- ◆ Keizer Liquor Store
- ◆ Keizer Mart
- ◆ Keizer Shell Food Mart
- ◆ Keizer Sub Shop
- ◆ Kolby's Restaurant Bar & Billiards
- ◆ La Hacienda Real
- ◆ Los Dos Hermanos
- ◆ Love of the Game
- ◆ Mario's Bar
- ◆ Mariscos La Sirenita
- ◆ McNary Golf Club
- ◆ Mommy and Maddi's
- ◆ Nancy's Burgers and Fries
- ◆ Neighborhood Mini Mart
- ◆ Odd Moe's Pizza
- ◆ Outback Steak House
- ◆ Pats 1 Cigs
- ◆ Pho Keizer
- ◆ Plaza Morelia
- ◆ Ringo's Tavern
- ◆ Rite Aid #5364
- ◆ Round Table Pizza #964
- ◆ Royal Pub
- ◆ Safeway Store #1516
- ◆ Shari's of Keizer
- ◆ Smoker Friendly #2
- ◆ Smoker Friendly #3
- ◆ Target Store #2110
- ◆ Teriyaki Town and Sushi
- ◆ Thai Lotus
- ◆ The Pour House Saloon
- ◆ Town and Country Lanes Inc
- ◆ US Market #125
- ◆ VIP Beverage and Event Services
- ◆ Walgreens #04230
- ◆ Waremart by Winco
- ◆ Willow Lake Golf Center

BACKGROUND:

Each year the Oregon Liquor Control Commission requires liquor establishments to renew their license to sell alcoholic beverages. The City of Keizer adopted an Ordinance which declares business owners shall have the responsibility to contribute to, rather than jeopardize the well being of the community and the liquor licensee should promote, sell and serve alcoholic beverages in a responsible manner which minimizes the risks associated with its use. The Ordinance outlines guidelines for annual review of each of the liquor establishments within the City.

ISSUE:

Following the guidelines as outlined in the Ordinance, notice of public hearing was published in the Keizertimes asking for objections to the license renewals. No responses were received by the writing of this report.

The Keizer Police Department has reviewed the 2021 calls for service at each of the establishments and has no reason to recommend denial of the liquor license renewals for the above listed establishments. Their report is attached.

The Keizer Planning Department also had an opportunity to comment on zoning issues for each of these establishments. There were no zoning violations noted.

RECOMMENDATION:

It is recommended the Keizer City Council open the public hearing, receive testimony, and close the public hearing. It is further recommended the Council vote to recommend renewal of the listed liquor licenses and forward this recommendation to the Oregon Liquor Control Commission.



KEIZER POLICE DEPARTMENT

930 Chemawa Rd NE • PO Box 21000 • Keizer OR 97307
www.keizer.org • Phone 503-390-3713 • Fax 503-390-8295

COUNCIL MEETING: February 22, 2022
AGENDA ITEM NUMBER: _____

TO: Mayor Clark and City Council Members
THRU: Wes Hare, Interim City Manager
FROM: John Teague, Chief of Police
Paula Collins, Support Services Supervisor
SUBJECT: Liquor License Renewals for 2022
DATE: February 16, 2022

ISSUE:

Shall the City Council approve the renewal of the liquor licenses for businesses which sell and/or serve alcoholic beverages within the City of Keizer?

BACKGROUND:

Under the direction of the chief of police, the support services supervisor conducted a review of police calls for service at the establishments that sell and/or serve alcohol in the City of Keizer for calendar year 2021. Using the guidelines set forth in City Ordinance 2010-623, it was determined that none of the establishments reviewed were found to be in violation of the ordinance in that there was no history of serious or persistent problems detected.

RECOMMENDATION:

The Keizer Police Department has no reason to recommend denial of the liquor license renewals for the establishments which sell and/or serve alcoholic beverages within the City of Keizer.

JOT/pfc

COUNCIL MEETING: February 22, 2022

AGENDA ITEM NUMBER: _____

TO: MAYOR CLARK AND COUNCIL MEMBERS

THROUGH: R. WES HARE, CITY MANAGER

FROM: TIM WOOD, FINANCE DIRECTOR

SUBJECT: AUTHORIZATION FOR SUPPLEMENTAL BUDGET

ISSUE: Oregon Budget Law, when authorized by resolution of the governing body of a municipal corporation, provides that a supplemental budget may be adopted when an occurrence or condition which had not been ascertained at the time of the preparation of a budget for the current year which requires a change in financial plan.

American Rescue Plan Act (ARPA) Fund – Capital Outlay

This supplemental budget request is to recognize and appropriate \$400,000 in additional resources available in the ARPA Fund to provide for the replacement of the Reitz well. These costs were not anticipated at the time the Fiscal Year 2021-22 budget was adopted.

The Reitz well, originally drilled in 2003, has had issues with sand infiltrating the well casing since it was drilled. The City rehabilitated the well in 2012 in an attempt to reduce and limit the amount of sand entering the casing but have determined this was not successful. The well originally produced about 700 gallons per minute but has been reduced to about 200 gallons per minute due to the sand. This well is dedicated to filling the 750,000-gallon reservoir at Bair Park and the loss of the production from this well impacts the overall ability in providing water to the northern parts of the city.

Staff has determined the replacement of this well is the best option to ensure the City has adequate production into the future. The replacement well will be drilled using a different design than the original well, it will use a filter pack method to prevent the sand from entering the well casing. The replacement of this well was not anticipated in the Water Master Plan, and will provide an estimated 400 to 500 gallons per minute of reliable water production into the future.

The project is estimated to cost \$375,000 to \$400,000, and will be subject to the City's public purchasing policies. The use of ARPA funds for this project will benefit the entire community by reducing the need for a rate increase to cover the cost of the project. If approved the City will have approximately \$7.4 million in ARPA funds not yet appropriated.

RECOMMENDATION: Staff recommends the council open the public hearing and receive any public testimony. Once the public hearing is closed the council should adopt the attached resolution authorizing the supplemental budget as described above.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2022-_____

AUTHORIZATION FOR SUPPLEMENTAL BUDGET - American Rescue Plan Act Fund

WHEREAS ORS 294 provides that a supplemental budget may be adopted when an occurrence or condition which had not been ascertained at the time of the preparation of a budget for the current year which requires a change in financial planning.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Keizer, that the following appropriations be made for fiscal year ending June 30, 2022:

	Adopted/ Amended Budget	Adjustment		Revised Budget
		Increase	Decrease	
American Rescue Plan Act Fund				
Resources	1,800,000	400,000	-	2,200,000
Capital Outlay	1,650,000	400,000	-	2,050,000
<p>This supplemental budget request is to recognize and appropriate additional resources available in the American Rescue Plan Act to provide for costs associated with replacing the Rietz Well that were not anticipated at the time the Fiscal Year 2021-22 budget was adopted.</p>				

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon the date of its passage.

PASSED this _____ day of _____, 2022

SIGNED this ___ day of _____, 2022

Mayor

City Recorder

CITY COUNCIL MEETING: February 22, 2022

AGENDA ITEM NUMBER: _____

TO: MAYOR CLARK AND COUNCIL MEMBERS
THROUGH: R. WES HARE, CITY MANAGER
FROM: E. SHANNON JOHNSON, CITY ATTORNEY
SUBJECT: STORMWATER DISCHARGE CONTROL REGULATIONS

Council adopted Ordinance No. 2009-585 (Establishing Stormwater Discharge Control Regulations) as a requirement under the City’s National Pollutant Discharge Elimination System (NPDES) Permit. The City is now required under a modified NPDES permit, which took effect on March 12, 2021 to amend its stormwater discharge control regulations. The modified permit requires that the City have revised regulations in place prior to February 28, 2022.

I have attached the updated Ordinance with the new requirements and an emergency clause for your consideration.

RECOMMENDATION:

Adopt the attached Ordinance.

Please contact me if you have any questions. Thank you.

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A BILL
FOR

ORDINANCE NO.
2022-_____

AN ORDINANCE

ESTABLISHING STORMWATER DISCHARGE
CONTROL REGULATIONS; **REPEAL OF
ORDINANCE NO. 2009-585; DECLARING AN
EMERGENCY**

The City of Keizer ordains as follows:

Section 1. TITLE AND GENERAL PROVISIONS. This Ordinance shall be known
as the Stormwater Discharge Control Ordinance of the City of Keizer and may be so cited.

Section 2. PURPOSE AND INTENT. The purpose and intent of this Ordinance is
to ensure the health, safety, and general welfare of citizens through the regulation of non-
stormwater discharges to the municipal separate storm sewer system (MS4), to underground
injection controls, and to surface waters within the City’s jurisdiction. This Ordinance
establishes methods for prohibiting stormwater pollution to the maximum extent practicable,
pursuant to and consistent with the Federal Clean Water Act, Federal Safe Drinking Water Act,
Oregon Revised Statutes, Oregon Administrative Rules, and the Oregon Department of
Environmental Quality. The objectives of this Ordinance are:

- 1. To regulate non-stormwater discharges to the municipal separate storm sewer
system (MS4) by any user;
- 2. To regulate non-stormwater discharges to underground injection controls (UICs)
by any user;

1 3. To prohibit illicit connections and/or illegal/illicit discharges to the MS4, surface
2 waters, and UICs by any user;

3 4. To establish legal authority to carry out all inspection, surveillance, and
4 monitoring procedures necessary to ensure compliance with this Ordinance.

5 Section 3. DEFINITIONS. The terms used in this Ordinance shall have the
6 following meanings:

7 (a) "**Bank**" means:

8 (1) That portion of a waterway that is exposed from the Ordinary High Water
9 Line (OHWL) and extends to upland.

10 (b) **Best Management Practice(s), or BMPs.** BMPs are schedules of activities,
11 prohibitions of practices, general good housekeeping practices, pollution prevention and
12 educational practices, maintenance procedures, and other management practices to
13 prevent or reduce the direct or indirect discharge of pollutants to surface waters, storm
14 drainage systems, underground injection systems, or other natural or built stormwater
15 facilities or conveyances. BMPs also include treatment practices, operation and
16 maintenance procedures, and practices to control site runoff, spillage or leaks, sludge or
17 water disposal, or drainage from raw materials storage.

18 (c) **City.** The City of Keizer.

19 (d) **Clean Water Act.** The Federal Water Pollution Control Act (33 U.S.C. § 1251 et
20 seq.), and any subsequent amendments thereto.

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1 (e) **Construction Activity.** Any ground disturbing activities, whether or not a permit is
2 required, or any ground-work activities that include, but are not limited to, clearing and
3 grubbing, grading, excavating, building and/or demolition; or any activities subject to
4 NPDES Construction Permits.

5 (f) **Hazardous Materials.** Any material, including any substance, waste, or combination
6 thereof, which because of its quantity, concentration, or physical, chemical, or infectious
7 characteristics may cause, or contribute to, a substantial present or potential hazard to
8 human health, safety, property, or the environment when improperly treated, stored,
9 transported, disposed of, or otherwise managed.

10 (g) **Illegal/Illicit Discharge.** Any direct or indirect non-stormwater discharge to the
11 MS4, UICs, or surface waters within the City's jurisdiction, except as exempted in
12 Section 9.

13 (h) **Illicit Connection.** An illicit connection is defined as either of the following:

14 (1) Any drain or conveyance, whether on the surface or subsurface, which
15 allows an illegal discharge to enter the storm drainage system including but not
16 limited to any conveyances which allow any non-stormwater discharge
17 including sewage, process wastewater, and wash water to enter the storm
18 drainage system and any connections to the storm drainage system from indoor
19 drains and sinks, regardless of whether said drain or connection had been
20 previously allowed, permitted, or approved by a government agency; or
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1 (2) Any drain or conveyance connected from a commercial or industrial land use
2 to the storm drainage system which has not been documented in plans, maps, or
3 equivalent records and approved by the City.

4 (i) **Industrial Activity.** Activities subject to NPDES Industrial Permits, any activity
5 relating to or resulting from industry, and/or activities occurring in an area zoned for
6 industry.

7 (j) **Municipal Separate Storm Sewer System (MS4).** Public facilities by which
8 stormwater is collected and/or conveyed, including but not limited to any roads,
9 highways, or municipal streets with drainage systems, curbs, gutters, inlets, catch basins,
10 piped storm drains, structural stormwater controls, detention or retention basins, ditches,
11 swales, infiltration facilities, outfalls, reservoirs, natural and man-made or altered
12 drainage channels, and all appurtenances thereof.

13 (k) **National Pollutant Discharge Elimination System (NPDES)** Stormwater
14 Discharge Permits. General, group, and individual stormwater discharge permits which
15 regulate facilities defined in federal NPDES regulations and regulated through the
16 Oregon Department of Environmental Quality.

17 (l) **Non-Stormwater Discharge.** Any discharge to the storm drainage system that is not
18 composed entirely of stormwater, except as exempted in Section 9.

19 (m) **"Ordinary High Water Line" (OHWL).** The line on the bank or shore to which
20 the high water ordinarily rises annually in season. The OHWL excludes exceptionally
21 high water levels caused by large flood events (e.g., 100 year events).

1 (n) **Person Responsible or Responsible Person.** The equitable or legal owner of the
2 subject property, a lessee, tenant or person in possession of the property, or the person
3 or persons directly or indirectly responsible for an act.

4 (o) **Pollutant.** Anything which causes or contributes to pollution. Pollutants may
5 include, but are not limited to: paints, varnishes, and solvents; oil and other automotive
6 fluids; non-hazardous liquid and solid wastes; yard debris, leaves, soils, compost,
7 mulch, and organic wastes; refuse, rubbish, garbage, litter, or other discarded or
8 abandoned objects, articles, and accumulations, so that the same may cause or contribute
9 to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and
10 wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal
11 wastes; construction wastes; residues or accumulations such as sediment, slurries, and
12 concrete rinsates; and noxious or offensive matter of any kind.

13 (p) **"Pollution"** means such contamination or other alteration of the physical, chemical,
14 or biological properties of any waters of the state, including change in temperature,
15 taste, color, turbidity, silt, or odor of the waters, or such discharge of any liquid,
16 gaseous, solid, radioactive, or other substance into any water of the state that either by
17 itself or in connection with any other substance present can reasonably be expected to
18 create a public nuisance or render such waters harmful, detrimental, or injurious to
19 public health, safety, or welfare; to domestic, commercial, industrial, agricultural,
20 recreational, or other legitimate beneficial uses; or to livestock, wildlife, fish, other
21 aquatic life or the habitat thereof.

1 (q) **Premises.** Any building, lot, parcel of land, or portion of land whether improved or
2 unimproved including adjacent sidewalks and parking strips.

3 (r) **Storm Drainage System or Storm Drain System.** Any public or private facility
4 designed or used for collecting an/or conveying stormwater, including but not limited to
5 roads, highways, or streets with drainage systems, curbs, gutters, inlets, catch basins,
6 piped storm drains, structural stormwater controls, detention or retention basins, ditches,
7 swales/infiltration facilities, underground injection controls, outfalls, natural and man-
8 made or altered drainage channels, reservoirs, local waterways, and water of the State
9 and/or United States.

10 (s) **Stormwater.** "Stormwater" means stormwater runoff, snow melt runoff, and surface
11 runoff and drainage.

12 (t) **UIC** means underground injection control. A UIC is a subsurface distribution
13 system for stormwater; usually an assemblage of perforated pipes, drain tiles or other
14 mechanisms intended to distribute fluids below the surface of the ground.

15 (u) **"Waters of the State"** means lakes, bays, ponds, impounding reservoirs, springs,
16 wells, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Pacific Ocean within
17 the territorial limits of the State of Oregon, and all other bodies of surface or
18 underground waters, natural or artificial, inland or coastal, fresh or salt, public or private
19 (except those private waters that do not combine or effect a junction with natural surface
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1 or underground waters) that are located wholly or partially within or bordering the state
2 or within its jurisdiction, or as currently defined by the U.S. Environmental Protection
3 Agency.

4 (v) **Waterway** means a body of water (whether natural or man-made) that periodically
5 or continuously contains waters of the state and has a definite bed and banks that serve
6 to confine the water.

7 Section 4. APPLICABILITY. This Ordinance shall apply to all water entering the
8 storm drainage system generated on any developed and undeveloped lands lying within the City
9 of Keizer including any amendments or revisions thereto.

10 Section 5. RESPONSIBILITY FOR ADMINISTRATION. The Public Works
11 Director of the City shall administer, implement, and enforce the provisions of this Ordinance.
12 As used herein, “Public Works Director” shall include designees.

13 Section 6. SEVERABILITY. The provisions of this Ordinance are hereby declared
14 to be severable. If any provision, clause, sentence, or paragraph of this Ordinance or the
15 application thereof to any person, establishment, or circumstances shall be held invalid, such
16 invalidity shall not affect the other provisions or application of this Ordinance.

17 Section 7. REGULATORY CONSISTENCY. This Ordinance shall be construed to
18 assure consistency with the requirements of the Federal Clean Water Act, Federal Safe Drinking
19 Water Act, Oregon Revised Statutes, Oregon Administrative Rules, and the Oregon Department
20 of Environmental Quality and acts amendatory thereof or supplementary thereto, or any
21 applicable implementing regulations.

1 Section 8. ULTIMATE RESPONSIBILITY OF DISCHARGER. The standards set
 2 forth herein and promulgated pursuant to this Ordinance are minimum standards; therefore this
 3 Ordinance does not intend nor imply that compliance by any person will ensure that there will
 4 be no contamination, pollution, nor unauthorized discharge of pollutants into Waters of the State
 5 caused by said person. This Ordinance shall not create liability on the part of the City of Keizer,
 6 or any agent or employee thereof for any damages that result from any discharger's reliance on
 7 this Ordinance or any administrative decision lawfully made hereunder.

8 Section 9. PROHIBITION OF ILLEGAL DISCHARGES. No person shall
 9 discharge or cause to be discharged directly or indirectly into the storm drainage system any
 10 materials, including but not limited to pollutants or waters containing any pollutants that may
 11 cause or contribute to a violation of applicable water quality standards, other than stormwater.
 12 Prohibited discharges include, but are not limited to:

- 13 1. Septic, sewage, and dumping or disposal of liquids or materials other than
 14 stormwater;
- 15 2. Discharges of washwater resulting from the hosing or cleaning of gas stations,
 16 auto repair garages, or other types of automotive service facilities;
- 17 3. Discharges resulting from the cleaning, repair, or maintenance of any type of
 18 equipment, machinery, or facility, including motor vehicles, cement-related
 19 equipment, and port-a-potty servicing, etc.;
- 20 4. Discharges of washwater from mobile operations such as mobile automobile or
 21 truck washing, steam cleaning, power washing, and carpet cleaning, etc.
- 22 5. Discharges of washwater from the cleaning or hosing of impervious surfaces in
 23 municipal, industrial, commercial, or residential areas (including parking lots,
 24 streets, sidewalks, driveways, patios, plazas, work yards and outdoor eating or
 25 drinking areas, etc.) where detergents are used and spills or leaks of toxic or
 26 hazardous materials have occurred (unless all spilled material has been
 27 removed);
- 28 6. Discharges of runoff from material storage areas, which contain chemicals,
 29 fuels, grease, oil, or other hazardous materials from material storage areas;
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- 1 7. Discharges of pool or fountain water; discharges of pool or fountain filter
- 2 backwash water;
- 3 8. Discharges of sediment, unhardened concrete, pet waste, vegetation clippings, or
- 4 other landscape or construction-related wastes;
- 5 9. Discharges of trash, paints, stains, resins, or other household hazardous wastes;
- 6 10. Discharges of food-related wastes (grease, restaurant kitchen mat and trash bin
- 7 washwater, etc.)

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9 The prohibition shall not apply to any non-stormwater discharge permitted under an

10 NPDES permit, waiver, or waste discharge order issued to the discharger and administered by

11 the Oregon Department of Environmental Quality under the authority of the Federal

12 Environmental Protection Agency, provided that the discharger is in full compliance with all

13 requirements of the permit, waiver, or order and other applicable laws and regulations, and

14 provided that written approval has been granted by the City of Keizer for any discharge to the

15 storm drainage system.

16 The commencement, conduct or continuance of any illegal discharge to the storm

17 drainage system is prohibited except as described as follows:

18 Discharges from the following activities will not be considered a source of pollutants to

19 the storm drainage system and to Waters of the State when properly managed to ensure that no

20 potential pollutants are present, and therefore they shall not be considered illegal discharges

21 under the Federal Clean Water Act, Federal Safe Drinking Water Act, Oregon Revised Statutes,

22 Oregon Administrative Rules or this Ordinance:

23 (a) uncontaminated, potable water line flushing;

- 1 (b) uncontaminated pumped groundwater (including Aquifer storage and recovery wells)
2 and other discharges from potable sources (including potable groundwater monitoring
3 wells and draining and flushing of municipal potable water storage reservoirs);
- 4 (c) landscape irrigation and lawn watering;
- 5 (d) diverted stream flows; rising groundwater; uncontaminated groundwater infiltration (as
6 defined at 40 CFR § 35.2005(20)) to the storm drainage system;
- 7 (e) uncontaminated water from foundation and footing drains; uncontaminated water from
8 crawl space pumps;
- 9 (f) Uncontaminated air conditioning or compressor condensation; uncontaminated
10 residential roof drains;
- 11 (g) springs;
- 12 (h) individual residential car washing (exterior only - no engines, engine compartments,
13 transmissions or undercarriages) that occurs on private property and not in the public
14 right-of-way;
- 15 (i) flows from riparian habitats and wetlands;
- 16 (j) street and pavement washwaters that do not contain chemicals, soaps, steam or heater
17 water;
- 18 (k) discharges or flows from emergency fire fighting activities;
- 19 (l) start up flushing of groundwater wells;
- 20 (m) irrigation water;
- 21 (n) fire hydrant flushing;

1 (o) routine external building and sidewalk wash-down that does not use chemicals, soaps,
2 detergents, steam or heated water and accumulated debris does not enter the storm
3 drainage system;

4 (p) discharges of treated water from investigation, removal and remedial actions;

5 (q) water associated with dye testing activity, as long as City is notified in writing no less
6 than twenty-four (24) hours prior to the time of the test.

7 Section 10. PROHIBITION OF ILLICIT CONNECTIONS.

8 (a) The construction, use, maintenance or continued existence of illicit connections to
9 the storm drainage system is prohibited.

10 (b) This prohibition expressly includes, without limitation, illicit connections made in
11 the past, regardless of whether the connection was permissible under law or practices
12 applicable or prevailing at the time of connection.

13 Section 11. WASTE DISPOSAL PROHIBITIONS. No person shall throw, deposit,
14 leave, maintain, keep, or permit to be thrown, deposited, left, or maintained, in or upon any
15 public or private property, driveway, parking area, street, alley, sidewalk, component of the
16 storm drainage system, UICs, or Waters of the State, any refuse, rubbish, garbage, litter, yard
17 debris or other discarded or abandoned objects, articles, and accumulations, such that the same
18 may cause or contribute to pollution. Wastes deposited in proper waste receptacles for the
19 purposes of collection are exempted from this prohibition.

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1 Section 12. DISCHARGES IN VIOLATION OF INDUSTRIAL OR
 2 CONSTRUCTION ACTIVITY NPDES STORMWATER DISCHARGE PERMIT OR UIC
 3 PERMIT. Any person subject to an industrial or construction activity NPDES stormwater
 4 discharge permit or UIC permit shall comply with all provisions of such permit. Failure to
 5 comply with all provisions shall constitute a violation of this Ordinance. Proof of compliance
 6 with said permit may be required in a form acceptable to the Public Works Director prior to or
 7 as a condition of a subdivision map, site plan, building permit, or development or improvement
 8 plan; upon inspection of the facility; during any enforcement proceeding or action; or for any
 9 other reasonable cause.

10 Section 13. WATERWAY PROTECTION. Every person owning property through
 11 which a waterway passes, or such person's lessee, shall keep and maintain that part of the
 12 waterway within the property free of trash, debris, excessive vegetation, and other obstacles that
 13 would pollute, contaminate, or retard the flow of water through the waterway. In addition, the
 14 owner or lessee shall maintain existing privately owned structures within or adjacent to a
 15 waterway, so that such structures will not become a hazard to the use, function, or physical
 16 integrity of the waterway. The owner or lessee shall not remove bank vegetation that will result
 17 in bare slopes subject to erosion. Removal of invasive vegetation may be allowed by the Public
 18 Works Director upon submittal of a plan for approval prior to removal and replanting. The
 19 Public Works Director may impose reasonable conditions upon such approval. Violation of the
 20 conditions or any other portion of the approval shall constitute a violation of this Ordinance.
 21 The property owner shall be responsible for maintaining and stabilizing that portion of the

1 waterway that is within their property lines in order to protect against erosion and degradation
 2 of the waterway originating or contributed from their property.

3 Section 14. REQUIREMENT TO MONITOR AND ANALYZE. The Public Works
 4 Director may require by written notice that any person engaged in any activity and/or owning or
 5 operating any facility which may cause or contribute to stormwater pollution, illegal discharges,
 6 and/or non-stormwater discharges to the storm drainage system, UICs, or Waters of the State, to
 7 undertake at said person's expense such monitoring and analyses and furnish such reports to the
 8 City of Keizer as deemed necessary to determine compliance with this Ordinance.

9 Section 15. NOTIFICATION OF SPILLS. Notwithstanding other requirements of
 10 law, as soon as any person responsible for a facility or operation, or responsible for emergency
 11 response for a facility or operation has information of any known or suspected release of
 12 materials which are resulting or may result in illegal discharges or pollutants discharging into
 13 stormwater, the storm drainage system, or Waters of the State from said facility, said person
 14 shall take all necessary steps to ensure the discovery, containment, and cleanup of such release.
 15 In the event of such a release of hazardous materials said person shall immediately notify
 16 emergency response agencies of the occurrence via emergency dispatch services. In the event
 17 of a release of non-hazardous materials, said person shall notify the Public Works Director or
 18 other available City personnel in person or by phone or electronic mail no later than the next
 19 business day. Notifications in person, by phone, or electronic mail shall be confirmed by
 20 written notice addressed and mailed to the Public Works Director within three business days of
 21 the release. If the discharge of prohibited materials emanates from a commercial or industrial

1 establishment, the owner or operator of such establishment shall also retain an on-site written
 2 record of the discharge and the actions taken to prevent its recurrence. Such records shall be
 3 retained for at least three (3) years.

4 Section 16. AUTHORITY TO INSPECT. Whenever necessary to make an
 5 inspection to enforce any provision of this Ordinance, or whenever the Public Works Director
 6 has cause to believe that there exists, or potentially exists, in or upon any premises any
 7 condition which constitutes a violation of this Ordinance, the Director, or the Director's
 8 designee, may enter such premises at all times to inspect the same and to inspect and copy
 9 records related to stormwater compliance. In the event the owner or occupant refuses entry after
 10 a request to enter and inspect has been made, the City is hereby empowered to seek warrant or
 11 other assistance from any court of competent jurisdiction in obtaining such entry, including, but
 12 not limited to Municipal Court Warrant.

13 Section 17. AUTHORITY TO SAMPLE, ESTABLISH SAMPLING DEVICES,
 14 AND TEST. During any inspection as provided herein, the Public Works Director may take
 15 any samples and perform any testing deemed necessary to aid in the pursuit of the inquiry or to
 16 record site activities.

17 Section 18. REQUIREMENT TO ELIMINATE ILLEGAL DISCHARGES.
 18 Notwithstanding the requirements of Section 23 (Emergency Abatement) herein, the Public
 19 Works Director may require by written notice that a person responsible for an illegal discharge
 20 immediately, or by a specified date, discontinue the discharge and, if necessary, take measures
 21 to eliminate the source of the discharge to prevent the occurrence of future illegal discharges.

1 Failure to comply with the requirements of the notice within the time stated shall constitute a
 2 violation of this Ordinance.

3 Section 19. REQUIREMENT TO ELIMINATE OR SECURE APPROVAL FOR
 4 ILLCIT CONNECTIONS.

5 (a) The Public Works Director may require by written notice that the person responsible
 6 for an illicit connection to the storm drainage system comply with the requirements of
 7 this Ordinance to either eliminate the connection or secure approval for the connection
 8 by a specified date, regardless of whether or not the connection or discharges to it had
 9 been established or approved prior to the effective date of this Ordinance.

10 (b) If, subsequent to eliminating a connection found to be in violation of this Ordinance,
 11 the responsible person can demonstrate that an illegal discharge will no longer occur,
 12 said person may request City approval to reconnect. The reconnection or reinstallation
 13 of the connection shall be at the responsible person's expense.

14 Section 20. REQUIREMENT TO REMEDIATE. Whenever the Public Works
 15 Director finds that a discharge of pollutants is taking place or has occurred which will result in
 16 or has resulted in pollution of stormwater, the storm drainage system, or Waters of the State, the
 17 Public Works Director may require by written notice to the responsible person that the pollution
 18 be remediated and the affected property restored within a specified time. Failure to comply
 19 with the requirements of the notice within the time stated shall constitute a violation of this
 20 Ordinance.

21

1 Section 21. NOTICE OF VIOLATION. Whenever the Public Works Director finds
 2 that a person has violated a prohibition or failed to meet a requirement of this Ordinance, the
 3 Director may order compliance by written notice of violation to the responsible person. Such
 4 notice may require without limitation:

5 (a) The performance of monitoring, analyses, and reporting;

6 (b) The elimination of illicit connections or discharges;

7 (c) That violating discharges, practices, or operations shall cease and desist;

8 (d) The abatement or remediation of stormwater pollution or contamination hazards and
 9 the restoration of any affected property;

10 (e) The implementation of source control or treatment BMPs supplied by the Public
 11 Works Director or designee; and

12 (f) A private maintenance agreement.

13 If abatement of a violation and/or restoration of affected property is required, the notice
 14 shall set forth a deadline within which such remediation or restoration must be completed. The
 15 Public Works Director or designee shall have the discretion to set a deadline taking into account
 16 the whole circumstances including, but not limited to, the type, size, and effect of the discharge
 17 or other violation. Said notice shall further advise that, should the violator fail to remediate or
 18 restore within the established deadline, the work will be done by the City or a contractor
 19 designated by the Public Works Director and the expense thereof shall be charged to the violator
 20 pursuant to Sections 22 and 24.

21

1 Section 22. ABATEMENT BY CITY. If the violation has not been corrected
2 pursuant to the requirements set forth in the Notice of Violation, then the City or a contractor
3 designated by the Public Works Director may enter upon the subject private property and is
4 authorized to take any and all measures necessary to abate the violation and/or restore the
5 property. It shall be unlawful for any person, owner, agent or person in possession of any
6 premises to refuse to allow the City or designated contractor to enter upon the premises for the
7 purposes set forth above. Any expense related to such remediation undertaken by the City of
8 Keizer shall be fully reimbursed by the property owner and/or responsible party pursuant to
9 Section 24.

10 Section 23. EMERGENCY ABATEMENT. The Public Works Director, or designee,
11 is authorized to require immediate abatement of any violation of this Ordinance that constitutes
12 an immediate threat to the health, safety or well-being of the public. If any such violation is not
13 abated immediately as directed by the Public Works Director, the City of Keizer is authorized to
14 enter onto private property and to take any and all measures required to remediate the violation.
15 Any expense related to such remediation undertaken by the City of Keizer shall be fully
16 reimbursed by the property owner and/or responsible party pursuant to Section 24. Any relief
17 obtained under this section shall not prevent City from seeking other and further relief
18 authorized under this Ordinance.

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1 Section 24. CHARGING COST OF ABATEMENT/LIENS.

2 (a) Following completion of abatement by the City, the City Manager, by
3 certified mail, postage prepaid, return receipt requested, shall forward to the
4 responsible person a statement of costs which include:

5 (1) The total costs of abatement, including administrative overhead.

6 (2) A statement that the costs as indicated will be assessed against
7 the subject property unless paid within ten (10) days of the date
8 of the statement.

9 (3) A statement that the City Council will hold a public hearing to
10 determine the correctness of the statement and to declare a lien
11 against the subject property on a date which is at least ten (10)
12 days from the date of the statement.

13 (b) After the expiration of ten (10) days after the date of the statement, the
14 City Council, in the regular course of business, shall hold a public hearing to
15 hear the matter. Following the hearing, the Council may, by ordinance,
16 determine the correctness of such statement and declare the same to be a lien
17 upon the subject property, to be entered in the lien docket and enforced against
18 the property. Such determination by the Council shall be considered a final
19 order. Appeal from the Council's final order shall be by way of writ of review
20 only, pursuant to ORS 34.020 et. seq.

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1 (c) An error in the name of the responsible person shall not void the
2 assessment, nor will a failure to receive the notice of the proposed assessment
3 render the assessment void, but it shall remain a valid lien against the property.

4 (d) The lien shall bear interest at the rate of nine percent (9%) per annum.
5 The interest shall commence to run from the date of entry of the lien in the lien
6 docket.

7 Section 25. VIOLATIONS. It shall be unlawful for any person to violate any
8 provision or fail to comply with any of the requirements of this Ordinance. A violation of or
9 failure to comply with any of the requirements of this Ordinance shall constitute an infraction
10 and shall be punished as set forth in the Civil Infraction Ordinance. The mandatory penalties
11 are as follows:

- 12 (a) \$250.00 per day for the first offense.
- 13 (b) \$350.00 per day for the second offense within a three (3) year period.
- 14 (c) \$500.00 per day for the third offense within a three (3) year period.
- 15 (d) There shall be an enhanced penalty of \$100.00 per day if there is any
16 discharge of hazardous materials in any amount.
- 17 (e) There shall be an enhanced penalty of \$100.00 per day if the discharge is
18 fully or partially intentional.

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1 Section 26. COMPENSATORY ACTION. In lieu of enforcement proceedings,
2 penalties, and remedies authorized by this ordinance, the Public Works Director may propose
3 alternative compensatory actions, such as storm drain stenciling, attendance at compliance
4 workshops, creek cleanup, etc.

5 Section 27. NOTICE PROCESS. When required by this Ordinance, notice shall be in
6 writing and delivered personally, by posting or by certified mail, postage prepaid, return receipt
7 requested to the Responsible Person and is effective on the third day after mailing. However,
8 notice can also be delivered by phone, text, electronic mail or other means to the Responsible
9 Person. Such alternate notice is effective upon receipt by the Responsible Person.

10 Section 28. REPEAL OF ORDINANCE NO. 2009-585. Ordinance No. 2009-585
11 (Establishing Stormwater Discharge Control Regulations) is hereby repealed in its entirety, but
12 such Ordinance shall remain in force for the purpose of enforcing any violation under such
13 Ordinance that existed prior to the date of this Ordinance.

14 Section 29. EFFECTIVE DATE. This Ordinance being necessary for the immediate
15 preservation of the public health, safety and welfare, an emergency is declared to exist and this
16 Ordinance shall take effect immediately upon its passage.

17 PASSED this _____ day of _____, 2022.

18 SIGNED this _____ day of _____, 2022.

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Mayor

City Recorder

CITY COUNCIL MEETING: February 22, 2022

AGENDA ITEM NUMBER: _____

TO: MAYOR CLARK AND CITY COUNCIL MEMBERS

**THROUGH: WES HARE
CITY MANAGER**

**FROM: BILL LAWYER
PUBLIC WORKS DIRECTOR**

**SUBJECT: SKATS FUNDING REQUEST FOR WHEATLAND ROAD MULTI
MODAL PROJECT**

DATE: February 15, 2022

BACKGROUND:

The Salem-Keizer Area Transportation System (SKATS) is seeking applications for project funding from the agencies within their boundaries. These applications will be requesting funding in Federal Fiscal Years 2024-2029 with the applications due February 25th 2022.

Staff has worked with the consultant that created the Multi Modal Corridor Plan for Wheatland Road to determine phasing for the construction of the project and believe splitting it into two phases is the best approach. The first phase of the project will be from the north end of the corridor at Jay's Drive south to Aldridge Drive.

FISCAL IMPACT:

The application to be submitted requires a 10.27% match from the City, which is estimated to be \$608,984.71, the total estimated cost for Phase 1 is \$5,929,744.00. The City's required match may include Street Fund revenues or other grant funding sources such as All Roads Transportation Safety (ARTS) or Safe Routes to Schools (SRTS).

RECOMMENDATION:

Staff recommends the City Council adopt a Resolution authorizing the Public Works Director to apply for funding from SKATS for the Wheatland Road Multi Modal Corridor Project Phase 1.

Please contact me with any questions or concerns.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2022-_____

AUTHORIZING THE PUBLIC WORKS DIRECTOR TO APPLY FOR FUNDING FOR THE WHEATLAND ROAD MULTI MODAL CORRIDOR PROJECT – PHASE I FROM SALEM-KEIZER AREA TRANSPORTATION SYSTEM (SKATS)

WHEREAS, the Salem-Keizer Area Transportation System (SKATS) is seeking applications for project funding in Federal Fiscal Years 2024-2029;

WHEREAS, the City of Keizer desires to participate in this grant program to the greatest extent possible for the Wheatland Road Multi Modal Corridor Project Phase I;

WHEREAS, the City of Keizer hereby estimates costs will be approximately \$5,929,744;

WHEREAS, the City of Keizer hereby certifies that the City match will be approximately 10.27% of the total project cost and that may include Street Fund revenues or other grant funding sources such as All Roads Transportation Safety (ARTS) or Safe Routes to Schools (SRTS);

WHEREAS, the deadline for submitting the application expires on February 25, 2022;

WHEREAS, the authority to sign the application must be authorized by the City Council;

NOW, THEREFORE,

1 BE IT RESOLVED by the City Council of the City of Keizer that the Public Works
2 Director is authorized to apply for Salem-Keizer Area Transportation System (SKATS)
3 funding for the Wheatland Road Multi Modal Corridor Project Phase I.

4 BE IT FURTHER RESOLVED that the local match shall be from the Street Fund
5 revenues or other grant funding sources such as All Roads Transportation Safety (ARTS)
6 or Safe Routes to Schools (SRTS) and shall be budgeted accordingly.

7 BE IT FURTHER RESOLVED that this Resolution shall take effect immediately
8 upon the date of its passage.

9 PASSED this _____ day of _____, 2022.

10 SIGNED this _____ day of _____, 2022.

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Mayor

City Recorder



MINUTES
KEIZER CITY COUNCIL
Monday, February 7, 2022
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
Elizabeth Smith, Councilor
Laura Reid, Councilor
Daniel Kohler, Councilor
Roland Herrera, Councilor
Kyle Juran, Councilor
Shaney Starr, Councilor
Miranda Coleman, Youth Councilor

Staff:

Wes Hare, Interim City Manager
Shannon Johnson, City Attorney
Tim Wood, Finance Director
Bill Lawyer, Public Works Director
John Teague, Police Chief
Shane Witham, Planning Director
Tracy Davis, City Recorder

FLAG SALUTE

Mayor Clark led the pledge of allegiance.

**SPECIAL ORDERS
OF BUSINESS**

a. PROCLAMATION

**Black History
Month**

Mayor Clark read and signed the proclamation to be displayed in the City Hall lobby and urged everyone to take advantage of the resources displayed on the City's website related to this proclamation.

Mayor Clark then recognized the three finalists for the Dennis Koho Future First Citizen Award: Award recipient Logan Ready and finalists Miranda Coleman and Quinn Bach who each shared information about themselves.

COMMITTEE REPORTS

Volunteer Coordinating Committee Appointment – Councilor Starr

Councilor Starr announced that Soraida Cross would be her appointment to the Volunteer Coordinating Committee.

Keizer Heritage Foundation Appointment

Mayor Clark appointed Councilor Laura Reid to serve as the City Liaison to the Keizer Heritage Foundation Board of Directors.

Planning Commission Report

Commissioner Jeremy Grenz reported that the Commission continued its efforts at understanding House Bill 2001 and Senate Bill 458 and the impact those will have on the City Code and recommended Council approval of the updated Parks Master Plan.

PUBLIC COMMENT *Robert Becker*, Keizer Cultural Center, thanked Council for their continued support and Lieutenant Copeland for his assistance in resolving the issue with campers on the Center property. He then provided extensive details regarding the center's social media, grants received, art, theater and library and the need for volunteers. Mayor Clark and Councilor Reid shared additional information.

Mayor Clark noted additional public comments received from Caridad Brown regarding the Community Diversity Engagement Committee and from Elizabeth Swan regarding community safety.

PUBLIC HEARING *Mayor Clark opened the Public Hearing.*

a. Cherry's Interim City Manager Wes Hare summarized his staff report.

**Nagani Liquor
License
Application**

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

Councilor Smith moved that the Keizer City Council recommend approval of the application for Cherry's Nagani Keizer under the guidelines established by ORS 471.178 and the Ordinances of the City of Keizer and forward this recommendation to the Oregon Liquor Control Commission for final approval. Councilor Reid seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Starr, Juran, Herrera, Smith and Kohler (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

b. Keizer Parks *Mayor Clark continued the Public Hearing.*

**and Recreation
Master Plan
(Continued from
December 20,
2021)**

Rhonda Rich, Keizer, West Keizer Neighborhood Association, voiced support for the new master plan and reviewed involvement of the Association related to parks, specifically Palma Ciega Park.

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

Councilor Smith moved that the Keizer City Council direct City staff to prepare an appropriate ordinance for the Parks Master Plan. Councilor Reid seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Starr, Juran, Herrera, Smith and Kohler (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

c. RESOLUTION – *Mayor Clark opened the Public Hearing.*

**Exemption of
the Brand Name
Specifications
Purchase of
Goods from
Competitive**

City Attorney Shannon Johnson summarized his staff report.

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

Councilor Smith moved that the Keizer City Council adopt a Resolution Exemption of the Brand Name Specifications Purchase of Goods from

- Bidding and Purchasing Shaw Contract Think Tile Colors Achieve 86760 Brand Name Carpet Tile for Civic Center Lobby**
- Competitive Bidding and Purchasing Shaw Contract Think Tile Colors Achieve 86760 Brand Name Carpet Tile for Civic Center Lobby. Councilor Reid seconded. Motion passed unanimously as follows:
- AYES: Clark, Reid, Starr, Juran, Herrera, Smith and Kohler (7)
 NAYS: None (0)
 ABSTENTIONS: None (0)
 ABSENT: None (0)
- ADMINISTRATIVE ACTION**
- a. ORDINANCE – Adopting Procedures for Reviewing Alleged Interference with Administration as Set Forth in City Charter Section 8.1(h)**
- City Attorney Shannon Johnson summarized his staff report noting that this was a ‘housekeeping’ measure and there was no substantive change.
- Councilor Smith moved that the Keizer City Council adopt a Bill for an Ordinance Adopting Procedures for Reviewing Alleged Interference with Administration as Set Forth in City Charter Section 8.1(h); Repeal of Ordinance No. 2013-682. Councilor Reid seconded. Motion passed unanimously as follows:
- AYES: Clark, Reid, Herrera, Smith, Kohler, Starr and Juran (7)
 NAYS: None (0)
 ABSTENTIONS: None (0)
 ABSENT: None (0)
- b. RESOLUTION – Authorizing Finance Director to Sign Contract for Water Assistance Provisions with Mid-Willamette Valley Community Action Agency**
- Finance Director Tim Wood summarized his staff report and noted that if this is approved, an extensive effort will be made to inform those in need of the opportunity it provides.
- Councilor Smith moved that the Keizer City Council adopt a Resolution Authorizing Finance Director to Sign Contract for Water Assistance Provisions with Mid-Willamette Valley Community Action Agency. Councilor Reid seconded. Motion passed unanimously as follows:
- AYES: Clark, Reid, Herrera, Smith, Kohler, Starr and Juran (7)
 NAYS: None (0)
 ABSTENTIONS: None (0)
 ABSENT: None (0)
- c. 2022 City Council Goals/Work Plan Update**
- Interim City Manager Wes Hare noted that Council is entering into a critical period with the upcoming Budget process and the additional unanticipated funds available to the City. He noted that this is an important time to determine how the funds fit in and what new priorities may need to be established as part of the budgeting process.
- Mayor Clark noted that she had updated the Work Plan. She highlighted achievements and made note of accomplishments including those that had not been included in the plan.
- d. Mayor Request for Electronic**
- City Attorney Shannon Johnson explained that Mayor Clark will be out of town and Council President Smith will be unavailable for the next

Meeting Participation

meeting so Mayor Clark has requested to be allowed to participate in the meeting via electronic means.

Councilor Smith moved that the Keizer City Council grant Mayor Clark's request to appear electronically if necessary at the February 22, 2022 Council meeting. Councilor Reid seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Herrera, Smith, Kohler, Starr and Juran (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

CONSENT CALENDAR

- a. RESOLUTION – Authorizing the City Manager to Award and Enter Into an Agreement with Abiqua Landscape Maintenance LLC for Open Play Area Irrigation and Seeding Project at Keizer Rapids Park Project
- b. RESOLUTION – Authorizing the City Manager to Award and Enter Into an Agreement with Trench Line Excavation Inc. For Waterline Replacement Project 2022
- c. RESOLUTION – Authorizing the City Manager to Award and Enter Into an Agreement with Gelco Construction Company for Upgrades to ADA Curb Ramps
- d. RESOLUTION – Ratifying the Public Works Director Application for 2021-23 Capital Funding for the Wheatland Road North From River Road to Jays Drive Project
- e. Approval of January 10, 2022 Work Session Minutes
- f. Approval of January 18, 2022 Regular Session Minutes

Councilor Smith moved for approval of the Consent Calendar. Councilor Reid seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Herrera, Smith, Kohler, Starr and Juran (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

OTHER BUSINESS

Finance Director Tim Wood noted that the well at Bair Park is malfunctioning and asked to add to the next meeting agenda a request for appropriation of some of the ARPA funds to drill a new well nearby (\$375,000-\$400,000). Council approved by consensus.

Coleen Busch, Keizer Fire District, shared information regarding memorial service details for fire fighter Austin Smith.

STAFF UPDATES

Interim City Manager Wes Hare announced that yesterday marked the completion of his seventh month with Keizer and warned Council that he might start getting 'crabby' now that the seventh month had passed. He then requested, in compliance with his contract, to be allowed to be

absent February 24 through March 2. Permission was granted.

City Recorder Tracy Davis provided an update on the status of the event center.

Planning Director Shane Witham updated Council on the status of HB 2001 and SB 458 noting that Council Public Hearings would likely begin in May.

Public Works Director Bill Lawyer reviewed upcoming projects and shared information about repairs being done on one of the City's water mains.

Chief Teague reported that three years ago the Police Department received their first accreditation from the Oregon Accreditation Alliance and they just received notice of their second accreditation.

COUNCIL MEMBER REPORTS

Councilor Juran noted that HB2001 relates to alternatives for housing and Keizer has a lot of room for this to work but he asked everyone to get involved and try to understand what is being proposed and come to Planning Commission meetings to gain understanding and provide input.

Councilor Starr commended members of the Community Diversity Engagement Committee and invited all community members to participate and be part of the conversations.

Councilor Kohler announced the Civic Center cleanup event and Soggy Day at the Park, shared information about the most recent community dinner, Southeast Keizer Neighborhood Association meeting and committee chair training and invited Councilors to Keizer Chamber greeters events.

Councilor Reid announced upcoming meetings and shared details about the 'If I were Mayor' contest and upcoming theater performances.

Councilor Herrera praised the First Citizen Award banquet, shared information about meetings he had attended and announced upcoming ones and added that the LAC scholarships will be done outdoors in May.

Youth Councilor Coleman announced upcoming events including a blood drive, the community center cleanup, and details about McNary winter and spring sports. She thanked everyone responsible for nominating her for the Dennis Koho Future First Citizen award, especially Matt Lawyer who introduced her to the world of community service in Keizer.

Mayor Clark reported on various committees and events she had attended, announced upcoming ones and invited Councilors to attend a tour to view manufacture of micro-shelters.

AGENDA INPUT

February 14, 2022, 6:00 p.m. – City Council Work Session ~ Cancelled
 February 22, 2022 (Tuesday), 7:00 p.m. - City Council Regular Session
 March 7, 2022, 6:00 p.m. – City Council Regular Session

ADJOURNMENT Mayor Clark adjourned the meeting at 8:23 p.m.

MAYOR:

APPROVED:

Cathy Clark

Debbie Lockhart, Deputy City Recorder

COUNCIL MEMBERS

Councilor #1 – Laura Reid

Councilor #4 – Roland Herrera

Councilor #2 – Shaney Starr

Councilor #5 – Elizabeth Smith

Councilor #3 – Kyle Juran

Councilor #6 – Daniel R. Kohler

Minutes approved: _____