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AGENDA
KEIZER CITY COUNCIL
REGULAR SESSION

Monday, December 5, 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

a. 2023 United States of America Miss Oregon Kira Johnson and 2022 United States of America Miss Oregon Sofia Boru

b. PROCLAMATION – Human Rights Day

c. 2022 Holiday Card Winner Presentation – Opal Fricke

5. COMMITTEE REPORTS

a. Volunteer Coordinating Committee Recommendations for Appointment – Keizer Parks Advisory Board and Traffic Safety/Bikeways/Pedestrian Committee

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. Solid Waste Rate Proposal

b. Keizer Development Code Amendment – Stormwater Management

8. ADMINISTRATIVE ACTION

9. **CONSENT CALENDAR**

- a. **RESOLUTION** – Extending City Manager’s Employment Agreement (2023-2024)
- b. Approval of November 21, 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**

December 12, 2022 – 6:00 p.m.

City Council Work Session

- 2021-2022 City Council Goal Review

December 14, 2022 – 7:30 a.m.

City Council Work Session

- Chemeketa Community College Agricultural Center Tour

December 19, 2022 – 7:00 p.m.

City Council Regular Session

January 3, 2023 – 7:00 p.m. (Tuesday)

City Council Regular Session

- City Council Oath of Office

January 9, 2023 – 6:00 p.m.

City Council Work Session

14. **ADJOURNMENT**



Proclamation

WHEREAS, on December 10, 1948, the member States of the United Nations signed the Universal Declaration of Human Rights and countries of different political, economic and social systems unanimously agreed on the fundamental rights that all people share solely on the basis of their common humanity; and

WHEREAS, the Universal Declaration asserts recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice, and peace; and

WHEREAS, disregard and contempt for human rights have resulted in acts which have outraged the conscience of mankind; and

WHEREAS, the advent of a world in which human beings enjoy freedom of speech, belief and freedom from fear and want has been proclaimed to be the highest aspiration of the human worldwide community; and

WHEREAS, the City of Keizer affirms that all people shall be treated with dignity and respect; and

WHEREAS, each person has the power and ability to promote respect for human rights and freedoms.

NOW, THEREFORE, I, Cathy Clark, Mayor of the City of Keizer, together with the Keizer City Council assembled in Regular Session, do hereby proclaim, December 10, 2022, as:

HUMAN RIGHTS DAY

And urge the residents of our community to actively and thoughtfully live out these ideals.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Keizer, Oregon to be affixed to this document this 5th day of December 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Keizer to be herein affixed this 5th day of December 2022.

*MAYOR CATHY CLARK
City of Keizer, Oregon*



CITY COUNCIL MEETING: DECEMBER 5, 2022

To: Mayor Clark and City Council Members
 THRU: Adam J. Brown, City Manager
 FROM: Tracy Davis, City Recorder/Community Center Manager
 SUBJECT: Volunteer Coordinating Committee Recommendations for
 Appointments to the Parks Advisory Board and Traffic Safety-
 Bikeways-Pedestrian Committee.

PROPOSED MOTION:

*I move the City Council accept the recommendation of the Volunteer Coordinating Committee and appoint **Tanya Hamilton, Mike Pantalone and Gwen Carr** to positions 1, 2 and 3 respectively on the **Parks Advisory Board**;, and **Brenda Lamb and Hersch Sangster** to positions 1 and 2 respectively on the **Traffic Safety-Bikeways-Pedestrian Committee**, all terms expiring December 31, 2025.*

I. SUMMARY:

The Volunteer Coordinating Committee met on November 11, 2022 to review and interview applicants for openings on the Parks Advisory Board and the Traffic Safety-Bikeways-Pedestrian Committee.

II. BACKGROUND:

The Volunteer Coordinating Committee serves in an advisory capacity to the City Council and is responsible for making recommendations for appointments to various Boards and Commissions. The Committee is also responsible for recognition of City volunteers.

III. CURRENT SITUATION:

The Parks Advisory Board had three openings and the Traffic Safety-Bikeways-Pedestrian Committee had two. With these appointments, both groups will have a full slate of members. For the 2022-2023 school year, Youth Liaisons for Parks Advisory Board and Traffic Safety/Bikeways/Pedestrian Committee are needed.

RECOMMENDATION:

Staff recommends the City Council accept the recommended appointments as outlined.



CITY COUNCIL MEETING: Monday December 6, 2022

To: MAYOR CLARK AND CITY COUNCIL MEMBERS

FROM: Adam J. Brown

SUBJECT: SOLID WASTE RATE PROPOSAL

PROPOSED MOTION:

I move the City Council direct staff to prepare an Order to change the 2023 solid waste hauling rates for council consideration.

I. SUMMARY:

The City of Keizer privatizes solid waste collection and has franchise agreements with two haulers for city residents and businesses. Both haulers have jointly requested that the city raise the rate for residential and commercial customers. The City Council has the authority to raise rates by Order.

II. BACKGROUND:

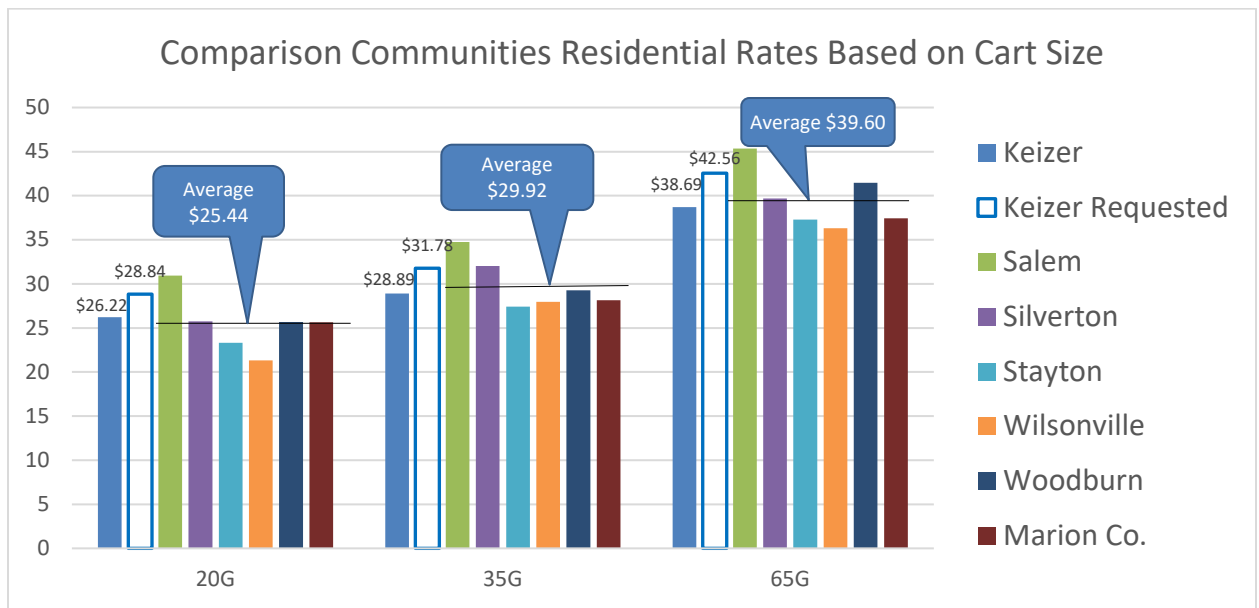
- A. Keizer has two franchised solid waste haulers, Valley Solid Waste Management Corp and Loren's Sanitation and Recycling Inc.
- B. A rate increase was approved in 2020 for the 2021 and 2022 year. The 2021 fee increase was implemented but the 2022 fee increase approved to be applied on March 1, 2022 was not implemented. The approved increase that was not implemented in 2022 was approximately 3%. With inflation skyrocketing, the franchisees "determined it would be a better business practice to review updated financial data and come back to the City in late 2022 for a proposal increase in 2023."

III. CURRENT SITUATION:

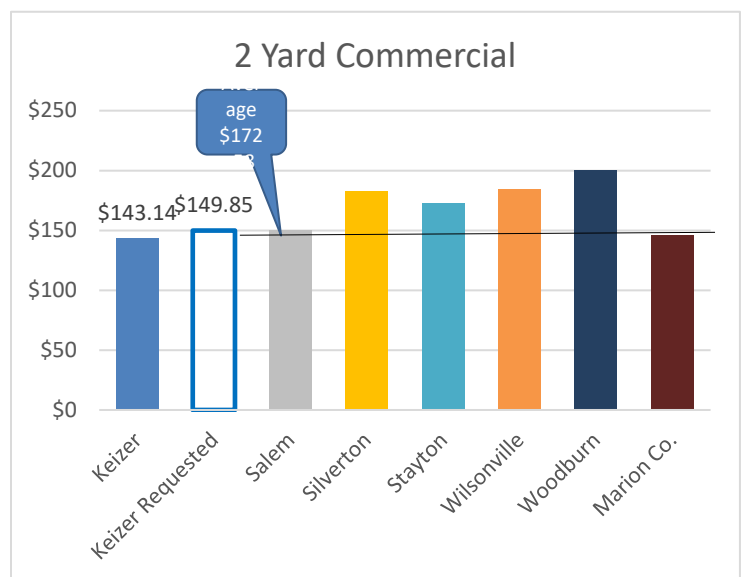
- A. Current inflationary factors cited by the franchisee's include labor cost increases of 5%, fuel inflation of 60%, medical insurance increases of 6.5% in 2022 and 15.8% in 2023, and general inflation. These inflation numbers are consistent with all businesses and governmental agencies.

Solid Waste Rates

B. Data from comparison city residential rates is shown in the chart below. We are currently below the average for 35-gallon and 66-gallon containers and above the average for 20-gallon containers. Data was collected by a third-party consultant, Harlan Business Consultants who works for the haulers. Harlan Business Consultants is a reputable party who does work for haulers across the State of Oregon. The requested 10% increase will put Keizer customers above the average upon the implementation date; however, it is reasonable to expect that other communities will see similar requests in the near future for rate increases based on inflation trends. The blue outlined box is the requested rate change as shown in the chart below.



C. The Commercial rates shown to the right indicate that we are far below our comparison cities in Marion County. According to the consultant, those cities have the commercial rate subsidizing the residential rate. The commercial rate used in Keizer is based on actual costs. The rate increase still keeps Keizer commercial customers far below all but one of the comparison cities in Marion County.



D. A full rate schedule for all services provided by the two haulers is attached.

Solid Waste Rates

- E. Keizer Ordinance No. 2010-612 Section 9C states the criteria for which the City Council shall give consideration. They are as follows:
1. Current and projected revenues.
 2. Current and projected operating expenses.
 3. Acquisition and replacement of equipment.
 4. Professional and consultant services.
 5. Reasonable return.
 6. Construction and maintenance costs.
 7. Research, training, and development.
 8. Special services.
 9. Consideration may also be given to any other factors deemed relevant by the City Council.
- F. After the public hearing on December 5, 2022, the council will have the opportunity to vote on the requested rate changes.

IV. ANALYSIS:

A. **Strategic Impact** – No strategic impact.

B. **Financial**

1. Residents and Commercial customers realized a 3% savings over 9 months because rates that were approved were not implemented in March 2022.
2. If approved, this rate change will have a small financial impact to the city general fund. The city has a 5% franchise fee for solid waste collection. A 10% increase in rates will result in approximately \$10,492 more in franchise fees to the City of Keizer.
3. Without the proposed rate increases the haulers will have a profit margin of approximately one-third of the industry standard, according to Harlan Business Consultants. To test this statement, data from [Macrotrends](#), shows Waste Management, the largest solid waste hauler in the United States, had a profit margin of 11.55% for September 30, 2022. That is consistent with the assertion made by Keizer’s haulers and their proforma for 2023.

C. **Timing** – Originally, the haulers requested an implementation date of January 1,

Solid Waste Rates

2023; however, there was not time for the city to get this on the council's agenda in sufficient time to have these rates considered. Following the public hearing, the council will have the opportunity to vote on the rate increase on December 19, 2023. The haulers would not implement the new rates until 30-days after they are able to notify customers of the change.

D. Policy/legal

1. The City Manager is required to provide you an analysis of the rate increases.
2. A public hearing is required to increase rates.
3. Only the City Council can approve the rate changes for solid waste haulers by Order.
4. The requirements for an analysis and a public hearing will have been met on December 6 and the Council can consider an Order to change the solid waste fees at their regularly scheduled meeting on December 19, 2022.

ALTERNATIVES:

- A. Request staff to prepare an Order to increase rates as shown in Attachment A.
- B. Take No Action – The rate changes cannot be implemented without council approval.

RECOMMENDATION:

The City Manager recommends that the City Council direct staff to prepare an Order for its regularly scheduled meeting on December 19, 2022 that would approve a rate increase for Loren's Sanitation and Valley Solid Waste.

Attachment: Proposed Rate Change for Keizer Solid Waste Haulers

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FRANCHISED SOLID WASTE COLLECTION RATES
CITY OF KEIZER - Proposed Rate Change January 1, 2023

	2021 Rate	Proposed 2023 Rate
(1) RESIDENTIAL - CURB SIDE CART SERVICE PACKAGES	17.52	19.27
<u>(A) 20 gallon solid waste cart service only</u> This service includes recycling		
<u>(B) 20 gallon solid waste cart service</u> Service consists of one 20 gallon solid waste cart collected weekly, one 95 gallon mixed recycle cart collected bi-weekly, and one 95 gallon organic cart collected weekly	26.22	28.84
<u>(C) 35 gallon solid waste cart service</u> Service consists of one 35 gallon solid waste cart collected weekly, one 95 gallon mixed recycle cart collected bi-weekly, and one 95 gallon organic cart collected weekly	28.89	31.78
Each occasional extra pick up (17 gallon equals 30lbs.)	3.20	3.52
Each occasional extra pick up (35 gallon equals 60lbs.)	6.39	7.03
Additional 35 gallon solid waste cart collected weekly	██████████	15.89
<u>(D) 65 gallon solid waste cart service</u> Service consists of one 65 gallon solid waste cart collected weekly, one 95 gallon mixed recycle cart collected bi-weekly, and one 95 gallon organic cart collected weekly	38.69	42.56
Each occasional extra pick up (17 gallon equals 30lbs.)	3.20	3.52
Each occasional extra pick up (35 gallon equals 60lbs.)	6.39	7.03
Additional 65 gallon solid waste cart collected weekly	██████████	25.54
<u>(E) Residential "On Call" service</u> Service includes one 35 gallon solid waste cart only. No yard debris or recycling service included.	8.01	8.81
<u>(F) Extra Yard Debris Cart</u> Residential full service only - per cart	7.51	8.26
<u>(G) Yard Debris Cart Only</u> Residential and non-residential rate	14.29	15.72
<u>(H) Contamination Fee</u>	12.87	14.16
<u>(I) Commingle Recycle Only Cart</u> Residential and non-residential rate	14.39	15.83

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FRANCHISED SOLID WASTE COLLECTION RATES
CITY OF KEIZER - Proposed Rate Change January 1, 2023

	2021	Proposed
	<u>Rate</u>	<u>2023</u>
		<u>Rate</u>
(2) RESIDENTIAL-MULTI FAMILY & MOBILE HOME PARKS		
(1) 4 Units or less		
20 gallon: full service	23.01	25.31
20 gallon: opt-out yard debris	16.51	18.16
35 gallon: full service	25.35	27.89
(2) 5 Units or more - single billing		
20 gallon: no yard debris	16.37	18.01
35 gallon: no yard debris	18.57	20.43

Residential Full Service Includes:

Haulers will make available color-coded calendar for each customer that specifies bi-weekly collection schedule

Haulers provide automated roll carts - included in service price

Customers will not place larger items or over fill cart. Overfilled carts will be charged accordingly.

Customers will not place hazardous chemicals, paint, corrosive materials or **hot ashes** into the carts

Roll cart service may not be appropriate for customers that do not provide access to the cart

(for automated equipment) - or for non-compliance with restrictions outlined above.

Damaged carts will be billed at replacement cost

A vacation credit shall be given for Customers who stop service for a period of three consecutive weeks or longer. Not to exceed 2 times per year.

Maximum Cart Weights

20 gallons - 40 lbs per week

35 gallons - 60 lbs per week

65 gallons - 120 lbs per week

95 gallons - 150 lbs per week

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FRANCHISED SOLID WASTE COLLECTION RATES
CITY OF KEIZER - Proposed Rate Change January 1, 2023

	2021	Proposed
	<u>Rate</u>	<u>2023</u>
		<u>Rate</u>
(3) COMMERCIAL ROLL CART SERVICE		
Commercial 35 gallon roll cart - curb	20.20	22.22
Commercial 65 gallon roll cart - curb	28.76	31.64
Commercial 65 gallon food waste	14.18	15.60
Commercial 95 gallon roll cart - curb	37.32	41.05

Haulers to provide automated roll carts - included in service price

Customers will not place larger items or over fill cart (lid must close completely prior to collection)

Customers will not place hazardous chemicals, paint, corrosive materials or **hot ashes** into the carts

Roll cart service may not be appropriate for customers that do not provide access to the cart

(for automated equipment) - or for non-compliance with restrictions outlined above.

Commercial roll cart service includes one 95 gallon commingle cart - any additional carts will be

billed at \$2.00/month per cart

Cardboard service provided with container service

Cardboard service provided with cart services will be billed \$10.00 per month container rental fee.

Maximum Cart Weights

35 gallons - 60 lbs per week

65 gallons - 120 lbs per week

95 gallons - 150 lbs per week

(A) BUNDLES, BOXES, SACKS, OR OVERFILLED CARTS

Rate based on volumes equivalent to 35 gallon cart

	2021	Proposed
	<u>Rate</u>	<u>2023</u>
		<u>Rate</u>
(4) CONTAINER SERVICE - Weekly Service, Monthly Rate		
(A) CONTAINER - MANUAL FRONT LOAD - LOOSE		
One yard	First stop 79.38	87.32
	Each added stop 69.38	77.32
One & one-half yard	First stop 111.70	122.87
	Each added stop 101.70	112.87
Two yard	First stop 143.14	157.45
	Each added stop 133.14	147.45
Three yard	First stop 205.33	225.86
	Each added stop 195.33	215.86
Four yard	First stop 260.70	286.77
	Each added stop 250.70	276.77
Five yard	First stop 318.87	350.76
	Each added stop 308.87	340.76
Six yard	First stop 374.73	412.20
	Each added stop 364.73	402.20

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FRANCHISED SOLID WASTE COLLECTION RATES
CITY OF KEIZER - Proposed Rate Change January 1, 2023

		2021	Proposed
		<u>Rate</u>	<u>2023</u>
			<u>Rate</u>
(B) CONTAINER - AUTOMATED FRONT LOAD - LOOSE			
Two yard	First stop	131.44	144.58
	Each added stop	121.44	134.58
Three yard	First stop	170.94	188.03
	Each added stop	160.94	178.03
Four yard	First stop	223.60	245.96
	Each added stop	213.60	235.96
Five yard	First stop	277.42	305.16
	Each added stop	267.42	295.16
Six yard	First stop	327.64	360.40
	Each added stop	317.64	350.40
Eight Yard	First stop	432.13	475.34
	Each added stop	422.13	465.34

One time container locking fee \$162.00/per container
Hauler may, at their discretion, include a "no fee/no key" lock on recycling containers
Container delivery fee - \$30.00 for container use on short term rental basis

		2021	Proposed
		<u>Rate</u>	<u>2023 Rate</u>
(C) RESIDENTIAL SPECIAL CLEAN-UP CONTAINER			
Two yard	First stop	68.07	74.88
	Each added stop	39.01	42.91
Container must be accessible to truck: weight limit 750 lbs			
Three yard	First stop	104.99	115.49
	Each added stop	74.46	81.91
Container must be accessible to truck: weight limit 1000 lbs			

(D) CONTAINER - COMPACTED

Customer supplies the compactor and container. Rate for first and added stop is triple the rate for same size container for shredded, altered or mechanically compacted waste.

FRANCHISED SOLID WASTE COLLECTION RATES
CITY OF KEIZER - Proposed Rate Change January 1, 2023

(5) DROP BOX SERVICE / COMPACTOR

All rates are plus disposal fee, rental charges, and mileage, where applicable

Minimum service: 10 cubic yard

		2021		Proposed
		Rate		2023 Rate
(A) LOOSE MATERIAL				
10 yard	Temp box delivery fee	32.70	144.63	35.97 159.09
20 yard	Temp box delivery fee	32.70	146.20	35.97 160.82
30 yard	Temp box delivery fee	32.70	171.81	35.97 188.99
40 yard	Temp box delivery fee	32.70	221.00	35.97 243.10
 (B) COMPACTED MATERIAL				
Cost per yard for service (25 YD MINIMUM)				
	Customer supplies compactor or box (per yd for first 25 yds)		7.11	7.82
	Minimum		177.75	195.50
	Disposal fee x 1.11% the cost of disposal ticket			
 (C) ADDITIONAL CHARGES				
	Rental per day, after first 48 hours		7.63	8.39
	Monthly rental		78.48	86.33
	Mileage charge for more than five mile radius from base station, per running mile		1.23	1.35

FRANCHISED SOLID WASTE COLLECTION RATES
CITY OF KEIZER - Proposed Rate Change January 1, 2023

(6) MEDICAL WASTE COLLECTION RATES

(A) Services provided by Marion Environmental Service

Commercial Medical Waste Collection Rate	Current Rate		Proposed Rate	
	Heavy Volume 60+ Boxes	Low Volume 1-59 Box	Heavy Volume 60+ Boxes	Proposed Rate Low Volume 1-59 Box
20 Gallon Bx/Bg Keizer	17.77	22.57	17.50	23.00
Ea. Addtl. 20 Gallon Bx/Bg Keizer	13.93	17.00		
35 Gallon Bx/Bg Keizer	19.95	25.41	19.50	26.00
Ea. Addtl. 35 Gallon Bx/Bg Keizer	16.11	20.55		
Salem Hospital - Pick-up only - No Box/Bag Supplied			Proposed Rate	
20 Gallon Bx/Bg Keizer	8.10		8.10	
35 Gallon Bx/Bg Keizer	8.67		8.67	
Items Purchased				
Lids				
20 Gallon ~ 35 Gallon Lids	4.40		4.40	
Sharps				
Sharps Containers	7.90		7.90	
Haulers Sharps Case	179.50		179.50	
Haulers Sharps Containers	4.50		4.50	

Box/Bags	Current Rate	Proposed Rate
20 Gallon Bag only	1.20	1.20
20 Gallon Box only	5.85	5.85
20 Gallon Box~Bag	7.05	7.05
20 Gallon Bags per case/100	117.80	117.80
35 Gallon Bag only	1.75	1.75
35 Gallon Box only	6.70	6.70
35 Gallon Box~Bag	8.45	8.45
35 Gallon Bags per case/100	173.90	173.90
Storage Container Rental		
Monthly Renal	24.70	24.70

Minimum \$30.00/\$100.00 Hourly Rate Trip Charge = \$1.66 per minute

	Current Rate	Proposed Rate
(B) RESIDENTIAL BIO-MEDICAL SHARPS CONTAINER (OAR 437-02-360)	14.01	14.01

One gallon specially designed container, delivered to the door. To be used until filled and then collected by hauler separately from municipal solid waste. May not be left at the curb for pick up.

**FRANCHISED SOLID WASTE COLLECTION RATES
CITY OF KEIZER - Proposed Rate Change January 1, 2023**

(7) SPECIAL SERVICES AND MISCELLANEOUS SERVICES

If debris exceeds 10 yards, use drop box at hauler's discretion. Unless noted, prices reflect disposal only, trip charges may apply.

CALL BACK SERVICE 10.65 11.72

(A) JANITORIAL SERVICES, CALL BACKS, AND OTHER SPECIAL SERVICES

	<u>Current</u>	<u>Proposed 2023</u>	<u>Current</u>	<u>Proposed 2023</u>
All fees in addition to disposal	<u>One Man</u>	<u>One Man</u>	<u>Two Man</u>	<u>Two Man</u>
1/4 hour	31.95	35.15	42.60	46.86
1/2 hour	63.90	70.29	85.20	93.72
3/4 hour	95.85	105.44	127.80	140.58
1 hour	127.80	140.58	170.40	187.44

All fees in addition to disposal charged at \$13.00 per yard

Maximum trip charge 31.95

(B) TIRES

	<u>Current</u>	<u>Proposed</u>
	<u>rate</u>	<u>rate</u>
Passenger tires (up to 16")	6.39	7.03
Passenger tires (up to 16") w/rims	8.52	9.37
Truck tires	14.91	16.40
Truck tires w/rims	25.56	28.12
Tractor tires - special service and disposal rates apply		

FRANCHISED SOLID WASTE COLLECTION RATES
CITY OF KEIZER - Proposed Rate Change January 1, 2023

(C) LARGE MAJOR APPLIANCES AND FURNITURE

Appliances \$10.00 - \$15.00 service fee for large appliances - plus cost for freon removal, and hourly labor to remove and dispose.	2021	Proposed 2023
Special Items:	Rate	Rate
1.) large furniture (couch, dresser, etc.)	15.45 - 21.30	17.00 - 23.40
2.) small furniture (arm chair)	9.60 - 15.45	10.55 - 17.00
3.) hide-a-bed	21.30 - 27.15	23.45 - 28.85
4.) table & 3-4 chairs	9.98	10.98
5.) mattresses		
twin	8.73	9.60
twin box spring	8.12	8.93
full/queen	11.23	12.35
full/queen box spring	9.98	10.98
king	13.72	15.09
double twin box spring for king (rates increase if items are wet)	12.47	13.72
6.) bathtub/sink/toilet		
fiberglass tub/shower	13.05 - 17.87	14.35 - 19.65
cast iron tub/shower	will quote	will quote
sink/toilet	5.85 - 10.65	6.40 - 11.70
double sinks	will quote	will quote
7.) hot water heaters	11.70 - 17.84	12.85 - 19.60
8.) carpets	will quote	will quote
9.) computers & peripherals	13.85	15.24
10.) televisions & monitors 15-20"	13.85	15.24
20-32"	19.17	21.09
32"	24.50	26.95
larger	will quote	will quote

(8) RESTART (delinquent customers)

Restart delinquent account fee	10.65	11.72
Precise charge for receptacle pick-up and return, all areas:		
per set of carts	26.63	29.29
per container	26.63	29.29
per drop box	26.63	29.29



CITY COUNCIL MEETING: DECEMBER 5, 2022

To: Mayor Clark and City Council Members

THRU: Adam J. Brown, City Manager

FROM: Shane Witham, Planning Director

SUBJECT: **TEXT AMENDMENT CASE 2022-13 – STORMWATER MANAGEMENT**

PROPOSED MOTION:

I move the City Council direct staff to prepare an ordinance with findings to adopt the proposed revisions to the Keizer Development Code pertaining to Stormwater Management.

I. SUMMARY:

This matter is before the Council for public hearing to consider proposed changes to the Keizer Development Code (KDC) pertaining to Stormwater Management. KDC Section 2.306 (Storm Drainage) is proposed to be replaced with KDC 2.306 (Stormwater Management) to govern stormwater requirements. In addition, a minor change is proposed to KDC 1.200 (Definitions) to clarify that “redevelopment” is also required to comply with the City’s stormwater regulations. Planning Commission held a public hearing on November 9th, 2022 and unanimously recommended the proposed changes be sent to City Council for adoption.

II. BACKGROUND:

- A. The Planning Commission “work program” had identified a need to update KDC Section 2.306 (Storm Drainage) for some time. This work has been anticipated due to the City’s permit requirements for discharging stormwater to our rivers and streams.
- B. The City of Keizer was issued its second National Pollutant Discharge Elimination Permit (NPDES) MS4 Phase II General permit from the Department of Environmental Quality (DEQ) with an effective date of March 1, 2019. This permit contains a requirement the City update the Public Works Design Standards and the Development Code Storm Drainage section, with language and standards that are consistent with the provisions of the permit prior to February 28th, 2023.
- C. The proposed amendments to the Keizer Development Code comply with the NPDES

permit and DEQ requirements.

III. **CURRENT SITUATION:**

- A. The current language of KDC Section 2.306 is out of date and does not adequately or accurately reflect how stormwater regulations are being managed by the Public Works Department and City Engineer. Therefore, an update is needed.
- B. Once the proposed changes are adopted, the KDC will comply with the NPDES permit and DEQ requirements.

IV. **ANALYSIS:**

- A. **Strategic Impact** – No strategic impact
- B. **Financial** – No financial impact.
- C. **Timing** – Adoption of the proposed changes must be completed prior to February 28th, 2023. Planning Commission unanimously recommended approval of the proposed changes at their November 9th, 2022 meeting, and it is now before City Council for consideration. Staff anticipates bringing back an ordinance and findings for adoption by council at the next council meeting.
- D. **Policy/legal** – A public hearing is required for Council to consider a proposed text amendment.

ALTERNATIVES:

- A. Take No Action – The City would not comply with the NPDES permit and DEQ requirements.

RECOMMENDATION:

Staff recommends that the City Council Open the public hearing to consider the proposed text amendments, close the public hearing, deliberate, and by motion direct staff to prepare an ordinance with findings to adopt the proposed revisions.

ATTACHMENTS:

- KDC Section 1.2 (Definitions) – Proposed Draft
- KDC Section 2.306 (Stormwater Management) – Proposed Draft
- KDC Section 2.306 (Storm Drainage) – existing section to be replaced

1.200 DEFINITIONS

1.200.01 General Provisions

- A. General and Specific Terms. The definitions contained in this Section include those that are applicable to the entire Keizer Development Code (general), and those terms that are applicable to specific Sections (specific). Terms used in specific Sections are identified as follows:

[Adult]	Adult Entertainment Business; Section 2.418
[Flood]	Floodplain Overlay Zone; Section 2.122
[Greenway]	Greenway Management Overlay Zone; Section 2.123
[Historic]	Historic Resources; Section 2.127
[RV Park]	Recreational Vehicle Spaces and Park; Section 2.412
[Signs]	Signs; Section 2.308

- B. Interpretation. When there are two definitions for the same word or phrase, then the definition most applicable for the given situation shall apply. If appropriate, specific terms may be applied to general situations. (5/98)

1.200.02 Grammatical Interpretation.

Words used in the masculine or feminine include all genders. Words used in the present tense include the future, and the singular includes the plural. The word "shall" is mandatory. Where terms or words are not defined, they shall have their ordinary accepted meanings within the context of their use. The contemporary edition of Webster's Third New International Dictionary of the English Language (principal copyright 1961) shall be considered as providing accepted meanings. (12/19)

1.200.03 Diagrams

Diagrams are provided for terms or phrases in order to provide an illustrative example. (5/98)

1.200.04 Definitions.

...

Development or Redevelopment: Man-made changes to property, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations. (5/98)...

**** This version to be replaced: see new section ****

2.306 STORM DRAINAGE

2.306.01 Purpose

To provide for the drainage of surface water from all residential, commercial and industrial development; to minimize erosion; to reduce degradation of water quality due to sediments and pollutants in storm water runoff, and to reduce downstream flooding. (5/98)

2.306.02 Scope

The provisions of this Section shall apply to all new residential land partitions and subdivisions, planned unit developments, multi-family developments 5 or more units), commercial developments, and industrial development; and to the reconstruction or expansion of such developments. (6/22)

2.306.03 Preliminary Plan Required

Preliminary site drainage and grading plans for subject area and adjoining area within 100' of the perimeter of the subject property are required to be submitted for all developments listed in Section 2.306.02 above. Preliminary site drainage and grading plans shall consist of the following information. (2/00)

- A. Flow lines of surface water onto and off the site. (2/00)
- B. Estimates of existing runoff patterns from subject property onto adjacent properties, and estimates of existing runoff from adjacent properties onto subject property. (2/00)
- C. Existing contours at 1-foot intervals. (2/00)
- D. Existing and proposed drainage channels, including drainage swales, ditches, berms and proposed storm drains. Connections to existing system should be identified. (2/00)
- E. Location of storm drain detention facilities. (2/00)
- F. The City Engineer shall have the flexibility to make changes to the preliminary plan at the time of final detailed plan approval. (2/00)

2.306.04 Plan for Storm Drainage and Erosion Control

No construction of any facilities in a development included in Subsection 2.306.02 shall be permitted until a storm drainage and erosion control plan for the project is prepared by a professional engineer, and, approved by the City. These provisions shall also apply to any cut or fill on a property, which may impact the velocity, volume, or quality of surface water on adjacent property, or may impact any permanent natural body of water. This detailed plan shall contain the following information: (2/00)

- A. Elevations. Proposed finished lot corner and finished street elevations. (2/00)
- B. Proposed contours of finished grade in 1-foot intervals or less if required by the City Engineer. (2/00)
- C. Run-off. The methods to be used to minimize the amount of runoff other than into an approved point of discharge, siltation, and pollution created from the development both during and after construction. (2/00)
- D. Facilities. Plans for the construction of storm sewers, open drainage channels and other facilities which depict line sizes, profiles, construction specifications and other such information as is necessary for the City to review the adequacy of the storm drainage plans. (2/00)
- E. Engineering Calculations. Calculations used by the engineer in sizing storm drainage facilities. (2/00)

2.306.05 General Standards

- A. Requirements. All development shall be planned, designed, constructed and maintained to: (2/00)
 - 1. Protect and preserve existing natural drainage channels to the maximum practicable extent; (5/98)
 - 2. Protect development from flood hazards; (5/98)
 - 3. Provide a system by which water within the development will be controlled without causing damage or harm to the natural environment, or to property or persons within the drainage basin; (5/98)
 - 4. Assure that waters drained from the development are substantially free of pollutants, through such construction and drainage techniques as sedimentation ponds, reseeded, phasing of grading; (5/98)
 - 5. Assure that waters are drained from the development in such a manner that will not cause erosion to any greater extent than would occur in the absence of development; (5/98)
 - 6. Provide dry wells, french drains, or similar methods, as necessary to supplement storm drainage systems; (5/98)
 - 7. Avoid placement of surface detention or retention facilities in road rights-of-way. (5/98)
- B. Culverts. Where culverts cannot provide sufficient capacity with out significant environmental degradation, the City may require the watercourse to be bridged or spanned. (5/98)

**** This version to be replaced: see new section ****

- C. Easements. In the event any part of a development is traversed by any watercourse, channel, stream or creek, gulch or other natural drainage channel, adequate easements for storm drainage purposes shall be provided to the City. This shall not imply maintenance by the City. (5/98)
- D. Channel Obstructions. Channel obstructions are not allowed except as approved for the creation of detention or retention facilities approved under the provisions of this Ordinance. Fences with swing gates may be utilized. (5/98)
- E. Prior to release of the improvement agreement, the developer shall certify that the site is built according to the submitted site drainage and grading plan. The developer shall provide certified elevations to the City. (2/00)
- F. For partitions and other developments not requiring an improvement agreement, any site grading and drainage requirements shall be completed and approved prior to issuance of any building permits. (2/00)
- G. Inspection Required. Prior to acceptance of a storm sewer system by the City, the storm sewers shall be inspected by the City. All costs shall be borne by the developer. (2/00)
- H. Building Permit Approval/Conformance with Approved Drainage and Grading Plan. (2/00)
 - 1. For all development with an existing approved drainage and grading plan each building permit application submitted to the City for approval shall contain existing and proposed elevations for all property corners, and the existing curb or edge of pavement elevations adjacent to the subject property. The existing curb and edge of pavement information will be made available at the City. In addition, the building permit shall also indicate proposed top of stem wall elevation, and flow of drainage for entire lot. If alternative drainage methods are needed, they must be noted and have prior approval by the City. The City shall verify each building permit application for conformance with the approved site drainage and grading plan. (2/00)
 - 2. Prior to granting footing inspection approval, the City shall confirm that the top of stem wall elevations conforms to the approved building permit. (2/00)
 - 3. Prior to granting final inspection approval, the City of Keizer shall confirm that the lot is built in accordance with the approved building permit. (2/00)

2.306.06 Drainage Requirements

All storm water runoff shall be conveyed to a public storm sewer or natural drainage channel. Receiving waters, including underground storm drainage systems, shall have adequate capacity to carry necessary flow without overflowing or causing

damage to public property or welfare. The cost for the approved system shall be wholly borne by the developer, including any off-site system that is required.

2.306.07 Design Criteria

Design calculations performed and stamped by a Civil Engineer registered in the State of Oregon shall be included with all plan submittals. Peak design flows may be calculated using the Rational Formula, $Q = CiA$ for basins under 10 acres. The King County Method, TR-20, or other approved methods may be used for basins larger than 10 acres.

B. Design Rainfall Event

The following guidelines shall apply for selecting a design rainfall event. Design rainfall events shall be the 5, 10, 25, 50, and 100-year events. Analyses shall be provided showing no increase in runoff for all storm events up to, and including, the design frequency event.

Development Type	Frequency
Residential and commercial development	10 year
Critical facilities, sag inlets, and minor drainage ways	25 year
Critical drainage basins (As determined by the City Engineer)	100 year
Major drainage ways or waterways having a delineated floodplain boundary as shown on the FIRM.	100 Year
Drainage ways or waterways not having a delineated Floodplain boundary on the FIRM. (These shall be delineated by the Developer's Engineer and included in the final PLAT)	100 Year

C. Rainfall Intensity Duration Frequency Curve

For developments less than 20 acres using the Rational Method, rainfall intensities shall be taken from the ODOT Zone 7 Intensity-Duration-Frequency (IDF) Curves.

**** This version to be replaced: see new section ****

Runoff Coefficients

LAND USE	SLOPE		
	<u>2% or Less</u>	<u>2% to 7%</u>	<u>7% or More</u>
Unimproved Areas	.10	.20	.30
Meadows & Pasture Land	.25	.30	.35
Woodland & Forests	.10	.15	.20
Impervious Surfaces (Pavement, Roofs, Driveways, Gravel, etc)	.92	.92	.92
Agricultural	.15	.20	.25
Parks & Cemeteries	.15	.20	.25
Lawns	.17	.22	.35
Playgrounds	.20	.25	.30
Low Density Residential (1 to 3 units per acre)	.45	.50	.55
Medium Density Residential (3 to 6 units per acre)	.55	.60	.65
High Density Residential (6 to 15 units per acre)	.75	.80	.85
Commercial & City Business Areas	.85	.85	.85
Light Industrial	.65	.70	.80
Heavy Industrial	.75	.80	.90
Parks and Open Spaces	.10	.15	.20
Mobile Home Parks	.60	.65	.70

D. Time of Concentration

1. Time of Concentration shall be calculated using the Soil Conservation Service Method or other approved method.
2. After a maximum of 300-feet, sheet flow typically becomes shallow concentrated flow. Open channel flow is assumed to begin where surveyed cross-section information has been obtained where channels are visible on aerial photographs, or where blue lines (indicating streams) appear on United States Geological Survey (USGS) quadrangle sheets.

E. Runoff Control

1. Development of areas within the City of Keizer must provide runoff controls to limit the developed condition's peak rates of runoff to the pre-development runoff rate. Detention is the collection and temporary

storage of surface water with the outflow rate restricted usually to the pre-developed flow rate. Required detention storage is equal to the difference in volume of excess runoff from the design storm event with post-development conditions and the 5-year storm with pre-development conditions.

2. Detention is required for all developments, except where determined unnecessary by the City Engineer.
3. Control orifices and structures shall be sized using approved engineering methods. To prevent plugging, the minimum diameter of the orifice shall be 2-inches. The detention facility shall have an overflow system with the capacity to past the 50-year storm event to an accessible drainage feature.
4. Detention shall be supplied either by subsurface storage in conduits and structures, or a pond. Temporary parking lot ponding may be utilized as storage volume with approval of the City Engineer.

F. Hydraulic Considerations

1. The minimum design velocity for storm drainage conduits shall be 3.0 fps. Pipe slopes of 15% or greater will require anchor walls at approved intervals. Manning's "n" value of 0.013 shall be used for flow and velocity calculations. Manning's equation shall be used for design of piped systems where practicable.
2. When pipe depths exceed 10-feet, calculations for pipe loading and strength shall be submitted.
3. Subsurface utilities crossing private property shall have a minimum easement width of 10 feet.

G. Storm Water Quality

Point source water quality facilities shall be provided where required by the Department of Public Works. Catch basins shall be outfitted with approved "turndowns" and sumps for oil/water separation and sedimentation control. Storm water quality manholes shall be installed in all proposed storm drains out letting into existing drainage facilities.

H. Manholes. Manholes are required at:

1. All changes in horizontal or vertical alignment greater than 15 degrees.
2. All connections and changes in pipe size.
3. At a maximum spacing of 500-feet.

**** This version to be replaced: see new section ****

I. Inlets and Catch Basins

1. Inlets must be placed at all low points in streets, at intersections, at points where changes in the street configuration will direct flow across the street and at intervals on continuous grades that will limit the width of flow in the gutter to 5-feet.
2. Minimum lateral diameter for connection to an inlet or catch basin shall be 10-inches. Minimum inlet lead slopes shall be 2%.
3. Water from all low areas must be collected and conveyed to the storm drainage system. Quantity of gutter flow is determined using the Rational Method. Inlet design flows shall exceed gutter design flows.
4. Water quality provisions shall be installed in all catch basins or manholes as directed by the Department of Public Works.

J. Culverts. Culvert design shall be performed using the Federal Highway Administration (FHWA) publication Hydraulic Design of Highway Culverts (Reference No. 10). Other methods may be used with approval of the City Engineer.

K. Perimeter Drainage

1. Construction drawings shall include an approved "Grading and Drainage Plan" showing the location of perimeter drainage facilities and private drainage easements that will control runoff to and from project sites.
2. Grading and Drainage Plans shall identify control for Finished Floor Elevations, and shall be enforced in conjunction with Building Permits issued by the City of Keizer.

L. Erosion and Pollution Control:

Adequate erosion and pollution control facilities shall be installed in conjunction with construction projects. Developments shall be required to obtain an NPDES 1200-C erosion control permit from the Department of Environmental Quality in accordance to their standards.

An erosion control plan will be required to be submitted to the City Department of Public Works for developments greater than one acre.

2.306 STORMWATER MANAGEMENT

2.306.01 Purpose

The purpose of this Chapter is to implement requirements to:

- A. Provide for the management and control of stormwater runoff from all new development and redevelopment areas;
- B. Minimize erosion and sediment transport;
- C. Minimize degradation of water quality due to sediments and pollutants in stormwater runoff; and
- D. Reduce downstream flooding. (5/98)

2.306.02 Scope

The provisions of this Chapter shall apply to all new and redevelopment projects within the incorporated boundary of the City of Keizer, including all land partitions and subdivisions, planned unit developments, multi-family developments, single-family developments, commercial developments, and industrial development. Redevelopment includes reconstruction and/or expansion of structures and/or impervious surfaces. The requirements of this Chapter apply regardless of whether a permit is required.

2.306.03 General Stormwater Management Requirements

Any new development or redevelopment listed in Subsection 2.306.02 shall conform to the requirements listed herein, as follows:

- A. The requirements will be applied to projects proposed within the City's jurisdiction at land use, design review, and/or the building permit stages of the project.
- B. The stormwater management system plan shall be submitted to and approved by the Public Works Director before construction of any new or redevelopment project, regardless of the size of project.
- C. A design by an Oregon-registered professional engineer is required for stormwater facilities on any projects that create or replace 5,000 square feet or more of impervious surface.
- D. Sites creating or replacing less than 5,000 square feet of impervious surface are generally not required to provide an engineered design unless required by the City due to site-specific conditions.
- E. Plans for the construction of stormwater conveyance, flow control, retention, and treatment facilities for the project shall be designed in accordance with City standards and specifications. The plans shall include all information as necessary for the City to review the adequacy of the storm drainage system design. The criteria and all other requirements for the design of both public

and private stormwater flow control, retention, treatment, and conveyance facilities are set forth in the City's *Design Standards*.

- F. Stormwater facilities on private property and owned by a private entity shall be required to complete and submit to the City an executed Private Stormwater Maintenance Agreement before the facilities are put into operation and the release of any occupancy permits.
- G. In the event any part of a development is traversed by any watercourse, channel, stream or creek, gulch or other natural drainage channel, or public stormwater conveyance system, adequate easements for public stormwater conveyance purposes shall be provided to the City. Acceptance of the easement shall not imply maintenance by the City unless maintenance is expressly accepted by the City in the easement.
- H. Channel obstructions are not allowed except as approved for the creation of detention or retention facilities approved under the provisions of the *Design Standards*. Fences with swing gates may be utilized as approved by the City.
- I. For projects requiring an improvement agreement for issuance of a Public Works Construction Permit, the developer shall certify in writing that the site is built according to the submitted site drainage and grading plan prior to release of the improvement agreement. The developer shall provide certified elevations to the City.
- J. For partitions and other developments not requiring a Public Works Construction Permit, any site grading and drainage requirements shall be completed and approved prior to issuance of any building permits.
- K. Prior to acceptance of a public storm drainage system by the City, the system shall be inspected by the City. All costs for City inspection shall be borne by the developer.
- L. Prior to the City supporting final plat approval for land divisions, or building occupancy for site development, the storm drainage system shall be inspected by the City. All costs for City inspection shall be borne by the developer. (2/00)

2.306.04 Preliminary Plan Required

A preliminary description of the proposed stormwater management system is required to be submitted with the land use application for all developments listed in Section 2.306.02. The preliminary description shall include, at a minimum, the following information:

PC Draft – 11-9-22 mtg – New Section

- A. A cover sheet, listing the project name and owner, contact information including phone numbers and email address and the project site address. For projects requiring an Oregon-registered professional engineer, the name of the Engineer of Record and the Engineer's seal and certification shall also be provided.
- B. A site map of the project site and areas directly adjacent to the site, including:
 - 1. Existing topographic contours, at 1-foot intervals or smaller;
 - 2. Existing structures and other features on the site, with indications of proposed demolition, removal, or reconfiguration;
 - 3. Description of the existing site conditions, sensitive areas, and waterways affecting or affected by the project;
 - 4. Description and size of the watershed containing the site, including identification of existing stormwater runoff onto and across the property;
 - 5. Existing, pre-developed stormwater flow patterns on the site and crossing the site boundaries;
 - 6. Description of the existing downstream point of disposal for the project, indicating the type and size of the conveyance.
- C. An overview of the project and stormwater management system, including:
 - 1. Brief description of the project size, project scope, and proposed improvements;
 - 2. Proposed project configuration, including proposed flow patterns on the site and crossing the site boundaries;
 - 3. Location of proposed stormwater facilities, noting estimated type and size;
 - 4. Proposed point(s) of disposal for stormwater.
- D. A conceptual storm design report for the project, including:
 - 1. Preliminary estimate of new and replaced impervious area;
 - 2. Preliminary soil infiltration rate estimates, based on preliminary tests and/or soil data determinations;
 - 3. Preliminary storm runoff calculations, noting the methodology used in calculation;
 - 4. Preliminary evaluation conveyance capacity of the downstream point of disposal.

2.306.07 Erosion Prevention and Sediment Control

All activities within the City limits that disturb more than 2,000 square feet of area are subject to the requirements of the current City Erosion Control Ordinance. Any such activity that disturbs less than 5 acres, either singly or cumulatively as part of a common plan of development or sale, shall be required to submit an Erosion and

Sediment Control Plan (ESCP) and obtain an erosion control permit from the City. Projects that disturb 5 acres or more shall be required to obtain both a City erosion control permit and an NPDES 1200-C General Construction permit from the Department of Environmental Quality.

The criteria and all other requirements for the ESCP are provided in the City's *Design Standards*.



CITY COUNCIL MEETING: DECEMBER 5, 2022

To: Mayor Clark and City Council Members

FROM: Machell DePina, Human Resources Director

SUBJECT: **EXTENDING CITY MANAGER'S EMPLOYMENT AGREEMENT**

PROPOSED MOTION:

I move the City Council approve Resolution 2022 extending the City Manager's Employment Agreement for one year to June 30 2024.

I. SUMMARY:

The City Manager's Employment Agreement allows one (1) year extensions by written notice each year. Extension requires an affirmative vote of the Council. The extension is not an evaluation or discussion of the compensation package. That occurs in late spring.

II. BACKGROUND:

- A. The City Manager was hired on April 25, 2022 and received a favorable end of probation performance evaluation on October 17, 2022.
- B. The City Manager, City Attorney and Municipal Judge are the only employees of the City of Keizer employed through employment agreements requiring affirmative extensions.

III. CURRENT SITUATION:

- A. The City Manager's current Employment Agreement is valid until June 30, 2023 unless terminated or extended.
- B. In order to extend the Employment Agreement, an affirmative vote of the Council is required on or before the end of the calendar year.

IV. ANALYSIS:

Extending City Manager's Employment Contract

December 5, 2022

- A. **Strategic Impact** – This action supports the long-term goals of the council by retaining the City Manager to assist in working on those goals for another year.
- B. **Financial** – There is no financial impact for this request.
- C. **Timing** – The current contract requires written notice provided by the Council to the City Manager on or before December 31st of each year of the agreement.
- D. **Policy/legal** – This is what is required to meet the legal employment agreement requirement to retain the current City Manager for another year.

ALTERNATIVES:

- A. Alternative B: No other applicable alternatives.
- B. Take No Action – The City Manager contract will terminate on June 30, 2024.

RECOMMENDATION:

Staff recommends that the City Council review Resolution 2022-____ and take appropriate action.

ATTACHMENTS:

- Resolution 2022-____

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CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2022-_____

EXTENDING CITY MANAGER'S
EMPLOYMENT AGREEMENT (2023-2024)

WHEREAS, the City of Keizer and Adam J. Brown entered into that certain
Employment Agreement dated March 14, 2022;

WHEREAS, such Employment Agreement terminates on June 30, 2023 unless
extended by an affirmative vote of the City Council;

WHEREAS, the City Council wishes to extend such Agreement and send notice
thereof to the City Manager;

NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Keizer that the City
Manager Employment Agreement is extended for one (1) year to June 30, 2024.

BE IT FURTHER RESOLVED that the Mayor is authorized to send written
notice of such extension to the City Manager indicating that the Employment
Agreement is extended on the same terms and conditions as set forth in the Agreement.

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



MINUTES
KEIZER CITY COUNCIL
Monday, November 21, 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
Laura Reid, Councilor
Shaney Starr, Councilor
Kyle Juran, Councilor
Daniel Kohler, Councilor
Roland Herrera, Councilor
Youth Councilor Angelica Sarmiento Avendano

Staff:

Adam Brown, City Manager
Shannon Johnson, City Attorney
Shane Witham, Planning Director
Bill Lawyer, Public Works Director
John Teague, Police Chief
Tracy Davis, City Recorder

Absent:

Elizabeth Smith, Councilor

FLAG SALUTE

Mayor Clark led the pledge of allegiance.

**SPECIAL ORDERS
OF BUSINESS**

None

**COMMITTEE
REPORTS**

David Loudon, Keizer, provided the Parks Board update by reading the Minutes from the November 8 meeting.

Francisco Saldivar, Keizer, reported that the Planning Commission had approved changes in the Development Code related to stormwater management and recommended approval to Council.

PUBLIC COMMENT

Corri Falardeau, Keizer Chamber, announced upcoming holiday events and provided details about each.

Mayor Clark also provided information regarding the Gubser neighborhood Miracle of Lights event.

PUBLIC HEARING

Mayor Clark opened the Public Hearing.

**a. Ocean Sushi
& Teriyaki Liquor
License
Application –**

City Recorder Tracy Davis summarized her staff report.

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

Councilor Reid moved that the Keizer City Council recommend approval of the application for Ocean Sushi & Teriyaki liquor license under the

- Change of Ownership/ Trade Name** guidelines established by ORS 471.178 and the Ordinances of the City of Keizer and to forward this recommendation to the Oregon Liquor Control Commission for final approval. Councilor Kohler seconded. Motion passed as follows:
- AYES: Clark, Reid, Starr, Juran, Herrera and Kohler (6)
 NAYS: None (0)
 ABSTENTIONS: None (0)
 ABSENT: Smith (1)
- b. ORDINANCE – Declaring a Lien Against Property Located at 866 Dearborn Avenue Northeast, Keizer, Oregon** *Mayor Clark opened the Public Hearing.*
 City Attorney Shannon Johnson summarized his staff report.
With no further testimony Mayor Clark closed the public hearing.
Councilor Reid moved that the Keizer City Council adopt a Bill for an Ordinance Declaring a Lien Against Property Located at 866 Dearborn Avenue Northeast, Keizer, Oregon and Directing the City Recorder to Enter Such Lien in the Minor Lien Docket Pursuant to Ordinance No. 94-282 (Nuisance Abatement Procedure); Declaring an Emergency. Councilor Kohler seconded. Motion passed as follows:
- AYES: Clark, Reid, Starr, Juran, Herrera and Kohler (6)
 NAYS: None (0)
 ABSTENTIONS: None (0)
 ABSENT: Smith (1)
- ADMINISTRATIVE ACTION**
a. RESOLUTION – Authorizing a Temporary Suspension of the Ordinance Prohibiting Street Vendors City Attorney Johnson summarized his staff report for both resolutions.
Councilor Reid moved that the Keizer City Council adopt a Resolution Authorizing a Temporary Suspension of the Ordinance Prohibiting Street Vendors. Councilor Kohler seconded. Motion passed as follows:
- AYES: Clark, Reid, Starr, Juran, Herrera and Kohler (6)
 NAYS: None (0)
 ABSTENTIONS: None (0)
 ABSENT: Smith (1)
- RESOLUTION – Authorizing Temporary Uses Subject to Conditions for Jingle Dash 5K Run/Walk and Keizer Holiday Lights Parade (2022)** Councilor Reid moved that the Keizer City Council adopt a Resolution Authorizing Temporary Uses Subject to Conditions for Jingle Dash 5K Run/Walk and Keizer Holiday Lights Parade (2022). Councilor Kohler seconded. Motion passed as follows:
- AYES: Clark, Reid, Starr, Juran, Herrera and Kohler (6)
 NAYS: None (0)
 ABSTENTIONS: None (0)
 ABSENT: Smith (1)
- Councilor Reid moved that the Keizer City Council waive all fees for the December 10, 2022 Jingle Dash 5K Run/Walk and the Keizer Holiday Lights Parade. Councilor Kohler seconded. Motion passed as follows:

AYES: Clark, Reid, Starr, Juran, Herrera and Kohler (6)
 NAYS: None (0)
 ABSTENTIONS: None (0)
 ABSENT: Smith (1)

CONSENT CALENDAR

- A. RESOLUTION – Amending Resolution R2021-3215 (Recognizing National Observances and Commemorative/Heritage Months) to Add Older Americans Month and Remove Irish-American Heritage Month, Law Day, Constitution Day and Citizenship Day
- B. Approval of November 7, 2022 Regular Session Minutes

Item A was pulled.

Councilor Reid moved that the Keizer City Council approve Item B of the Consent Calendar. Councilor Kohler seconded. Motion passed as follows:

AYES: Clark, Reid, Starr, Juran, Herrera and Kohler (6)
 NAYS: None (0)
 ABSTENTIONS: None (0)
 ABSENT: Smith (1)

Councilor Reid moved that the Keizer City Council approve Item A of the Consent Calendar. Councilor Kohler seconded.

Mayor Clark proposed the friendly amendment that Constitution Week be added to the list of observances. Councilors Reid and Kohler accepted the friendly amendment.

Councilor Reid explained that this recommendation came from the Community Diversity Engagement Committee and that the list was originally a suggestion and would continue to change in order to reflect the cultures of Keizer.

Discussion followed regarding details of the observances. A typographical error was also corrected.

Mr. Johnson suggested that the following paragraph be added to the resolution relating to Constitution Week: “The United States Constitution, America’s most important document, stands as a testament to the tenacity of Americans throughout history to maintain their liberties, freedom and unalienable rights. Constitution Week is celebrated annually during the week of September 17-23 to commemorate its history and importance and bring attention to how it serves still today.” Councilors Reid and Kohler accepted this change. Councilor Reid suggested that the specific days for each approved observance be added to the resolution and the list be added to the City website.

Motion passed as follows:

AYES: Clark, Reid, Starr, Juran, Herrera and Kohler (6)
 NAYS: None (0)

ABSTENTIONS: None (0)
 ABSENT: Smith (1)

OTHER BUSINESS None

STAFF UPDATES City Manager Adam Brown reviewed the status of the Keizer Rapids Park Turf Fields, agenda management software, infill development and the Claggett Creek trail project.

Finance Director Tim Wood urged everyone to continue conserving water to keep sewer rates low.

Chief Teague announced 'Coffee with a Cop' on December 21.

COUNCIL MEMBER REPORTS

Councilor Juran shared information received at the Northwest Keizer Neighborhood Association meeting regarding McNary student achievements and getting students involved in the community.

Councilor Starr reported on various events she had attended, voiced pleasure at the possibility of street painting being done in Keizer neighborhoods, announced that she helped plant 75 trees at Country Glen Park and commended Chief Teague for the meeting at Keizer Station.

Councilor Kohler reported on meetings and events he had attended, announced cancelled meetings and upcoming events and noted that the Keizer First Citizen Banquet would be January 21.

Councilor Reid urged everyone to check out the Kiezertimes Holiday Guide, announced upcoming events and praised the new fence on Newberg Drive.

Councilor Herrera praised McNary High School for their accomplishments and City Parks staff for their good maintenance of area parks, congratulated incoming elected officials and announced upcoming meetings and events.

Youth Councilor Angelica Sarmiento reported on past and upcoming McNary events and announced that students are participating in the Miracle of Christmas event by collecting donations.

Mayor Clark praised the recent Expo Negocios event at the Community Center noting that Lily Von and staff made it a great event. She shared information about past and upcoming events and urged people to volunteer for the Point in Time count at the end of January.

AGENDA INPUT

November 28, 2022 – 6:00 p.m. ~ City Council Work Session

- Leash Law

December 5, 2022 – 7:00 p.m. ~ City Council Regular Session

December 12, 2022 – 6:00 p.m. ~ City Council Work Session

- Bi-Annual Meeting with outgoing/incoming Council

December 14, 2022 – 7:30 a.m. ~ City Council Work Session
• Chemeketa Community College Agricultural Center Tour
December 19, 2022 – 7:00 p.m. ~ City Council Regular Session

ADJOURNMENT

Mayor Clark adjourned the meeting at 8:12 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

~ Absent ~

Councilor #5 – Elizabeth Smith

Councilor #3 – Kyle Juran

Councilor #6 – Daniel R. Kohler

Minutes approved: _____