



MINUTES
KEIZER CITY COUNCIL
Monday, July 20, 2020
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
Kim Freeman, Councilor
Daniel Kohler, Councilor
Marlene Parsons, Councilor
Elizabeth Smith, Councilor
Roland Herrera, Councilor
Laura Reid, Councilor

Staff:

Chris Eppley, City Manager
Shannon Johnson, City Attorney
Shane Witham, Community Development
Bill Lawyer, Public Works Director
John Teague, Police Chief
Tim Wood, Finance Director
Tracy Davis, City Recorder

FLAG SALUTE

Mayor Clark led the pledge of allegiance.

SPECIAL ORDERS OF BUSINESS

**COMMITTEE
REPORTS**

Jeff Sargent, Keizer, reported that the Parks Board at their last meeting heard testimony regarding tripping hazards on park pathways, the Palmer Snapp Eagle Scout project and the possibility of getting a CCRLS Library in Keizer. Extensive clearing has been done at Wallace House Park and Board members reported on their assigned parks.

**PUBLIC
TESTIMONY**

Carol Doerfler, Keizer, voiced support for replacement language for Section 44 or an inclusivity statement and urged that an inclusivity resolution be adopted immediately. City Attorney Shannon Johnson explained why it was important to put this issue into a Resolution rather than the Charter. Mayor Clark added that this was addressed by the first paragraph of Resolution 2018-2912 which states that 'the City of Keizer regards and treats all people with dignity and respect and strives to carry these values out in providing our services to all the people of Keizer'.

Ms. Doerfler continued her testimony complaining about continued use of illegal fireworks before and after the holiday noting that people do not contact the authorities because they feel they will not respond. Chief Teague explained that use of illegal fireworks is a B misdemeanor; law enforcement officers do enforce this, but they are hesitant to arrest people especially when most of the offenders are not criminals. He would like to get a list of the problem people and reach out to them now and prior to the fireworks season next year, but he also needs someone to

tell the police who the offenders are when the offense occurs so that they can arrest the appropriate person. He suggested that if the legislature would change the offense to a C misdemeanor and add ‘participating in the unlawful use of fireworks’, offenders could be cited and brought to municipal court which would be more appropriate than an arrest.

Darrell Brown, Keizer, asked several questions related to the recent cyber-security breach and explained that he is in the business of recovering files without having to negotiate with cyber terrorists. Finance Director Tim Wood responded with an explanation of the restoration process, investigation into cyber security, virus software and internet services. Mr. Brown offered his services at no cost.

Rich Rodriguez, Keizer, proposed that since the City does not have a formal Sustainability Plan, a Sustainability Committee be formed to recommend to Council how to capture data for emissions sources and energy usage and how to reduce them. He urged interested citizens to go to the Keizer Sustainability Facebook page for more information. Mayor Clark explained that the city has a tree program, City Hall has a LEED Silver certification, the Stormwater and Environmental departments work diligently on sustainability and Claggett Creek Watershed Council works in this field as well.

PUBLIC HEARING None

ADMINISTRATIVE ACTION City Attorney Shannon Johnson summarized his staff report. Mayor Clark asked if anyone in the audience had any comments. There were none.

a. RESOLUTION – Establishing the Amount of the Sewer System Development Charge for Wastewater Treatment Facilities Councilor Freeman moved that the Keizer City Council adopt a Resolution Establishing the Amount of the Sewer System Development Charge for Wastewater Treatment Facilities; Repealing Resolution R2019-2991. Councilor Herrera seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Freeman, Parsons, Herrera, Smith and Kohler (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

b. Approval of Charter Revisions Mr. Johnson summarized his staff report noting that Councilor Reid had recommended some minor revisions which would be added.
Councilor Freeman moved that the Keizer City Council place the Charter, including the minor revisions suggested by Councilor Reid, on the November 2020 ballot. Councilor Herrera seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Freeman, Parsons, Herrera, Smith and Kohler (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

CONSENT CALENDAR

Mayor Clark noted for the record that the Charter Review Committee had 'termed out' and on thanked the committee members for their great service to the community.

- A. RESOLUTION – Ratifying City Manager’s Signing of Master Services Agreement with Arete Advisors for Matters Related to Information Security Incident
- B. RESOLUTION – Ratifying City Manager’s Signing of Engagement Letter with Lewis Brisbois Bisgaard & Smith LLP as Special Legal Counsel for Matters Related to Information Security Incident
- C. RESOLUTION – Authorizing the Finance Director to Enter Into Agreement with Arete Advisors for the SentinelOne Endpoint Protection Platform Subscription
- D. RESOLUTION – Authorizing City Manager and Chief of Police to Enter Into eProsecutor Usage Agreement with Marion County
- E. RESOLUTION – Repeal of Resolution R2020-3088 (Exemption of Professional Services Agreement for Carving of Keizer Cultural History Pole from Competitive Bidding and Awarding Agreement to Oregon 3D Art and Chainsaw Sculptures LLC)
- F. Approval of July 6, 2020 City Council Regular Session Minutes

Items C, E and F were pulled.

Councilor Freeman moved that the Keizer City Council approve Items A, B and D of the Consent Calendar. Councilor Herrera seconded. Motion passed as follows:

AYES: Clark, Reid, Freeman, Parsons, Herrera, Smith and Kohler (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

Item C: Tim Wood provided information regarding the ransomware warranty and the effectiveness of the product noting that this product would have prevented the recent breach.

Councilor Freeman moved that the Keizer City Council approve Item C of the Consent Calendar. Councilor Herrera seconded. Motion passed as follows:

AYES: Clark, Reid, Freeman, Parsons, Herrera, Smith and Kohler (7)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: None (0)

Item E: Mr. Johnson provided explanation regarding the carving of the second story pole and the change in artists.

Councilor Freeman moved that the Keizer City Council approve Item E of

the Consent Calendar. Councilor Herrera seconded. Motion passed as follows:

AYES: Clark, Reid, Freeman, Parsons, Herrera, Smith and Kohler (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Item F: Councilor Herrera asked that 'LGBTQ' be added before the word 'community'.

Councilor Freeman moved that the Keizer City Council approve Item F as amended of the Consent Calendar. Councilor Herrera seconded. Motion passed as follows:

AYES: Clark, Reid, Freeman, Parsons, Herrera, Smith and Kohler (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

COUNCIL LIAISON REPORTS

Councilor Herrera shared information about various activities and events he had attended and announced that the McNary graduation would be held on August 7 at the McNary football field.

Councilor Parsons reported on meetings and events she had attended and announced upcoming ones. She added that she would not be at the August 3 Council meeting.

Councilor Smith announced upcoming meetings and urged everyone to be careful when swimming noting that life jackets are not available near the water at Detroit Lake so everyone needs to bring their own.

Councilor Freeman reminded everyone to refrain from leaving animals in cars, urged citizens to attend Council meetings, reported on meetings and events she had attended and shared Covid-19 related information.

Councilor Reid reported on meetings and events she had attended, announced upcoming ones and added that she would not be at the August 3 Council meeting.

Councilor Kohler reported on meetings, events and volunteer opportunities in which he had participated and announced upcoming ones and added that he would not be at the August 3 Council meeting.

Mayor Clark shared details on meetings and events she had attended, announced upcoming ones, and provided detailed information relating to relief for families in need.

OTHER BUSINESS

Public Works Director Bill Lawyer urged everyone to use their water wisely, noted that opening of the splash fountain has been postponed pending installation of a needed part, work will continue at Wallace House Park but nothing can be done about the log jam, River Road

paving should be completed by the end of the week, heavy reflection paint will be used the stripe the city, and Shoreline storm line is almost complete.

Interim Community Development Director Shane Witham reported that the Planning Commission will be looking at the Flood Plain Ordinance in August. Council will have a Public Hearing for the Area D Master Plan Amendment at the August 3 meeting.

Finance Director Tim Wood reported that the City is moving into the 'clean up and stability' phase with the server rebuild. He explained that the virus protection approved by Council is significantly better than what was being used before and the two-factor authentication improves security as well.

City Manager Chris Eppley announced that the City of Keizer would be receiving an allocation through CARES funding based on population. The amount is not known but it is hoped that the funds can be used for grant programs within the community and to replace the temporary safety measures at the front counters with permanent protection fixtures.

WRITTEN COMMUNICATIONS

Mayor Clark submitted for the record two emails regarding fireworks. She then read an email from a City employee praising Tim Wood, Kristen Meyers, Machell DePina and Chris Eppley.

AGENDA INPUT

August 3, 2020 - 7:00 p.m. – City Council Regular Session
August 10, 2020 - 6:00 p.m. - City Council Work Session - Cancelled
August 17, 2020 - 7:00 p.m. - City Council Regular Session

ADJOURNMENT

Mayor Clark adjourned the meeting at 8:59 p.m.

MAYOR:

APPROVED:

Cathy Clark

Debbie Lockhart, Deputy City Recorder

COUNCIL MEMBERS

Councilor #1 – Laura Reid

Councilor #4 – Roland Herrera

Councilor #2 – Kim Freeman

Councilor #5 – Elizabeth Smith

Councilor #3 – Marlene Parsons

Councilor #6 – Daniel R. Kohler

Minutes approved: 08-03-20