AGENDA
KEIZER CITY COUNCIL
REGULAR SESSION
Monday, October 21, 2019
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. Travel Salem Presentation

5. COMMITTEE REPORTS

6. PUBLIC TESTIMONY

   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. ORDINANCE – Declaring a Lien Against Property Located at 1551 Sieburg Street Northeast, Keizer, Oregon and Directing City Recorder to Enter Such Lien in the Minor Lien Docket Pursuant to Ordinance No. 94-282 (Nuisance Abatement Procedure); Declaring an Emergency

8. ADMINISTRATIVE ACTION

9. CONSENT CALENDAR
   a. Approval of October 7, 2019 City Council Regular Session Minutes
10. COUNCIL LIAISON REPORTS

11. 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.

12. WRITTEN COMMUNICATIONS

To inform the Council of significant written communications.

13. AGENDA INPUT

October 28, 2019
7:00 p.m. – City Council Work Session
• Emergency Preparedness

November 4, 2019
7:00 p.m. - City Council Regular Session

November 11, 2019
6:00 p.m. – City Council Work Session
• Canceled

November 18, 2019
7:00 p.m. - City Council Regular Session

14. ADJOURNMENT
AGENDA ITEM NUMBER: ______________

TO:                 MAYOR CLARK AND CITY COUNCIL MEMBERS

FROM:              CHRIS EPPLEY
                  CITY MANAGER

THROUGH:        TRACY L. DAVIS, MMC
                  CITY RECORDER/COMMUNITY CENTER MANAGER

SUBJECT:   TRAVEL SALEM PRESENTATION

ISSUE:

Jennifer Miller, Operations Coordinator from Travel Salem has requested time on the agenda for a presentation on Travel Salem and their overall tourism mission and vision for our region. They will show a short Power Point presentation and be available for questions following the presentation.
TO: MAYOR CLARK AND COUNCIL MEMBERS

THROUGH: CHRISTOPHER C. EPPLEY, CITY MANAGER

FROM: E. SHANNON JOHNSON, CITY ATTORNEY

SUBJECT: ORDINANCE – DECLARING A LIEN AGAINST PROPERTY LOCATED AT 1551 SIEBURG STREET NORTHEAST (NUISANCE ABATEMENT)

This matter is before the Council for public hearing under Nuisance Abatement Ordinance No. 94-282. The property in question, located at 1551 Sieburg Street Northeast, Keizer, Oregon was in violation of City Ordinance and the property owner was given notice of such violations. There was a significant amount of garbage and debris on the property (see attached photos).

After the owner failed to correct the violations, the City abated the nuisance by providing mixed waste boxes for the owner to remove garbage and solid waste. The total abatement costs, including the ten percent administrative charge is $2,724.40. A copy of the invoice presented to the owner is attached for your review. In addition, notice publication costs of $68.00 increases the total costs to $2,792.40.

RECOMMENDATION:

Open the public hearing, and unless there are specific questions, close the public hearing and adopt the attached Ordinance Declaring a Lien Against Property Located at 1551 Sieburg Street 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.

Please let me know if you have any questions in this regard. Thank you.

ESJ/tmh
attachment
# Invoice

**City of Keizer**  
P.O. Box 21000  
Keizer, OR 97307-1000  
(503) 390-3700 fax (503) 393-9437  

**Invoice No. 19-122**  

<table>
<thead>
<tr>
<th>Customer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: Laura Scotch</td>
</tr>
<tr>
<td>Address: 1551 Sieburg St NE</td>
</tr>
<tr>
<td>City: Keizer State OR ZIP 97303</td>
</tr>
</tbody>
</table>

| Date: | 10/8/2019 |
| Order No.: | 
| Rep: | 
| FOB: | 

<table>
<thead>
<tr>
<th>Qty</th>
<th>Description</th>
<th>Unit Price</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>30 Yard Mixed Waste Boxes for Removal</td>
<td>$2,467.23</td>
<td>$2,467.23</td>
</tr>
<tr>
<td>1</td>
<td>Certified Mail/Postage</td>
<td>$9.50</td>
<td>$9.50</td>
</tr>
<tr>
<td>1</td>
<td>Administrative Charge</td>
<td>$247.67</td>
<td>$247.67</td>
</tr>
</tbody>
</table>

SubTotal: $2,724.40  
Shipping & Handling: $0.00  
Taxes:  
Credit:  
TOTAL: $2,724.40  

**Payment Details**  
- [ ] Cash  
- [ ] Check  
- [x] Credit Cards  
Check#:  
Payment Date:  

*Due Upon Receipt*
A BILL

FOR

AN ORDINANCE

DECLARING A LIEN AGAINST PROPERTY LOCATED AT
1551 SIEBURG STREET 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

WHEREAS, the City of Keizer Ordinance No. 94-282 provides that a
Responsible Person, as defined in the Ordinance, shall have the duty to abate all
nuisances as defined in City Ordinances; and

WHEREAS, the person or persons responsible for the property located at 1551
Sieburg Street Northeast, Keizer, Oregon have failed to comply with the Keizer Solid
Waste and Inoperable Vehicle Ordinance (No. 2010-614) and the Keizer Noxious
Vegetation Ordinance (No. 2009-590) after being duly given the notice required under
the Keizer Uniform Nuisance Abatement Procedure (Ordinance No. 94-282); and

WHEREAS, the City Manager, or his designee was required to cause the
removal of the debris under the power given to such city officials under the Keizer
Uniform Nuisance Abatement Procedure; and

WHEREAS, after such work was performed, the City Manager or his designee
notified the persons responsible by certified mail of the sum of money due to the City
of Keizer for such work performed and such person was duly notified of the public
hearing to consider and assess such cost as a lien against the property; and

WHEREAS, pursuant to Keizer Uniform Nuisance Abatement Procedure, the
matter was heard by the City Council at public hearing on October 21, 2019, after
reasonable opportunity for objections;

NOW, THEREFORE,

The City of Keizer ordains as follows:

Section 1. CORRECTNESS OF STATEMENT. The City Council declares
the correctness of the statement of costs as set forth in Exhibit “A”, attached hereto,
and by this reference incorporated herein.

Section 2. DECLARATION OF LIEN. The amount set forth on the
statement of costs regarding the property located at 1551 Sieburg Street Northeast,
Keizer, Oregon is declared to be a lien upon such property, as more particularly
described in Exhibit “B” attached, and by this reference incorporated herein.

Section 3. ENTRY IN LIEN DOCKET. The City Recorder is directed to
enter the amount set forth in Exhibit “A” into the minor lien docket and such amount
shall be a lien against the property described in Exhibit “B” from the date of such entry.
Such lien shall accrue interest at the rate of nine percent (9%) per annum from the date
of entry in the lien docket until paid.
Section 4. EMERGENCY CLAUSE. This Ordinance being necessary for the immediate preservation of the public health, safety, and welfare, an emergency is declared to exist and this Ordinance shall take effect immediately upon its passage.

PASSED this ______ day of ________________, 2019.

SIGNED this ______ day of ________________, 2019.

____________________________________
Mayor

____________________________________
City Recorder
EXHIBIT “A”

Nuisance Abatement at
1551 Sieburg Street Northeast, Keizer, Oregon

Statement of Costs Summary

Itemization of Abatement Costs if Paid Prior to October 18, 2019 Per Statement of
Costs Attached Hereto:

Nuisance Abatement and
Administrative Charge $2,724.40

Additional Expenses Occurred as a Result of Failure to Pay by October 18, 2019:

Newspaper Publication $ 68.00

Total Amount to Become a Lien Against the Property:

TOTAL COSTS $2,792.40

Such lien shall accrue interest at the rate of nine percent (9%) per annum from the date
of entry in the lien docket until paid.
City of Keizer
STATEMENT OF COSTS FOR NUISANCE ABATEMENT
At 1551 Sieburg Street Northeast, Keizer, Oregon

Date of this Statement: October 8, 2019

To: Laura Scotch (Responsible Person)
1551 Sieburg Street NE
Keizer, OR 97303

Occupants (Responsible Person)
1551 Sieburg Street NE
Keizer, OR 97303

1. Itemization of Abatement Costs:

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Costs of 30 Yard Mixed Waste Boxes for removal of garbage, solid waste, and noxious vegetation</td>
<td>$2,467.23</td>
</tr>
<tr>
<td>Certified Mail/Postage</td>
<td>$ 9.50</td>
</tr>
<tr>
<td>Administrative charge (10%)</td>
<td>$ 247.67</td>
</tr>
</tbody>
</table>

TOTAL COSTS $2,724.40

2. Costs to be Assessed:

The above costs will be assessed against the subject property unless paid in full within ten (10) days from the date of this statement as shown above. Please address your payment to the City of Keizer, PO Box 21000, Keizer, OR 97307-1000.

3. Public Hearing:

The Keizer City Council will hold a public hearing on October 21, 2019, at 7:00 p.m. in the Robert L. Simon Council Chambers, Keizer Civic Center, 930 Chimawa Road NE, Keizer, Oregon, to determine the correctness of this Statement of Costs and to declare a lien against the subject property.

4. Interest to Accrue:

If not paid prior to October 18, 2019, the lien for costs shall bear interest at the rate of nine percent (9%) per annum from the date of entry of the lien, in the lien docket.

[Signature]
Benjamin Crosby
City of Keizer
Code Compliance Officer
EXHIBIT “B”

Lot 1, Block 3, Re-Subdivision of Blocks 1, 2, 3, 6 of ARNOLD SUBDIVISION, Marion County, 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
- Marlene Parsons, Councilor
- Daniel Kohler, Councilor
- Laura Reid, Councilor
- Roland Herrera, Councilor
- Youth Councilor Christopher Wolfert

Absent:
- Elizabeth Smith, Councilor

Staff:
- Chris Eppley, City Manager
- Shannon Johnson, City Attorney
- Nate Brown, Community Development
- Shane Witham, Senior Planner
- Bill Lawyer, Public Works Director
- Trevor Wenning, Police
- Tim Wood, Finance Director
- Machell DePina, Human Resources
- Tracy Davis, City Recorder

FLAG SALUTE

Mayor Clark led the pledge of allegiance.

SPECIAL ORDERS OF BUSINESS

Sean O’Day, Executive Director of the Mid-Willamette Valley Council of Governments, Mike Cully, League of Oregon Cities Executive Director, and John McArdle, Mayor of Independence, presented the Richardson Award to Mayor Cathy Clark explaining that it recognizes the recipient for service to their community and to other communities and is the ultimate award of elected officials. Mayor Clark introduced her family members in the audience and thanked them and city staff.

a. PROCLAMATION

– Domestic Violence Awareness Month

Mayor Clark read the Proclamation.

Paige Clarkson, Marion County District Attorney, Susana Escobedo, Director of Victims’ Assistance Division, and Jayne Downing from the Center for Hope and Safety, together provided information about domestic violence, work done to prevent and end it, and assistance given to victims. They urged everyone to strive to stop domestic violence.

b. PROCLAMATION

– Filipino American History Month

Mayor Clark read the Proclamation. There was no one in the audience to accept it.
c. Presentation to the City of Keizer - OSHA/SHARP Certification

Human Resources Director Machell DePina summarized her staff report specifically noting that Keizer is the first and only municipality in Oregon to receive this certification. She then read into the record the names listed in her staff report of the people primarily involved in this effort.

Senior Occupational Health Consultants Brian Annis and Jennifer Ekdahl, and Consultation Manager Trina Vendehey then provided additional information about the Safety and Health Achievement Recognition Program and presented a plaque to the City.

Councilor Kohler reported that at the recent League of Oregon Cities Conference, the City of Keizer received the CIS Gold Safety Award with zero reported injuries this year.

COMMITTEE REPORTS

None

PUBLIC TESTIMONY

Pastor Jose Dominguez from the Latino Action Committee, shared information about the committee, expressed gratitude to the City, Mayor and Council for their support, and presented the Mayor and Council with a plaque recognizing that support. Councilor Herrera provided additional information, Mayor Clark noted that Councilor Parsons mentored one of the students that received a scholarship, and Councilor Reid explained the importance to the students of having mentors.

Marlie Koenig, Keizer, wife of Mike Koenig who is a member of the Keizer Community Band, asked Council to waive the fee for the free annual Veterans Day Concert in the Community Center on November 6.

Greig Olson, Keizer, urged Council to join with Multnomah County, Eugene and Bend and many other communities and allow Poker Rooms noting that interest in poker has increased and it is mainstream.

PUBLIC HEARING

a. Gyro Stop Liquor License – Change of Ownership

Mayor Clark opened the Public Hearing.

City Manager Chris Eppley read his staff report.

Hearing no testimony Mayor Clark closed the Public Hearing.

Councilor Freeman moved that the Keizer City Council approve the application for Gyro Stop 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 Herrera seconded. Motion passed as follows:

AYES: Clark, Reid, Freeman, Parsons, Herrera and Kohler (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Smith (1)
b. **RESOLUTION - Authorization for Supplemental Budget – Water Facility Fund**

Mayor Clark opened the Public Hearing.

Finance Director Tim Wood summarized his staff report.

*Hearing no testimony Mayor Clark closed the Public Hearing.*

Councillor Freeman moved that the Keizer City Council adopt a Resolution authorization for Supplemental Budget – Water Facility Fund. Councilor Herrera seconded. Motion passed as follows:

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

**ADMINISTRATIVE ACTION**

a. **Waiver of Community Center Fee – Keizer Community Band**

Chris Eppley summarized his staff report noting that testimony had been received earlier in the meeting supporting the waiver.

Councillor Freeman moved that the Keizer City Council grant the request for a complete rental fee waiver [room rental, security/cleaning deposit, and costs for event staff] for the November 6 Keizer Community Band concert. Councilor Herrera seconded. Motion passed as follows:

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

b. **Social Gaming Ordinance**

City Attorney Shannon Johnson summarized his staff report and provided additional information regarding State background. Mr. Olson, who testified earlier, fielded questions and provided additional information regarding poker room regulations and tournaments.

Following lengthy discussion Council indicated that they did not want to put a motion on the table to change the current ordinance so it would remain for now.

c. **Keizer Revitalization Plan**

Community Development Director Nate Brown, summarized his staff report focusing on the bullet points. Senior Planner Shane Witham provided information regarding the applicability section, access management, and safety elements, noting that staff was unclear as to the direction of Council for implementation of access management and control standards. He suggested that the ‘repaved or resurfaced parking lots’ verbiage be changed to ‘reconstructed’ or striking the applicability section in the action control and going with the applicability section for the whole chapter.

Lengthy discussion followed regarding the ‘Change of Use’ language in the Plan, shared access, landscaping, pedestrian walkways, setbacks, and changing ‘create additional walkways’ to ‘research, examine or consider the need for additional walkways’.
Councilor Freeman moved to adopt the Keizer Revitalization Plan as a part of the Comprehensive Plan (includes removal of existing McNary Activity Center Plan references in the Comprehensive Plan), Comprehensive Map changes (Commercial to Mixed Use), Zoning Map changes (Commercial to Mixed Use), and Keizer Development Code Amendments (creation of River Cherry Overlay District zone, along with supporting amendments to align proposed changes) and direct staff to prepare an ordinance with findings to adopt the proposed revisions. Councilor Herrera seconded.

Mayor Clark offered a friendly amendment to change ‘repaved or resurfaced parking lots’ verbiage be to ‘reconstructed parking lots’. Councilors Freeman and Herrera accepted the amendment.

Following discussion regarding details of the parking requirements, Mr. Johnson indicated that he would work on the verbiage for the Ordinance and provide clarification in his staff report. Council indicated that they were comfortable with the percentages (15% of existing number of parking spaces or 20% of the site’s existing area) and would debate staff recommendation when the Ordinance is considered.

Mayor Clark offered a friendly amendment to change ‘The key public investment initiatives include:’ to ‘The key public investment initiatives may include.’ Councilors Freeman and Herrera accepted the amendment.

Mayor Clark offered a friendly amendment to change ‘Create an accessible public plaza to include upgrades to Walery (Christmas Tree) Plaza.’ to ‘Create an accessible public plaza which may include upgrades to Walery (Christmas Tree) Plaza.’ Councilors Freeman and Herrera accepted the amendment.

Mayor Clark offered a friendly amendment to page 11 of Section 2.130, to add ‘or on City-approved lists’ to subsection 2.d. Councilors Freeman and Herrera accepted the amendment.

Mayor Clark offered a friendly amendment to page 2 of Section 2.103 to change the sentence ‘The intersection of River Road N and Cherry Avenue NE is intended to be the center of activity within Cherry Center.’ to ‘The intersection of River Road N, Cherry Avenue NE and Orcutt Way is intended to be the center of activity within Cherry Center.’ Councilors Freeman and Herrera accepted the amendment.

Vote on original motion: Motion passed as follows:

AYES: Clark, Reid, Freeman, Parsons, Herrera and Kohler (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Smith (1)
Councilor Freeman moved that the Keizer City Council direct staff to begin the process to evaluate how to establish funding for the public investments called for in the plan outlined in Table 3. Councilor Herrera seconded.

Councilor Parsons suggested that a work session be held to consider funding options. Mayor Clark noted that some discussion will take place at the Long Range Planning Task Force meeting.

Motion passed as follows:
AYES: Clark, Reid, Freeman, Parsons, Herrera and Kohler (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Smith (1)

d. RESOLUTION – Authorizing the City Manager to Sign Revocable License Agreement with Michael G. Leupitz Regarding Sunset Park
Mr. Johnson summarized his staff report.
Councilor Freeman moved that the Keizer City Council adopt a Resolution Authorizing the City Manager to Sign Revocable License Agreement with Michael G. Leupitz Regarding Sunset Park. Councilor Herrera seconded. Motion passed as follows:
AYES: Clark, Reid, Freeman, Parsons, Herrera and Kohler (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Smith (1)

CONSENT CALENDAR

a. Approval of September 16, 2019 City Council Regular Session Minutes
Councilor Freeman moved for adoption of the Consent Calendar. Councilor Herrera seconded. Motion passed as follows:
AYES: Clark, Parsons, Reid, Freeman, Herrera and Kohler (6)
NAYS: None (0)
ABSTENTIONS: None (0)
ABSENT: Smith (1)

COUNCIL LIAISON REPORTS
Councilor Kohler shared what he learned at the League of Oregon Cities conference and described various events and meetings he had attended. He announced that the skate park is nearing completion and inquired about the helmet requirement and enforcement. Mr. Lawyer added that the park will be officially open on October 8 and the helmet requirement is enforced randomly by the police.

Councilor Reid reported on the First Responders fundraiser, the Southeast Keizer Neighborhood Association meeting and the Public Works Fair. She noted that McNary efforts to become an AVID school involved having over 50 visitors from across the state; parking was
handled by ROTC, the group was entertained by the bands, and lunch was provided by the culinary classes. She also announced the upcoming Social Media Roundtable on the 17th.

Councilor Freeman reported on the Marion County Re-entry Breakfast and announced upcoming meetings.

Councilor Parsons reported on the Government Affairs meeting and the League of Oregon Cities conference, expressed her desire to have a work session on the 2020 Census and announced upcoming meetings.

Councilor Herrera reported on the League of Oregon Cities conference and the Re-entry Breakfast and announced the upcoming Hall of Fame event and various other meetings and activities.

Youth Councilor Christopher Wolfert reported on the McNary ROTC program and construction progress at McNary.

Mayor Clark reported on events and meetings she had attended sharing details regarding work done to remedy the homeless issue, announced the Council of Governments annual dinner, thanked the City for supporting the library book sale, and announced upcoming meetings.

OTHER BUSINESS

Finance Director Tim Wood reminded everyone that this is the time of year to conserve water in order to keep sewer charges low for the coming year. He reported that the 2017-18 Comprehensive Annual Financial Report received the Government Finance Officer Association Certificate for Excellence in Financial Reporting – the 20th year in a row that the City has received the award.

Human Resources Director Machell DePina thanked everyone who participated in the awards given out.

Public Works Director Bill Lawyer provided an update on the River Road paving, Big Toy Sails, Keizer Transit Center and 14th Avenue projects. Mayor Clark shared a story about a water main breaking in her neighborhood and commended staff for their quick response and stellar customer service.

Community Development Director Nate Brown thanked Council for their work on the Revitalization Plan, announced that work continues with Alan Roodhouse on Area D, and that staff is working with a developer who plans on building a mixed use building with commercial offices on the first floor and residences above on the site next to Sonic.

City Attorney Shannon Johnson reported that he had recently attended the Oregon City Attorneys Association conference.

WRITTEN COMMUNICATIONS

Mayor Clark referred to a letter from Charles Keen asking for the enactment of an Ordinance to go with the Oregon Statute to prohibit or require signage for consumption of alcohol during religious ceremonies. Both Mayor Clark and Mr. Eppley noted that this is not an area that the
City regulates. Mayor Clark then read letters from Cherriotts and the Insurance Commissioner.

AGENDA INPUT

October 14, 2019 - 6:00 p.m. – City Council Work Session - Cancelled
October 21, 2019 - 7:00 p.m. - City Council Regular Session
October 22, 2019 – 5:30 p.m. – Council Work Session – McNary Oaks
October 28, 2019 – 7:00 p.m. – City Council Work Session – Emergency Preparedness
November 4, 2019 – 7:00 p.m. – City Council Regular Session

ADJOURNMENT

Mayor Clark adjourned the meeting at 10:10 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:________________________