

AGENDA

KEIZER CITY COUNCIL REGULAR SESSION

Monday, February 3, 2020

7:00 p.m.

Robert L. Simon Council Chambers
Keizer, Oregon

1. CALL TO ORDER

2. ROLL CALL

3. FLAG SALUTE

4. SPECIAL ORDERS OF BUSINESS

5. COMMITTEE REPORTS

- a. Volunteer Coordinating Committee Recommendation for Appointments to Budget Committee, Keizer Points of Interest Committee, and Traffic Safety/Bikeways/Pedestrian Committee

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

8. ADMINISTRATIVE ACTION

- a. Community Center Fee Waiver Request – Latinos En Accion Scholarship Event
- b. RESOLUTION – Establishing Immunity from Certain Personal Injury or Property Damage Claims Described in ORS 105.668

9. **CONSENT CALENDAR**

- a. **RESOLUTION** – Extending Workers’ Compensation Insurance Coverage to City of Keizer Volunteers; Repeal of Resolution No. R2012-2278
- b. Approval of January 13, 2020 City Council Work Session Minutes
- c. Approval of January 21, 2020 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**

February 10, 2020

6:00 p.m. – City Council Work Session

- BLI/HNA and Transportation Growth Study Issues

February 18, 2020 (Tuesday)

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

March 2, 2020

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

14. **ADJOURNMENT**

The City of Keizer is committed to providing equal access to all public meetings and information per the requirements of the ADA and Oregon Revised Statutes (ORS). The Keizer Civic Center is wheelchair accessible. If you require any service that furthers inclusivity to participate, please contact the Office of the City Recorder at least 48 business hours prior to the meeting by email at davist@keizer.org or phone at (503)390-3700 or (503)856-3412. Most regular City Council meetings are streamed live through the City’s website and cable-cast on Comcast Channel 23 within the Keizer City limits. Thank you for your interest in the City of Keizer.

CITY COUNCIL MEETING: February 3, 2020

AGENDA ITEM NUMBER: _____

TO: MAYOR CLARK AND CITY COUNCIL MEMBERS

THROUGH: CHRIS EPPLEY
CITY MANAGERFROM: TRACY L. DAVIS, MMC
CITY RECORDERSUBJECT: VOLUNTEER COORDINATING COMMITTEE RECOMMENDATIONS FOR
APPOINTMENT**ISSUE:**

The Volunteer Coordinating Committee met on January 16, 2020 to review applications and interview candidates for openings on several committees. The Committee is recommending the following applicants for appointments:

- *Budget Committee* – **Francisco Saldivar** for the remainder of the term for Position #5, term expiring August 31, 2020.
- *Keizer Points of Interest Committee* – **Robert Becker** for the remainder of the term for Position #1, term expiring November 30, 2022.
- *Traffic Safety/Bikeways/Pedestrian Committee* – **Jamie Davis** for the remainder of the term for Position #5, term expiring December 31, 2020.

RECOMMENDATION:

It is recommended the City Council accept the recommendations of the Volunteer Coordinating Committee and appoint the applicants as outlined above.

COUNCIL MEETING: February 3, 2020

TO: MAYOR CLARK AND CITY COUNCIL MEMBERS

FROM: CHRIS EPPLEY
CITY MANAGER

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

SUBJECT: WAIVER OF COMMUNITY CENTER FEE – LATINOS EN ACCION COMMITTEE –LATINO
RECOGNITION SCHOLARSHIP RECEPTION

BACKGROUND:

In 2018 and 2019, the Latinos En Accion Committee held their Latino Recognition Scholarship Event at the Keizer Community Center. In both years, the City Council waived the rental fee and security cleaning deposit, but charged staffing costs (option 4 below). The Committee is once again asking for a fee waiver for the 2020 event. The event will be held on Thursday, May 7, 2020 from 7:00 p.m. to 8:30 p.m. Community Center Iris Room A would accommodate this event. The rental rate for this room, including the Keizer citizen 25% discount, would be \$300. This rate includes staffing costs and use of the kitchen. There is also a \$750 refundable security-cleaning deposit that is collected prior to the event. A certificate of liability insurance would be required for the event.

Options for Council Consideration:

1. Council could deny the request for a complete rental fee/security-cleaning deposit waiver.
2. Council could grant the request for a complete rental fee/security-cleaning deposit waiver.
3. Council could waive the security-cleaning deposit and charge the rental fee of \$300.
4. Council could waive the rental fee and the security-cleaning deposit but charge for staffing time (4 hours @\$20 = \$80)
5. Council could impose or waive fees in any manner they choose.

RECOMMENDATION:

Staff recommends the Council discuss the above listed options and make a motion directing staff how to proceed with the Latinos En Accion Committee event.

CITY COUNCIL MEETING: February 3, 2020

AGENDA ITEM NUMBER: _____

TO: MAYOR CLARK AND COUNCIL MEMBERS

THROUGH: CHRISTOPHER C. EPPLEY, CITY MANAGER

FROM: E. SHANNON JOHNSON, CITY ATTORNEY

SUBJECT: RESOLUTION ESTABLISHING IMMUNITY

Oregon Revised Statutes allows for cities under the population of 500,000 to opt in to the immunity provided for private claims or rights of action based on negligence for personal injury or property damage resulting from use of a trail that is in a public easement or in an unimproved right-of-way, or from use of structures in the public easement or unimproved right-of-way, by a user on foot, on a horse or on a bicycle or other nonmotorized vehicle or conveyance. In order to opt in, the City must adopt a Resolution establishing the immunity. I have prepared such Resolution for your consideration.

RECOMMENDATION:

Adopt the attached Resolution.

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

ESJ/tmh

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2020-_____

ESTABLISHING IMMUNITY FROM CERTAIN PERSONAL INJURY OR PROPERTY DAMAGE CLAIMS DESCRIBED IN ORS 105.668

WHEREAS, the City Council finds that ORS 105.668 limits private claims or rights of action based on negligence for personal injury or property damage resulting from use of a trail that is in a public easement or in an unimproved right-of-way, or from use of structures in the public easement or unimproved right-of-way, by a user on foot, on a horse or on a bicycle or other nonmotorized vehicle or conveyance;

WHEREAS, the City Council finds that ORS 105.668 applies automatically to cities with a population of 500,000 or more and allows cities with a lesser population to opt in to limit liability in the manner established by the law;

WHEREAS, the City Council finds that the City of Keizer will limit its liability from certain claims by opting in to the immunity provided for in ORS 105.668;

NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Keizer that pursuant to ORS 105.668(3), the City of Keizer on behalf of itself, its officers, employees and agents, hereby opts to limit its liability with respect to personal injury or property damage resulting from use of a trail that is in a public easement or in an unimproved right-of-way, or from use of structures in the public easement or unimproved right-of-way, with

1 respect to claimants who may be a user on foot, on a horse or on a bicycle or other
2 nonmotorized vehicle or conveyance.

3 BE IT FURTHER RESOLVED by the City Council of the City of Keizer that the
4 City of Keizer further opts to extend the immunity contained above to:

5 a. The owner of land abutting the public easement in the City, and
6 unimproved right-of-way in the City; and

7 b. A nonprofit corporation and its volunteers for the construction and
8 maintenance of the trail or the structures in a public easement or unimproved
9 right-of-way in the City.

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

12 PASSED this _____ day of _____, 2020.

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14 SIGNED this _____ day of _____, 2020.

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Mayor

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City Recorder

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COUNCIL MEETING: February 3, 2020

TO: MAYOR CLARK AND CITY COUNCIL MEMBERS

FROM: CHRIS EPPLEY
CITY MANAGER

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

SUBJECT: RESOLUTION – EXTENDING WORKERS COMPENSATION COVERAGE TO CITY OF KEIZER VOLUNTEERS

ISSUE:

The City of Keizer includes certain volunteers under our Workers Compensation Coverage. Volunteers such as members of the City Council, City Boards and Commissions, Reserve Officers, and Parks Volunteers are covered. During the annual workers compensation audit this year, staff discovered the chaplains who provide volunteer resources to the Keizer Police Department were not included in the current covered classifications. The Resolution is being amended to include a new classification code (9410V) for Law Enforcement Chaplains.

RECOMMENDATION:

Staff recommends the City Council adopt the attached Resolution Extending Workers Compensation Coverage to City of Keizer Volunteers.

CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

Resolution R2020-_____

**EXTENDING WORKERS’ COMPENSATION INSURANCE
COVERAGE TO CITY OF KEIZER VOLUNTEERS; REPEAL OF
RESOLUTION NO. R2012-2278**

WHEREAS, the City Council adopted Resolution No. R2012-2278 extending workers’ compensation insurance coverage to certain City volunteers;

WHEREAS, the City Council wishes to repeal such Resolution and elect to extend workers’ compensation insurance coverage to the volunteers specified herein;

WHEREAS, the City of Keizer elects the following:

Pursuant to ORS 656.031, workers’ compensation coverage will be provided to the classes of volunteer workers listed in this Resolution and on the attached Exhibit “A”.

1. An assumed monthly wage of \$800 per month will be used for public safety volunteers;
2. An aggregate assumed annual wage of \$2,500 will be used per volunteer board, commission and/or council for the performance of administrative duties;
3. Non-public safety volunteers will keep track of their hours and have their assumed payroll reported in the correct class code for the type of work being performed using Oregon minimum wage;

1 4. Court-mandated community service workers/inmates on work release who
2 are sentenced by any court in the state of Oregon will keep track of their
3 hours and have their assumed payroll report in Class Code 7720V using
4 Oregon minimum wage;

5 5. A roster of active volunteers (public safety and non-public safety) will be
6 kept monthly for reporting purposes. It is acknowledged that Citycounty
7 Insurance Services (CIS) may request copies of these rosters during year-
8 end audit;

9 6. Unanticipated volunteer projects or exposure not addressed herein will be
10 added onto the City of Keizer's coverage agreement by endorsement with
11 advanced notice to CIS and allowing at least two (2) weeks for processing.

12 It is hereby acknowledged that coverage of this type cannot be backdated.

13 NOW, THEREFORE,

14 BE IT RESOLVED by the City Council of the City of Keizer that the City of
15 Keizer hereby elects, pursuant to ORS 656.031/656.041 to provide workers'
16 compensation coverage as indicated above.

17 BE IT FURTHER RESOLVED by the City Council of the City of Keizer that
18 Resolution No. R2012-2278 is hereby repealed in its entirety, but such Resolution shall
19 remain in force for the purpose of providing workers' compensation coverage for claims
20 when such Resolution was in effect.

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

3 PASSED this _____ day of _____, 2020.

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5 SIGNED this _____ day of _____, 2020.

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Mayor

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City Recorder

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EXHIBIT "A"

7720V	Law Enforcement Volunteers
8411V	Public Safety Volunteers
8742V	Volunteer Boards/Commissions/Public Officials
8810V	Volunteer Clerical/Library/911 Operators
9102V	Volunteer Parks/Summer Rec/Teen Center
9410V	Volunteer Chaplains



MINUTES
KEIZER CITY COUNCIL WORK SESSION
Monday, January 13, 2020
Keizer Civic Center, Council Chambers
Keizer, Oregon

CALL TO ORDER

Mayor Clark called the meeting to order at 6:00 pm. Roll call was taken as follows:

Present:

Cathy Clark, Mayor
Kim Freeman, Councilor
Marlene Parsons, Councilor
Laura Reid, Councilor
Roland Herrera, Councilor (6:19)
Elizabeth Smith, Councilor
Dan Kohler, Councilor

Staff:

Chris Eppley, City Manager
Shannon Johnson, City Attorney
Nate Brown, Community Development Director
Bill Lawyer, Public Works Director
Tim Wood, Finance Director
Machell DePina, Human Resources
Tracy Davis, City Recorder

DISCUSSION

a. 2019-2020

**City Council
Goal Progress
Review**

City Manager Chris Eppley reviewed his work sheet noting that he would give Council quarterly progress reports.

Community Development Director Nate Brown explained that the UGB expansion in general is tied to major decisions on the funding and the process. In working through this, it occurred to him that Keizer already has identified an aspirational goal of 63 acres of employment land. He would like to develop a plan to move forward. He explained that the rules are different for an employment land UGB expansion than for housing; there is more flexibility and it could be accomplished more quickly.

Mr. Eppley added that UGB expansion specifically for employment grounds is a significantly different kind of discussion than a full-blown UGB expansion. Discussion has been taking place with 1000 Friends and people who may oppose UGB expansion.

Mr. Brown explained that the next step will be to open discussion with potential consultants, develop a roadmap to guide the process and to engage the other SKAPAC members. Discussion followed regarding the location of potential employment lands and the process for determining that.

Mr. Eppley reviewed the short-term goals providing details and fielding questions about each. Council discussed Community Outreach suggesting closed captions for televised meetings and educating the public if the option is available and increasing youth outreach.

b. Potential Future Staffing Needs

Mayor Clark noted that in 10 years Keizer has seen a 7.5% population increase and staffing should be increased to serve that increased population. Each department then reported on their needs as follows:

City Manager: Full-time Public Information Officer/Community Outreach/Cultural Engagement Coordinator to help the City connect with different ethnic communities, work with all departments to develop a unified public message, work with Council, and possibly take on the task of emergency management. This position would enhance existing services.

Discussion followed regarding the importance of ensuring access to citizens with language, hearing and sight barriers and all cultures and separating the Emergency Management position from the PIO position.

Community Development: Increased Code Enforcement staff to address increased infractions being reported and to staff a possible Multi-Family Housing Inspection Program to make sure housing stock is adequate and safe. Discussion followed regarding the split of time spent by Code Enforcement staff between Code Enforcement and Police work.

Human Resources: The addition of another position could be postponed with the purchase of the HRIS system. Successful programs need to be continued and that requires additional time/staffing to provide the same level of service. The future position would focus primarily on benefits.

Mr. Eppley noted that the City's fiscal position has not changed and with the increased PERS costs, these positions will not be funded in any future budget. Staff continues to discuss ways to increase revenue. Finance Director Tim Wood shared methods used to keep costs at a minimum.

Legal: City Attorney Shannon Johnson reported that when Legal came in-house 10 years ago, the staffing level dropped because he no longer had assistance from John Lien. Outside counsel are used when needed but they are expensive.

Police: There is a need for a second position in Property and Evidence. Staff is exploring the option of not filling the vacant CSO position and using funds from that and two part-time temps to cobble together enough to fund the second position. Also needed is a DMS program which manages policy type items reducing work load for the Police Department.

Utility Billing: No staffing needs. As utility billing becomes more automated, staffing needs decline.

Public Works: No staffing needs. Temporary services are an option when needed. In 5 years, another full-time position may be needed for Parks. A priority would be an additional Facilities Maintenance person since the building is getting older and needing more maintenance and the work is currently being done by a single employee.

Mayor Clark suggested that codification of ordinances and an Economic Development Manager or Director be added to the City needs. Discussion

then took place on how to fund additional positions.

Mayor Clark pointed out that these issues would be addressed and prioritized at the Long-Range Planning Task Force meeting on March 9. She summarized that items she thought important were the HRIS program, and Code Enforcement staffing. Councilor Freeman added that it would be appropriate for Council to consider the fee waivers they have granted in the past and possibly reconsider the waivers in the future to augment budget needs. She also requested that a list of completed projects funded by the Parks Fee be provided to the Budget Committee as well as a list of what the Police Fee has accomplished.

Mr. Eppley indicated that a written report will be prepared and shared on the City website.

ADJOURNMENT Mayor Clark adjourned the meeting at 7:33 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:_____



MINUTES
KEIZER CITY COUNCIL
Tuesday, January 21, 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
Daniel Kohler, Councilor
Marlene Parsons, Councilor
Laura Reid, Councilor
Roland Herrera, Councilor
Elizabeth Smith, Councilor

Staff:

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

Absent:

Kim Freeman, Councilor

FLAG SALUTE Mayor Clark led the pledge of allegiance.

SPECIAL ORDERS OF BUSINESS None

COMMITTEE REPORTS

Matt Lawyer, Keizer, shared information regarding the Planning Commission 2020 Work Plan and commended staff and past and current Planning Commissioners for their hard work in 2019.

Mr. Lawyer also reported that after lengthy discussion and study the Keizer Little League Park Long Range Planning Task Force had come up with a recommendation of soliciting outside management of the facilities with a long-term lease with a backup plan of City operation of the facility.

Tanya Hamilton, Keizer, reported that the Parks Advisory Board worked on updating the donation policy to include memorials. Board members reported on their specific park assignments, discussed security cameras for various parks and the possibility of putting in a practice soccer field at Clearlake Park and viewed pictures of the Eagle Scout project completed by Spencer Willis at the amphitheater.

a. Appointment to the Audit Committee City Manager Chris Eppley read his staff report. Mayor Clark appointed Kevin Dial to fill the vacancy on the Audit Committee.

PUBLIC TESTIMONY None

PUBLIC HEARING

None

ADMINISTRATIVE ACTION**a. RESOLUTION – Authorizing the City Manager to Sign Intergovernmental Agreement between Marion County and City of Keizer**

Community Development Director Nate Brown summarized his staff report.

Councilor Herrera moved that the Keizer City Council adopt a Resolution Authorizing the City Manager to Sign Intergovernmental Agreement between Marion County and City of Keizer for Community Prosperity Initiative. Councilor Reid seconded. Motion passed as follows:

AYES: Clark, Reid, Parsons, Herrera, Smith and Kohler (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Freeman (1)

CONSENT CALENDAR

a. Approval of January 6, 2020 City Council Regular Session Minutes

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

AYES: Clark, Reid, Parsons, Herrera, Smith and Kohler (6)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: Freeman (1)

COUNCIL LIAISON REPORTS

Councilor Kohler announced the upcoming Monster Cookie Ride and Community dinner, reported that Hersch Sangster was honored as the 2019 First Citizen and that he had 'Hard of Hearing' cards available.

Councilor Reid reported on meetings and events she had attended, shared information about the interactive parks map on the City website, and announced that Southeast Keizer and West Keizer neighborhood associations are partnering to manage food barrels throughout the year for Keizer Food Share.

Councilor Smith commended Mayor Clark for representing Keizer at the Mid-Valley Realtors annual meeting and reported on what was discussed at the Charter Review Committee meeting.

Councilor Parsons reported on meetings and events she had attended; congratulated recipients of honors given at the First Citizens Banquet and announced the Volcanoes Winter Banquet.

Councilor Herrera reported on meetings and events he had attended and urged everyone to attend the Salem-Keizer Beacons dinner on February 1 and to read the 'People of Color' document which will be presented at the League of Oregon Cities Board meeting.

Mayor Clark reported on meetings and events she had attended and announced upcoming ones.

OTHER BUSINESS Chief Teague announced the second annual Citizen Academy on February 6.

Nate Brown provided details on the First Annual Housing Summit which he attended which discussed the elimination of single-family exclusive zoning. He noted that this would make it challenging for the city to maintain the sense of community that Keizer has and still meet the intent of the housing requirements.

Mayor Clark reported that she had received a request to increase the number of hens allowed under the current ordinance and Councilors Reid and Parsons had requested that Council consider making the Keizer ordinance consistent with Salem's. Mr. Brown suggested that Council initiate the text amendment process because staff would like to revisit other aspects of the current ordinance.

Councilor Herrera moved to suspend the rules. Councilor Reid seconded. Motion passed as follows:

AYES: Clark, Reid, Parsons, Herrera and Smith (5)
 NAYS: Kohler (1)
 ABSTENTIONS: None (0)
 ABSENT: Freeman (1)

Discussion followed regarding the current ordinance, violations, complaints, livestock governance and the process.

Councilor Herrera moved to initiate a legislative amendment to the Keizer Development Code regarding the number of chickens allowed and other changes that need to be included. Councilor Reid seconded. Motion passed as follows:

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

WRITTEN COMMUNICATIONS

Mayor Clark shared a letter from Kevin Mannix asking for a support letter for the company he is with to purchase the Union Pacific rail line from Woodburn to Stayton for use as a multi-modal rail at Brooklake. Six other cities have supported the project; there is no monetary commitment.

Councilor Herrera moved to suspend the rules. Councilor Reid seconded. Motion passed as follows:

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

Council agreed by consensus to write a letter of support to Kevin Mannix and his company for the proposed purchase of Union Pacific rail line

from Woodburn to Stayton (33 miles of track).

AGENDA INPUT

February 3, 2020, 7:00 p.m. – City Council Regular Session

February 10, 2020, 6:00 p.m. – City Council Work Session

February 18, 2020 (Tuesday), 7:00 p.m. - City Council Regular Session

March 2, 2020, 7:00 p.m. - City Council Regular Session

ADJOURNMENT

Mayor Clark adjourned the meeting at 8:14 p.m.

MAYOR:

APPROVED:

Cathy Clark

Debbie Lockhart, Deputy City Recorder

COUNCIL MEMBERS

Councilor #1 – Laura Reid

Councilor #4 – Roland Herrera

~ Absent ~

Councilor #2 – Kim Freeman

Councilor #5 – Elizabeth Smith

Councilor #3 – Marlene Parsons

Councilor #6 – Daniel R. Kohler

Minutes approved:_____