

**AGENDA**  
**KEIZER CITY COUNCIL**  
**REGULAR SESSION**  
Monday, December 4, 2017  
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. South East Keizer Neighborhood Association Annual Report
5. **COMMITTEE REPORTS**
  - a. **ORDINANCE** – Amending the Ordinance Creating a Planning Commission; Amending Ordinance No. 83-006 and Ordinance No. 2013-674
  - b. **RESOLUTION** – Amending the Traffic Safety/Bikeways/Pedestrian Committee; Amending R2012-2256; Repealing R2014-2429
  - c. Volunteer Coordinating Committee Recommendations for Appointments (Budget Committee, Parks Advisory Board, Keizer Planning Commission, Traffic Safety/Bikeways/Pedestrian Committee, and Committee Youth Liaisons)
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** – To Vacate a Portion of Phillip Street NE, Keizer, Oregon (Herber Family)
  - b. **RESOLUTION** – Forming Pinecrest Addition Street Lighting Local Improvement District  
**ORDINANCE** – Spreading Assessments to Pinecrest Addition Street Lighting Local Improvement District
  - c. **RESOLUTION** – Forming Galina Court Street Lighting Local Improvement District  
**ORDINANCE** – Spreading Assessments to Galina Court Street Lighting Local Improvement District
  - d. **RESOLUTION** – Authorization for Supplemental Budget – Police Services Fee
  - e. **RESOLUTION** – Authorization for Supplemental Budget – Parks Services Fee and Rental House Income

**RESOLUTION – Authorization for Supplemental Budget – Parks Services Fee**

**8. ADMINISTRATIVE ACTION**

- a. **RESOLUTION – Authorization for Transfer of Appropriations – Keizer Station Area B Improvements**
- b. **RESOLUTION – Authorization for Supplemental Budget – Water to Water Facility Transfer**
- c. **ORDINANCE – Amending Ordinance Adopting the Keizer Medical Marijuana Facility Permit Process; Amendment of Ordinance No. 2014-702 and Ordinance No. 2016-747  
ORDINANCE – Amending Ordinance Adopting the Keizer Marijuana Retailer Permit Process; Amendment of Ordinance No. 2016-743**

**9. CONSENT CALENDAR**

- a. **RESOLUTION – Authorizing the City Manager to Award and Enter Into an Agreement with Pacific Excavation Inc. for Water Main Replacement Project 2017/2018**
- b. **Approval of November 20, 2017 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**

**December 11, 2017**

**5:45 p.m. – City Council Work Session**

- Canceled

**December 18, 2017**

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

**January 2, 2018 (Tuesday)**

**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](mailto: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: December 4, 2017**

**AGENDA ITEM NUMBER: \_\_\_\_\_**

**TO: MAYOR CLARK AND CITY COUNCIL MEMBERS**

**THROUGH: CHRIS EPPLEY  
CITY MANAGER**

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

**SUBJECT: SOUTH EAST KEIZER NEIGHBORHOOD ASSOCIATION ANNUAL  
REPORT**

**BACKGROUND:**

In June, 1993 the City Council adopted Ordinance 93-257 outlining the purpose and guidelines for recognition of neighborhood associations. The Ordinance states in order to maintain recognition, the neighborhood association shall make an annual report to the City Council. The report may be submitted in writing or made orally at a City Council meeting.

Representatives from the South East Keizer Neighborhood Association will be in attendance to present their annual report.

**RECOMMENDATION:**

It is recommended the Council accept the report and by motion extend recognition to the South East Keizer Neighborhood Association for an additional year.

**CITY COUNCIL MEETING: December 4, 2017**

**AGENDA ITEM NUMBER: \_\_\_\_\_**

**TO: MAYOR CLARK AND COUNCIL MEMBERS**

**THROUGH: CHRISTOPHER C. EPPLEY, CITY MANAGER**

**FROM: E. SHANNON JOHNSON, CITY ATTORNEY**

**SUBJECT: AMENDING MEMBERSHIP OF PLANNING COMMISSION**

The Council adopted Ordinance No. 83-006 creating the Planning Commission. Such Ordinance was amended by Ordinance 2013-674. At the recent Volunteer Coordinating Committee (VCC) meeting, recruitments for committee Youth liaisons were considered. One candidate requested to serve as a youth liaison to the Planning Commission. The VCC voted to recommend a youth liaison as requested. Prior to appointment of a youth liaison to the Planning Commission, the membership section must be amended. A draft of such amendment is attached for your consideration.

**RECOMMENDATION:**

Adopt the attached Ordinance Amending the Ordinance Creating a Planning Commission.

Please let me know if you have any questions. Thank you.

ESJ/tmh

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A BILL  
ORDINANCE NO.  
2017-\_\_\_\_\_  
FOR  
AN ORDINANCE

AMENDING THE ORDINANCE CREATING A PLANNING  
COMMISSION; **AMENDING ORDINANCE NO. 83-006 AND  
ORDINANCE NO. 2013-674**

The City of Keizer ordains as follows:

Section 1. AMENDMENT OF ORDINANCE NO. 83-006 AND ORDINANCE  
NO. 2013-674. Ordinance No. 83-006 (An Ordinance Creating a Planning Commission;  
Providing for its Composition and Organization; Providing its Power and Duties) is  
hereby amended at Section 1(b) and Ordinance No. 2013-674 (Amending the Ordinance  
Creating a Planning Commission) is hereby amended at Section 1(A) as follows:

b. The commission will consist of seven (7) voting  
members to be appointed as outlined by the City Council Rules  
of Procedure. No more than two voting members shall be  
engaged principally in the buying, selling or developing of real  
estate for profit as individuals, or be members of any  
partnership, or officers or employees of any corporation, that  
engaged principally in the buying, selling or developing of real  
estate for profit. No more than one voting member shall be  
engaged in the same kind of occupation, business, trade, or  
profession. No more than one member shall be a non-resident  
of the City of Keizer. The Mayor will appoint a non-voting  
Council liaison to the Commission and make such  
announcement at a regularly scheduled Council meeting. The  
Council may appoint a non-voting Youth liaison to the  
Commission pursuant to the City Council Rules of Procedure.  
The Commission will be staffed by a non-voting staff liaison to  
be appointed by the City Manager.

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Section 2. EFFECTIVE DATE. This Ordinance shall take effect thirty (30) days  
after its passage.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Recorder

**CITY COUNCIL MEETING: December 4, 2017**

**AGENDA ITEM NUMBER: \_\_\_\_\_**

**TO: MAYOR CLARK AND COUNCIL MEMBERS**

**THROUGH: CHRISTOPHER C. EPPLEY, CITY MANAGER**

**FROM: E. SHANNON JOHNSON, CITY ATTORNEY**

**SUBJECT: AMENDING MEMBERSHIP OF TRAFFIC  
SAFETY/BIKEWAYS/PEDESTRIAN COMMITTEE**

The Council adopted Resolution No. R2012-2256 establishing the Traffic Safety/Bikeways/Pedestrian Committee. At the recent Volunteer Coordinating Committee (VCC) meeting, recruitments for committee Youth liaisons were considered. One candidate requested to serve as a youth liaison to the Traffic Safety/Bikeways/Pedestrian Committee. The VCC voted to recommend a youth liaison as requested. Prior to appointment of a youth liaison to the Traffic Safety/Bikeways/Pedestrian Committee, the membership section must be amended. A draft of such amendment is attached for your consideration.

**RECOMMENDATION:**

Adopt the attached Resolution Amending the Traffic Safety/Bikeways/Pedestrian Committee; Amending Resolution No. R2012-2256; Repealing Resolution R2014-2429.

Please let me know if you have any questions. Thank you.

ESJ/tmh

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

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3 Resolution R2017-\_\_\_\_\_

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6 AMENDING THE TRAFFIC SAFETY/BIKEWAYS/PEDESTRIAN  
7 COMMITTEE; AMENDING RESOLUTION NO. R2012-2256;  
8 REPEALING RESOLUTION R2014-2429  
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11 WHEREAS, the City Council adopted Resolution No. R2012-2256 establishing  
12 the Traffic Safety/Bikeways/Pedestrian Committee on July 2, 2012;

13 WHEREAS, the City Council adopted Resolution No. R2014-2429 amending the  
14 membership section of the Committee on March 17, 2014;

15 WHEREAS, the City Council wishes to amend the membership section of the  
16 Committee to allow youth liaisons;

17 NOW, THEREFORE,

18 BE IT RESOLVED by the City Council of the City of Keizer that Resolution No.  
19 R2012-2256 is hereby amended by replacement of Appendix "A" with the attached  
20 Appendix "A", and by this reference incorporated herein.

21 BE IT FURTHER RESOLVED that the current members shall continue in their  
22 terms of office as appointed.

23 BE IT FURTHER RESOLVED by the City Council of the City of Keizer that  
24 Resolution No. R2014-2429 is hereby repealed in its entirety.  
25



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

3           PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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5           SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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Mayor

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City Recorder

## **Appendix “A” City Council Committee**

**Name:** Traffic Safety/Bikeways/Pedestrian Committee

**Purpose:** To act in an advisory capacity to the Keizer City Council and City Manager in the creation, development and implementation of official traffic safety activities, including bikeways and pedestrian routes, and to make recommendations on projects and practices that improve safety, efficiencies and choices for transportation mode options. The powers and duties of the Committee shall include, but are not limited to:

1. To develop, prioritize, and recommend coordinated traffic safety programs.
2. To develop and maintain a Master Bikeway Plan to include an assessment of the need for bikeways, recommended routes with costs and priorities, proposed funding sources, and implementation program.
3. To recommend traffic safety priorities for the City.
4. To review and recommend project applications for funding.
5. To serve in a liaison capacity between the City and the Oregon Traffic Safety Commission in developing the statewide highway safety program and in meeting National Highway Safety Program Standards.
6. To provide traffic and transportation-related research and information to official agencies of the City.
7. To coordinate and disseminate information to the public on routes and rules for bicyclists, pedestrians, and transit.
8. To promote public knowledge and compliance with traffic safety programs and laws.
9. To promote expanding transportation options that increase safety, efficiency, health, and independence.
10. To provide an annual written or oral report of its activities to the Council and other reports which the Council may request from time to time.

**Membership:** The Committee shall consist of seven (7) voting members. At least two (2) of the voting members shall be bicycle advocates and actively engaged in recreational and/or commuter bicycling. Liaisons from the City Council, City staff and representatives from Marion County Fire District #1 and Keizer Fire District shall serve as non-voting ex officio liaisons. The Mayor will appoint the non-voting Council liaison to the Committee and will make such announcement at a regularly scheduled Council meeting. The non-voting Fire District representatives shall be appointed by the Districts. The non-voting staff liaison will be appointed by the City Manager. The Council may appoint a non-voting Youth liaison to the Committee pursuant to the Council Rules of Procedure. Other members shall be appointed as outlined by the City Council Rules of Procedure, except for the initial selection which shall be by City Council appointment.

**Term of Office:** Each member of the Committee shall be appointed for a three-year term, except for initial terms which shall be staggered. Members may be reappointed. The terms shall be staggered so that not more than three will expire in the same year.

**Chair and Vice-Chair:** The Committee will elect the Chair and Vice-Chair at the first meeting of each calendar year.

**Meetings:** Members of the Committee shall establish a regular meeting date and shall meet as deemed necessary by the Chair. All meetings of the Committee shall follow Robert Rules of Order Newly Revised and the Oregon Public Meeting Laws.

**Attendance:** It is the duty of each member to attend at least 75% of the meetings each calendar year. When a member is unable to attend a meeting, the member shall notify the Chair. Members of the Committee may be removed by two-thirds majority vote of the City Council.

CITY COUNCIL MEETING: December 4, 2017

AGENDA ITEM NUMBER: \_\_\_\_\_

**TO: MAYOR CLARK AND CITY COUNCIL MEMBERS**

**THROUGH: CHRIS EPPLEY  
CITY MANAGER**

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

**SUBJECT: VOLUNTEER COORDINATING COMMITTEE RECOMMENDATIONS  
FOR APPOINTMENTS**

**ISSUE:**

The Volunteer Coordinating Committee met on November 16<sup>th</sup> to review applications and interview candidates for openings on several City committees. The Committee is recommending the following applicants for appointments:

- ***Budget Committee:* Keith Blair, Don Clark, Kevin Dial** to positions 3, 4 and 5 respectively.
- ***Parks Advisory Board* – David Loudon, Clint Holland and Wayne Frey** to positions 5, 6 and 9 respectively.
- ***Keizer Planning Commission* – Matt Lawyer** to position 1.
- ***Traffic Safety/Bikeways/Pedestrian Committee* – Joe Tilman and Pat Fisher** to positions 5 and 7 respectively.
- ***Committee Youth Liaisons*** – Isaac Matthews to Planning Commission and Traffic Safety/Bikeways/Pedestrian Committee and Brooke Ridgway to the Art Commission and Parks Advisory Board.

**RECOMMENDATION:**

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

**CITY COUNCIL MEETING: December 4, 2017**

**AGENDA ITEM NUMBER:\_\_\_\_\_**

**TO: MAYOR CLARK AND COUNCIL MEMBERS**

**THROUGH: CHRISTOPHER C. EPPLEY, CITY MANAGER**

**FROM: E. SHANNON JOHNSON, CITY ATTORNEY**

**SUBJECT: *VACATION OF A PORTION OF PHILIP STREET NE***

In connection with the development of the Herber property, Joseph A Herber, Larry K Peters, Tyrene A Denlinger, and Mary Ellen Herber Mize submitted a Petition to Vacate most of Philip Street under the guidelines of ORS 271.080. A copy of the Petition to Vacate (and attachments) are attached for your reference. This Petition is set for public hearing tonight.

As can be seen in the attached map, Philip Street runs north/south from Chemawa Road to Dearborn Avenue. The property to the west of Philip Street was deeded to the City as part of the Herber Farms land use decision.

The Petition to Vacate is requesting vacation of most of Philip Street NE, Keizer, Oregon, Marion County, Oregon. The proposed vacation area will be added to the developable property on the east side and to the new City property on the west side.

As part of the Petition to Vacate, the Petitioner provided consents. Pursuant to ORS 271.080(2), the Petitioner is required to provide consent of the owners of all abutting property and of not less than two-thirds in area of the real property affected thereby. I have confirmed that the real property affected by this Petition is comprised of 758,226 square feet, of which all the abutting property owners have given consent. I have also confirmed that two-thirds of the real property affected by this Petition equates to 505,484 square feet and that at least the required consents have been submitted with the Petition.

Notice of the Public Hearing has been published in the November 17, 2017 and November 24, 2017 editions of the Keizertimes. Notice of the Street Vacation was posted at or near each end of the proposed vacation area. These notices were posted on November 16, 2017. Both the posting and first date of publication was at least 14 days before this hearing in accordance with ORS 271.110.

Pursuant to ORS 271.120, Council shall hear the petition and objections, shall determine whether the consent of the owners of the requisite area has been obtained, shall determine

whether notice has been duly given, and after conducting the public hearing, shall determine if the public interest will be prejudiced by the vacation of such street or parts thereof. If these matters are determined in favor of the Petition, then the Council should adopt the attached Ordinance.

**RECOMMENDATION:**

Open and conduct the public hearing. If there are no remaining questions, close the public hearing and adopt the attached Ordinance.

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

ESJ/tmh  
attachment

1 CITY COUNCIL, CITY OF KEIZER  
2 STATE OF OREGON  
3

4 IN THE MATTER OF THE VACATION OF: )

5 Philip Street )

6 ) PETITION TO VACATE  
7 )  
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9 NAMES AND ADDRESSES OF PETITIONERS:

10 Joseph A. Herber

11 Judith A Peters

12 Tyrene A Denlinger

13 Mary Ellen Herber Mize  
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15 WE, the above listed petitioners, petition the City Council of the City of Keizer,  
16 State of Oregon to vacate:

17 Philip Street between Chemawa Road and Dearborn Avenue in Keizer  
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20 more particularly described as follows:

21 See Attached Exhibit "A" and "B"  
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26 PETITIONERS ALLEGE AS FOLLOWS:

27 Section 1: It is proposed that property to be vacated is to be used as follows:

28 For not right-of-way and public uses.  
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1    **Section 2:**   The reason for the requested vacation is:  
2            The property has never been developed as a public roadway and  
3            is no longer needed. Prior Land Use actions by the City of Keizer  
4            require that it be vacated.  
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7    **Section 3:**   The names and addresses of all persons owning any real property  
8    **abutting** either side of the street proposed to be vacated:  
9            See the attached List of Abutting property owners.  
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13            (Attach abutting property owners consent forms to petition as exhibit)  
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15    **Section 4:**   The names and addresses of all persons owning property in the  
16    area of real property affected by the proposed vacation: (ORS 271.080(2)  
17    states... land lying on either side of the street or portion thereof proposed to be  
18    vacated and extending laterally to the next street that serves as a parallel street,  
19    but in any case not to exceed 200 feet, and the land for a like lateral distance on  
20    either side of the street for 400 feet along its course beyond each terminus of the  
21    part proposed to be vacated.)  
22            See the attached list of Affected properties.  
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10 (Attach affected property owners consent forms to petition as exhibit)

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12 **Section 5** No portion of the proposed vacation is situated outside the city  
13 limits of Keizer.

14 NOW, PETITIONERS request a hearing before the City Council on this  
15 matter.

16 DATED this 23<sup>rd</sup> day of September, 2017.

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Larry K. Peters (husband of deceased)  
Tyrene A. Denlinger  
Mary Ellen Herber Mize  
PETITIONERS SIGNATURES

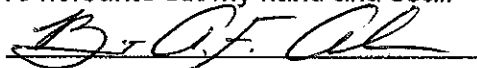
STATE OF OREGON )  
County of Marion )

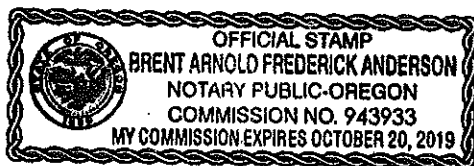
26 On this 23<sup>rd</sup> day of September, 2017,

27 before me appeared personally the above named  
28 Larry K. Peters (husband of deceased Judith A. Peters),  
29 Tyrene A. Denlinger, and Mary Ellen Herber Mize  
30 known to me to be the individuals listed as petitioners above and executed the  
31 above petition freely and voluntarily.

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IN TESTIMONY WHEREOF, I have hereunto set my hand and seal.





Notary Public for Oregon

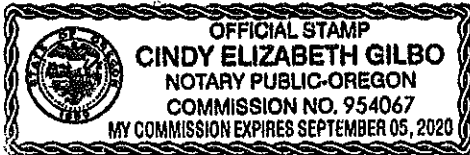
My commission expires: October 20, 2019

STATE OF OREGON )  
County of Marion )

*Joseph A. Herber signed on line*

*18*  
*\* Joseph A. Herber*

This instrument was acknowledged before me on Sept 25 2017, by  
Joseph A. Herber



*Cindy E Gilbo*

Notary Public - State of Oregon  
My commission expires: 9.5.2020

STATE OF OREGON )  
County of \_\_\_\_\_ )

This instrument was acknowledged before me on \_\_\_\_\_ 2017, by  
\_\_\_\_\_

Notary Public - State of Oregon  
My commission expires:

STATE OF OREGON )  
County of \_\_\_\_\_ )

This instrument was acknowledged before me on \_\_\_\_\_ 2017, by  
\_\_\_\_\_

Notary Public - State of Oregon  
My commission expires:

STATE OF OREGON )  
County of \_\_\_\_\_ )

This instrument was acknowledged before me on \_\_\_\_\_ 2017, by  
\_\_\_\_\_

Notary Public - State of Oregon  
My commission expires:



<b>Tax Lot</b>	<b>Address</b>	<b>Property Owners</b>	<b>Signature of Owner</b>
2AA3500	4900 Philip St NE Keizer, OR 97303	Judith A Peters	
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	Joseph A. Herber, Trustee
		Mary Ellen Herber Mize	
2AA3600	4800 Philip St NE Keizer, OR 97303	Judith A Peters	
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	Joseph A. Herber, Trustee
		Mary Ellen Herber Mize	
2AD7300	4845 Verda Ln NE Keizer, OR 97303	Judith A Peters	
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	Joseph A. Herber, Trustee
		Mary Ellen Herber Mize	
2AD7200	4800 Philip St NE Keizer, OR 97303	Judith A Peters	
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	Joseph A. Herber, Trustee
		Mary Ellen Herber Mize	
2AD7100	4800 Philip St NE Keizer, OR 97303	Judith A Peters	
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	Joseph A. Herber, Trustee
		Mary Ellen Herber Mize	

## Abutting Properties

Page 1 of 3

Tax Lot	Address	Property Owners	Signature of Owner
02AA3000	4900 Philip St NE Keizer, OR 97303	Judith A Peters	_____
		Tyrene Ann Denlinger	_____
		Joseph A. Herber Trustee of Herber Living Trust	_____ <i>Joseph A. Herber, Trustee</i>
		Mary Ellen Herber Mize	_____
2AA3200	4900 Philip St NE Keizer, OR 97303	Judith A Peters	_____
		Tyrene Ann Denlinger	_____
		Joseph A. Herber Trustee of Herber Living Trust	_____ <i>Joseph A. Herber, Trustee</i>
		Mary Ellen Herber Mize	_____
2AA3300	4900 Philip St NE Keizer, OR 97303	Judith A Peters	_____
		Tyrene Ann Denlinger	_____
		Joseph A. Herber Trustee of Herber Living Trust	_____ <i>Joseph A. Herber, Trustee</i>
		Mary Ellen Herber Mize	_____
2AA3400	4900 Philip St NE Keizer, OR 97303	Judith A Peters	_____
		Tyrene Ann Denlinger	_____
		Joseph A. Herber Trustee of Herber Living Trust	_____ <i>Joseph A. Herber, Trustee</i>
		Mary Ellen Herber Mize	_____

Tax Lot	Address	Property Owners	Signature of Owner
2AD7000	4800 Philip St NE Keizer, OR 97303	Judith A Peters	
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	Joseph A. Herber, Trustee
		Mary Ellen Herber Mize	
2AD6900	4800 Philip St NE Keizer, OR 97303	Judith A Peters	
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	Joseph A. Herber, Trustee
		Mary Ellen Herber Mize	
2AD6800	Keizer, OR 97303	Judith A Peters	
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	Joseph A. Herber, Trustee
		Mary Ellen Herber Mize	
2AA2900	Keizer, OR 97303	Judith A Peters	
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	Joseph A. Herber, Trustee
		Mary Ellen Herber Mize	

## Affected Properties

Tax Lot	Address	Property Owners	Signature of Owner
02AA3000	4900 Philip St NE Keizer, OR 97303	Judith A Peters	_____
		Tyrene Ann Denlinger	_____
		Joseph A. Herber Trustee of Herber Living Trust	_____ <i>Joseph A. Herber, Trustee</i>
		Mary Ellen Herber Mize	_____
02AA3100	Keizer, OR 97303	Judith A Peters	_____
		Tyrene Ann Denlinger	_____
		Joseph A. Herber Trustee of Herber Living Trust	_____ <i>Joseph A. Herber, Trustee</i>
		Mary Ellen Herber Mize	_____
02AA3200	4900 Philip St NE Keizer, OR 97303	Judith A Peters	_____
		Tyrene Ann Denlinger	_____
		Joseph A. Herber Trustee of Herber Living Trust	_____ <i>Joseph A. Herber, Trustee</i>
		Mary Ellen Herber Mize	_____
02AA3300	4900 Philip St NE Keizer, OR 97303	Judith A Peters	_____
		Tyrene Ann Denlinger	_____
		Joseph A. Herber Trustee of Herber Living Trust	_____ <i>Joseph A. Herber, Trustee</i>
		Mary Ellen Herber Mize	_____



Tax Lot	Address	Property Owners	Signature of Owner
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02AA3400

4900 Philip St NE  
Keizer, OR 97303

Judith A Peters

Tyrene Ann Denlinger

Joseph A. Herber  
Trustee of  
Herber Living Trust

Mary Ellen Herber Mize

*Joseph A. Herber, Trustee*

02AA3500

4900 Philip St NE  
Keizer, OR 97303

Judith A Peters

Tyrene Ann Denlinger

Joseph A. Herber  
Trustee of  
Herber Living Trust

Mary Ellen Herber Mize

*Joseph A. Herber, Trustee*

02AA3600

4800 Philip St NE  
Keizer, OR 97303

Judith A Peters

Tyrene Ann Denlinger

Joseph A. Herber  
Trustee of  
Herber Living Trust

Mary Ellen Herber Mize

*Joseph A. Herber, Trustee*

02AD7300

4845 Verda Ln NE  
Keizer, OR 97303

Judith A Peters

Tyrene Ann Denlinger

Joseph A. Herber  
Trustee of  
Herber Living Trust

Mary Ellen Herber Mize

*Joseph A. Herber, Trustee*

02AD7200

4800 Philip St NE  
Keizer, OR 97303

Judith A Peters

Tyrene Ann Denlinger

Joseph A. Herber  
Trustee of  
Herber Living Trust

Mary Ellen Herber Mize

*Joseph A. Herber, Trustee*

Tax Lot	Address	Property Owners	Signature of Owner
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02AD7100

4800 Philip St NE  
Keizer, OR 97303

Judith A Peters

Tyrene Ann Denlinger

Joseph A. Herber  
Trustee of  
Herber Living Trust

Mary Ellen Herber Mize

*Joseph A. Herber, Trustee*

02AD7000

4800 Philip St NE  
Keizer, OR 97303

Judith A Peters

Tyrene Ann Denlinger

Joseph A. Herber  
Trustee of  
Herber Living Trust

Mary Ellen Herber Mize

*Joseph A. Herber, Trustee*

02AD6900

4815 Verda Ln NE  
Keizer, OR 97303

Judith A Peters

Tyrene Ann Denlinger

Joseph A. Herber  
Trustee of  
Herber Living Trust

Mary Ellen Herber Mize

*Joseph A. Herber, Trustee*

02AD6700

Keizer, OR 97303

Judith A Peters

Tyrene Ann Denlinger

Joseph A. Herber  
Trustee of  
Herber Living Trust

Mary Ellen Herber Mize

*Joseph A. Herber, Trustee*

02AD6800

Keizer, OR 97303


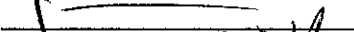
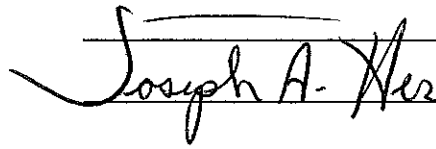

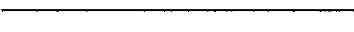
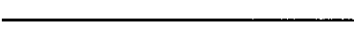
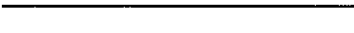

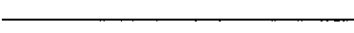
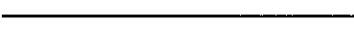
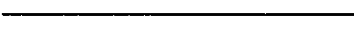

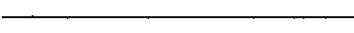

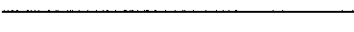
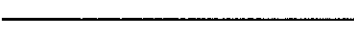

Judith A Peters

Tyrene Ann Denlinger

Joseph A. Herber  
Trustee of  
Herber Living Trust

Mary Ellen Herber Mize

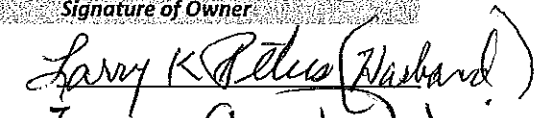
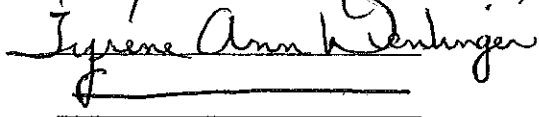
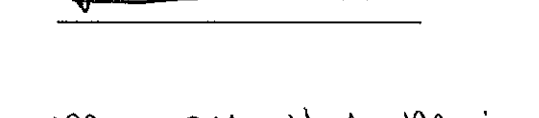
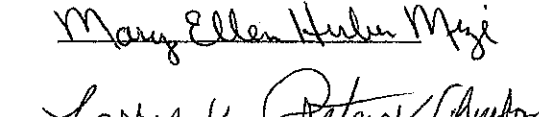
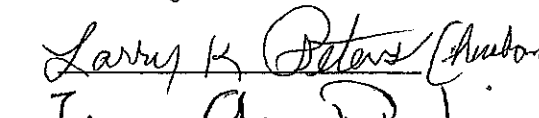
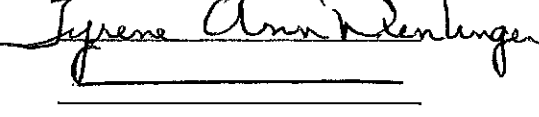
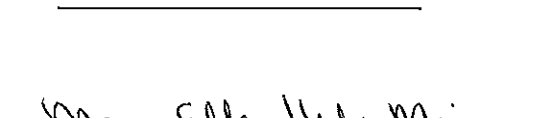
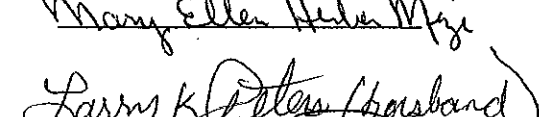

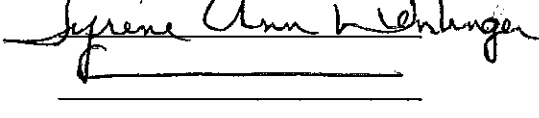
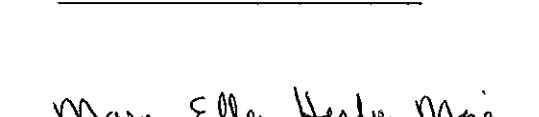
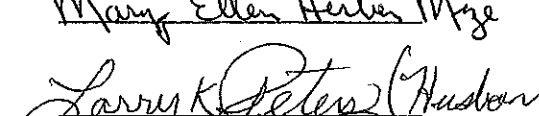

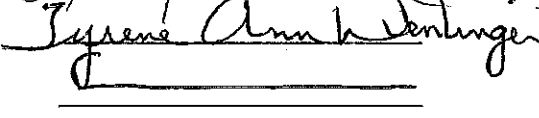
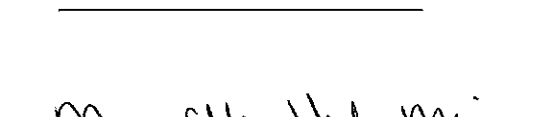
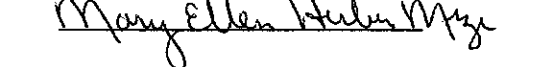
*Joseph A. Herber, Trustee*


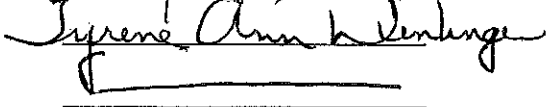
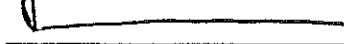
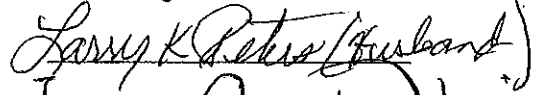
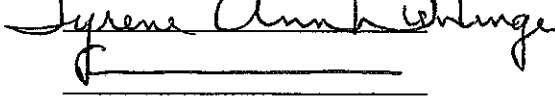
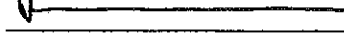

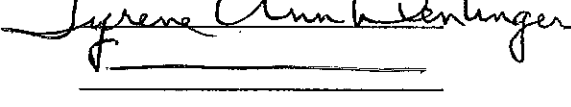
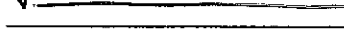
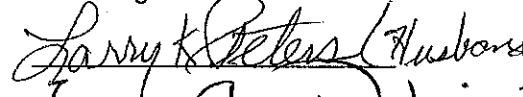
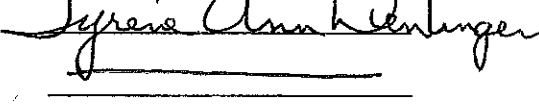
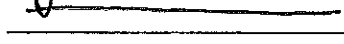

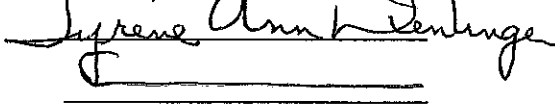
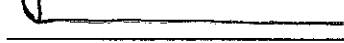
<b>Tax Lot</b>	<b>Address</b>	<b>Property Owners</b>	<b>Signature of Owner</b>
02AA2900	Keizer, OR 97303	Judith A Peters	
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	
		Mary Ellen Herber Mize	
02AA2500	5125 Verda Ln. NE Keizer OR 97303	Graig Smit	
		Cassandra Smit	
02AA2600	5085 Verda Ln. NE Keizer OR 97303	Carl Crooks	
02AA2700	5065 Verda Ln. NE Keizer, OR 97303	Carl Crooks	
02AD6100	1526 Dearborn Ave NE Keizer, OR 97303	Paul Weaver	
02AD5500	4785 Verda Ln. NE Keizer, OR 97303	Daniel Wagnier	
		Kris Wagnier	
02AD5800	4799 Verda Ln. NE Keizer, OR 97303	Leonardo Tinoco	
02AD5801	4799 Verda Ln. NE Keizer, OR 97303	Cesar Siguenza	
		Marina Siguenza	
02AD5900	1536 Dearborn Ave. NE Keizer, OR 97303	Daisy Santana	
02AD5700	4795 Verda Ln. NE Keizer, OR 97303	William Guthrie	
02AD6000	1546 Dearborn Ave. NE Keizer, OR 97303	Matthew Auman	


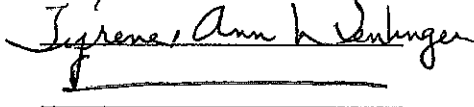
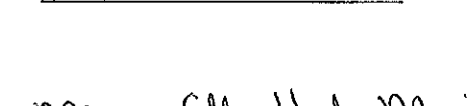
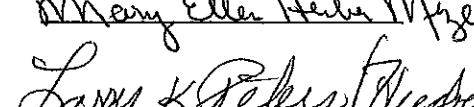

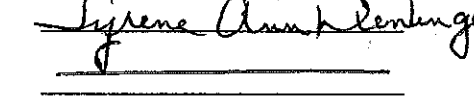
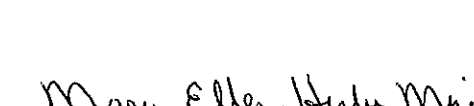
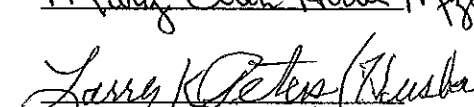
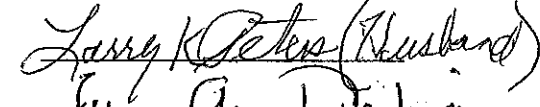
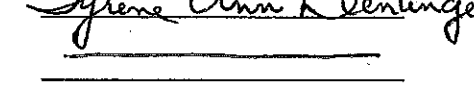
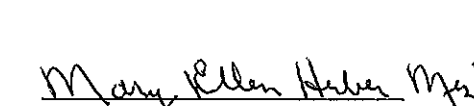
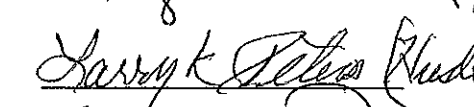
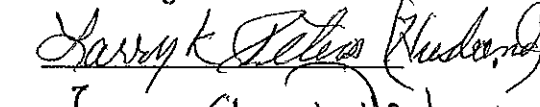
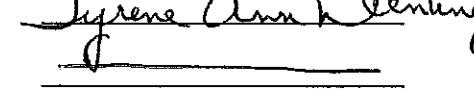
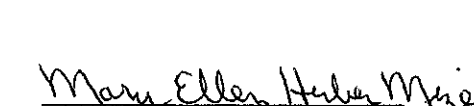



# Abutting Properties

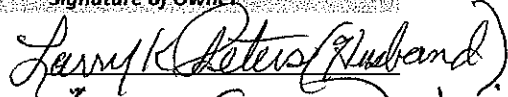
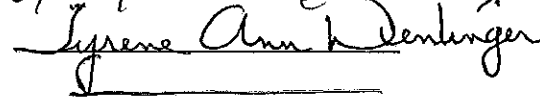
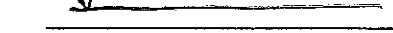
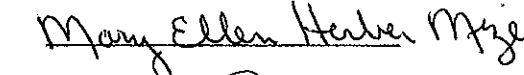

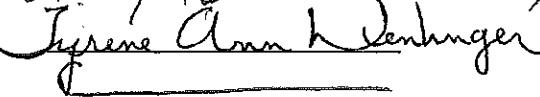

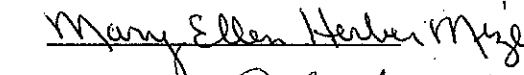

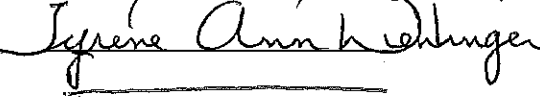

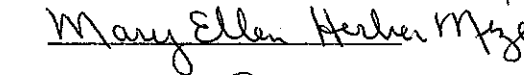

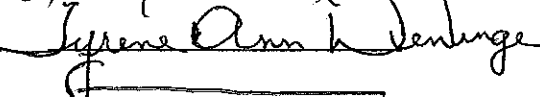

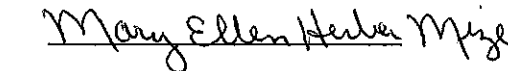
Page 1 of 3

Tax Lot	Address	Property Owners	Signature of Owner
02AA3000	4900 Philip St NE Keizer, OR 97303	Judith A Peters	   
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	
		Mary Ellen Herber Mize	
2AA3200	4900 Philip St NE Keizer, OR 97303	Judith A Peters	   
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	
		Mary Ellen Herber Mize	
2AA3300	4900 Philip St NE Keizer, OR 97303	Judith A Peters	   
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	
		Mary Ellen Herber Mize	
2AA3400	4900 Philip St NE Keizer, OR 97303	Judith A Peters	   
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	
		Mary Ellen Herber Mize	

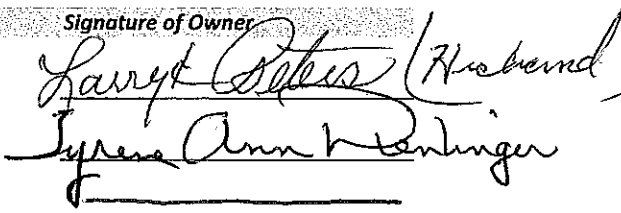
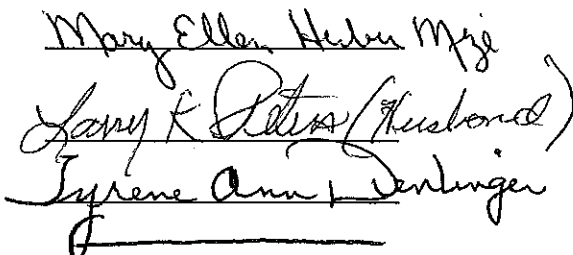
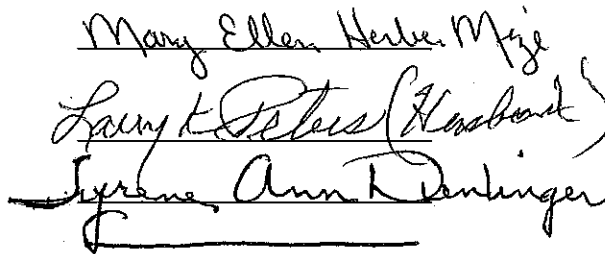
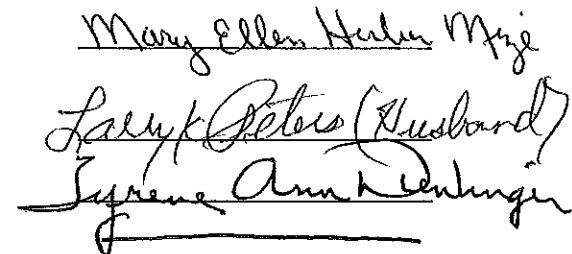
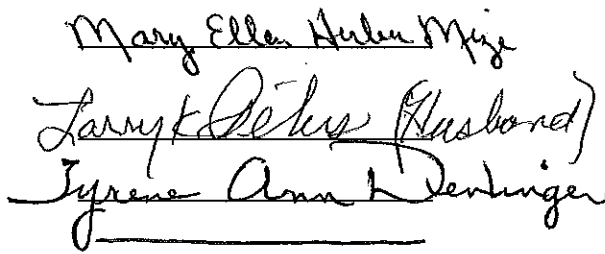
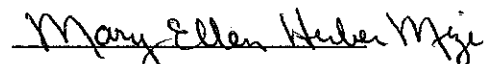
Tax Lot	Address	Property Owners	Signature of Owner
2AA3500	4900 Philip St NE Keizer, OR 97303	Judith A Peters	  
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	
		Mary Ellen Herber Mize	
2AA3600	4800 Philip St NE Keizer, OR 97303	Judith A Peters	  
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	
		Mary Ellen Herber Mize	
2AD7300	4845 Verda Ln NE Keizer, OR 97303	Judith A Peters	  
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	
		Mary Ellen Herber Mize	
2AD7200	4800 Philip St NE Keizer, OR 97303	Judith A Peters	  
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	
		Mary Ellen Herber Mize	
2AD7100	4800 Philip St NE Keizer, OR 97303	Judith A Peters	  
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	
		Mary Ellen Herber Mize	

Tax Lot	Address	Property Owners	Signature of Owner
2AD7000	4800 Philip St NE Keizer, OR 97303	Judith A Peters	   
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	
		Mary Ellen Herber Mize	
2AD6900	4800 Philip St NE Keizer, OR 97303	Judith A Peters	   
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	
		Mary Ellen Herber Mize	
2AD6800	Keizer, OR 97303	Judith A Peters	   
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	
		Mary Ellen Herber Mize	
2AA2900	Keizer, OR 97303	Judith A Peters	   
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	
		Mary Ellen Herber Mize	

## Affected Properties

Tax Lot	Address	Property Owners	Signature of Owner
02AA3000	4900 Philip St NE Keizer, OR 97303	Judith A Peters	   
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	
		Mary Ellen Herber Mize	
02AA3100	Keizer, OR 97303	Judith A Peters	   
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	
		Mary Ellen Herber Mize	
02AA3200	4900 Philip St NE Keizer, OR 97303	Judith A Peters	   
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	
		Mary Ellen Herber Mize	
02AA3300	4900 Philip St NE Keizer, OR 97303	Judith A Peters	   
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	
		Mary Ellen Herber Mize	



Tax Lot	Address	Property Owners	Signature of Owner
02AA3400	4900 Philip St NE Keizer, OR 97303	Judith A Peters	
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	
		Mary Ellen Herber Mize	
02AA3500	4900 Philip St NE Keizer, OR 97303	Judith A Peters	
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	
		Mary Ellen Herber Mize	
02AA3600	4800 Philip St NE Keizer, OR 97303	Judith A Peters	
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	
		Mary Ellen Herber Mize	
02AD7300	4845 Verda Ln NE Keizer, OR 97303	Judith A Peters	
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	
		Mary Ellen Herber Mize	
02AD7200	4800 Philip St NE Keizer, OR 97303	Judith A Peters	
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	
		Mary Ellen Herber Mize	

Tax Lot	Address	Property Owners	Signature of Owner
02AD7100	4800 Philip St NE Keizer, OR 97303	Judith A Peters	 
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	
		Mary Ellen Herber Mize	
02AD7000	4800 Philip St NE Keizer, OR 97303	Judith A Peters	 
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	
		Mary Ellen Herber Mize	
02AD6900	4815 Verda Ln NE Keizer, OR 97303	Judith A Peters	 
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	
		Mary Ellen Herber Mize	
02AD6700	Keizer, OR 97303	Judith A Peters	 
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	
		Mary Ellen Herber Mize	
02AD6800	Keizer, OR 97303	Judith A Peters	 
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	
		Mary Ellen Herber Mize	

Tax Lot	Address	Property Owners	Signature of Owner
02AA2900	Keizer, OR 97303	Judith A Peters	<i>Larry E Peters (Husband)</i>
		Tyrene Ann Denlinger	
		Joseph A. Herber Trustee of Herber Living Trust	<i>Tyrene Ann Denlinger</i>
		Mary Ellen Herber Mize	
02AA2500	5125 Verda Ln. NE Keizer OR 97303	Graig Smit	_____
		Cassandra Smit	_____
02AA2600	5085 Verda Ln. NE Keizer OR 97303	Carl Crooks	_____
02AA2700	5065 Verda Ln. NE Keizer, OR 97303	Carl Crooks	_____
02AD6100	1526 Dearborn Ave NE Keizer, OR 97303	Paul Weaver	_____
02AD5500	4785 Verda Ln. NE Keizer, OR 97303	Daniel Wagnier	_____
		Kris Wagnier	_____
02AD5800	4799 Verda Ln. NE Keizer, OR 97303	Leonardo Tinoco	_____
02AD5801	4799 Verda Ln. NE Keizer, OR 97303	Cesar Siguenza	_____
		Marina Siguenza	_____
02AD5900	1536 Dearborn Ave. NE Keizer, OR 97303	Daisy Santana	_____
02AD5700	4795 Verda Ln. NE Keizer, OR 97303	William Guthrie	_____
02AD6000	1546 Dearborn Ave. NE Keizer, OR 97303	Matthew Auman	_____

1                   **CONSENT FORM FOR OWNERS OF REAL PROPERTY**  
2                   **AFFECTED BY PROPOSED STREET VACATION**  
3

4    A.    The area of the proposed street vacation involved in this matter is located  
5    on:  
6       Philip Street between Chemawa Road and Dearborn Avenue, Keizer, Oregon  
7       \_\_\_\_\_

8    B.    I/We, City of Keizer, an Oregon municipal corporation  
9    am/are the record titled owner(s) of real property which abuts the proposed  
10   street vacation or is located within the affected area of the proposed street  
11   vacation as defined by ORS 271.080(2).

12   C.    My/Our property is located at:  
13   Claggett Creek Park and property located between Philip Street and Claggett Creek Park  
14   \_\_\_\_\_

15   and is legally described as ( list lot and block, subdivision or tax account  
16   number):  
17       073W02AA02800 R24898 and  
18       073W02AA02900 R24899  
19       \_\_\_\_\_

19   D.    I/We freely and voluntarily consent to the proposed street vacation as  
20   described in paragraph A.

21                                   CITY OF KEIZER

22                                   By: \_\_\_\_\_

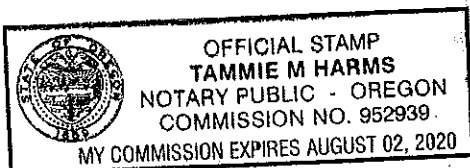
23                                   Christopher C. Eppley, City Manager

23   STATE OF OREGON            )  
24                                   ) ss.  
25   County of Marion            )  
26

27       On this 7th day of November, 2017  
28   personally appeared the above named persons known to me to be the identical  
29   individuals described above and who executed the within instrument and  
30   acknowledged to be that they executed the same freely and voluntarily, on behalf of the  
31   City of Keizer

32                                   Tammie M. Harms  
33   Notary Public for Oregon

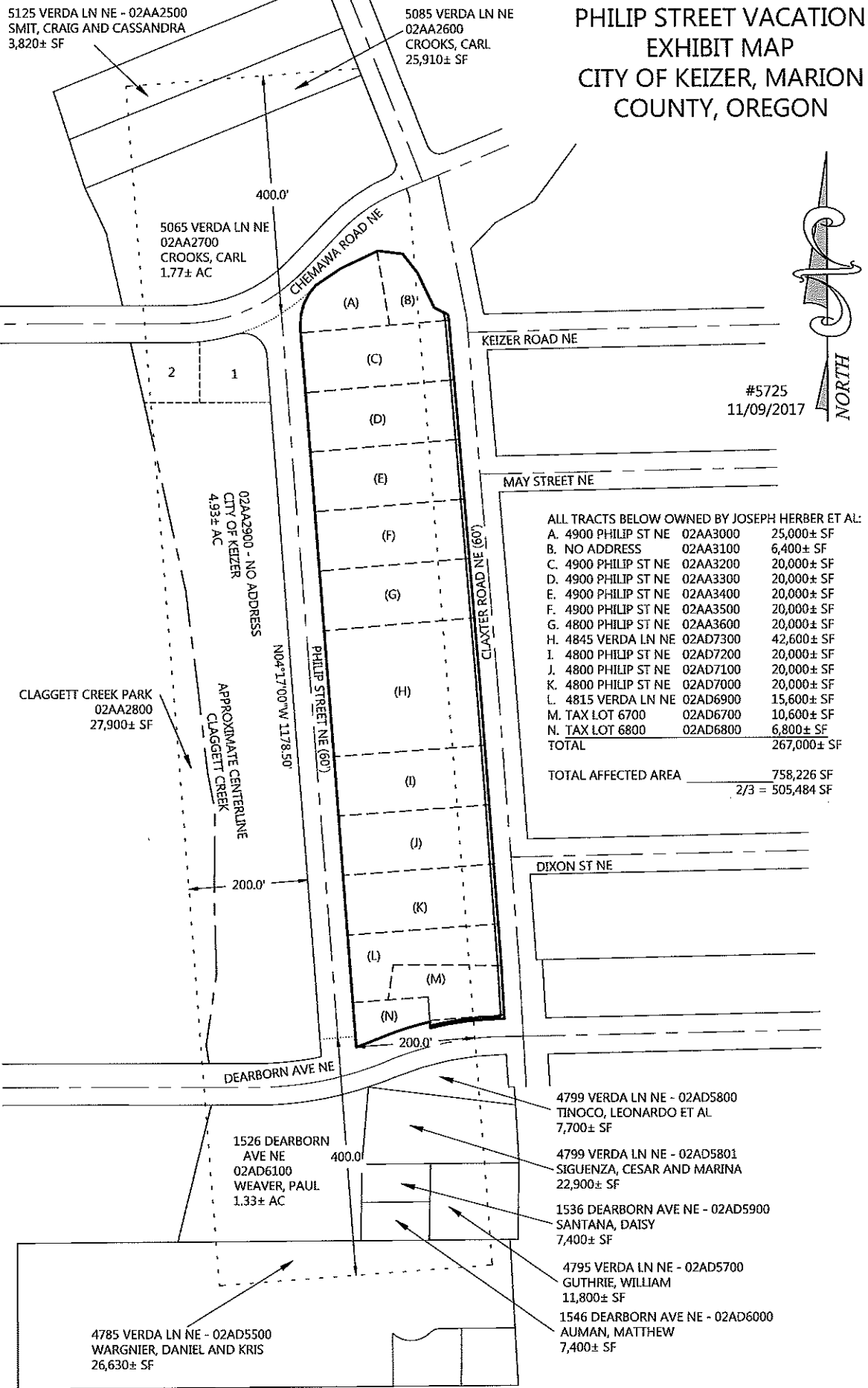
34   My commission expires: 8-2-2020



# PHILIP STREET VACATION EXHIBIT MAP CITY OF KEIZER, MARION COUNTY, OREGON



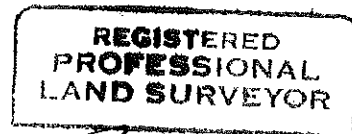
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11/09/2017



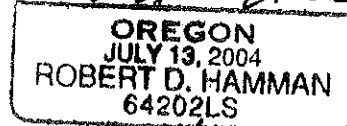
## Exhibit A

Commencing at the Southwest corner of Lot 23, Block 1, Herber's Addition in the Northeast Quarter of Section 2, Township 7 South, Range 3 West, of the Willamette Meridian, City of Keizer, Marion County, Oregon; thence North  $27^{\circ}10'51''$  West 77.10 feet to the centerline intersection of Philip Street Northeast and Chemawa Road Northeast being the True Point of Beginning; thence along the centerline of Philip Street, its width being 30 feet on each side, South  $04^{\circ}17'00''$  East 1253.64 feet, more or less, to a point 65.00 feet Northwesterly on line of the centerline of Dearborn Road Northeast.

Save and except the land lying within the Right of Way of Chemawa Road Northeast.

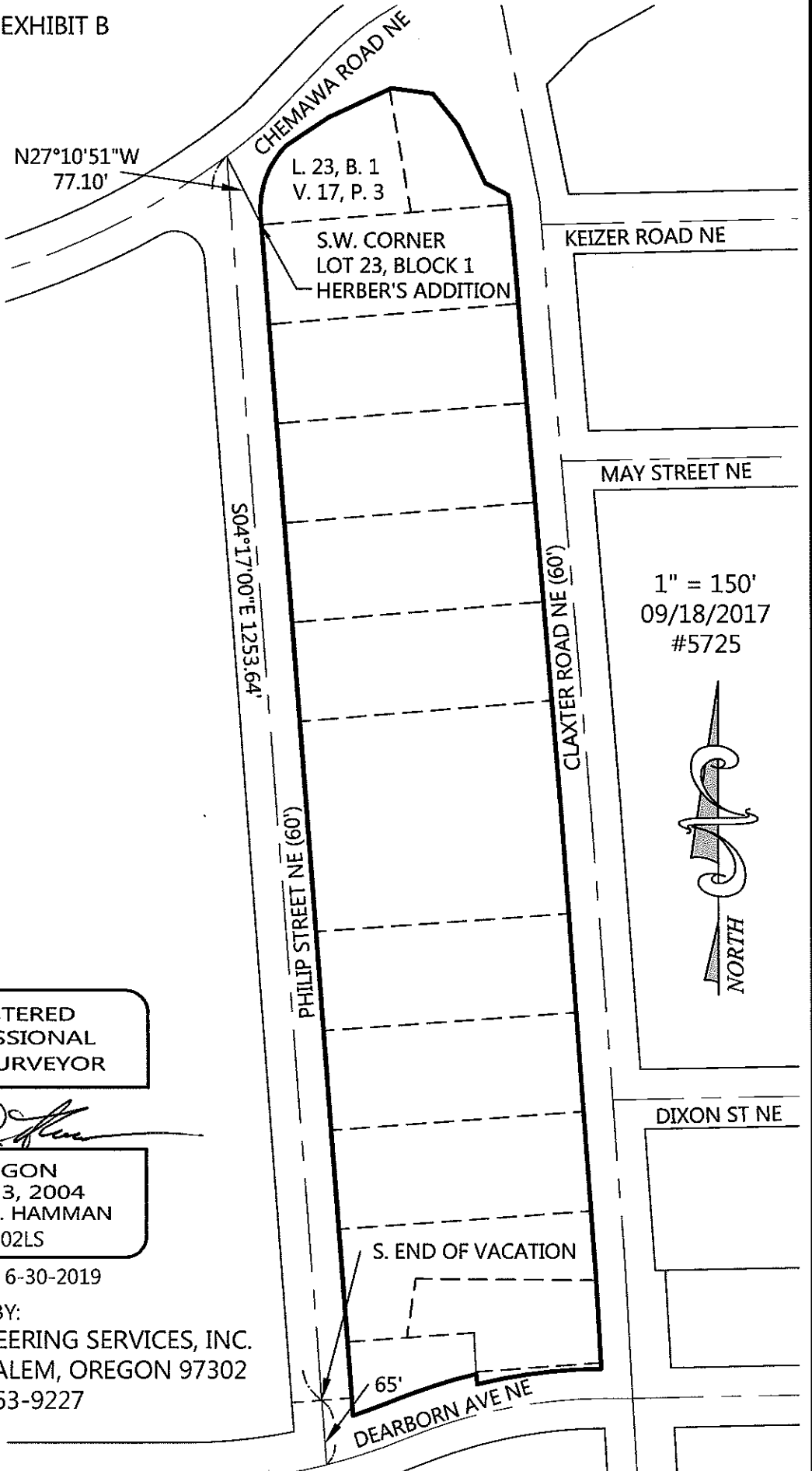


A handwritten signature in black ink, appearing to read "Robert D. Hamman", written over the bottom of the first stamp.



EXPIRES: 6/30/2019

EXHIBIT B



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 13, 2004  
ROBERT D. HAMMAN  
64202LS

EXPIRES: 6-30-2019

BY:

MULTI/TECH ENGINEERING SERVICES, INC.  
1155 13TH ST. S.E. SALEM, OREGON 97302  
503-363-9227

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A BILL  
ORDINANCE NO.  
2017-\_\_\_\_\_

FOR

AN ORDINANCE

TO VACATE A PORTION OF PHILIP STREET NE,  
KEIZER, OREGON (HERBER FAMILY)

The City of Keizer ordains as follows:

Section 1. PUBLIC HEARING. The City Council held a public hearing on the proposed vacation of a portion of Philip Street NE, Keizer, Oregon, Marion County, Oregon, on the 4th day of December, 2017. At that time, the question to vacate and any objections or remonstrances were heard. The time for filing objections and remonstrances has fully expired.

Section 2. NOTICE OF STREET VACATION. The City Council determines that the required legal notice has been published in the City official newspaper once each week for two consecutive weeks prior to the date of the hearing; and the legal notice was posted at or near each end of the proposed vacated street in at least two conspicuous places in the proposed vacation area within five days of the first publication notice. Further, the Council determines that the posting of notice was completed and the first publication of notice appeared at least 14 days prior to the hearing.



1           Section 3. CONSENT OF REAL PROPERTY OWNERS. The City Council  
2 determines that the abutting property owners and not less than two-thirds in area of the  
3 real property affected herein have consented to the proposed vacation. In addition, the  
4 City Council determines that the City has not received written objections from owners of  
5 a majority of the area affected, computed on the basis provided in ORS 271.080.

6           Section 4. PUBLIC INTEREST SERVED. The Council determines that the  
7 public interest is served and not prejudiced by the proposed vacation.

8           Section 5. LAND USE CONSIDERATIONS. The Council determines that the  
9 proposed vacation would not constitute a significant impact on present or future land  
10 uses.

11           Section 6. VACATION. The Council ordains that the property described on  
12 Exhibit “A” and shown on Exhibit “B” attached hereto and by this reference  
13 incorporated herein be vacated.

14           Section 7. CONDITIONS OF VACATION. The Council determines that  
15 nothing contained herein shall cause or require the removal or abandonment of any  
16 sewer, water line, conduit of any kind, wires, poles or equipment of any kind, which are  
17 now installed in said street and used or intended to be used for any public service, and  
18  
19

1 owned or used by any public or private utility, and the right is hereby reserved to  
2 maintain and continue to repair, reconstruct, renew, replace, rebuild or enlarge any and  
3 all such facilities and the right-of-way rights shall continue for such purposes.

4 Section 8. EFFECTIVE DATE. This Ordinance shall take effect thirty (30) days  
5 after its passage.

6 PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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8 SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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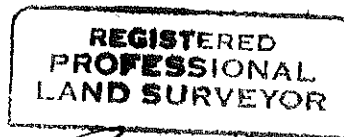
\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Recorder

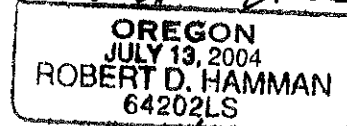
## Exhibit A

Commencing at the Southwest corner of Lot 23, Block 1, Herber's Addition in the Northeast Quarter of Section 2, Township 7 South, Range 3 West, of the Willamette Meridian, City of Keizer, Marion County, Oregon; thence North  $27^{\circ}10'51''$  West 77.10 feet to the centerline intersection of Philip Street Northeast and Chemawa Road Northeast being the True Point of Beginning; thence along the centerline of Philip Street, its width being 30 feet on each side, South  $04^{\circ}17'00''$  East 1253.64 feet, more or less, to a point 65.00 feet Northwesterly on line of the centerline of Dearborn Road Northeast.

Save and except the land lying within the Right of Way of Chemawa Road Northeast.

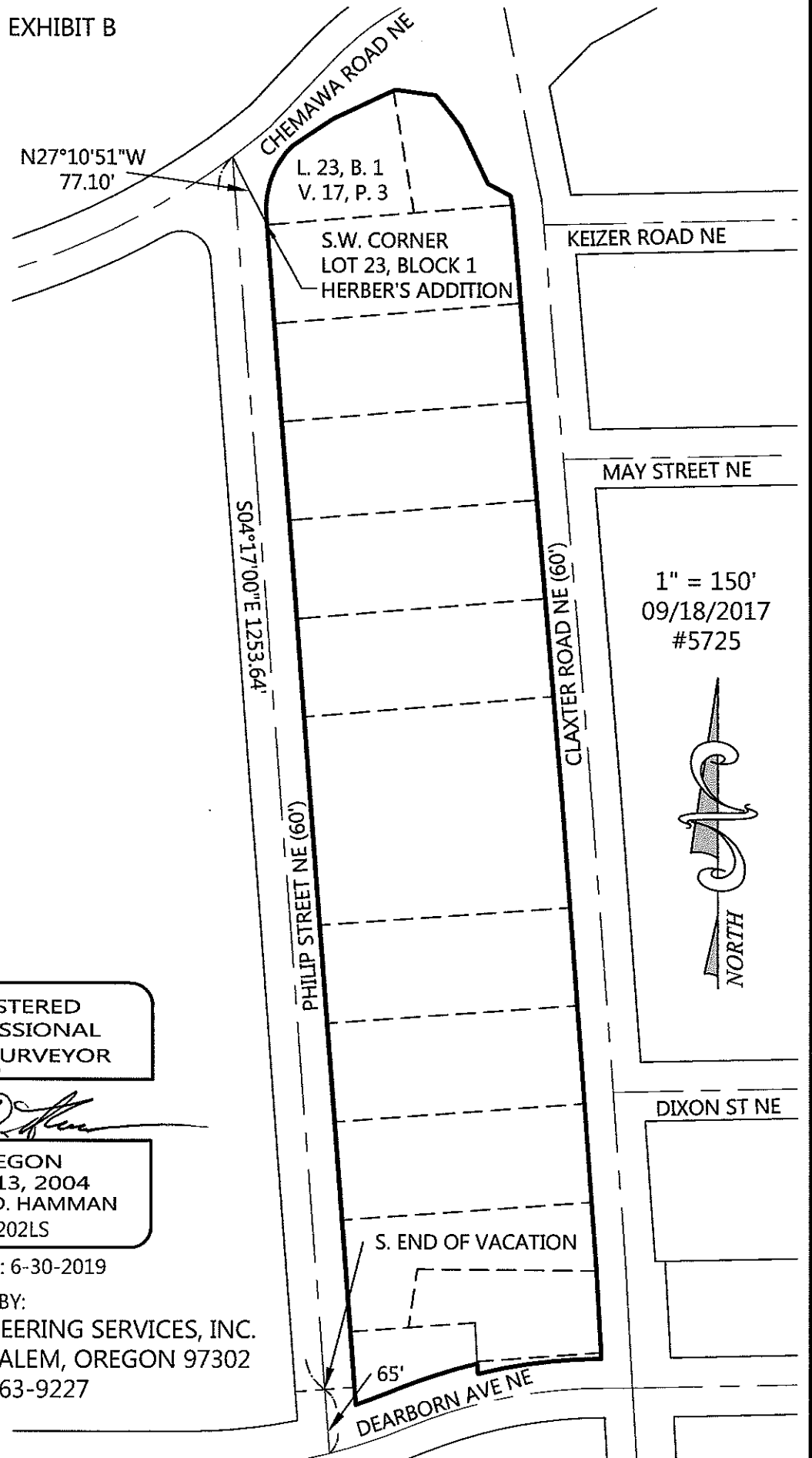


A handwritten signature in black ink, appearing to read "Robert D. Hamman".



EXPIRES: 6/30/2019

EXHIBIT B



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Robert D. Hamman*

OREGON  
JULY 13, 2004  
ROBERT D. HAMMAN  
64202LS

EXPIRES: 6-30-2019

BY:

MULTI/TECH ENGINEERING SERVICES, INC.  
1155 13TH ST. S.E. SALEM, OREGON 97302  
503-363-9227

**TO: MAYOR CLARK AND CITY COUNCIL MEMBERS**

**THROUGH: CHRIS EPPLEY  
CITY MANAGER**

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

**SUBJECT: PUBLIC HEARING - FORMING AND SPREADING ASSESSMENTS TO  
PINECREST ADDITION STREET LIGHTING LOCAL IMPROVEMENT  
DISTRICT**

**ISSUE:**

On September 18, 2017 the Keizer City Council adopted Resolution R2017-2803 Initiating Pinecrest Addition Street Lighting District and directing the City Engineer to make a survey and file a report. On November 6, 2017 the City Council approved the City Engineer's report and set a public hearing to consider remonstrances to the project and objections to the proposed assessments. Notice of public hearing stating the intention to form the district and to assess for the lighting improvements was published in the Keizertimes and mailed to the property owners as required under City of Keizer Ordinance 94-278.

**FISCAL IMPACT:**

The City initially pays the street lighting expense to the utility company as it is billed throughout the year. The operating cost of the lights is then billed to the property owners on an annual basis, thereby recovering the City's costs for bills paid throughout the year. In addition, the bills include the cost of the City Engineer's Report in the first year, and an administrative charge in the first and subsequent years to recover the City's cost for administering the lighting districts. All funds are budgeted through the Utility Fund.

**RECOMMENDATION:**

Open the public hearing to first consider oral objections and written remonstrances to formation of Pinecrest Addition Street Lighting Local Improvement District. If valid remonstrances of the owners of two-thirds of the land to be specially assessed for the lighting district are presented to the Council at the public hearing, close the hearing and suspend formation of the district for six months. If remonstrances are not received, close the public hearing and consider adoption of the Resolution forming the lighting district. If Council forms the district, consider adoption of the proposed assessment ordinance.

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City Recorder

A BILL FOR

**AN ORDINANCE SPREADING ASSESSMENTS TO  
PINECREST ADDITION STREET LIGHTING LOCAL  
IMPROVEMENT DISTRICT**

Section 1. FINDINGS. The Keizer City Council makes the following findings:

- a. The City Council did heretofore declare its intention to install street lights to serve an area known as Pinecrest Addition Street Lighting Local Improvement District which is described as follows:

Pinecrest Addition - identified on the assessors map 06 3W 35AC05700 – lots 1-5 all within in the City of Keizer, County of Marion, State of Oregon;

which includes the installation of two (2) 47-watt LED luminaries at 25' mounting height on one 30' heavy duty gray, direct burial fiberglass pole with 6' aluminum mast arm and one mounted on an existing wood utility pole with 6' aluminum mast arm located within the subject local improvement district, all in accordance with the City Engineer's Report for Pinecrest Addition Street Lighting Local Improvement District.

- b. The total initial estimated cost of Pinecrest Addition Street Lighting Local Improvement District is \$327.94.
- c. The per space/lot assessment formula was used for this district.
- d. The improvements in the district have been or will be constructed as provided in the Engineer's Report.
- e. Notice was duly mailed to the benefited property owners on November 9, 2017.

1 f. A meeting of the City Council was held at the time and place fixed by public  
2 notice for the purpose of considering any such written objections to the  
3 proposed assessments.

4 g. No written objections to the proposed assessments were filed.

5 h. The Council has considered the matter and determined that construction of  
6 said improvements was and is of material benefit to the City, and all the  
7 property to be assessed therefore will be specially benefited by the  
8 improvements in the amounts shown on the assessment roll.

9 NOW, THEREFORE, the City Council of the City of Keizer ordains as follows:

10 Section 2. ASSESSMENTS.

11 a. First Annual Assessment. It is hereby determined that the share of the cost of  
12 the improvements for Pinecrest Addition Street Lighting Local Improvement  
13 District for each parcel and property benefited thereby for the first annual  
14 assessment is the amount set opposite the description of each piece or parcel  
15 of land as described in Pinecrest Addition Street Lighting District Assessment  
16 Roll as set forth in Exhibit "A" attached, and that each piece or parcel of land  
17 benefited by the improvements, to the full extent of the amount so set opposite  
18 such piece or parcel and that the respective amounts represent the  
19 proportionate benefits of said improvements to said respective parcels of  
20 property, and the Council does hereby declare that each of the parcels of  
21 property described in Pinecrest Addition Street Lighting District Roll as set  
22 forth in Exhibit "A" attached is hereby assessed the first annual assessment  
23 amount set opposite each respective description.



i. Summary of first annual assessment costs for formation of the lighting district to serve the area known as "Pinecrest Addition Street Lighting Local Improvement District":

One Pole and two 47 Watt Luminaries	\$217.44
Engineering Costs	\$ 70.00
Administrative Fee	<u>\$ 40.50</u>
Total Estimated Assessments	\$327.94

ii. The Recorder of the City of Keizer is hereby directed to send a notice of first annual assessment to each owner of assessed property by mail within ten (10) days after this Ordinance levying the first annual installments is passed. The notice shall include information that an application to make installment payments may be filed with the City if the assessment is collected directly from the property owner and not pursuant to ORS 223.866.

b. Second and Subsequent Annual Assessments. After a municipal lighting district has been formed in accordance with City of Keizer Ordinance 94-278, the second and subsequent annual assessments shall be spread by Resolution which may include changes in the mode of collecting the assessment. The method of assessment and notification for subsequent annual assessments shall be determined in accordance with City of Keizer Ordinance 94-278.

c. Mode of Collecting Assessments. Assessments for Pinecrest Addition Street Lighting Local Improvement District shall be collected pursuant to ORS 223.866.

d. Lien on Property. The assessment shall be entered as a lien against the benefited property in the City Lien Docket.

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PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Recorder

PRELIMINARY ASSESSMENT ROLL

GALINA COURT  
STREET LIGHTING DISTRICT

\*Assessors Map 06 3W 35AC 05700

<u>Lot#</u>	<u>Owner</u>	<u>Cost (per lot)</u>
1-5	MC Northwest, Inc. 1466 McDonald St. NE Salem, OR 97301	\$65.59 (first year)
	Total Assessment:	\$327.94

**TO: MAYOR CLARK AND CITY COUNCIL MEMBERS**

**THROUGH: CHRIS EPPLEY  
CITY MANAGER**

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

**SUBJECT: PUBLIC HEARING – FORMING AND SPREADING ASSESSMENTS TO GALINA  
COURT STREET LIGHTING LOCAL IMPROVEMENT DISTRICT**

**ISSUE:**

On September 18, 2017 the Keizer City Council adopted Resolution R2017-2802 Initiating Galina Court Street Lighting District and directing the City Engineer to make a survey and file a report. On November 6, 2017 the City Council approved the City Engineer's report and set a public hearing to consider remonstrances to the project and objections to the proposed assessments. Notice of public hearing stating the intention to form the district and to assess for the lighting improvements was published in the Keizertimes and mailed to the property owners as required under City of Keizer Ordinance 94-278.

**FISCAL IMPACT:**

The City initially pays the street lighting expense to the utility company as it is billed throughout the year. The operating cost of the lights is then billed to the property owners on an annual basis, thereby recovering the City's costs for bills paid throughout the year. In addition, the bills include the cost of the City Engineer's Report in the first year, and an administrative charge in the first and subsequent years to recover the City's cost for administering the lighting districts. All funds are budgeted through the Utility Fund.

**RECOMMENDATION:**

Open the public hearing to first consider oral objections and written remonstrances to formation of Galina Court Street Lighting Local Improvement District. If valid remonstrances of the owners of two-thirds of the land to be specially assessed for the lighting district are presented to the Council at the public hearing, close the hearing and suspend formation of the district for six months. If remonstrances are not received, close the public hearing and consider adoption of the Resolution forming the lighting district. If Council forms the district, consider adoption of the proposed assessment ordinance.

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A BILL FOR

AN ORDINANCE SPREADING ASSESSMENTS TO  
GALINA COURT STREET LIGHTING LOCAL  
IMPROVEMENT DISTRICT

Section 1. FINDINGS. The Keizer City Council makes the following findings:

- a. The City Council did heretofore declare its intention to install street lights to serve an area known as Galina Court Street Lighting Local Improvement District which is described as follows:

Galina Court - identified on the assessors map 06  
3W 23DB001 – lots 1-6 all within in the City of  
Keizer, County of Marion, State of Oregon;

which includes the installation of one (1) 47-watt LED luminaries at 25' mounting height on one 30' heavy duty gray, direct burial fiberglass pole with 6' aluminum mast arm located within the subject local improvement district, all in accordance with the City Engineer's Report for Galina Court Street Lighting Local Improvement District.

- b. The total initial estimated cost of Galina Court Street Lighting Local Improvement District is \$290.04.
- c. The per space/lot assessment formula was used for this district.
- d. The improvements in the district have been or will be constructed as provided in the Engineer's Report.
- e. Notice was duly mailed to the benefited property owners on November 9, 2017.
- f. A meeting of the City Council was held at the time and place fixed by public notice for the purpose of considering any such written objections to the proposed assessments.
- g. No written objections to the proposed assessments were filed.

h. The Council has considered the matter and determined that construction of said improvements was and is of material benefit to the City, and all the property to be assessed therefore will be specially benefited by the improvements in the amounts shown on the assessment roll.

NOW, THEREFORE, the City Council of the City of Keizer ordains as follows:

Section 2. ASSESSMENTS.

a. First Annual Assessment. It is hereby determined that the share of the cost of the improvements for Galina Court Street Lighting Local Improvement District for each parcel and property benefited thereby for the first annual assessment is the amount set opposite the description of each piece or parcel of land as described in Galina Court Street Lighting District Assessment Roll as set forth in Exhibit "A" attached, and that each piece or parcel of land benefited by the improvements, to the full extent of the amount so set opposite such piece or parcel and that the respective amounts represent the proportionate benefits of said improvements to said respective parcels of property, and the Council does hereby declare that each of the parcels of property described in Galina Court Street Lighting District Roll as set forth in Exhibit "A" attached is hereby assessed the first annual assessment amount set opposite each respective description.

i. Summary of first annual assessment costs for formation of the lighting district to serve the area known as "Galina Court Street Lighting Local Improvement District":

One Pole and 47 Watt Luminaries	\$157.44
Engineering Costs	\$ 84.00
Administrative Fee	<u>\$ 48.60</u>
Total Estimated Assessments	\$290.04

ii. The Recorder of the City of Keizer is hereby directed to send a notice of first annual assessment to each owner of assessed property by mail within ten (10) days after this Ordinance levying the first annual installments is passed. The notice shall include information that an application to make installment payments may be filed with the City if the assessment is collected directly from the property owner and not pursuant to ORS 223.866.

b. Second and Subsequent Annual Assessments. After a municipal lighting district has been formed in accordance with City of Keizer Ordinance 94-278, the second and subsequent annual assessments shall be spread by Resolution which may include changes in the mode of collecting the assessment. The method of assessment and notification for subsequent annual assessments shall be determined in accordance with City of Keizer Ordinance 94-278.

c. Mode of Collecting Assessments. Assessments for Galina Court Street Lighting Local Improvement District shall be collected pursuant to ORS 223.866.

d. Lien on Property. The assessment shall be entered as a lien against the benefited property in the City Lien Docket.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Mayor

City Recorder



PRELIMINARY ASSESSMENT ROLL

GALINA COURT  
STREET LIGHTING DISTRICT

\*Assessors Map 06 3W 23DB001

<u>Lot#</u>	<u>Owner</u>	<u>Cost (per lot)</u>
1-6	Makarenko, Gene 8477 Valley Way SE Turner, OR 97392	\$48.34 (first year)
	Total Assessment:	\$290.04

**CITY COUNCIL MEETING: December 4, 2017**

**AGENDA ITEM NUMBER: \_\_\_\_\_**

**TO: MAYOR CLARK AND CITY COUNCIL MEMBERS**

**THROUGH: CHRISTOPHER C. EPPLEY, CITY MANAGER**

**FROM: TIM WOOD, FINANCE DIRECTOR**

**SUBJECT: AUTHORIZATION FOR SUPPLEMENTAL BUDGET – POLICE SERVICES FEE**

**ISSUE:**

**POLICE SERVICES FEE**

In July 2017, the Keizer City Council imposed a Police Services Fee with an effective date of November 2017.

The Police Services Fee will be used to add and equip five additional police officers.

**FISCAL IMPACT:**

The Police Services Fee is expected to provide \$410,000 during Fiscal Year 2017-18. The Fee will be recognized in a newly created Police Services Fund and then transferred to the General Fund as needed to support adding and equipping the five additional officers.

**RECOMMENDATION:**

Staff recommends the City Council open the public hearing. After testimony, staff recommends council close the public hearing and deliberate this issue. After which, staff recommends the council approve the attached resolution authorizing a supplemental budget to recognize and appropriate the Police Services Fee.

**CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON**  
**Resolution R2017-\_\_\_\_\_**

**AUTHORIZATION FOR SUPPLEMENTAL BUDGET - POLICE SERVICES FEE**

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Keizer, that the following appropriations be made for fiscal year ending June 30, 2018:

	Adopted/ Amended Budget	Adjustment		Revised Budget
		Increase	Decrease	
Police Services Fund				
Police Services Fund Resources	-	410,000	-	410,000
Police Services Fund Transfers Out	-	410,000	-	410,000
To recognize and appropriate the Police Services Fee				
General Fund				
General Fund Resources - Transfers In	465,700	410,000	-	875,700
General Fund - Police Appropriations	7,076,600	410,000	-	7,486,600
To recognize and appropriate the transfer in from the Police Services Fund				

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

**PASSED this \_\_\_\_ day of \_\_\_\_\_, 2017**

**SIGNED this \_\_\_\_ day of \_\_\_\_\_, 2017**

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**City Recorder**

**CITY COUNCIL MEETING: December 4, 2017**

**AGENDA ITEM NUMBER: \_\_\_\_\_**

**TO: MAYOR CLARK AND CITY COUNCIL MEMBERS**

**THROUGH: CHRISTOPHER C. EPPLEY, CITY MANAGER**

**FROM: TIM WOOD, FINANCE DIRECTOR**

**SUBJECT: AUTHORIZATION FOR SUPPLEMENTAL BUDGET – PARK SERVICES FEE, PARK RENTAL HOUSE INCOME AND TRANSFER OF EXISTING RESOURCES AND APPROPRIATIONS**

**ISSUE:**

**PARK SERVICES FEE**

In July 2017, the Keizer City Council imposed a Park Services Fee with an effective date of November 2017. The Park Services Fee will be used to add and equip two additional park employees, increase the ongoing park repairs/maintenance and provide for capital projects outlined in the Parks Master Plan.

**PARK RENTAL HOUSE INCOME**

The Park Department is expecting to receive an additional \$11,000 in income associated with a rental property that was not anticipated when the budget was created. The additional income is dedicated for Park Fund expenditures.

**FISCAL IMPACT:**

The Park Services Fee is expected to provide \$410,000 during Fiscal Year 2017-18. The Fee will be recognized in a newly created Park Services Fund.

The Park Rental House is expected to provide \$11,000 in additional income during Fiscal Year 2017-18. The rental income will be recognized in the Park Services Fund.

In order to provide a consolidated Park's budget the existing General Fund Park Operation Budget consisting of the following resources and appropriations will be transferred to the Park Services Fund.

- Park related resources - \$67,700,

- General Fund Support (Includes the required 2.5% of General Fund Revenues) - \$331,800,
- Park Operations Expenditures - \$382,100, and
- Transfers Out - \$17,400.

**RECOMMENDATION:**

Staff recommends the City Council open the public hearing. After testimony, staff recommends council close the public hearing and deliberate this issue. After which, staff recommends the council approve the two attached resolutions:

- Authorizing a supplemental budget to recognize and appropriate the Park Services Fee of \$410,000 and Park Rental House Revenue of \$11,000, and
- Transferring the existing Park Department resources and appropriations from the General Fund to the Park Services Fund.

**CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON**  
**Resolution R2017-\_\_\_\_\_**

**AUTHORIZATION FOR SUPPLEMENTAL BUDGET - PARK SERVICES FEE AND RENTAL  
HOUSE INCOME**

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Keizer, that the following appropriations be made for fiscal year ending June 30, 2018:

	Adopted/ Amended Budget	Adjustment		Revised Budget
		Increase	Decrease	
Park Services Fund				
Park Services Fund - Resources	-	421,000	-	421,000
Park Services Fund - Expenditures	-	421,000	-	421,000
To recognize and appropriate the Park Services Fee (\$410,000) and additional park rental house income (\$11,000).				

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

**PASSED this \_\_\_\_ day of \_\_\_\_\_, 2017**

**SIGNED this \_\_\_\_ day of \_\_\_\_\_, 2017**

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**City Recorder**

**CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON**  
**Resolution R2017-\_\_\_\_\_**

**AUTHORIZATION FOR SUPPLEMENTAL BUDGET - PARK SERVICES FEE**

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

WHEREAS ORS 294 allows for a transfer of appropriations and a like amount of budget resources between funds when authorized by resolution of the governing body of a municipal corporation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Keizer, that the following appropriations be made for fiscal year ending June 30, 2018:

	Adopted/ Amended Budget	Adjustment		Revised Budget
		Increase	Decrease	
General Fund				
General Fund - Resources	11,912,200	-	67,700	11,844,500
General Fund - Park Operations	382,100	-	382,100	-
General Fund - Transfers Out	17,400	314,400		331,800
Park Services Fund				
Park Services Fund Resources	421,000	67,700	-	488,700
Park Services Fund - Transfers in	-	331,800	-	331,800
Park Services Fund - Expenditures	421,000	382,100	-	803,100
Park Services Fund - Transfers Out	-	17,400	-	17,400
To transfer park related resources and appropriations from the General Fund to the Park Services Fund to provide for a consolidated departmental budget.				

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

**PASSED this \_\_\_\_ day of \_\_\_\_\_, 2017**

**SIGNED this \_\_\_\_ day of \_\_\_\_\_, 2017**

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**City Recorder**

**CITY COUNCIL MEETING: December 4, 2017**

**AGENDA ITEM NUMBER: \_\_\_\_\_**

**TO: MAYOR CLARK AND CITY COUNCIL MEMBERS**

**THROUGH: CHRISTOPHER C. EPPLEY, CITY MANAGER**

**FROM: TIM WOOD, FINANCE DIRECTOR**

**SUBJECT: AUTHORIZATION FOR APPROPRIATIONS TRANSFER AND INTERFUND  
LOAN – KEIZER STATION AREA B**

**ISSUE:**

The City owns land in Keizer Station Area B that it intends to lease for an extended period of time. In anticipation of the lease there are pieces of the Keizer Station Area B Master Plan that need to be completed specifically engineering and construction associated with driveway access, street widening, right-in/out only lanes, open space and block wall. These improvements are required to be completed under the proposed lease agreement.

**FISCAL IMPACT:**

The improvements are expected to cost no more than \$250,000. The Transportation Improvement Fund has existing appropriations that the City will not be using during Fiscal Year 2017-18 that can be transferred to the General Fund to provide for the capital improvements through an interfund capital loan. The capital loan would be repaid over five years as lease payments are received. Interest on the capital loan would be at 1.45% per year, the current rate paid by the Oregon State Treasury. The Transportation Improvement Fund has adequate resources that will not be needed during the term of the loan.

**RECOMMENDATION:**

Staff recommends the City Council approve the attached resolution authorizing an appropriation transfer and an Interfund loan to complete the capital improvements in Keizer Station Area B.



**CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON**

**Resolution R2017-\_\_\_\_\_**

**AUTHORIZATION FOR TRANSFER OF APPROPRIATIONS - KEIZER STATION AREA B IMPROVEMENTS**

WHEREAS, the General Fund needs up to \$250,000 to provide for capital improvements in Keizer Station Area B;  
WHEREAS, the Transportation Improvement Fund has \$250,000 in appropriations available that the City does not anticipate spending until after June 30, 2023. ORS 294.468 provides for loans from one fund to another when made within compliance with state statutes;

WHEREAS, an appropriation transfer is needed from the Transportation Improvement Fund to the General Fund for the additional expenditure as provided for in ORS 294.463;

NOW, THEREFORE, BE IT RESOLVED that the Council authorize an interfund loan to the General Fund for up to \$250,000 from the Transportation Improvement Fund.

BE IT FURTHER RESOLVED that all monies borrowed during the period authorized, be repaid by June 30, 2023 including interest at the established Oregon State Investment Pool interest rate for the applicable time period.

BE IT FURTHER RESOLVED by the City Council of the City of Keizer, that the following transfer of appropriations be made for Fiscal Year ending June 30, 2018:

	Adopted/ Amended Budget	Adjustment		Revised Budget
		Increase	Decrease	
General Fund				
General Fund Resources - Transfers In	215,700	250,000	-	465,700
General Fund - Non-Departmental	2,090,400	250,000	-	2,340,400
To recognize and appropriate the transfer in from the Transportation Improvement Fund for Keizer Station Area B Improvements.				
Transportation Improvement Fund				
Transportation Improvement Fund - Expenditures	650,000	-	250,000	400,000
Transportation Improvement Fund - Transfers Out	2,000,000	250,000	-	2,250,000
To transfer appropriations from expenditures to transfers out to provide for a capital improvement loan from the Transportation Improvement Fund to the General Fund for Keizer Station Area B Improvements.				

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

**PASSED this \_\_\_\_ day of \_\_\_\_\_, 2017**

**SIGNED this \_\_\_\_ day of \_\_\_\_\_, 2017**

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**City Recorder**

**CITY COUNCIL MEETING: December 4, 2017**

**AGENDA ITEM NUMBER: \_\_\_\_\_**

**TO: MAYOR CLARK AND CITY COUNCIL MEMBERS**

**THROUGH: CHRISTOPHER C. EPPLEY, CITY MANAGER**

**FROM: TIM WOOD, FINANCE DIRECTOR**

**SUBJECT: AUTHORIZATION FOR SUPPLEMENTAL BUDGET – WATER FUND TO  
WATER FACILITY FUND TRANSFER**

**ISSUE:**

The adopted budget for Fiscal Year 2017-18 provides for \$440,000 in appropriations in the Water Facility Fund to primarily provide for the ongoing water main replacement project outlined in the Water System Master Plan.

Based on the bids received the current year project cost will be approximately \$465,000.

**FISCAL IMPACT:**

The Water Facility Fund is primarily supported by a transfer from the Water Fund. The adopted budget provides for a transfer of \$400,000 during Fiscal Year 2017-18. The Water Fund has \$25,000 in appropriations available that could be used to increase the transfer to the Water Facility Fund to provide for the additional water main replacement project costs.

**RECOMMENDATION:**

Staff recommends the City Council approve the attached resolution authorizing an appropriation transfer of \$25,000 from the Water Fund to the Water Facility fund to provide additional appropriations for the water main replacement project.

**CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON**  
**Resolution R2017-\_\_\_\_\_**

**AUTHORIZATION FOR SUPPLEMENTAL BUDGET - WATER TO WATER FACILITY FUND  
TRANSFER**

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

WHEREAS ORS 294 allows for a transfer of appropriations and a like amount of budget resources between funds when authorized by resolution of the governing body of a municipal corporation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Keizer, that the following appropriations be made for fiscal year ending June 30, 2018:

	Adopted/ Amended Budget	Adjustment		Revised Budget
		Increase	Decrease	
Water Fund				
Water Fund Expenditures	2,900,100	-	25,000	2,875,100
Transfers Out	400,000	25,000		425,000
Water Facility Fund				
Transfers In	400,000	25,000	-	425,000
Water Facility Fund Expenditures	440,000	25,000	-	465,000
Transfer appropriations from the Water Fund to the Water Facility Fund to provide for higher than anticipated costs associated with the water main replacement project.				

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

PASSED this \_\_\_\_ day of \_\_\_\_\_, 2017

SIGNED this \_\_\_\_ day of \_\_\_\_\_, 2017

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Recorder

**CITY COUNCIL MEETING: December 4, 2017**

**AGENDA ITEM NUMBER:\_\_\_\_\_**

**TO: MAYOR CLARK AND COUNCIL MEMBERS**

**THROUGH: CHRISTOPHER C. EPPLEY, CITY MANAGER**

**FROM: E. SHANNON JOHNSON, CITY ATTORNEY**

**SUBJECT: MEDICAL MARIJUANA FACILITY PERMIT PROCESS  
ORDINANCE/MARIJUANA RETAILER PERMIT PROCESS  
ORDINANCE**

The medical/recreational marijuana permit ordinances have requirements regarding certain criminal convictions that prohibit persons from involvement in the marijuana business. It has recently been brought to staff's attention that the requirement relating to convictions has an exception for manufacturing and delivery of marijuana, but not for possession of marijuana. Staff believes it is appropriate to revise the permit condition to clarify the condition.

If adopted, the amendment allows persons who have convictions for the possession, manufacturing, or delivery of marijuana if the date of the conviction is two or more years before the date of the application to be an Operator, Company Principal, employee, handler, or volunteer, or to have a financial interest in the Marijuana Retailer or Facility. (Note that an inconsistent version of the subsection in Ordinance No. 2016-747 is to be deleted.)

**RECOMMENDATION:**

If Council wishes to make this change, Council should adopt the following ordinances:

1. Ordinance Amending Ordinance Adopting the Keizer Medical Marijuana Facility Permit Process; Amendment of Ordinance No. 2014-702 and Ordinance No. 2016-747;
2. Ordinance Amending Ordinance Adopting the Keizer Marijuana Retailer Permit Process; Amendment of Ordinance No. 2016-743.

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

ESJ/tmh

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A BILL  
FOR  
AN ORDINANCE

ORDINANCE NO.  
2017-\_\_\_\_\_

AMENDING ORDINANCE ADOPTING THE KEIZER MEDICAL  
MARIJUANA FACILITY PERMIT PROCESS; **AMENDMENT OF  
ORDINANCE NO. 2014-702 AND ORDINANCE NO. 2016-747**

WHEREAS, the City Council of the City of Keizer has adopted Ordinance No.  
2014-702 which adopts a Keizer Medical Marijuana Facility Permit Process;

WHEREAS, such Ordinance sets forth permit conditions;

WHEREAS, the Council amended Ordinance No. 2014-702 by adoption of  
Ordinance No. 2014-704, Ordinance No. 2015-725, Ordinance No. 2015-731, Ordinance  
No. 2015-733, Ordinance No. 2016-747, Ordinance No. 2016-765, and Ordinance No.  
2017-777;

WHEREAS, the Council finds that it is appropriate to amend the permit  
conditions;

WHEREAS, the Council finds that it is appropriate to revise Ordinance No. 2014-  
702 and Ordinance No. 2016-747;

NOW, THEREFORE,

The City of Keizer ordains as follows:

Section 1. AMENDMENT OF SECTION 7.M. OF ORDINANCE NO. 2014-702.

Section 7.M. of Ordinance No. 2014-702 is hereby amended as follows:

1 M. A Person with any felony convictions or a conviction of any drug  
2 related misdemeanor (including, but not limited to those under ORS 475),  
3 except for a conviction for the possession, manufacture or delivery of  
4 marijuana if the date of the conviction is two or more years before the date  
5 of the application or renewal, may not (1) be an Operator, Company  
6 Principal, employee, handler, or volunteer of a Facility; or (2) have a  
7 Financial Interest in the Facility.  
8

9 Section 2. AMENDMENT OF SECTION 7 OF ORDINANCE NO. 2016-747.

10 Section 7 of Ordinance No. 2016-747 is hereby deleted.

11 Section 3. EFFECTIVE DATE. This Ordinance shall take effect thirty (30)  
12 days after its passage.

13 PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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15 SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.  
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18 \_\_\_\_\_  
19 Mayor  
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22 City Recorder

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A BILL  
FOR

ORDINANCE NO.  
2017-\_\_\_\_\_

AN ORDINANCE

AMENDING ORDINANCE ADOPTING THE KEIZER  
MARIJUANA RETAILER PERMIT PROCESS; **AMENDMENT  
OF ORDINANCE NO. 2016-743**

WHEREAS, the City Council of the City of Keizer has adopted Ordinance No.  
2016-743 which adopts a Keizer Marijuana Retailer Permit Process;

WHEREAS, such Ordinance sets forth permit conditions;

WHEREAS, the Council amended Ordinance No. 2016-743 by adoption of  
Ordinance No. 2016-746, Ordinance No. 2016-764, and Ordinance 2017-778;

WHEREAS, the Council finds that it is appropriate to amend the permit  
conditions;

WHEREAS, the Council finds that it is appropriate to amend Ordinance No.  
2016-743;

NOW, THEREFORE,  
The City of Keizer ordains as follows:

Section 1. AMENDMENT OF SECTION 6.L. OF ORDINANCE NO. 2016-743.

Section 6.L. of Ordinance No. 2016-743 is hereby as follows:

L. A Person with any felony convictions or a conviction of any drug  
related misdemeanor (including, but not limited to those under ORS 475), except  
for a conviction for the possession, manufacture or delivery of marijuana if the  
date of the conviction is two or more years before the date of the application or

1 renewal, may not (1) be an Operator, Company Principal, employee, handler, or  
2 volunteer of a Marijuana Retailer; or (2) have a Financial Interest in the  
3 Marijuana Retailer.

4

5 Section 2. EFFECTIVE DATE. This Ordinance shall take effect thirty (30) days  
6 after its passage.

7 PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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9 SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Recorder



**CITY COUNCIL MEETING: December 4, 2017**

**AGENDA ITEM NUMBER: \_\_\_\_\_**

**TO: MAYOR CLARK AND CITY COUNCIL MEMBERS**

**THROUGH: CHRIS EPPLEY  
CITY MANAGER**

**FROM: BILL LAWYER  
PUBLIC WORKS DIRECTOR**

**SUBJECT: WATER MAIN REPLACEMENTS – FY 2017/2018**

**DATE: November 28, 2017**

**BACKGROUND:**

The Public Works Department solicited bids for the replacement of steel water mains on various city streets. The streets identified for replacement include portions of Cummings Lane N, Greenwood Drive NE and Dietz Avenue NE. This project includes the replacement of approximately 4,532 feet of steel water main with ductile iron water main, new fire hydrants, valves, service updates and all other appurtenances necessary to completely replace the steel water main. Replacement of the steel water mains citywide is identified in the adopted Water Master Plan Update Capital Improvement Program.

A total of eleven bids were received and opened on November 21<sup>st</sup> 2017 at 2:00pm. The bids ranged from a high of \$829,519.48 to a low of \$470,987.55. All of the bids are higher than anticipated and staff is recommending awarding two of the three schedules bid with the Cummings Lane portion being removed from the project. The lowest bid was deemed not responsible and non-responsive based on the experience listed in their bid proposal. Therefore staff is recommending the project be awarded to the next lowest bidder which was Pacific Excavation Incorporated whose total bid was \$487,397.00. Deleting the Cummings Lane portion of the project brings the bid down to \$381,552.00.

**FISCAL IMPACT:**

Funds for this project are included in the FY 2017/2018 Water Facility Replacement Fund line 22.

**RECOMMENDATION:**

Staff recommends the City Council adopt the attached resolution authorizing the City Manager to enter into a contract with Pacific Excavation Incorporated in the amount of \$381,552.00 for the FY 2017/2018 Water Main Replacement project.

Please contact me with any questions or concerns.

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2  
3 Resolution R2017-\_\_\_\_\_

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5 AUTHORIZING THE CITY MANAGER TO AWARD AND ENTER  
6 INTO AN AGREEMENT WITH PACIFIC EXCAVATION INC. FOR  
7 WATER MAIN REPLACEMENT PROJECT 2017/2018  
8

9 WHEREAS, replacement of water mains citywide is identified in the adopted  
10 Water Master Plan Update Capital Improvement Program;

11 WHEREAS, the City solicited bids for the replacement of water mains of various  
12 city streets in the City;

13 WHEREAS, eleven bids for this project were received and opened. The low bid  
14 was for a total amount of \$470,987.55, but that bid was found not responsible and  
15 nonresponsive. The next low bid was submitted by Pacific Excavation Inc. for a total  
16 amount of \$487,397.00 total for three separate schedules. The City Engineer has  
17 reviewed and certified the bids;

18 WHEREAS, the Public Works Director recommends doing two of the three  
19 schedules at this time to preserve funds;

20 NOW, THEREFORE,

21 BE IT RESOLVED by the City Council of the City of Keizer that the City Manager  
22 is hereby authorized to award the contract to, and if no objections are received, enter into  
23 an agreement with Pacific Excavation Inc. for a total of \$381,552.00 to replace water  
24 mains for two of the three schedules as determined by the Public Works Director.  
25 Funding for this project is from the Water Facility Replacement Fund.

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

3           PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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5           SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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\_\_\_\_\_  
Mayor

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City Recorder



**MINUTES**  
**KEIZER CITY COUNCIL**  
**Monday, November 20, 2017**  
**Keizer Civic Center, Council Chambers**  
**Keizer, Oregon**

<b>CALL TO ORDER</b>	<p>Mayor Clark called the meeting to order at 7:00 pm. Roll Call was taken as follows:</p> <table><tr><td><b>Present:</b></td><td><b>Staff:</b></td></tr><tr><td>Cathy Clark, Mayor</td><td>Chris Eppley, City Manager</td></tr><tr><td>Marlene Parsons, Councilor</td><td>Shannon Johnson, City Attorney</td></tr><tr><td>Kim Freeman, Councilor</td><td>Nate Brown, Community Development</td></tr><tr><td>Bruce Anderson, Councilor</td><td>Bill Lawyer, Public Works</td></tr><tr><td>Laura Reid, Councilor</td><td>Jeff Kuhns, Deputy Police Chief</td></tr><tr><td>Amy Ryan, Councilor</td><td>Tim Wood, Finance Director</td></tr><tr><td>Roland Herrera, Councilor</td><td>Tracy Davis, City Recorder</td></tr><tr><td>Youth Councilor Samuel Hernandez</td><td></td></tr></table>	<b>Present:</b>	<b>Staff:</b>	Cathy Clark, Mayor	Chris Eppley, City Manager	Marlene Parsons, Councilor	Shannon Johnson, City Attorney	Kim Freeman, Councilor	Nate Brown, Community Development	Bruce Anderson, Councilor	Bill Lawyer, Public Works	Laura Reid, Councilor	Jeff Kuhns, Deputy Police Chief	Amy Ryan, Councilor	Tim Wood, Finance Director	Roland Herrera, Councilor	Tracy Davis, City Recorder	Youth Councilor Samuel Hernandez	
<b>Present:</b>	<b>Staff:</b>																		
Cathy Clark, Mayor	Chris Eppley, City Manager																		
Marlene Parsons, Councilor	Shannon Johnson, City Attorney																		
Kim Freeman, Councilor	Nate Brown, Community Development																		
Bruce Anderson, Councilor	Bill Lawyer, Public Works																		
Laura Reid, Councilor	Jeff Kuhns, Deputy Police Chief																		
Amy Ryan, Councilor	Tim Wood, Finance Director																		
Roland Herrera, Councilor	Tracy Davis, City Recorder																		
Youth Councilor Samuel Hernandez																			
<b>FLAG SALUTE</b>	<p>Mayor Clark led the pledge of allegiance.</p>																		
<b>SPECIAL ORDERS OF BUSINESS</b>	<p><b>PROCLAMATION – Small Business Saturday 2017</b></p> <p>Mayor Clark read the proclamation and presented it to the Executive Director of the Keizer Chamber of Commerce, Danielle Bethell.</p>																		
<b>COMMITTEE REPORTS</b>	<p>Kyle Juran reported that the Planning Commission had approved the staff recommendation on the design alternative to the glazing requirement for the movie theater. Community Development Director Nate Brown added that there will also be a mural on the building – an image of a steam locomotive in keeping with the Keizer Station theme.</p>																		
<b>PUBLIC TESTIMONY</b>	<p><i>Paula Guiles</i>, Keizer, President of the Keizer Community Library Board, thanked Council for their support, reported that the recent book sale had raised \$1950 for the library, shared sponsorship numbers, activities and resources available through the library, and solicited volunteers.</p> <p><i>Colleen Bush</i>, Transit District representative, shared information about House Bill 2017 and urged everyone to participate in a survey regarding Cherriots services and the ODOT Keep Oregon Moving survey. She noted that there are many details yet to work out and she would continue to keep Keizer citizens updated.</p> <p><i>Danielle Bethell</i>, Keizer Chamber of Commerce, shared information about the holiday events in Keizer and requested suspension of the ordinance</p>																		

for street vendors and waiving of fees for the parade, Christmas tree lighting and the Jingle Dash. She provided information regarding the Holiday parade and reviewed participating vendors.

*Dave Walery*, Keizer, reported that the tree lighting ceremony would be December 5 at 6 pm. Ms. Bethell added that Yenne and Schofield were sponsoring the tree lighting event.

## **PUBLIC HEARINGS** None

### **ADMINISTRATIVE ACTION**

#### **a. RESOLUTION – Authorizing a Temporary Suspension of the Ordinance Prohibiting Street Vendors**

City Attorney Shannon Johnson reviewed his staff report which provided explanation and background information. He noted a change to Exhibit A which would show a map rather than listing names and fielded questions regarding how late-applying vendors would be accommodated. Mr. Brown noted that this is a community-oriented event; participation is open to everyone and is not limited Chamber members.

Councilor Parsons moved that the Keizer City Council adopt a Resolution Authorizing a Temporary Suspension of the Ordinance Prohibiting Street Vendors. Councilor Freeman seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Parsons, Ryan, Freeman, Herrera and Anderson (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

#### **b. RESOLUTION – Authorizing Temporary Uses Subject to Conditions for Keizer Holiday Lights Parade (2017)**

Councilor Parsons moved that the Keizer City Council adopt a Resolution Authorizing Temporary Uses Subject to Conditions for Keizer Holiday Light Parade (2017) as amended and to include up to 10 vendors. Councilor Freeman seconded. Motion passed unanimously as follows:

AYES: Clark, Reid, Parsons, Ryan, Freeman, Herrera and Anderson (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

Councilor Parsons moved that the Keizer City Council waive all fees for the Holiday Light Parade. Councilor Freeman seconded.

Councilor Freeman offered a friendly amendment to remove the waiver for the police staffing. Amendment was not accepted. Mayor Clark noted that the police staffing costs were budgeted by the Budget Committee in May.

Motion passed unanimously as follows:

AYES: Clark, Reid, Parsons, Ryan, Freeman, Herrera and Anderson (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

## CONSENT CALENDAR

- a. RESOLUTION – Authorizing City Manager to Enter Into Intergovernmental Agreement with the State of Oregon for Vending Services
- b. Approval of November 6, 2017 Regular Session Minutes

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

AYES: Clark, Reid, Parsons, Ryan, Freeman, Herrera and Anderson (7)

NAYS: None (0)

ABSTENTIONS: None (0)

ABSENT: None (0)

## COUNCIL LIAISON REPORTS

Councilor Ryan reviewed the Eagle Charter School field trip and the Parks Advisory Board meeting.

Councilor Freeman reported on the Marion County Recycling tour, the Planning Commission and Traffic Safety/Bikeways/Pedestrian Committee meetings and announced that West Keizer Neighborhood Association and Traffic Safety/Bikeways/Pedestrian Committee would not meet in December.

Councilor Reid announced that she had attended the Marion County Recycling Tour, the Keizer Community Bank concert, McNary and Homegrown Theater productions, the school bond community forum, the Volunteer Coordinating Committee and the Southeast Keizer Neighborhood Association meetings. Future SEKNA meetings will be on the first Thursday of each month at 6:30 at Keizer Community Center.

Councilor Parsons reported that she had attended the Marion County Commissioner Breakfast, the Personnel Policy Committee meeting and the McNary craft fair.

Councilor Herrera reported that he had attended the Marion County Public Safety Coordinating Council meeting, participated in the Kennedy Academy of Leadership and the Community dinner at St. Edwards. He thanked Deputy Chief Kuhns for responding to his inquiries quickly.

Councilor Anderson reported on the Chamber Board meeting, the Boys & Girls Club Civil War auction, praised the Keizer Network of Women for their efforts, and announced the upcoming Jingle Dash.

Mayor Clark congratulated former Councilor Dennis Koho on his part in 'Heaven Can Wait'. She reported on the Strategic Economic Development Corp presentation on the opioid epidemic, the Keizer Heritage Foundation meeting, the Art Gallery show, and the Personnel Policy Committee meeting. She directed citizens to the holiday event calendar on the city website and announced upcoming meetings/events including Coffee with Cathy, League of Oregon Cities Board of Directors meeting, and the Miracle of Christmas Council food barrel night. She concluded by praising Keizer Police Department for their speedy resolution to the graffiti incident in the Country Glen neighborhood.

Youth Councilor Herrera announced that he had applied for the Gates Scholarship and has been invited to the second round. McNary is on Thanksgiving break. Future Business Leaders of America will have a float in the lights parade and is seeking partnership with local businesses to have internships for students. McNary also has an 'Adopt a Celt' program wherein individuals can adopt a family less fortunate and provide support.

## **OTHER BUSINESS**

Deputy Chief Kuhns thanked the mayor for her comments and indicated that he would share them with the department.

Mr. Brown provided information regarding upcoming plans with the consultants and the Transportation and Growth Management grant.

Councilor Ryan announced that the McNary Golf Course is donating a portion of all gift certificates purchased to Court Appointed Special Advocates.

## **WRITTEN COMMUNICATIONS**

Mayor Clark shared a card sent by the Eagle Charter School thanking the City for allowing them to come and visit.

## **AGENDA INPUT**

**December 4, 2017**

7:00 p.m. City Council Regular Session

**December 11, 2017**

5:45 p.m. – City Council Work Session

**December 18, 2017**

7:00 p.m. City Council Regular Session

## **ADJOURNMENT**

Mayor Clark adjourned the meeting at 8:20 p.m.

MAYOR:

APPROVED:

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Cathy Clark

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Debbie Lockhart, Deputy City Recorder

COUNCIL MEMBERS

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Councilor #1 – Laura Reid

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Councilor #4 – Roland Herrera

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Councilor #2 – Kim Freeman

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Councilor #5 – Amy Ryan

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Councilor #3 – Marlene Parsons

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Councilor #6 – Bruce Anderson

Minutes approved:\_\_\_\_\_