



CITY OF SALEM

555 Liberty St SE
Salem, OR 97301

Meeting Agenda

City Council

Monday, June 6, 2016

6:30 PM

Council Chambers

EXECUTIVE SESSION

**6:00 p.m. - City Manager Conference Room
Labor Negotiations ORS 192.660(2)(d)
(Fire/Police)**

WORK SESSION

1. OPENING EXERCISES: (Includes call to order, roll call, pledge of allegiance, announcements, proclamations, ceremonial presentations, and Council comment)

Call to Order

Roll Call

1.1 APPROVAL OF ADDITIONS AND DELETIONS TO THE AGENDA

1.2 COUNCIL AND CITY MANAGER COMMENT

1.3 PROCLAMATIONS

1.4 PRESENTATIONS

2. PUBLIC COMMENT: (Comment on agenda items other than public hearings and deliberations)

All agenda items marked by * require action by Council at this meeting

3. CONSENT CALENDAR: (Includes approval of minutes, adoption of routine resolutions, and items of business requiring Council action)

3.1 MINUTES

a. [16-067](#) May 23, 2016

Attachments: [5-23-16 Council Minutes](#)

3.2 RESOLUTIONS

- a. [16-003](#) Adopting the Downtown Parking District FY 2016-17 budget and setting the business paid parking tax

Ward(s): Ward 1

Councilor(s): Bennett

Neighborhood(s): CANDO

Recommendation: Adopt Resolution No. 2016-9 adopting the Downtown Parking District FY 2016-17 budget and setting the business paid parking tax.

Attachments: [Resolution No. 2016-9.docx](#)
[Resolution No. 2016-9 Exhibit A.pdf](#)

- b. [16-040](#) Airport Fee Resolution

Ward(s): 2

Councilor(s): Andersen

Neighborhood(s): SESNA

Recommendation: Adopt Resolution No. 2016-17 establishing fees and charges, including rental rates for ground leases, for the Salem Municipal Airport.

Attachments: [Appraisal Summary and Airport Analysis](#)
[Resolution No. 2016-17](#)
[Resolution No. 2016-17 Exhibit A- Airport Rate and Fee Sheet](#)

- c. [16-046](#) Setting fees and charges for all prehospital emergency and non-emergency medical treatment and ambulance transport services provided by Salem Fire Department.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Adopt Resolution No. 2016-18 increasing fees and charges for prehospital emergency and non-emergency medical treatment and ambulance transport services provided by Salem Fire Department by 1.19 percent.

Attachments: [Resolution No. 2016-18](#)
[Resolution No. 2016-18 Exhibit 1 EMS Fee Schedule](#)

3.3 ACTION ITEMS

- a. [16-024](#) Amendment to the Intergovernmental Agreement with the Salem-Keizer School District for Police Services for the 2015/2016 School Year

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Authorize the City Manager to execute the attached Amendatory Agreement No. 1 to the IGA with the District in order for the City to provide police services within the District's schools during the 2016 summer school session.

Attachments: [Amendatory Agreement No 1 to IGA between COS and SK Sc](#)

- b. [16-035](#) Purchasing from City Employee-Owned Business

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Staff recommends City Council authorize the City Manager to execute annual renewable contracts with Northwest Rock, Inc., dba Salem Mobile Mix, a City employee-owned firm, as primary provider for CDB and for truck hauling services. CDB is used in backfilling excavations in accordance with City of Salem construction standards during regular business hours on a routine basis. Hauling services are intended for ditch cleaning and repair excavation material removal in accordance with City of Salem construction standards during regular business hours on a routine basis.

- c. [16-043](#) Application for funding from the Energy Trust of Oregon for Rebuilding the South Primary Effluent Pump at the Willow Lake Water Pollution Control Facility.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Authorize the City Manager to apply for and, if granted, accept up to \$40,000 in grant funding from the Energy Trust of Oregon to offset the costs to of rebuild an existing primary pump at the Willow Lake Water Pollution Control Facility.

Attachments: [Economic Summary](#)

- d. [16-049](#) Intergovernmental Agreement for Right-of-Way Services with the Oregon Department of Transportation for the 12th Street SE Southbound Widening Improvement Project

Ward(s): 1

Councilor(s): Bennett

Neighborhood(s): CANDO, Grant, Highland, NEN, and West Salem

Recommendation: Authorize the City Manager to execute the attached Intergovernmental Agreement for Right-of-Way Services (Attachment 1) with the Oregon Department of Transportation for the 12th Street SE (Hoyt Street SE to Fairview Avenue SE) Southbound Widening Improvement Project.

Attachments: [Intergovernmental Agreement for Right-of-Way Services Agreement](#)
[Vicinity Map](#)

- e. [16-050](#) Intergovernmental Agreement with the Salem-Keizer School District for Police Services for the 2016-2017 School Year.

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods

Recommendation: Authorize the City Manager to execute the attached IGA with the District and any amendments to the IGA in order to provide police services within the District's schools during the 2015/2016 school year.

Attachments: [School District 2016-17 IGA](#)

- f. [16-053](#) Extension agreement for Cooperative Facility Use with Salem-Keizer School District

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods

Recommendation: Authorize the City Manager to execute an extension agreement to continue the Cooperative Facility Use Agreement between the City of Salem and School District 24J.

Attachments: [2016 Extension Agreement](#)
[2013 Cooperative Facility Use Agreement](#)

4. PUBLIC HEARINGS

- a. [16-060](#) Public Hearing on the FY 2016-17 City of Salem

Budget.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

- Recommendation:**
1. That City Council hold a public hearing and deliberate on the Budget Committee recommended budget and direct staff to return on June 27, 2016, with a resolution to adopt the FY 2016-17 City of Salem budget.
 2. That City Council increase appropriation authority in the Building and Safety Fund, Community Development Department budget by \$173,380 to provide for the addition of two full-time equivalent positions.

Attachments: [City of Salem Final Additions, Deletions, and Changes Recommended FY 2016-17](#)
[City of Salem Budget Committee Recommended FY 2016-17](#)

- b. [16-061](#) Public Hearing on State Revenue Sharing Funds.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

- Recommendation:** Hold a public hearing on the proposed uses of state revenue sharing funds and approve Resolution No. 2016-19 electing to receive a share of certain revenues from the State of Oregon general fund.

Attachments: [Resolution No 2016-19, State Revenue Sharing](#)

5. SPECIAL ORDERS OF BUSINESS: (Includes consideration of items deferred from the Consent Calendar and any action item which requires a selection among options, consideration of matters of special importance to the Council, and management reports; formal presentations by city boards, city commissions, city committees and by outside agencies providing services or engaged in other activities with the City)

6. INFORMATION REPORTS: (Items that require no Council action)

- a. [16-028](#) Hearings Officer Decision - Conditional Use - Class 3
 Site Plan Review Case No. CU-SPR16-04 - Approved

- Tyler Clark, Clark Commercial Industries LLC - 560 21st Street SE - An application to change part of an existing building to a recreational marijuana extraction facility and add parking spaces in an existing parking lot.

Note: The approved use is a recreational marijuana extraction facility, an industrial use under the UDC. It is not recreational marijuana retail sales.

Ward(s): 2
Councilor(s): Andersen
Neighborhood(s): SESNA

Recommendation: Information Only.

Pamela Cole
Planner II

Attachments:
1. CU-SPR16-04 Decision

06/06/2016

Attachments: [CU-SPR16-04 Decision.pdf](#)

- b. [16-041](#) State and Local Regulation of Unmanned Aircraft Systems

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods

Recommendation: Information only.

Attachments: [State and Local Regulation of UAS Fact Sheet Final 12172015](#)

7. ORDINANCES

7.1 FIRST READING:

- a. [16-056](#) Proposed amendments to the Salem Revised Code to allow physical fitness instructional uses in the CO

zone, allow the rebuilding of existing duplexes in various commercial and industrial zones, and allow self-service storage in the Riverfront Overlay Zone. (CA 16-01)

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Conduct first reading and advance to second reading for enactment Ordinance Bill No. 7-16, which amends Salem Revised Code Chapter 521, 522, 523, 551, 553, 554, and 617 to:

- 1) Allow dance studios and similar physical fitness instructional activities in the Commercial Office (CO) zone;
- 2) Allow the alteration, expansion, or rebuilding of existing two family residential uses, such as duplexes, in the Retail Commercial (CR), General Commercial (CG), Industrial Commercial (IC), Industrial Park (IP), and General Industrial (IG) zones; and
- 3) Allow self-service storage in the Riverfront Overlay Zone.

Attachments: [Planning Commission Recommendation](#)
[Comments from Grant Neighborhood Assoc](#)
[Comments from SCAN \(South Central Assoc of Neighbors\)](#)
[Ordinance Bill No. 07-16](#)

7.2 SECOND READING:

8. PUBLIC COMMENT: (Other than agenda items)

9. NEW BUSINESS

9.1 MAYOR'S ITEMS:

9.2 COUNCILOR'S ITEMS:**10. ADJOURNMENT**

Individuals needing special accommodations such as sign language, foreign language interpreters or equipment for the hearing impaired must request such services at least 48 hours prior to the City Council meeting. To make your request, please contact the City Recorder at 503-588-6097 (voice) or 503-588-6009 (TDD), or by e-mail at: cityrecorder@cityofsalem.net.

Si necesita ayuda para comprender esta información, por favor llame 503-588-6097.

**UPCOMING PUBLIC HEARINGS, WORK SESSIONS, AND
FUTURE AGENDA ITEMS**

a. [16-063](#)

PUBLIC HEARINGS

Police Facility ~ Wednesday, June 8

Land Use Fees ~ Monday, June 27

Ordinance Bill No. 8-19 Relating to Marijuana Regulations, Amending ARC Chapter 31, and Adding New Provisions ~ Monday June 27

Council Review - Appeal of Planning Administrator's decision approving Site Plan Review/Adjustment Case No. SPR/ADJ16-06 for property located at 1177 Center Street NE ~ Monday June 27

Adoption of the Fairview Park Master Plan ~ Monday July 11

WORK SESSIONS - Held in the Council Chambers unless otherwise noted

Police Facility Work Session ~ Wednesday, June 1 at 6:30 p.m.

Stormwater Master Planning and Flood Risk Reduction ~ July 18 at 6:30 p.m.

City of Salem Keizer School District Property Transfer ~ July 18 at 6:30 p.m.

Joint City Council/Urban Renewal Agency/SEDCOR - Economic Development Update ~ To be determined.

Urban Renewal Agency Work Session - Downtown

Focus Group Update ~ To be determined.

BUDGET COMMITTEE MEETINGS - Held in the Council
Chambers unless otherwise noted

None.

SCHEDULE OF NEIGHBORHOOD ASSOCIATION
ANNUAL MEETINGS

Neighborhood - Annual Meeting Date - Councilor
SCAN - June 8 - Andersen, Bednarz
Sunnyslope - June 12 - McCoid, Bednarz

MEETING PROCEDURES

City Council meets on the second and fourth Mondays of each month at 6:30 p.m. All meetings are in the Council Chambers, Room 240, 555 Liberty St. SE.

The Mayor, who is the presiding officer, is elected at large for a term of two years. Councilors are elected for four-year terms for each of the City's eight Wards. These nine officers comprise the Council who make the policy decisions for municipal activity and pass its ordinances and regulations.

Because the Mayor and Councilors' positions are part-time, without pay, the Council appoints a City Manager who is responsible for the administration and execution of the City's policies and ordinances.

The City Council generally follows Robert's Rules of Order, but has adopted supplementary rules that may be found on the City's website at:

www.cityofsalem.net/Departments/Legal/Pages/CouncilRules.aspx

THE CONSENT CALENDAR

The Consent Calendar allows the Council to save time by acting on everything listed on that part of the agenda with one motion instead of considering each item separately. If a City Councilor believes a matter on the Consent Calendar deserves further discussion, the Councilor can request that item be removed from the Consent Calendar and considered separately under "Special Orders of Business."

PUBLIC COMMENT

There are two times at every regular City Council meeting

when the public has an opportunity to address the City Council. The first time is immediately prior to the Consent Calendar. This time is reserved for questions or statements regarding items appearing on the agenda, except public hearings and the merits of land use issues. The second time is at the end of the agenda. At this time, you can address the City Council on any matter of public concern, other than an agenda item. The Mayor will announce the time for public comment, and invite persons to address the City Council. Each person has three minutes to address the City Council. The time light on the podium will flash yellow when you have one minute left, and will turn red when your time has expired.

HOW TO GET YOUR COMMENTS INCLUDED AS PART OF THE AGENDA

Any written comments that you wish to be given to the City Council that are about an item on an agenda must be submitted to the City Recorder by 5:00 pm on the day of the City Council meeting when the item will be considered. If you have some matter that you wish to have the City Council consider in the future, you are encouraged to submit your suggestion in writing to the City Manager at 555 Liberty Street SE, Room 205, Salem, OR, or by e-mail to: manager@cityofsalem.net.

PUBLIC HEARINGS

The City Council can hold public hearings to consider legislative, quasi-judicial or administrative matters. To

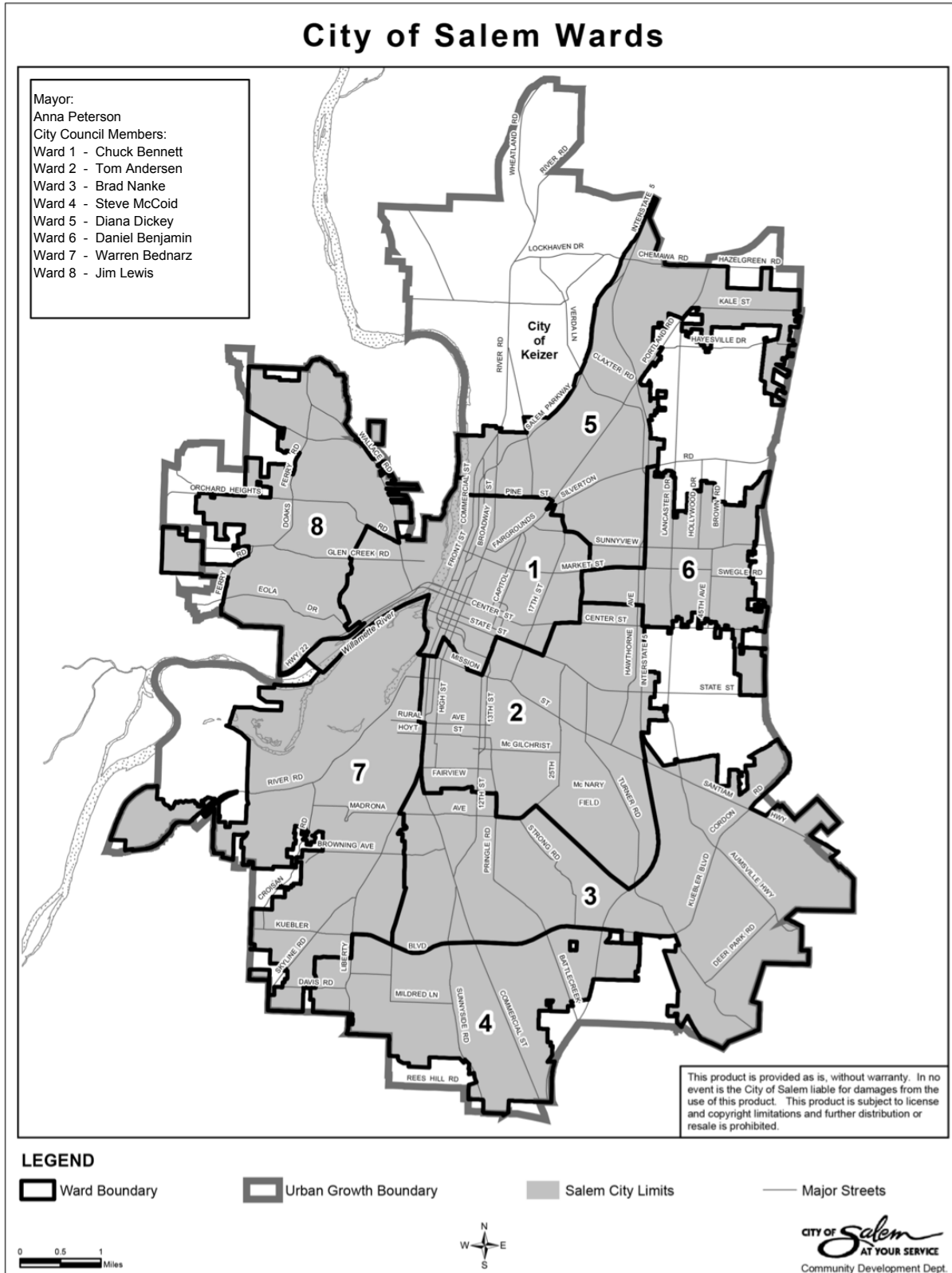
testify at a hearing, you may sign up on the Hearing Roster located near the east entrance to the Council Chambers before the Mayor convenes the meeting. At the time for the hearing on the agenda, the Mayor will announce when the public hearing is open. If you have signed up to speak, come forward to the podium when the Mayor calls your name. State your name and either your address or the ward you live in. If you wish to receive notice of any written decision reached at the hearing, you must provide the City Recorder your address. When you have finished speaking, the Mayor will ask the Council if there are any questions for you, so please remain at the podium for a moment.

The time limit is 3 minutes per person for legislative and administrative hearings. The time limits for quasi-judicial hearings in non-land use cases are as follows:

- 1. Staff Presentation – 15 minutes**
- 2. Affected Party – 15 minutes**
- 3. Neighborhood Associations – 5 minutes**
- 4. Other Interested Persons – 3 minutes per person**
- 5. Rebuttal by Affected Party – 7 minutes**

Time limits for quasi-judicial land use hearings are governed by Rule 19 of the Council Rules. Parties to land use cases are encouraged to review that rule as time limits vary depending on the nature of the hearing. Further information can be obtained by contacting the Planning Administrator at 503-588-6173 or email at: Imanderson@cityofsalem.net.

Timer lights are located on the podiums. A flashing yellow light means you have one minute left; a red light means your time has expired.



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