



CITY OF SALEM
Meeting Agenda
City Council

555 Liberty St SE
Salem, OR 97301

Monday, August 26, 2019

6:00 PM

Council Chambers

EXECUTIVE SESSION

City Council

5:30 p.m. - City Manager's Conference Room

Current or Pending Litigation ORS 192.660(2)(h)

WORK SESSION

None.

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)

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

3.1 MINUTES

3.1 a. [19-401](#) August 12, 2019 Draft City Council Minutes

Attachments: [8-12-19 Draft Council Minutes](#)

3.2 RESOLUTIONS

3.3 ACTION ITEMS

3.3 a. [19-382](#) Petition-initiated vacation of a portion of Dogwood Drive.

Ward(s): 7

Councilor(s): Cook

Neighborhood(s): SWAN

Result Area(s): Safe, Reliable, and Efficient Infrastructure

Recommendation: Accept a petition to vacate an unimproved portion of Dogwood Drive S and direct the City Manager to set a public hearing date to consider this petition-initiated vacation.

Attachments: [Vicinity Map](#)

[Legal and Map \(Dogwood Drive S Vacation\)](#)

[Excerpt of Dogwood Heights Subdivision Site Plan](#)

[Assessor's Map](#)

3.3 b. [19-391](#) Intergovernmental Agreement with the Drug Enforcement Administration for Narcotics Task Force Operations

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Safe Community.

Recommendation: Authorize the City Manager to execute the attached IGA between the United States Department of Justice, Drug Enforcement Administration and the City of Salem for the operation of a narcotics task force in FY 19/20.

Attachments: [Program - Funded State and Local Task Force Agreement](#)

3.3 c. [19-392](#) Agreement for sale of surplus real property to Troy D. Jerman.

Ward(s): 3

Councilor(s): Nanke

Neighborhood(s): SEMCA

Result Area(s): Good Governance; Strong and Diverse Economy.

Recommendation: Authorize the City Manager to execute the attached Purchase and Sale Agreement for disposition of City-owned surplus real property to Troy D. Jerman.

Attachments: [Proposed Agreement](#)

4. PUBLIC HEARINGS**4. a.** [19-366](#)

Petitioner-Initiated Annexation of Territory Located at the 4400-4600 Blocks of Hazelgreen Road NE - 97305 (Annexation Case No. C-735)

Ward(s): 5

Councilor(s): Ausec

Neighborhood(s): Northgate

Recommendation:

1. Find that the Petitioners have signed a valid triple majority petition for annexation of the Territory, in conformance with Oregon Revised Statutes (ORS) Chapter 222;
2. Determine that Annexation Case No. ANXC-735 satisfies the criteria of Salem Revised Code (SRC) 260.060(c) and adopt Order No. 2019-8 ANX (Attachment 2);
3. Change the Salem Area Comprehensive Plan (SACP) map designation of the Territory from "Industrial" to "Parks, Open Space, and Outdoor Recreation";
4. Change the zoning from Marion County UT-20-IND (Urban Transition - 20 Acre - Industrial) to City of Salem PA (Public Amusement); and
5. Withdraw the Territory from Marion County Fire District #1.

Attachments:

[Vicinity Map](#)

[Order No. 2019-8 ANX Adopting the Final Decision and Findings of Compliance](#)

[Planning Commission Recommendation on Land Use Designations](#)

[Fire Department Comments](#)

[Public Works Department Development Services Section Comments](#)

[Finance Division Comments](#)

4. b. [19-387](#)

Petitioner-Initiated Annexation of Territory Located at 4980 Center Street NE - 97301 (Annexation Case No. C-731)

Ward(s): 6

Councilor(s): Hoy

Neighborhood(s): ELNA

Result Area(s): Good Governance; Safe Community; Safe, Reliable and Efficient Infrastructure.

Recommendation:

1. Find that the Petitioners have signed a valid triple majority petition for annexation of the Territory, in conformance with Oregon Revised Statutes (ORS) Chapter 222;
2. Determine that Annexation Case No. ANXC-731 satisfies the criteria of Salem Revised Code (SRC) 260.060(c) and adopt Order No. 2019-7 ANX (Attachment 2);
3. Apply the City of Salem RA (Residential Agriculture) zone to the Territory from Marion County UT-5 (Urban Transition - 5 Acres); and
4. Withdraw the Territory from Marion County Fire District #1.

Attachments: [Vicinity Map](#)[Order No. 2019-7 ANX Adopting the Final Decision and Findings of Compliance](#)[Public Works Department Parks Comments](#)[Fire Department Comments](#)[Public Works Department Development Services Section Comments](#)[Finance Division Comments](#)[Salem-Keizer Public Schools Comments](#)[Marion County Public Works Comments](#)**5. SPECIAL ORDERS OF BUSINESS: (Items deferred from the Consent Calendar; Mayor and Councilor Items; Items which require a selection among options; or of special importance to Council; management reports; presentations by City boards, commissions, committees, or outside agencies)****6. INFORMATION REPORTS: (Items that require no Council action)****6. a.** [19-384](#)

NOTICE OF APPEAL RECEIVED - An appeal has been received for the below cited application and this case will be heard by the City Council at a later date.

Planning Commission Decision - To allow two new residential units, for a total of three units, on the subject property - Approved.

Class 3 Design Review / Class 3 Site Plan Review / Class 2 Adjustment Case No. DR-SPR-ADJ19-07 - Jose Garcia - 1175 Nebraska Avenue NE.

Ward(s): 1
Councilor(s): Kaser
Neighborhood(s): Grant

Recommendation: Information Only.

Attachments: [Land Use Decision DR-SPR-ADJ19-07](#)[Appeal Application & Argument DR-SPR-ADJ19-07](#)**6. b.** [19-385](#)

Planning Commission Decision - To allow a new four-unit residential development - Approved.

Class 3 Design Review / Class 3 Site Plan Review / Class 2 Adjustment / Class 2 Driveway Approach Permit Case No. DR-SPR-ADJ-DAP19-06 - James Caughlin - 1100 Jefferson Street

NE.

Ward(s): 1
Councilor(s): Kaser
Neighborhood(s): Grant

Recommendation: Information Only.

Attachments: [Land Use Decision DR-SPR-ADJ-DAP19-06](#)

- 6. c. [19-386](#) Hearings Officer Decision - To allow a hemp and essential oil extraction use within an existing building - Approved.

Conditional Use / Class 3 Site Plan Review Case No. CU-SPR19-03
-Lojco, LLC (Paul Vettrus) - 3850 Mainline Dr NE -

Ward(s): 5
Councilor(s): Ausec
Neighborhood(s): Northgate

Recommendation: Information Only.

Attachments: [Land Use Decision CU-SPR19-03](#)

- 6. d. [19-394](#) Economic Development Quarterly Report

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Result Area(s): Strong and Diverse Economy

Recommendation: Information only.

7. ORDINANCES

7.1 FIRST READING:

7.2 SECOND READING:

8. PUBLIC COMMENT: (Other than agenda items)

9. 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 meeting. To request accommodations or services, please call 503-588-6255 or 503-588-6003 (TTD/TTY 503-588-6439), or by e-mail at: cityrecorder@cityofsalem.net at least two business days in advance.

Si necesita ayuda para comprender esta información, por favor llame 503-588-6003.

UPCOMING PUBLIC HEARINGS, AND WORK SESSIONS

a. [19-397](#)

CITY COUNCIL PUBLIC HEARINGS

Held in the Council Chambers unless otherwise noted

Community Development Block Grant (CDBG) and HOME Investment Partnership Programs Consolidated Annual Performance and Evaluations Report (CAPER)

Monday, September 9, 2019 at 6:00 p.m.

Appeal of the Planning Commission’s Decision approving Fairview Refinement Plan / Class 2 Adjustment / Subdivision Case No. FRP-ADJ-SUB19-01 for property located in the 4100-4200 Blocks of Pringle Road SE and 4200 Block of Battle Creek Road SE
Monday, September 9, 2019 at 6:00 p.m.

Reopened - Aspen Grove Reimbursement District
Monday, September 9, 2019 at 6:00 p.m.

Appeal of the Planning Commission’s Decision approving Design Review / Site Plan Reve / Class 2 Adjustment Case No. DR-SPR-ADJ19-07 for property located at 1175 Nebraska Avenue NE
Monday, September 23, 2019 at 6:00 p.m.

SALEM HOUSING AUTHORITY PUBLIC HEARINGS

URBAN RENEWAL AGENCY PUBLIC HEARINGS

WORK SESSIONS Held in the Anderson Rooms at the Salem Public Library, 585 Liberty Street SE, unless otherwise noted

BUDGET COMMITTEE MEETINGS

Held in the Council Chambers unless otherwise noted

SCHEDULE OF NEIGHBORHOOD ASSOCIATION ANNUAL MEETINGS

Neighborhood - Annual Meeting Date - Councilor
Northgate - September 19 - Ausec

MEETING PROCEDURES

City Council meets on the second and fourth Mondays of each month at 6:00 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:
[http://www.cityofsalem.net/Pages/council rules.aspx](http://www.cityofsalem.net/Pages/council%20rules.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 3:30 p.m. on the day of the City Council meeting when the item will be considered. For complete information on submitting communications to Council, please refer to Council Rule 6: Communications:
[https://www.cityofsalem.net/Pages/council rules.aspx](https://www.cityofsalem.net/Pages/council%20rules.aspx).

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 220, 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: lmanderson@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.

