



CITY OF SALEM

Meeting Agenda

City Council

555 Liberty St SE
Salem, OR 97301

Monday, June 25, 2018

6:00 PM

Council Chambers

EXECUTIVE SESSION

None.

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

1.2a. [18-312](#) Summary of actions to address cyanotoxins in Salem's water supply.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Information only.

Attachments: [Attachment 1 - Memorandum to Mayor and City Councilors, dated June 22, 2018](#)

[Attachment 2 - Water Distribution Stats](#)

[Attachment 3 - Photos from Geren Island](#)

Add- Report Added.

1.3 PROCLAMATIONS

1.3a. [18-301](#) Proclamation of the Mayor and Canvass of Votes from the Primary Election on May 15, 2018

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

Attachments: [Proclamation](#)
[Canvass of Votes](#)

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

3.1a. [18-282](#) June 11, 2018 Draft City Council Minutes

Attachments: [6-11-18 Draft City Council Minutes](#)

3.2 RESOLUTIONS

3.2a. [18-195](#) Protection of Oregon White Oaks at the Salem Business Campus

Ward(s): Ward 3
Councilor(s): Nanke
Neighborhood(s): SEMCA

Recommendation: Adopt Resolution No. 2018-26 to declare the City's policy to protect the stand of Oregon white oaks at the Salem Business Campus, and authorize the Director of Urban Development to submit an application to the City's Planning Division to reconfigure lots within the Salem Business Campus to implement the policy.

Attachments: [Attachment 1 - Proposed lot configuration with trees](#)
[Attachment 2 - COUNCIL RESOLUTION 2018-26](#)
[Attachment 3 - Original lot configuration with trees](#)
[Attachment 4 - Site photo](#)
[Written Testimony 1](#)

Add - Written Testimony.

3.2b. [18-275](#) Initiating a Class 2 vacation of Aviation Loop SE.

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

Neighborhood(s): Southeast Mill Creek Association

Recommendation: Adopt Resolution No. 2018-69 to initiate vacation of Aviation Loop SE.

Attachments: [Resolution No. 2018-69 \(Aviation Loop SE\)](#)
[Exhibit A & B to Resolution No. 2018-69 - Legal Description and Map](#)
[Vicinity Map \(Aviation Loop SE\)](#)

- 3.2c.** [18-278](#) Adopting the FY 2018-19 budget and setting the parking tax for the Downtown Parking District.

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

Recommendation: Adopt Resolution No. 2018-29 adopting the FY 2018-19 budget and setting the business-paid parking tax for the Downtown Parking District.

Attachments: [Resolution No. 2018-29](#)
[Exhibit A](#)

- 3.2d.** [18-279](#) Acquisition of Property for the Brown Road NE Corridor Improvement Project.

Ward(s): 6
Councilor(s): Hoy
Neighborhood(s): NOLA

Recommendation: Adopt Resolution Nos. 2018-30 through 2018-68, declaring a public need to acquire; the City of Salem's intent to negotiate; and, if necessary, authorize the City Attorney to commence eminent domain proceedings, for the acquisition of right-of-way and temporary easements for the Brown Road NE Corridor Improvement project.

Attachments: [Attachment 1 - Vicinity Map](#)
[Attachment 2 - Identified Properties](#)
[Attachment 3 - Property Acquisition Summary](#)
[Attachment 4 - Resolutions 2018-30 through 2018-68](#)

- 3.2e.** [18-285](#) Transfer of FY 2018 budget appropriations.

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

Recommendation: Adopt Resolution 2018-70, authorizing transfers of appropriations within the City budget in order to maintain compliance with Oregon budget law.

Attachments: [Resolution 2018-70](#)

- 3.2f.** [18-286](#) State shared revenues.

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

Neighborhood(s): All Neighborhoods

Recommendation:

Adopt Resolution 2018-71, certifying that the City of Salem provides certain enumerated municipal services to receive state shared revenues in FY 2019.

Attachments: [Resolution 2018-71 State Shared Revenue](#)

3.2g. [18-287](#) Adoption of the FY 2019 City of Salem Budget

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Adopt Resolution 2018-72 adopting the FY 2019 City of Salem budget.

Attachments: [FY 2019 City Council Amendments Summary](#)
[FY 2018 Carryovers for the FY 2019 Budget, General Fund](#)
[FY 2018 Carryovers for the FY 2019 Budget, Other Funds](#)
[Resolution 2018-72 City Budget](#)
[Resolution 2018-72, Exhibit A](#)

3.3 ACTION ITEMS

3.3a. [18-170](#) Transfer of real property ownership interests to City of Salem for 11 Urban Renewal Agency-owned parcels.

Ward(s): 1,3,5

Councilor(s): Kaser, Nanke, Ausec

Neighborhood(s): CANDO, Highland, Northgate, Morningside, West Salem

Recommendation:

Authorize the City Manager to execute the attached agreement for Purchase and Sale of Real Property transferring 11 Urban Renewal Agency owned parcels to the City of Salem.

Attachments: [Location Map](#)
[Proposed Agreement](#)

3.3b. [18-225](#) Third Amendment to the Salem Business Campus covenants, conditions and restrictions.

Ward(s): 3

Councilor(s): Nanke

Neighborhood(s): SEMCA

Recommendation:

Approve the third amendment to the Salem Business Campus covenants, conditions and restrictions to include the definition of Traded Sector use and require approval for uses other than Traded Sector.

Attachments: [Third Amendment SBC CCRs](#)

3.3c. [18-232](#) Hilfiker Park Master Plan

Ward(s): 3
Councilor(s): Nanke
Neighborhood(s): Morningside

Recommendation: Adopt the Hilfiker Park Master Plan.

Attachments: [Attachment 1 Proposed Hilfiker Park Master Plan](#)
[Attachment 2 Overview of Proposed Hilfiker Park Features](#)
[Written Testimony 1](#)

Add - Written Testimony.

3.3d. [18-270](#) Lease for City employee health clinic at 960 Liberty Street SE.

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

Recommendation: Authorize the City Manager to execute the attached lease for a City employee health clinic.

Attachments: [Location Map](#)
[Proposed Lease](#)

3.3e. [18-271](#) Capital Improvement Plan for FY 2019 through FY 2023

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

Recommendation: Adopt the Capital Improvement Plan for FY 2019 through FY 2023 as recommended by the Budget Committee with the addition of Project 779 as presented in attachment 2.

Attachments: [Recommended Capital Improvement Plan for FY 2019 through FY 2023](#)
[Project 779 - Winter Maple Neighborhood Greenway](#)

3.3f. [18-273](#) Airport Capital Improvement Project and Federal Aviation Administration Grant Application for Design of the Terminal Apron Rehabilitation project.

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

Recommendation: Authorize the City Manager to apply for and accept Federal Aviation Administration Airport Improvement Program grant funds to be used for the design of a Terminal Apron Rehabilitation project.

Attachments: [Attachment 1-Project Exhibit](#)
[Attachment 2-Pavement Condition Map](#)
[Attachment 3-Pavement Condition Indices](#)

3.3g. [18-280](#) Amendment to Purchase and Sale Agreement with Westwood

Homes, LLC.

Ward(s): 3

Councilor(s): Nanke

Neighborhood(s): Morningside

Recommendation:

Authorize the City Manager to execute the attached amendment to the Purchase and Sale Agreement with Westwood Homes, LLC.

Attachments: [Agreement](#)

[Proposed Amendment](#)

3.3h. [18-293](#)

Appointments and reappointments to the Citizen Budget Committee, Civil Service Commission, Community Police Review Board, Salem Cultural and Tourism Promotion Advisory Board, Salem Public Art Commission, Salem Public Library Advisory Board, and Salem Urban Development, Community Services and Housing Commission.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Appoint and reappoint the applicants listed in the Facts and Findings section to the Citizen Budget Committee, Civil Service Commission, Community Police Review Board, Salem Cultural and Tourism Promotion Advisory Board, Salem Public Art Commission, Salem Public Library Advisory Board, and Salem Urban Development, Community Services and Housing Commission.

Attachments: [Reid Sund Application \(Redacted\).pdf](#)

[Frank D. Pack Application \(Redacted\).pdf](#)

[Robert McGinty Application \(Redacted\).pdf](#)

[Francine Boullosa Application \(Redacted\).pdf](#)

[Rvan Mann Application \(Redacted\).pdf](#)

[LaDonna Smith Application \(Redacted\).pdf](#)

3.3i. [18-297](#)

Memorandum of Understanding for a Sobering Center in Salem

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Authorize the City Manager to execute a Memorandum of Understanding (MOU) by and between the Mid-Willamette Valley Community Action Agency and the City of Salem to provide for a sobering center in Salem.

Attachments: [Memo of Understanding_CityofSalem_MVCAA.pdf](#)

4. PUBLIC HEARINGS

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. [18-269](#) Planning Administrator Decision - Partition Case No. PAR18-04 - Approved - Vasily Snegirev - 3045 Park Avenue NE - A proposed partition to divide a lot along the westerly side of Park Avenue NE into three parcels.

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

Recommendation: Information Only.

Attachments: [Land Use Decision PAR18-04](#)

6.b. [18-274](#) Center 50+ Advisory Commission Age-Friendly Initiative Update June 2018.

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

Recommendation: Information only.

6.c. [18-276](#) Planning Administrator's decision - Partition Case No. PAR18-02 - Approved - Fairview Addition, LLC (Eric Olsen, Jeffery A Trautman) - 4300 Block of Battle Creek Road SE - An application to divide Parcel 3 of Partition Plat No. 2015-29 into two parcels.

Ward(s): 3
Councilor(s): Nanke
Neighborhood(s): Morningside

Recommendation: Information Only.

Attachments: [Land Use Decision PAR18-02](#)

7. ORDINANCES

7.1 FIRST READING:

7.1a. [18-277](#) State Street Corridor Plan Project

Ward(s): 1 and 2

Councilor(s): Kaser and Andersen

Neighborhood(s): NEN and SESNA

Recommendation:

Hold a public hearing on amendments to the UDC, Comprehensive Plan, Comprehensive Plan Map, NEN-SESNA Neighborhood Plan Map, and zoning map, to adopt new zoning and a new street design for the State Street corridor.

Attachments:

[Attachment 1 - Proposed State Street Zoning and Existing Zoning](#)

[Attachment 2 - Proposed Street Design](#)

[Attachment 3 - State Street Corridor Plan Booklet](#)

[Attachment 4 - Ordinance Bill 4-18](#)

[Attachment 5 - Exhibits to Ordinance Bill 4-18](#)

[Attachment 6 - Planning Commission Recommendation](#)

[Attachment 7 - Memo on Preferred Street Design](#)

[Attachment 8 - Public Comments](#)

[Attachment 9 - ODOT Letter](#)

[Written Testimony 1](#)

[Planning Commission Supplemental Report and Testimony.](#)

Add - Report Added

7.1b. [18-289](#)

Petitioner-Initiated Annexation of Territory Located at 1338 and 1340 Wallace Road NW and Land East - 97304 (Annexation Case No. C-724)

Ward(s): 1

Councilor(s): Kaser

Neighborhood(s): West Salem

Recommendation:

Conduct first reading of Ordinance Bill No. 14-18 annexing, changing the Salem Area Comprehensive Plan Map designation from "Developing Residential" to "Multi-Family Residential", changing the zoning from Polk County SR (Suburban Residential) to City of Salem RM2 (Multiple Family Residential 2), and withdrawing from the Salem Suburban Rural Fire Protection District, for a 0.80-acre property located at 1338 and 1340 Wallace Road NW and Land East.

Attachments:

[Vicinity Map](#)

[Ordinance No 14-18](#)

[Exhibit A - Territory Legal Description and Map](#)

7.1c. [18-290](#)

Petitioner-Initiated Annexation of Territory Located at 6719 Devon Avenue SE - 97306 (Annexation Case No. C-725)

Ward(s): 4

Councilor(s): McCoid

Neighborhood(s): South Gateway

Recommendation:

Conduct first reading of Ordinance Bill No. 13-18 annexing, applying City of Salem RS (Single Family Residential) zoning from Marion County UT-10 (Urban Transition 10 Acres), and withdrawing from the Salem Suburban Rural Fire Protection District, for a 20.35-acre property located at 6719 Devon Avenue SE.

Attachments: [Vicinity Map](#)

[Ordinance Bill No 13-18](#)

[Exhibit A - Territory Legal Description and Map](#)

7.2 SECOND READING:

7.2a. [18-284](#)

Right-of-Way Use Agreement with ExteNet Systems, Inc.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Authorize the City Manager to execute the Right-of-Way Use Agreement between the City of Salem and ExteNet Systems, Inc.; and conduct second reading for enactment of Ordinance Bill No. 10-18, granting a Right-of-Way Use Agreement to ExteNet Systems, Inc. for placement of wireless facilities in the City rights-of-way.

Attachments: [Ordinance Bill No. 10-18](#)

[Ord. No. 10-18 Exhibit \(ROW Use Agreement\)](#)

7.2b. [18-288](#)

Changing the name of the Human Rights and Relations Advisory Commission

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Conduct first reading of Ordinance Bill No. 11-18 (Attachment 1), which will change the name of the Human Rights and Relations Advisory Commission to the Human Rights Commission.

Attachments: [Ordinance Bill No. 11-18](#)

7.2c. [18-294](#)

Amend Salem Revised Code Chapter 94 to allow sales of alcoholic beverages with 14 percent or more alcohol by volume at Riverfront Park and Bush's Pasture Park under specified restrictions.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Enact Ordinance Bill No. 9-18, which amends Salem Revised Code Chapter 94 to allow sales of alcoholic beverages with 14 percent or more alcohol by volume at Riverfront Park and Bush's Pasture Park if the alcoholic beverage is purchased from a concessionaire that is operating pursuant to a permit issued by the Director of Public Works and licensed by the Oregon Liquor Control Commission.

Attachments: [Ordinance Bill No. 9-18](#)

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. [18-296](#)

CITY COUNCIL PUBLIC HEARINGS

Held in the Council Chambers unless otherwise noted

City-Initiated Annexation of Territory Located at 3641 Boone Road SE
(Annexation Case No. C-720)
Monday, July 9, 2018 at 6:00 p.m.

Petitioner-Initiated Annexation of Territory Located at 2487 Robins
Lane SE (Annexation Case No. C-722)
Monday, July 9, 2018 at 6:00 p.m.

State Street Corridor Plan
Monday, July 16 at 6:00 p.m.

Amendments to Salem Revised Code Chapters 75, 78, 82, 205, 210,
300, and 601
Monday, August 13, 2018 at 6:00 p.m.

2019-2020 Utility Rate Proposal
Monday, October 8, 2018 at 6:00 p.m.

SALEM HOUSING AUTHORITY PUBLIC HEARINGS

URBAN RENEWAL AGENCY PUBLIC HEARINGS

WORK SESSIONS Held in the Council Chambers 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

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>.

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: 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.

