



CITY OF SALEM

Meeting Agenda

City Council

555 Liberty St SE
Salem, OR 97301

Monday, December 11, 2017

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

1.3 PROCLAMATIONS

1.3 a. [17-604](#) Mayor's Monarch Pledge

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Information Only.

Attachments: [Proclamation - Mayor's Monarch Pledge.pdf](#)

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. [17-563](#) November 27, 2017 Draft City Council Minutes

Attachments: [11-27-17 Draft Council Minutes](#)

3.2 RESOLUTIONS

- 3.2 a. [17-575](#) Update to the Natural Hazards Mitigation Plan.

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

Recommendation: Adopt Resolution No. 2017-48, updating the City of Salem Natural Hazards Mitigation Plan.

Attachments: [FEMA Letter](#)

[Resolution No. 2017-48](#)

[Salem 2017 NHMP \(Exhibit A to the Resolution\)](#)

- 3.2 b. [17-609](#) Public Records Policy
Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods

Recommendation: Adopt Resolution No. 2017-50, amending Resolution No. 2007-63, to update the City's Public Records Policy.

Attachments: [Resolution No. 2017-50](#)

[City Public Records Policy-Exhibit A](#)

3.3 ACTION ITEMS

- 3.3 a. [17-581](#) Second Amendment to the Salem Renewable Energy and Technology Center Covenants, Conditions and Restrictions

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

Recommendation: Approve the second amendment to the Salem Renewable Energy and Technology Center Covenants, Conditions and Restrictions (CC&Rs) to change the name to the Salem Business Campus and remove all references to renewable energy use and technology use.

Attachments: [Second Amendment to the CCRs](#)**3.3 b.** [17-591](#)

Appointments and reappointments to the Citizens Advisory Traffic Commission, Community Police Review Board, Downtown Advisory Board, Salem Cultural and Tourism Promotion Advisory Board, Salem Parks and Recreation Advisory Board, Salem Planning Commission, and Salem Public Art Commission.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

ISSUE:

Shall the City Council appoint and reappoint the applicants listed in the Facts and Findings section to the Citizens Advisory Traffic Commission, Community Police Review Board, Downtown Advisory Board, Salem Cultural and Tourism Promotion Advisory Board, Salem Parks and Recreation Advisory Board, Salem Planning Commission, and Salem Public Art Commission?

RECOMMENDATION:**Attachments:** [Bevin Clapper Application -- Redacted.pdf](#)

[Steven J. Rice Application -- Redacted.pdf](#)

[Michael Staudinger Application -- Redacted.pdf](#)

[Spencer Bailly Application -- Redacted.pdf](#)

[Scott Snyder Application -- Redacted.pdf](#)

[Elaine Worden Application -- Redacted.pdf](#)

[Micah Seth Moskowitz Application -- Redacted.pdf](#)

[Michael Hernandez Application -- Redacted.pdf](#)

3.3 c. [17-594](#)

Intergovernmental Agreement between the City of Salem and the Suburban East Salem Water District

Ward(s): All

Councilor(s): All

Neighborhood(s): None

Recommendation:

Authorize the City Manager to amend the Intergovernmental Agreement between the City of Salem and the Suburban East Salem Water District to extend the term of the agreement to December 31, 2018.

Attachments: [Intergovernmental Agreement with Suburban East Salem Water District-May 1995](#)

[Proposed Amendment to May 1995 IGA with Suburban East Salem Water District](#)

3.3 d. [17-597](#)

Intergovernmental Agreement with the State of Oregon, Office of the Fire Marshal for Use of Firefighting Foam Trailer.

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

Recommendation: Authorize the City Manager to execute an Intergovernmental Agreement with the State of Oregon, Office of the State Fire Marshal for the use of one Union Pacific owned firefighting foam trailer.

Attachments: [IGA-436-16 final Salem FDv3 11.29.17](#)

3.3 e. [17-603](#)

Order for Appeal of Planning Commission's Decision Amending Class 3 Design Review/Conditional Use/Class 3 Site Plan Review/Class 2 Driveway Approach Permit Case No. 17-05, 3010 Silverton Road NE

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

Recommendation: Staff recommends that the City Council amend the decision of the Planning Commission for Class 3 Design Review/Conditional Use/Class 3 Site Plan Review/Class 2 Driveway Approach Permit Case No. 17-05.

Attachments: [DR-CU-SPR-DAP17-05 Decision Part 1](#)

[DR-CU-SPR-DAP17-05 Decision Part 2](#)

[Order No 2017-04 DR-CU-SPR-DAP](#)

3.3 f. [17-606](#)

Transfer of real property between the City of Salem and Salem-Keizer School District

Ward(s): 1, 2, 3, 4, 5, 7, and 8
Councilor(s): Kaser, Andersen, Nanke, McCoid, Ausec, Cook, Lewis
Neighborhood(s): Faye Wright, Grant, Highland, NEN, Northgate, SCAN, SESNA, South Gateway, Sunnyslope, West Salem

Recommendation: Authorize the City Manager to execute the attached amendment to the Intergovernmental Agreement with SKSD, extending the closing date to March 31, 2018 for transferring multiple properties between the City and SKSD.

Attachments: [Agreement](#)

[Proposed Amendment](#)

3.3 g. [17-607](#)

Acquisition of real property in the 4100 block of Fisher Road NE.

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

Recommendation: Authorize the City Manager to execute the attached amendment to the Intergovernmental Agreement with the State of Oregon, extending the closing date for the acquisition of real property in the 4100 block of Fisher Road NE.

Attachments: [Agreement](#)[Proposed Amendment](#)**3.3 h.** [17-614](#)

Ratification of the Intergovernmental Agreement with the State of Oregon Military Department, Office of Emergency Management.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Ratify the City Manager's execution of the attached IGA with the State of Oregon Military Department, Office of Emergency Management regarding the activation of the Emergency Management Assistance Compact for the December 2017 California wildfires.

Attachments: [Attachment 1 - Intergovernmental Agreement with OEM.pdf](#)**3.3 i.** [17-613](#)

Order for City Council review of the Planning Administrator's decision for Phased Subdivision / Class 2 Adjustment Case No. SUB-ADJ17-09 for property located at the 3700 and 3800 Blocks of Dogwood Drive S.

Ward(s): Ward 7

Councilor(s): Cook

Neighborhood(s): SWAN

Recommendation:

Staff recommends that the City Council amend the decision of the Planning Administrator for Subdivision / Class 2 Adjustment Case No. SUB-ADJ17-09.

Attachments: [SUB-ADJ17-09 Decision](#)[SUB-ADJ17-09 Council Order](#)[Exhibit 1 Supplemental Findings](#)

Add - Added Report

4. PUBLIC HEARINGS

4. a. [17-568](#)

North East Salem Community Association (NESCA)-Lansing Neighborhood Plan.

Ward(s): Wards 1, 2, 5, and 6

Councilor(s): Councilors - Kaser, Andersen, Ausec, and Hoy

Neighborhood(s): NESCA and Lansing

Recommendation:

Advance to second reading for enactment Ordinance Bill No. 27-17, adopting the goals, policies and generalized land use map of the NESCA-Lansing Neighborhood Plan as a component of the Salem Area Comprehensive Plan and adopt the other portions as support documents.

Attachments: [Attachment 1 Draft NESCA-Lansing Neighborhood Plan](#)
[Attachment 2 Planning Commission Recommendation](#)
[Attachment 3 Map of NESCA and Lansing](#)
[Attachment 4 Criteria and Findings for Proposed Amendment](#)
[Written Testimony - North East Salem Community Association](#)

Add - Written Testimony

- 4. b.** [17-584](#) Public Hearing on exemption from competitive bidding and authorization of an alternative contracting method for the Police Facility Project.

Ward(s): All
Councilor(s): All
Neighborhood(s): All

Recommendation: Adopt Resolution No. 2017-49 in support of an exemption from the competitive bidding process and the use of a Construction Manager/General Contractor contracting method for the City's Police Facility Project.

Attachments: [Resolution No. 2017-49](#)
[Resolution No. 2017-49, Attachment A](#)

- 4. c.** [17-590](#) Salem Revised Code - Recodification Project - Unified Development Code.

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

Recommendation: Approve Ordinance Bill No. 26-17, which makes minor amendments and formatting changes to Title X of the Salem Revised Code, the Unified Development Code (UDC), and proceed to second reading for enactment of the ordinance.

Attachments: [Ordinance Bill No. 26-17](#)
[Exhibit A - Part I - Title X UDC Recodification](#)
[Exhibit A - Part II - Title X UDC Recodification](#)
[Exhibit B - Supplemental Findings Ordinance Bill 26-17](#)

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)

- 5. a.** [17-598](#) Appointments and reappointments to the Center 50+ Advisory Commission, Historic Landmarks Commission, and Human Rights and Relations Advisory Commission.

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

Recommendation: Information only.

Attachments: [Alise Liepnieks Application -- Redacted.pdf](#)
[Rebekah Smith Application -- Redacted.pdf](#)
[Lindsey Kerr Application -- Redacted.pdf](#)
[Carroll Cottingham Application -- Redacted.pdf](#)

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

6. a. [17-554](#) Deferring negotiations on a new Intergovernmental Agreement (IGA) with the Santiam Water Control District and extending the terms of the 1966 IGA.

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

Recommendation: Information only.

Attachments: [Attachment 1-SWCD IGA 1966](#)
[Attachment 2-Santiam Water Control District IGA Amendment Staff Report w Attachm](#)

6. b. [17-556](#) Notice of proposed amendments to Administrative Rule 109-500-003 for the cross-connection control program.

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

Recommendation: Information only.

Attachments: [Notice-Draft-Admin-Rule-Cross-Connections.pdf](#)
[AR-109-500-3-cross-connection-control - Redline](#)
[AR-109-500-3A-cross-connection-control - Amended](#)

6. c. [17-579](#) Pedestrian and vehicular safety options on Fisher Road NE, between Sunnyview Road NE and Silverton Road NE

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

Attachments: [Aerial map of Fisher Road](#)

6. d. [17-585](#) Information regarding allowing ducks in residential zones.
Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods

Recommendation: Information only.

6. e. [17-616](#) Appeal of Planning Administrator's Decision approving the request for a Class 3 Site Plan Review and Class 2 Driveway Approach Permit for redevelopment of three new retail/office buildings with a Class 2 Adjustment to eliminate the off-street loading space requirement and reduce the vehicle use area setback adjacent to 9th Street NW for property approximately 3.03 acres in size, zoned CG (General Commercial) and located at the 500 Block of Glen Creek Road NW and the 500-600 Block of 9th Street NW.

Ward(s): Ward 1
Councilor(s): Kaser
Neighborhood(s): West Salem

Recommendation: Information only.

Attachments: [SPR-ADJ-DAP17-26 Decision](#)
[Appeal Request](#)

Add - Added Report

7. ORDINANCES

7.1 FIRST READING:

- 7.1 a. [17-602](#) Property tax exemption for nonprofit owners of low-income housing

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

Recommendation: Conduct first reading of Ordinance Bill No. 29-17 which provides for a property tax exemption for nonprofit owners of low-income housing, and advance the ordinance to second reading for enactment.

Attachments: [Ordinance Bill No. 29-17](#)

7.2 SECOND READING:

- 7.2 a. [17-523](#) Vacation of Frontage Road NW and Paradise Court NW.

Ward(s): 8
Councilor(s): Lewis
Neighborhood(s): West Salem Neighborhood Association

Recommendation: Conduct second reading of Ordinance Bill No. 28-17, which vacates Frontage Road NW and Paradise Court NW.

Attachments: [Ordinance No. 28-17](#)[Legal and Map](#)**7.2 b.** [17-569](#)

Adoption of the Northeast Salem Community Association (NESCA)
-Lansing Neighborhood Plan.

Ward(s): Wards 1, 2, 5, and 6

Councilor(s): Councilors - Kaser, Andersen, Ausec, and Hoy

Neighborhood(s): NESCA and Lansing

Recommendation:

Conduct second reading for enactment Ordinance Bill No. 27-17, adopting the goals, policies and generalized land use map of the NESCA-Lansing Neighborhood Plan as a component of the Salem Area Comprehensive Plan and adopt the other portions as support documents.

Attachments: [Attachment 1 Draft NESCA-Lansing Neighborhood Plan](#)[Attachment 2 Planning Commission Recommendation](#)[Attachment 3 Map of NESCA and Lansing](#)[Attachment 5 Ordinance Bill 27-17](#)[Exhibit 1 Ordinance Bill 27-17](#)**7.2 c.** [17-587](#)

Salem Revised Code - Recodification project - Titles I - IX.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Conduct second reading for enactment of Ordinance Bill No. 25-17, which makes minor amendments and formatting changes to Titles I-IX of the Salem Revised Code.

Attachments: [Attachment 1 - Summary of changes to Titles I Staff Report Attachment](#)[Ordinance Bill No 25-17](#)[Titles I--IX FINAL](#)**7.2 d.** [17-589](#)

Salem Revised Code - Recodification Project - Unified Development Code.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Conduct second reading for enactment of Ordinance Bill No. 26-17, which makes minor amendments and formatting changes to Title X of the Salem Revised Code, the Unified Development Code (UDC).

Attachments: [Ordinance Bill No. 26-17](#)[Exhibit A - Part I - Title X UDC Recodification](#)[Exhibit A - Part II - Title X UDC Recodification](#)[Exhibit B - Supplemental Findings Ordinance Bill 26-17](#)

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. [17-605](#) PUBLIC HEARINGS - Held in the Council Chambers unless otherwise noted

WORK SESSIONS - Held in the Council Chambers unless otherwise noted

Council Policy Agenda
Tuesday, January 16, 2018 at 6:00 p.m.

Downtown Salem Streetscape Design Plan
Monday, May 21, 2018 at 6:00 p.m.

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

Wednesday, December 13, 2017 at 6:00 p.m.

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.

