



CITY OF SALEM

555 Liberty St SE
Salem, OR 97301

Meeting Agenda

City Council

Monday, July 11, 2016

6:30 PM

Council Chambers

EXECUTIVE SESSION

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)

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

3.1 MINUTES

3.1a. [16-092](#) June 8, 2016

Attachments: [6-08-16 Council Minutes](#)
[6-08-16 Revised Council Minutes](#)

3.1b. [16-150](#) June 27, 2016

Attachments: [6-27-16 Council Minutes](#)
[Revised 6-27-16 Draft Council Minutes.pdf](#)

Revised to correct references to pulled agenda items.

3.2 RESOLUTIONS

3.2a. [16-071](#) Resolution No. 2016-15 referring Engrossed Ordinance No. 5-16, establishing a 3% tax on the sale of marijuana items, to Salem voters for the November 2016 general election, adopting the measure and explanatory statement and directing the city attorney to draft the ballot title

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Adopt Resolution No. 2016-15, which refers Engrossed Ordinance No. 5-16, establishing a 3% tax on the sale of marijuana items, to Salem voters for the November 2016 general election, adopts the measure and explanatory statement, and directs the City Attorney to draft the ballot title.

Attachments: [Resolution 2016-15 Referring Measure](#)
[Resolution No. 2016-15 Exhibit 1: Measure](#)
[Resolution No. 2016-15 Exhibit 2: Explanatory Statement 071](#)

3.3 ACTION ITEMS

Remo [16-009](#) Emergency Water Supply Agreement with the City of
ved - Keizer

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Authorize the City Manager to rescind an existing emergency water supply agreement, and execute a new emergency water supply agreement with the City of Keizer.

Attachments: [Salem Keizer Emergency WaterSupply Agreement](#)
[Exhibit A - Vicinity Map](#)
[Exhibit B - Cherry Ave Pump Station](#)
[Exhibit C - Wiessner Pump Station](#)
[Exhibit D - Easement](#)

Withdrawn from the agenda for revisions and referral to a future meeting.

3.3b. [16-126](#) Applications for Federal Surface Transportation Funds for Ten Projects through Salem-Keizer Area Transportation Study

Ward(s): 1, 2, 3, 5, 8

Councilor(s): Bennett, Andersen, Nanke, Dickey, Lewis

Neighborhood(s): CANDO, SESNA, Morningside, SEMCA, West Salem, Northgate, Faye Wright

Recommendation: Authorize the City Manager to apply for federal funds from the Salem-Keizer Area Transportation Study for the following ten projects:

Highest Priority Projects:

- * 12th Street SE Widening
- * Center Street Bridge Seismic Retrofit Study
(co-applicant with Oregon Department of Transportation)
- * Hilfiker Lane SE/Commercial Street SE Intersection and Signal Upgrade
- * McGilchrist Street SE Complete Streets
(right-of-way component)
- * Union Street NE Family Friendly Bikeway

Additional Applications:

- * 25th Street SE Multi-Use Path
- * Brush College Road NW Safe Routes to School
- * Liberty Street NE Bridge over Mill Creek
- * Orchard Heights Road NW Pedestrian Improvements
- * River Road N Traffic Signal Interconnect
(co-applicant with City of Keizer)

Attachments: [SKATS Applications Map](#)

- 3.3c.** [16-127](#) Amendments to the Mill Creek Corporate Center Development District Order and Mill Creek Infrastructure Agreement to remove reference to annual adjustments, based on the indices adopted for system development charges

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

Recommendation: Amend the Mill Creek Corporate Center Development District Order, and authorize the City Manager to execute an amendment to the Mill Creek Corporate Center Infrastructure Agreement with the State of Oregon to remove reference to annual fee adjustments, based on the indices adopted for System Development Charges.

Attachments: [Mill Creek URA Map](#)
[First Amendment to the DDF and 2nd Amendment to the Infrastructure Agreement](#)
[Proposed Second Amendment to the Development District Order](#)
[Proposed Third Amendment to the Infrastructure Agreement](#)
[Signed Action Item](#)

4. PUBLIC HEARINGS

- 4.a. [16-121](#) Resolution No. 2016-31 Authorizing the Approval of Revenue Bonds Issued by the Hospital Facility Authority of the City of Salem, Oregon, in an Aggregate Principal Amount not to Exceed \$13,000,000.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Adopt Resolution No. 2016-31 authorizing the approval of revenue bonds, in one or more series, to be issued by the Hospital Facility Authority of the City of Salem, Oregon, in an aggregate principal amount not to exceed \$13,000,000, and authorizing the City Manager to enter into an agreement with the Yakima Valley Farm Workers Clinic indemnifying the City from all claims arising from the City's participation in the approval and use of the bonds.

Attachments: [2015 Authority Duties and Responsibilities Letter](#)
[Resolution No. 2016-31](#)

[Marion County Order Authorizing the Intergovernmental Agreement Regarding City Costs and Liabilities](#)
[Affidavit of Publication of the Notice of Public Hearing](#)

4.b. [16-139](#)

Order for 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

Ward(s): Ward 1

Councilor(s): Bennett

Neighborhood(s): CANDU

Recommendation: Staff recommends that the City Council adopts the order to reverse the decision of the Planning Administrator for Site Plan Review/Adjustment Case No. SPR/ADJ16-06.

Attachments: [Order No. 2016-03-SPR-ADJ](#)

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)

6.a. [16-102](#)

Planning Commission Decision - Comprehensive Plan Map Change / Zone Change Case No. CPC-ZC16-03 - Approved - Marvin Reese - 552-560 & 590 Willow Street NE - A consolidated application to change the Comprehensive Plan Map designation and zoning of

three taxlots between High Street NE and Mill Creek to "Commercial" with CR (Retail Commercial) zoning.

Ward(s): 1

Councilor(s): Bennett

Neighborhood(s): Central Area Neighborhood Development Organization (CAN-DO)

Recommendation: Information only.

Attachments: [CPC-ZC16-03 Decision](#)

- 6.b.** [16-123](#) Planning Commission Decision - Minor Comprehensive Plan Map Amendment / Zone Change / Urban Growth Preliminary Declaration / Planned Unit Development-Subdivision / Class 2 Adjustment / Class 2 Driveway Approach Permit Case No. CPC-ZC-UGA-PUD-SUB-ADJ-DAP16-04 - Approved - Scott Martin Construction LLC (Scott Martin) - 5721 & 5771 Liberty Road S - An application to change the Comprehensive Plan designation and zoning of the property to allow development of a 45-unit Planned Unit Development-Subdivision consisting of 22 duplexes, a convenience service area with manager's apartment unit, and common open space.

Ward(s): 4

Councilor(s): McCoid

Neighborhood(s): Sunnyslope

Recommendation: Information only.

Attachments: [CPC-ZC-UGA-PUD-SUB-ADJ-DAP16-04 Decision](#)

- 6.c.** [16-129](#) Planning Commission Decision - Class 3 Design Review / Conditional Use Permit / Class 3 Site Plan Review / Class 2 Driveway Approach Permit Case No. DR-CU-SPR-DAP16-01 - Approved - Harrison Industries LLC (Kevin Harrison) - 1500-1700 Block of Cordon Road SE - A request for a Design Review, Conditional Use Permit, Site Plan Review, and Driveway Approach Permit to allow an 82-unit

multi-family use on the subject property.

Ward(s): 3

Councilor(s): Nanke

Neighborhood(s): SEMCA

Recommendation: Information only.

Attachments: [Planning Commission Decision: DR-CU-SPR-DAP16-01 Decision Attachment 2 - Site Plan](#)

- 6.d.** [16-143](#) Purchases approved administratively June 1, 2016 through June 30, 2016

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Information only.

- 6.e.** [16-148](#) 2015-2016 City Council Goals Report

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Information Only.

Attachments: [Council Goals 2015 Progress Update 7-11-16v2](#)

7. ORDINANCES

7.1 FIRST READING:

- 7.1a.** [16-151](#) Ordinance Bill No. 12-16 establishing a registration system for marijuana businesses and repealing the licensing program for medical marijuana facilities.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Conduct first reading of Ordinance Bill No. 12-16, which establishes a registration system for marijuana businesses, and repeals the licensing program for medical marijuana facilities.

Attachments: [Ordinance Bill No. 12-16 \(Marijuana Business Registration\)](#)

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. [16-118](#) Proposed Solid Waste Collection Service Rates

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Adopt Resolution No. 2016-30 establishing new solid waste management service rates and rescinding Resolution No. 2014-69.

Attachments: [Future Report for Public Hearing on Proposed Solid Waste Col](#)
[Letter from Bell & Associates, Inc., Solid Waste COSA.docx](#)
[Marion County Environmental Services Rate Increase Summar](#)
[Mid-Valley Comparative Rate Summary.docx](#)
[Comparison of Current and Proposed Solid Waste Collection R](#)
[Resolution No. 2016-30.docx](#)
[Exhibit A - Resolution No. 2016-30.pdf](#)
[Additional Information - 2016 Environmental Services FAQ](#)
[Written Testimony - 1](#)
[Written Testimony - 2](#)
[Written Testimony - 3](#)
[Written Testimony - 4](#)

- b. [16-132](#) PUBLIC HEARINGS

Proposed Solid Waste Collection Service Rates ~
Monday, July 25

Proposed amendments to the Salem Revised Code to
allow the commercial growing of recreational marijuana
as a conditional use in the Industrial Commercial (IC)
and Industrial Park (IP) zones ~ Monday, July 25

WORK SESSIONS - Held in the Council Chambers unless

otherwise noted

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.

Urban Renewal Agency Work Session - Downtown
Focus Group Update ~ October 17 at 6:30 p.m.

2017-2018 Utility Rate Proposal ~ October 17 at 7:30
p.m.

Joint City Council/Urban Renewal Agency/SEDCOR -
Economic Development 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

NEN - September 20 - Bennett, Andersen

NESCA - October 18 - Bennett, Andersen, Benjamin

SESNA - October 25 - Andersen

South Gateway - November 10 - McCoid

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.cityofsaalem.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:

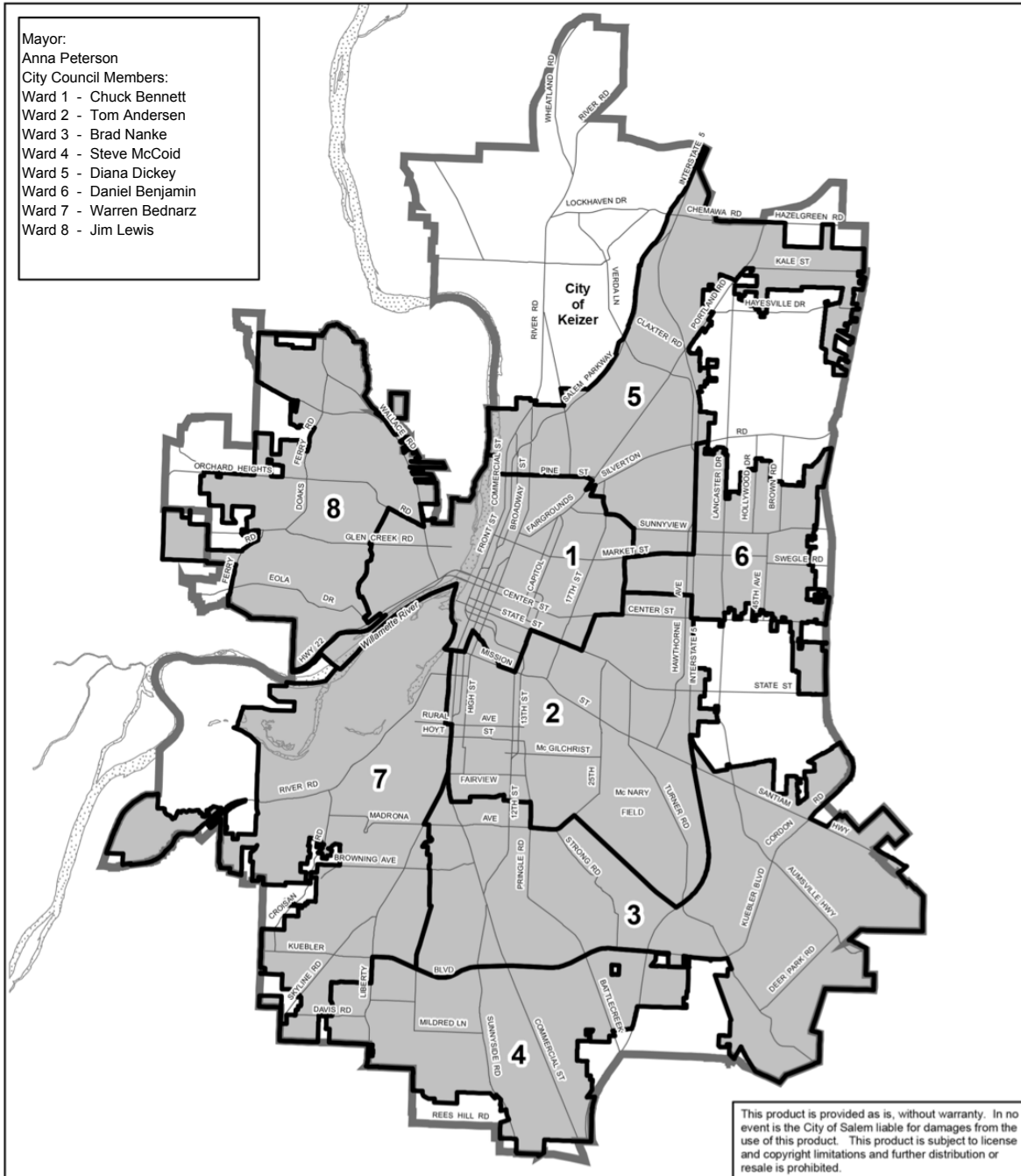
1. Staff Presentation – 15 minutes
2. Affected Party – 15 minutes
3. Neighborhood Associations – 5 minutes
4. Other Interested Persons – 3 minutes per person
5. Rebuttal by Affected Party – 7 minutes

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.

City of Salem Wards

Mayor:
 Anna Peterson
 City Council Members:
 Ward 1 - Chuck Bennett
 Ward 2 - Tom Andersen
 Ward 3 - Brad Nanke
 Ward 4 - Steve McCoid
 Ward 5 - Diana Dickey
 Ward 6 - Daniel Benjamin
 Ward 7 - Warren Bednarz
 Ward 8 - Jim Lewis



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LEGEND

- Ward Boundary
- Urban Growth Boundary
- Salem City Limits
- Major Streets



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