



CITY OF SALEM

Meeting Agenda

City Council

555 Liberty St SE
Salem, OR 97301

Monday, June 11, 2018

6:00 PM

Council Chambers

EXECUTIVE SESSION

City Council and Salem Housing Authority Commission

5:00 p.m. - City Manager Conference Room

Labor Negotiations - ORS 192.660(2)(d)

City Council

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

Exempt Public Records - ORS 192.660(2)(f)

City Council

5:45 p.m. - City Manager 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

1.3a. [18-254](#) Proclamation recognizing Public Works Day

Ward(s): All Wards

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

Recommendation: Information Only.

Attachments: [Proclamation - Public Works Day.pdf](#)

- 1.3b.** [18-255](#) Proclamation recognizing Make Music Day Salem

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

Recommendation: Information Only.

Attachments: [Proclamation - Make Music Day Salem.pdf](#)

- 1.3c.** [18-272](#) Proclamation recognizing World Refugee Day

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

Recommendation: Information Only.

Attachments: [Proclamation - World Refugee Day.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

- 3.1a.** [18-141](#) May 29, 2018 Draft Council Minutes

Attachments: [5-29-18 Draft Council Minutes](#)

3.2 RESOLUTIONS

- 3.2a.** [18-66](#) Amending the City's Public Contracting Rules.

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

Recommendation: Adopt Resolution No. 2018-25 amending City of Salem Public Contracting Rules, and rescinding Resolution No. 2005-14.

Attachments: [2018-25 Resolution](#)
[2018 Public Contracting Rules](#)

3.2b. [18-258](#) Fees and charges for services

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

Recommendation: Adopt Resolution 2018-27, setting fees and charges for the City of Salem as set forth in Exhibit A to Resolution 2018-27.

Attachments: [2018-19 Budget Proposal for Increased Planning Fees](#)
[Resolution 2018-27](#)
[Resolution 2018-27, Exhibit A, Fees and Charges](#)
[Resolution 2018-27, Exhibit B, Resolutions to Rescind or Supercede](#)
[2018-19 REVISED - Budget Proposal for Increased Planning Fees](#)

Add - Added Revised Attachment - 2018-19 Budget Proposal for Increased Planning Fees.

3.3 ACTION ITEMS

3.3a. [18-26](#) Intergovernmental Agreement with Chemeketa Community College for cooperative regional library services

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

Recommendation: Authorize the City Manager to execute the attached IGA between the City of Salem and CCC for cooperative regional library services.

Attachments: [IGA with CCC 2018-2023](#)

3.3b. [18-264](#) Intergovernmental Agreement with the Oregon Department of Transportation for Right-of-Way Services on the Brown Road NE Corridor Improvement Project

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

Recommendation: Authorize the City Manager to execute the attached Intergovernmental Agreement with the Oregon Department of Transportation for Right-of-Way Services for the Brown Road NE Corridor Improvement Project.

Attachments: [Attachment No. 1 - Vicinity Map](#)
[Attachment No. 2 - Intergovernmental Agreement](#)

4. PUBLIC HEARINGS

- 4.a.** [18-237](#) 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:**
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 the Petition satisfies the criteria of Salem Revised Code (SRC) 260.060(c) and adopt Order No. 2018-03-ANX (Attachment 2);
 3. Apply the City of Salem RS (Residential Agriculture) zone to the Territory from Marion County UT-10 (Urban Transition 10 Acres); and
 4. Withdraw the Territory from Salem Suburban Rural Fire Protection District.

Attachments: [Vicinity Map](#)
[Order No. 2018-03-ANX](#)
[Parks Comments](#)
[Fire Department Comments](#)
[Public Works Department Comments](#)
[Finance Division Comments](#)
[Salem-Keizer School District Comments](#)

- 4.b.** [18-248](#) 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:**
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 the Petition satisfies the criteria of Salem Revised Code (SRC) 260.060(c) and adopt Order No. 2018-02-ANX (Attachment 2);
 3. Change the Salem Area Comprehensive Plan (SACP) Map designation of the Territory from "Developing Residential" to "Multi-Family Residential";
 4. Change the zoning from Polk County SR (Suburban Residential) to City of Salem RM2 (Multiple Family Residential 2); and
 5. Withdraw the Territory from Salem Suburban Rural Fire Protection District.

Attachments: [Vicinity Map](#)[Order No. 2018-02-ANX Adopting the Final Decision and Findings of Compliance](#)[Planning Commission Recommendation on Land Use Designations](#)[Public Works Department Parks Comments](#)[Fire Department Comments](#)[Public Works Department Development Services Section Comments](#)[Finance Division Comments](#)[Salem-Keizer School District Comments](#)

- 4.c.** [18-259](#) 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 adopt Resolution No. 2018-28 electing to receive a share of certain revenues from the State of Oregon general fund

Attachments: [Resolution No 2018-28, State Revenue Sharing](#)

- 4.d.** [18-260](#) Public hearing on the FY 2019 City of Salem Budget.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: The City Council hold a public hearing on the FY 2019 Budget Committee recommended City of Salem budget and direct staff to return on June 25, 2018 with a resolution to adopt the FY 2019 City of Salem budget.

Attachments: [Attachment 1 - City of Salem Final Additions, Deletions, and Changes Recommended](#)[Attachment 2 - City of Salem Recommended Budget FY 2019](#)[Attachment 3 -City of Salem Budget Supplemental Report](#)[Written Testimony 1](#)*Add - Written Testimony.*

- 4.e.** [18-268](#) Changes to Salem Revised Code Chapter 94 to allow permitting of restricted concessionaire sales of alcoholic beverages with 14 percent or more alcohol by volume at Riverfront Park and Bush's Pasture Park.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Proceed to second reading of 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](#)[5-29-18 -Written Testimony 1](#)[5-29-18 Written Testimony 2](#)[Written Testimony Received through 6-6-18](#)[Written Testimony](#)[6-11-18 Written Testimony Received to 5:00 pm](#)

Add - Written Testimony.

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.** [18-234](#)

Planning Administrator Decision - Replat Case No. REP18-02 - Approved - Richard Schwentner - 1715 West Meadows Drive NW - An application to replat Tract A of West Meadows Estates No. 3, approximately 9,727 square feet in size, in order to accommodate future development of a single family dwelling.

Ward(s): 8

Councilor(s): Lewis

Neighborhood(s): West Salem

Recommendation:

Information Only.

Attachments: [Land Use Decision REP18-02](#)**6.b.** [18-241](#)

Purchases approved administratively - April 1, 2018 through April 30, 2018.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Information only.

Attachments: [Purchases approved administratively April 2018](#)

7. ORDINANCES

7.1 FIRST READING:

- 7.1a. [18-235](#) 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 advance 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, to second reading.

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

- 7.1b. [18-253](#) 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](#)

7.2 SECOND READING:

- 7.2a. [18-256](#) Vacation of Vacation Lane SE

Ward(s): 3
Councilor(s): Nanke
Neighborhood(s): Faye Wright

Recommendation: Conduct second reading of Ordinance Bill No. 8-18 (Attachment 1), which vacates Vacation Lane SE subject to the following two conditions:

1. A reconfiguration of the lots in such a way as to ensure that all lots have adequate access to a public street; and
2. Payment of an assessment of special benefit in the amount of \$40,369.30.

Attachments: [Ordinance No. 8-18 \(Vacation Lane SE\)](#)
[Vacation Lane SE Vicinity Map](#)

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. [18-267](#) PUBLIC HEARINGS - Held in the Council Chambers unless otherwise noted

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

Proposed Amendments to Salem Revised Code Chapters 75, 78, 82,
205, 210, 300, and 601
Monday, July 23, 2018 at 6:00 p.m.

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

WORK SESSIONS - Held in the Council Chambers unless otherwise noted

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

SCHEDULE OF NEIGHBORHOOD ASSOCIATION ANNUAL MEETINGS

Neighborhood - Annual Meeting Date - Councilor
SCAN - June 12 - Andersen, Cook

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.

