



# CITY OF SALEM

555 Liberty St SE  
Salem, OR 97301

## Meeting Agenda

### City Council

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**Monday, May 23, 2016**

**6:30 PM**

**Council Chambers**

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#### 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**

**a.**        [16-002](#)            Civil Air Patrol Week

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

***Recommendation:*** Information Only.

***Attachments:*** [Attachment 1. Civil Air Patrol Week Proclamation](#)

**b.**        [16-007](#)            Public Safety Week and Public Works Day  
Proclamation

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

***Recommendation:*** Information Only.

**Attachments:** [Attachment 1. Public Safety Week and Public Works Day Proc](#)

- c. [16-015](#) Mid-Valley Sports Awards Proclamation

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Recommendation:** Information Only.

**Attachments:** [Mid-Valley Sports Awards Proclamation](#)

## 1.4 PRESENTATIONS

### 2. PUBLIC COMMENT: (Comment on agenda items other than public hearings and deliberations)

All agenda items marked by \* require action by Council at this meeting

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

#### 3.1 MINUTES

- a. [16-004](#) May 9, 2016

**Attachments:** [5-9-16 Council Minutes](#)

#### 3.2 RESOLUTIONS

- a. [16-016](#) City Initiation of Septic Failure Annexation for 3641 Boone Road SE

Ward(s): 3

Councilor(s): Nanke

Neighborhood(s): SEMCA

**Recommendation:** Adopt Resolution No. 2016-16 to initiate a voter-exempt septic failure annexation of a territory located at 3641 Boone Road SE.

**Attachments:** [Resolution 2016-16](#)  
[VicinityMap](#)

*Revised to add map*

**3.3 ACTION ITEMS**

- a. [16-005](#) Bulletproof Vest Partnership Grant

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

**Recommendation:** Authorize the City Manager to apply for; accept, if awarded; and execute all documents associated with a U.S. Department of Justice, BVP grant in an amount up to \$17,300.

- b. [16-010](#) Salem Municipal Airport Terminal Lease with HUT Airport Shuttle, Inc.

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

**Recommendation:** Authorize the City Manager to execute the attached lease for terminal space at the Salem Municipal Airport with HUT Airport Shuttle, Inc.

**Attachments:** [Proposed Lease](#)

- c. [16-021](#) Request from Salem-Keizer Transit District to be a co-applicant for Transportation and Growth Management Program funds to identify sidewalk network gaps that inhibit access to fixed-route bus service

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

**Recommendation:** Authorize the City Manager to sign as a co-applicant for Transportation and Growth Management Program funds to identify sidewalk network gaps that inhibit access to fixed-route bus service; and authorize the Mayor to sign a letter supporting this grant application.

**Attachments:** [Attachment 1: Salem-Keizer Transit District TGM Pre-Applicat](#)  
[Attachment 2: Draft letter of support for TGM application](#)

- d. [16-025](#) Intergovernmental Agreement with the Oregon  
Military Department, Office of Emergency  
Management

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

**Recommendation:** Authorize the City Manager to execute the attached  
Intergovernmental Agreement (IGA) with OEM for  
GIS and MSAG services.

**Attachments:** [IGA WVCC and OEM for GIS and MSAG reimbursement.docx](#)

#### 4. PUBLIC HEARINGS

**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)

- a. [16-006](#) Hearings Officer Decision - Variance Case No.  
VAR16-01 - Approved - Deborah Tolke, Tube Art  
Displays, Inc - 2300-2400 Lancaster Drive NE- A  
request for a Sign Variance and Sign Permit to allow  
a larger freestanding directional sign near the  
driveway entrance to an existing medical office  
building.

Ward(s): 6  
Councilor(s): Benjamin  
Neighborhood(s): North Lancaster

**Recommendation:** Information Only.

**Attachments:** [VAR16-01 Decision.pdf](#)

- b. [16-022](#) 2016 Human Rights and Relations Advisory  
Commission Work Plan and Update

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

**Recommendation:** Information only.

**Attachments:** [2016 Workplan](#)  
[Human Rights complaints 2015](#)

*Revised to add complaints report*

- c. [16-023](#) Mayor's International Council Report

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

**Recommendation:** Information only.

**Attachments:** [1: Mayor's International Council Report](#)  
[2. Presentation, Salem: An International City](#)  
[Mayor's International Council Roster](#)

*Revised to add roster*

- d. [16-027](#) Appeal of Planning Administrator's Decision for a  
Class 3 Site Plan Review and Class 2 Adjustment to  
construct a 1,117 square foot addition to an existing  
office building with a request for an adjustment to  
reduce the required 15 percent site landscaping to  
the existing 4.3 percent site landscaping for property  
approximately 2.93 acres in size, zoned CR (Retail  
Commercial), and located at 1177 Center St NE -  
97301 (Marion County Assessor's Map and Tax Lot  
number: 073W23CC / 1600).

Ward(s): Ward 1  
Councilor(s): Bennett  
Neighborhood(s): CAND0

**Recommendation:** Information Only.

**Attachments:** [Attachment 1: NEN Appeal Letter](#)  
[Attachment 2: SPR-ADJ16-06 Decision](#)

- e. [16-031](#) Options to Allow the Commercial Growing of Recreational Marijuana in the IC and IP Zones

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

**Recommendation:** Information only.

## 7. ORDINANCES

### 7.1 FIRST READING:

- a. **16-001** Proposed regulation of recreational marijuana facilities and amendments to the City's medical marijuana regulations.

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

**Attachments:** Ordinance Bill 8-16 Relating to Marijuana Regulation

*Revised to amend proposed public hearing date.*

- b. [16-020](#) Ordinance Bill No. 9-16, Defining Art in the City's Public Art Collection

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

**Recommendation:** Conduct first reading of Ordinance Bill No. 9-16, which would clarify the definition of art in the City of Salem's Public Art Collection, and proceed to second reading for enactment.

**Attachments:** [Attachment 1: Ordinance Bill No. 9-16](#)

- c. [16-037](#) Engrossed Ordinance Bill No. 5-16, referring a tax on the sale of marijuana items to Salem voters for the November 2016 General Election

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

***Recommendation:*** Engross Ordinance Bill No. 5-16 by requiring that all proceeds from the tax on the sale of marijuana items be allocated to the Police Department, and proceed to first and second reading for enactment.

***Attachments:*** [Ordinance 5-16 Engrossed](#)

## 7.2 SECOND READING:

- a. [16-014](#) Second Reading Engrossed Ordinance Bill No. 6-16, Creating Salem Revised Code Chapter 82, Clearing and Grading

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

***Recommendation:*** Engross Ordinance Bill No. 6-16, which adds a new chapter to the Salem Revised Code concerning clearing and grading of land, and conduct second reading for enactment.

***Attachments:*** [Attachment 1: Ch 82 Ord Bill 6-16 ENGROSSED](#)  
[Attachment 2: Planning Commission Rec Chapter 82](#)  
[Attachment 3. Memorandum from the City Attorney's Office](#)

## 8. PUBLIC COMMENT: (Other than agenda items)

## 9. NEW BUSINESS

### 9.1 MAYOR'S ITEMS:

- a. [16-045](#) Authorization of Travel to Japan as Part of the Business Oregon Trade Delegation

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

**9.2 COUNCILOR'S ITEMS:**

- a. [16-036](#) How best to allow short term rentals, such as Airbnb, VRBO, Flipkey, etc., to operate in Salem.

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

**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](mailto: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. [16-017](#) Proposed Amendments to the Salem Revised Code to allow physical fitness instructional uses in the CO zone, allow the rebuilding of existing duplexes in various commercial and industrial zones, and allow self-service storage in the Riverfront Overlay Zone. (CA 16-01)

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

***Recommendation:*** Conduct first reading and advance to second reading for enactment Ordinance Bill No. 7-16, which amends Salem Revised Code Chapter 521, 522, 523, 551, 553, 554, and 617 to:

1) Allow dance studios and similar physical fitness instructional activities in the Commercial Office (CO) zone;

2) Allow the alteration, expansion, or rebuilding of existing two family residential uses, such as duplexes, in the Retail Commercial (CR), General Commercial (CG), Industrial Commercial (IC), Industrial Park (IP), and General Industrial (IG) zones; and

3) Allow self-service storage in the Riverfront Overlay Zone.

***Attachments:*** [Planning Commission Recommendation](#)  
[Letter from the Grant Neighborhood Association.pdf](#)  
[Letter from the South Central Association of Neighbors \(SCAN](#)  
[Ordinance Bill No 7-16](#)

- b. [16-029](#) PUBLIC HEARINGS

Fiscal Year 2017 Budget ~ Monday, June 6

Police Facility ~ Wednesday, June 8

Land Use Fees ~ Monday, June 27

Ordinance Bill No. 8-19 Relating to Marijuana Regulations, Amending ARC Chapter 31, and Adding New Provisions ~ Monday June 27

WORK SESSIONS - Held in the Council Chambers unless otherwise noted

Police Facility Work Session ~ Wednesday, June 1 at 6:30 p.m.

Stormwater Master Planning and Flood Risk Reduction ~ To be determined.

City of Salem Keizer School District Property Transfer ~ To be determined.

Joint City Council/Urban Renewal Agency/SEDCOR - Economic Development Update ~ To be determined.

Urban Renewal Agency Work Session - Downtown Focus Group 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

ELNA - June 2 - Benjamin

SCAN - June 8 - Andersen, Bednarz

Sunnyslope - June 12 - McCoid, Bednarz

**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.cityofsalem.net/Departments/Legal/Pages/CouncilRules.aspx](http://www.cityofsalem.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](mailto: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:**

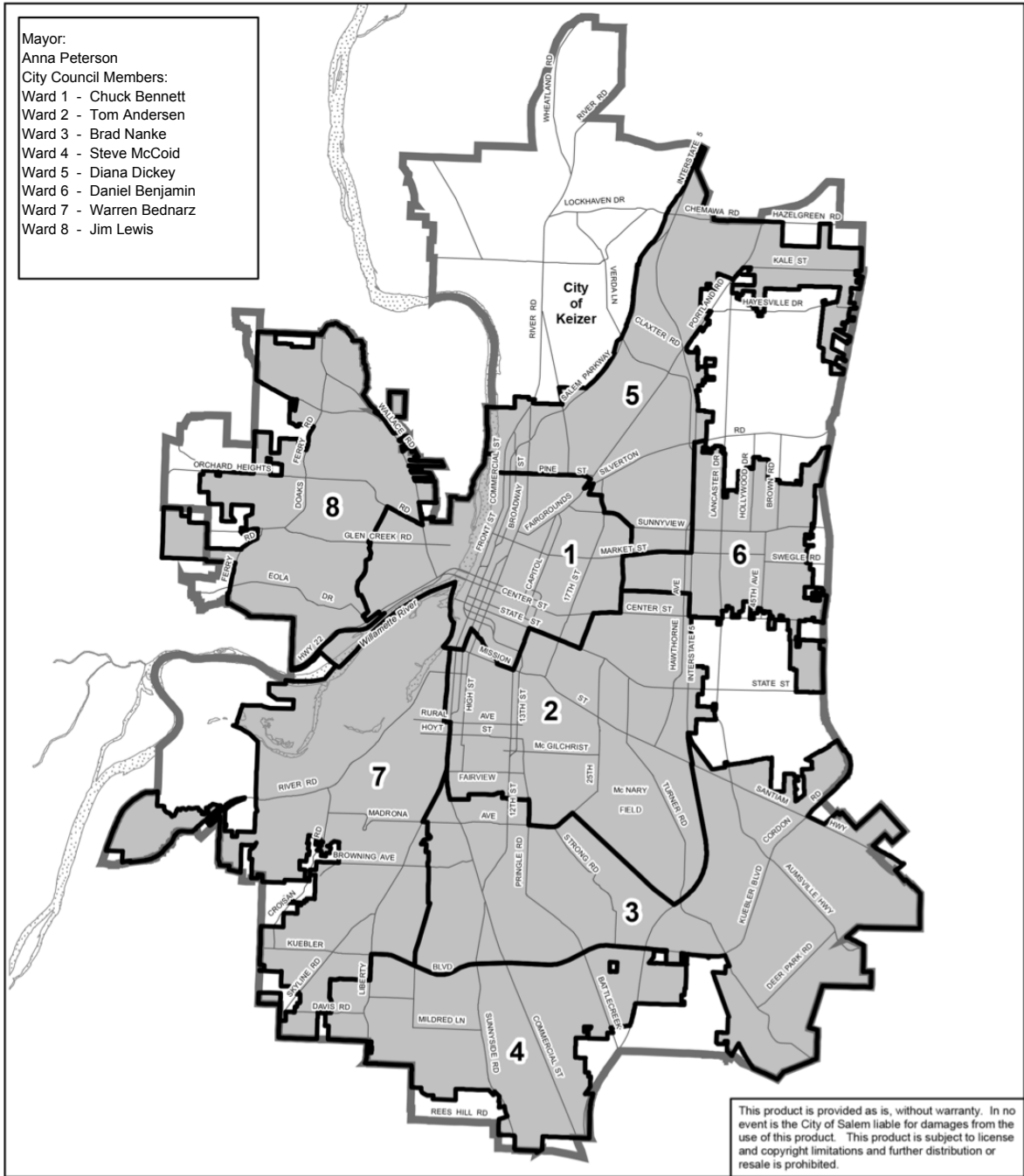
- 1. Staff Presentation – 15 minutes**
- 2. Affected Party – 15 minutes**
- 3. Neighborhood Associations – 5 minutes**
- 4. Other Interested Persons – 3 minutes per person**
- 5. Rebuttal by Affected Party – 7 minutes**

**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](mailto: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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