



CITY OF SALEM

Meeting Agenda

City Council

555 Liberty St SE
Salem, OR 97301

Monday, August 8, 2016

6:30 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

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. [16-146](#) July 25, 2016

Attachments: [7-25-16 Council minutes](#)

3.1b. [16-181](#) August 1, 2016

Attachments: [8-1-16 Council Work Session Minutes](#)

3.2 RESOLUTIONS

3.2a. [16-124](#) Initiating major comprehensive plan amendments pertaining to the Salem River Crossing preferred alternative.

Ward(s): 1, 5, and 8

Councilor(s): Bennett, Dickey, Lewis

Neighborhood(s): Highland and West Salem

Recommendation: Adopt Resolution No. 2016-35 (Attachment 1), initiating major comprehensive plan amendments pertaining to the Salem River Crossing preferred alternative.

Attachments: [Resolution No. 2016-35](#)
[Salem River Crossing Preferred Alternative Description](#)
[Request for Salem River Crossing Regional Planning Action.pdf](#)
[8-1-16 Written Testimony 1.pdf](#)
[Request Letter to Polk County](#)
[Request Letter to Marion County](#)

Add - Request letters to Polk and Marion Counties

3.2b. [16-136](#) Amendment of Resolution 93-59A, establishing a self-insurance policy for the City of Salem.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Adopt Resolution Number 2016-21 amending Resolution 93-59A to increase the settlement authorities that may be exercised by the City Manager from \$25,000 to \$50,000, and Risk Manager from \$10,000 to \$25,000.

Attachments: [Resolution No. 2016-21](#)
[Resolution No. 2016-21 Exhibit A City of Salem Risk Manager](#)
[Resolution No. 2006-222](#)

- 3.2c.** [16-165](#) A Resolution Authorizing Approval of Subdivision, Partition and Condominium Plats by City Surveyor or Contract Surveyors in Lieu of County Surveyor

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

Recommendation: Adopt Resolution No. 2016-33 authorizing approval of subdivision, partition and condominium plats by city surveyor or contract surveyors in lieu of county surveyor.

Attachments: [Resolution No. 2016-33](#)

- 3.2d.** [16-183](#) Authorizing a transfer of appropriation authority for the Mission Street overlay project

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

Recommendation: Adopt Resolution No. 2016-34, transferring \$300,000 of appropriation authority within the Transportation Services Fund (155) from materials and services to interfund transfers for the purpose of increasing appropriation authority for the Mission Street overlay project in the Capital Improvements Fund (255).

Attachments: [Resolution No. 2016-34](#)

3.3 ACTION ITEMS**3.3a.** [16-172](#)

Increased work hours for the new Park Ranger position.

Ward(s): All Wards

Councilor(s): All

All Neighborhoods

Recommendation: Approve increase of the Park Ranger position from .50 FTE to .75 FTE.

Attachments: [Park Ranger Position Description and Job Duties](#)

3.3b. [16-175](#)

Intergovernmental Agreement between the Drug Enforcement Administration and the City of Salem for Narcotics Task Force Operations

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Authorize the City Manager to execute the attached IGA between the United States Department of Justice, Drug Enforcement Administration and the City of Salem for the operation of a narcotics task force in FY16/17.

Attachments: [Funded State and Local Task Force Ageement](#)
[Revised Funded State and Local Task Force Ageement](#)

Revised - Replaced attachment to allow for a correction to paragraph No. 6 to specify "...the SPD will remain responsible for establishing the salary and benefits, including overtime, of the officers assigned to the Task Force, and for making all payments due them."

3.3c. [16-176](#)

Collective bargaining agreement between the City and Salem Professional Fire Fighters, International Association of Fire Fighters (IAFF), Local 314, AFL-CIO and authorizing a transfer of appropriation authority

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

- Recommendation:** 1. Approve a three-year collective bargaining agreement between the City and Salem Professional Fire Fighters, International Association of Fire Fighters (IAFF), Local 314, AFL-CIO, for a period from July 1, 2016, through June 30, 2019.
2. Adopt Resolution No. 2016-36, transferring \$384,530 from General Fund Non Departmental contingency to General Fund Fire Department personal services for the purpose of increasing appropriation authority related to the additional cost in FY 2016-17 of the three-year collective bargaining agreement.

Attachments: [Resolutuon No. 2016-36](#)

4. PUBLIC HEARINGS

- 4.a. [16-167](#) Unsolicited Written Material Ordinance

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

- Recommendation:** Staff recommends not proceeding with the enactment of Ordinance Bill No. 15-11 relating to solid waste (unsolicited written materials).

Attachments: [Ordinance Bill No. 15-11 Unsolicited Written Materials](#)

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.** [16-168](#) Planning Administrator's Decision - Partition Time Extension No. PAR14-04EXT1 - Approved - CK Homes, LLC (Kevin Winder) - 3000 Kathleen Avenue NE - A Class 2 extension request for a partition located at 3000 Kathleen Avenue NE into two parcels.

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

Recommendation: Information only.

Attachments: [Land Use Decision PAR14-04EXT1](#)

- 6.b.** [16-170](#) Hearings Officer Decision - Validation of Units of Land Case No. VUL16-02 - Approved - Becky O'Brien and Bryce Gardinier - 2200 Block of 27th Place NW - A proposal to validate one of two parcels that were created as separate tax lots through a sale by deed in 1994.

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

Recommendation: Information only.

Attachments: [Land Use Decision VUL16-02](#)

- 6.c.** [16-173](#) Planning Commission Decision - Comprehensive Plan Map Amendment/Zone Change/ Class 3 Site Plan Review/Class 2 Adjustment/Class 2 Driveway Approach Permit No. CPC-ZC-SPR-ADJ-DAP16-05 - Approved - Mountain West Investment Corporation - 2150 Turner Road SE - A consolidated application to change the Comprehensive Plan designation and zoning to allow development of a self-storage facility with an onsite caretaker dwelling.

Ward(s): 2

Councilor(s): Andersen

Neighborhood(s): SEMCA

Recommendation: Information only.

Attachments: [Land Use Decision CPC-ZC-SPR-ADJ-DAP16-05](#)

6.d. [16-174](#)

Planning Commission Decision - Fairview Refinement Plan Major Amendment No. FRPA16-01 - Approved - Sustainable Fairview Associates LLC (Sam Hall & Susan Leeson; MCO, Limited; James L. Meyer & Kathleen Hannegan Meyer; Anthony C. Nielsen & Margaret Nielsen) - 2250 Old Strong Road SE - A major amendment to Fairview Refinement Plan II (Lindburg Green), a refinement plan covering a portion of the former Fairview Training Center property. The proposed major amendment:

- 1) Expands the boundaries of the refinement plan to add property for a future 27.5-acre community park;
- 2) Expands the boundaries of the refinement plan to include land for future development to the west and northwest of the proposed park;
- 3) Reconfigures the layout of the existing approved refinement plan to accommodate the addition of the proposed park and the land to the west and northwest of the proposed park; and
- 4) Modifies the development standards applicable within the refinement plan area.

Ward(s): 3

Councilor(s): Nanke

Neighborhood(s): Morningside

Recommendation: Information only.

Attachments: [Land Use Decision FRPA16-01](#)

- 6.e.** [16-184](#) Planning Administrator's Decision - Partition Time Extension No. PAR14-06EXT1 - Approved - Pacific Interiors, Inc. - 2512 Brown Road NE - A request for a 2-year extension of the approval for PAR14-06, a 3-parcel partition with Class 2 Adjustment just north of Kodiak Court NE. The partition and adjustment were originally approved in 2014.

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

Recommendation: Information only.

Attachments: [PAR14-06EXT1 Decision](#)

- 6.f.** [16-189](#) Planning Administrator Decision - Partition Time Extension Case No. PAR14-03EXT1 - Approved - Joshua H. Clark - 780 Idylwood Drive SE - A request for a 2-year extension of the approval for PAR14-03, a 2-parcel partition to divide approximately 0.5 acres into 2 parcels, with proposed Parcel 1 consisting of 12,482 square feet (9,494 square feet exclusive of the flag lot accessway) and proposed Parcel 2 consisting of 9,278 square feet.

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

Recommendation: Information only.

Attachments: [PAR14-03EXT1 Decision](#)

7. ORDINANCES

7.1 FIRST READING:

7.2 SECOND READING:

- 7.2a.** [16-019](#) Amending SRC 20E Salem Senior Center Advisory

Commission

Ward(s): All

Councilor(s): All

Neighborhood(s): All Neighborhoods

Recommendation: Proceed to seconding reading of Ordinance Bill 11-16, which amends SRC 20E to recognize changes in the facility name, commission membership, and partner agencies.

Attachments: [Ordinance Bill No. 11-16](#)

7.2b. [16-100](#)

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 the Industrial Park (IP) zones

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Engross Ordinance Bill No. 10-16, which allows the commercial growing of recreational marijuana as a conditional use in the Industrial Commercial (IC) and the Industrial Park (IP) zones, and, as engrossed, prohibits medical marijuana facilities and recreational marijuana retailers in the Central Business District (CB) Zone, and proceed to second reading for enactment.

Attachments: [Proposed Engrossed Ordinance Bill No. 10-16](#)

7.2c. [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: Proceed to second 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 \(Marijuana Business Registration\)](#)

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 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, WORK SESSIONS, AND
FUTURE AGENDA ITEMS**

a. [16-188](#)

PUBLIC HEARINGS

2017-2018 Utility Rate Proposal ~ Monday, October 10
at 6:30 p.m.

WORK SESSIONS - Held in the Council Chambers unless
otherwise noted

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

Joint City Council/Urban Renewal Agency/SEDCOR -
Economic Development Update ~ November 21 at 6:30
p.m.

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
WSNA - October 17 - Lewis, Bennett
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.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.

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.

