



CITY OF SALEM

555 Liberty St SE
Salem, OR 97301

Meeting Agenda

City Council

Monday, September 12, 2016 6:30 PM

Council Chambers

EXECUTIVE SESSION

Housing Authority of the City of Salem:

5:30 p.m. City Manager Conference Room

To conduct deliberations with persons designated by the governing body to negotiate real property transactions 192.660(2)(e)

Housing Authority of the City of Salem and City Council:

Immediately following session above - City Manager Conference Room

To conduct deliberations with persons designated by the governing body to negotiate real property transactions 192.660(2)(e)

City Council: This session was cancelled.

Immediately following the session above - City Manager Conference Room

Current or Litigation likely to be filed 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

1.4 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. [16-224](#) August 22, 2016 Council Minutes

Title: August 22, 2016 Council Minutes

Attachments: [8-22-16 Council Minutes](#)
[8-22-16 Amended Council Minutes.pdf](#)

Revised - Corrected the motion in the approval of additions and deletions to reflect the motion was made by Councilor McCoid, seconded by Councilor Bednarz.

3.2 RESOLUTIONS

3.2a. [16-186](#) Modifying the terms of the Housing Authority Commission members; reappointing members; accepting the resignation of Commissioner Karavaev and declaring the resident-commissioner position vacant

Ward(s): All Wards

Commissioners(s): All Commissioners

Neighborhood(s): All Neighborhoods

Recommendation: Adopt (1) Resolution No.2016-39, modifying the terms of the commissioners to coincide with their term as a city councilor for the members who also serve on the City Council, and modifying the term of the resident member to end on December 31 on the fourth year of appointment, and; (2) accept the resignation of Commissioner Karavaev, and declaring the resident member position on the Commission vacant.

Title:

Modifying the terms of the Housing Authority Commission members; reappointing members; accepting the resignation of Commissioner Karavaev and declaring the resident-commissioner position vacant

Ward(s): All Wards

Commissioners(s): All Commissioners

Neighborhood(s): All Neighborhoods

Attachments: [Resolution 2016-39 SHA Commission appointments and terms](#)

3.2b. [16-218](#)

Reappointments to the Salem Hospital Facility Authority Board.

Ward(s): Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Adopt Resolution No. 2016-42 reappointing Robert Ohmart, Michael S. Compton, and Steve Hunter to the Board of the Salem Hospital Facility Authority.

Title:

Reappointments to the Salem Hospital Facility Authority Board.

Ward(s): Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Resolution No. 2016-42 SHFA Board Appointments](#)

3.2c. [16-233](#)

Auditor Selection Process.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Adopt Resolution No. 2016-43 to amend Council Policy C-4 and the City's Public Contracting Rules to allow the Council to select the City's provider of audit services.

Title:

Auditor Selection Process.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Resolution No 2016-43 Auditor Selection](#)
[COUNCIL POLICY NO C-4](#)
[PCR Amendments.auditor selection.06.27.16 1](#)

3.2d. [16-236](#)

Intergovernmental Agreement with Polk County for Mobile Response Crisis Team and Resolution No. 2016-37 Adopting FY 2016-17 Supplemental Budget 1

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

1. Authorize the City Manager to execute the attached IGA with Polk County and any amendments to the IGA in order to provide mobile response crisis team services;
2. Authorize the addition of one full-time police officer position in the Salem Police Department to staff the mobile response crisis team; and
3. Adopt Resolution No. 2016-37, thereby adopting FY 2016-17 Supplemental Budget 1 for the General Fund, increasing expenditure appropriation authority and revenues in the amount of \$209,370.00.

Title:

Intergovernmental Agreement with Polk County for Mobile Response Crisis Team and Resolution No. 2016-37 Adopting FY 2016-17 Supplemental Budget 1

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [IGA with Polk County for Mobile Response Crisis Team](#)

[Resolution No. 2016-37](#)

[Supplemental Budget 1 - reso exhibit A](#)

[Supplemental Budget 1 - reso exhibit B](#)

3.3 ACTION ITEMS

3.3a. 16-193

Intergovernmental Agreement with the Oregon Department of State Police for Access to the Automated Biometric Identification System

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Authorize the City Manager to execute the attached IGA with OSP for access to the regional Automated Biometric Identification System (ABIS).

Title:

Intergovernmental Agreement with the Oregon Department of State Police for Access to the Automated Biometric Identification System

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [IGA with OSP for access to ABIS](#)

Revised - Pulled from the agenda for amendments to the agreement.

3.3b. [16-222](#)

Funding and project approval for a pedestrian crossing median on the 2600 Block of Pringle Road SE

Ward(s): Ward 2

Councilor(s): Councilor Andersen

Neighborhood(s): Morningside

Recommendation:

Staff recommends Council approve construction of, and partial funding for, a pedestrian crossing median on the 2600 Block of Pringle Road SE.

Title:

Funding and project approval for a pedestrian crossing median on the 2600 Block of Pringle Road SE

Ward(s): Ward 2

Councilor(s): Councilor Andersen

Neighborhood(s): Morningside

Attachments: [Willamette ESD Median](#)

[Willamette ESD letter](#)

3.3c. [16-232](#)

Application for Small Grants for Healthy Eating Active Living (HEAL) Cities to be used for bicycle racks and a bicycle repair station in seven City of Salem parks.

Ward(s): 1, 2, 6

Councilor(s): Bennett, Andersen, Benjamin

Neighborhood(s): ELNA, Grant, Highland, NESCA, NOLA, SESNA

Recommendation:

Authorize the City Manager to apply for and, if successful, receive funds from the Small Grants for Healthy Eating Active Living (HEAL) Cities program to install a bicycle repair station at Geer Park, as well as bicycle racks at the following parks:

- * Aldrich Park
- * Grant School Park
- * Highland Park
- * Lee Park
- * McKay School Park
- * Royal Oaks Park

Title:

Application for Small Grants for Healthy Eating Active Living (HEAL) Cities to be used for bicycle racks and a bicycle repair station in seven City of Salem parks.

Ward(s): 1, 2, 6

Councilor(s): Bennett, Andersen, Benjamin

Neighborhood(s): ELNA, Grant, Highland, NESCA, NOLA, SESNA

Attachments: [HEALpark locations 2016](#)

[Written Testimony 1](#)

Add - Written Testimony

3.3d. [16-241](#)

Claim Settlement Authorization.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Authorize the City Manager to resolve the matter of the Estate of Chase Hammer v. City of Salem in an amount not to exceed \$100,000. Payment will be made from the City's self-insurance claim fund.

Title:

Claim Settlement Authorization.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

3.3e. [16-243](#)

Intergovernmental Agreement with the Housing Authority of the City of Salem for City Administrative Services

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Authorize the City Manager to execute an Intergovernmental Agreement (IGA) with the Housing Authority of the City of Salem (SHA) to provide administrative support, finance/payroll, fleet services, human resources, information technology (IT), legal, purchasing, real estate, reprographics, and urban development support for fiscal year 2016-2017.

Title:

Intergovernmental Agreement with the Housing Authority of the City of Salem for City Administrative Services

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Intergovernmental Agreement for the Provision of City Services](#)

3.3f. [16-247](#)

Reappointments to the Citizen Budget Committee and Salem Urban Development Community Services and Housing Commission.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Appoint/reappoint the applicants listed in the Facts and Findings section to the Citizen Budget Committee and the Salem Urban Development Community Services and Housing Commission.

Title:

Reappointments to the Citizen Budget Committee and Salem Urban Development Community Services and Housing Commission.

Ward(s): All Wards

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

Attachments: [Clark Hazlett - Request for Reappointment](#)
[Joan Lloyd - Application for Appointment](#)

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)

- 6.a.** [16-194](#) Purchases approved administratively - July 1, 2016, through July 31, 2016.

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

Recommendation: Information only.

Title:

Purchases approved administratively - July 1, 2016, through July 31, 2016.

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

Attachments: [Purchases approved administrative July 2016](#)

- 6.b.** [16-223](#) Annual evaluation of the City of Salem Floodplain Management Plan

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

Recommendation: Information only.

Title:

Annual evaluation of the City of Salem Floodplain Management Plan

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

6.c. [16-227](#)

Planning Commission Decision - Conditional Use / Class 3 Design Review / Class 3 Site Plan Review / Class 2 Driveway Approach Permit / Class 2 Adjustment No. CU-DR-SPR-DAP-ADJ16-06 - Approved - Killen Development LLC (Randy Killen) - 3271 Lancaster Drive NE - A consolidated application to allow for the development of a proposed 84-unit multiple family development on property located at 3271 Lancaster Drive NE.

Ward(s): 6

Councilor(s): Benjamin

Neighborhood(s): NOLA

Recommendation:

Information Only.

Title:

Planning Commission Decision - Conditional Use / Class 3 Design Review / Class 3 Site Plan Review / Class 2 Driveway Approach Permit / Class 2 Adjustment No. CU-DR-SPR-DAP-ADJ16-06 - Approved - Killen Development LLC (Randy Killen) - 3271 Lancaster Drive NE - A consolidated application to allow for the development of a proposed 84-unit multiple family development on property located at 3271 Lancaster Drive NE.

Ward(s): 6

Councilor(s): Benjamin

Neighborhood(s): NOLA

Attachments: [Land Use Decision CU-DR-SPR-DAP-ADJ16-06](#)**6.d. [16-234](#)**

Hearings Officer Decision - Partition/Variance No. PAR-VAR16-04 - Approved - Kerley Properties, LLC (Paul Kerley) - 4072-4096 Market Street NE - A consolidated application to partition a 2.36-acre lot into two parcels and variances to maximum flag lot accessway length and landscaped setbacks from existing parking areas.

Ward(s): 6

Councilor(s): Benjamin

Neighborhood(s): ELNA

Recommendation:

Information Only.

Title:

Hearings Officer Decision - Partition/Variance No. PAR-VAR16-04 -

Approved - Kerley Properties, LLC (Paul Kerley) - 4072-4096 Market Street NE - A consolidated application to partition a 2.36-acre lot into two parcels and variances to maximum flag lot accessway length and landscaped setbacks from existing parking areas.

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

Attachments: [PAR-VAR16-04 Decision](#)

7. ORDINANCES

7.1 FIRST READING:

7.2 SECOND READING:

8. PUBLIC COMMENT: (Other than agenda items)

9. NEW BUSINESS

9.1 MAYOR'S ITEMS:

- 9.1a.** [16-228](#) Announcing appointments of Councilors Jim Lewis and Daniel Benjamin to the Housing Choices Advisory Committee.

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

Recommendation: Information only.

Title:

Announcing appointments of Councilors Jim Lewis and Daniel Benjamin to the Housing Choices Advisory Committee.

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

- 9.1b.** [16-251](#) Mayoral Appointments to the Salem Human Rights and Relations Advisory Commission.

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

Recommendation: Information only.

Title:

Mayoral Appointments to the Salem Human Rights and Relations Advisory Commission.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Heba Saleh - Application for Appointment](#)
[Victoria Wisdom - Application for Appointment](#)

9.2 COUNCILOR'S ITEMS:**9.2a. [16-261](#)**

Creating a task force to provide recommendations to City Council regarding how to proceed with updating Salem's Floodplain Maps

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Title:

Creating a task force to provide recommendations to City Council regarding how to proceed with updating Salem's Floodplain Maps

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 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.

FUTURE AGENDA ITEMS

To appear on the September 26, 2016 agenda.

[16-235](#)

Amending SRC Chapter 12 - Ethics, and assigning the duties to issue advisory opinions and interpretations to the Salem Hearings Officer.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Conduct first reading of Ordinance Bill No. 13-16, which amends SRC Chapter 12 - Ethics, to assign the duties to issue advisory opinions and interpretations regarding the City's Ethics Code to the Salem Hearings Officer, and disbands the Board of Ethics.

Title:

Amending SRC Chapter 12 - Ethics, and assigning the duties to issue advisory opinions and interpretations to the Salem Hearings Officer.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Ordinance bill no 13-16 SRC 12 board of ethics](#)

UPCOMING PUBLIC HEARINGS AND WORK SESSIONS

16-246

PUBLIC HEARINGS

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

Joint Public Hearing with the City of Keizer, Marion County, and Polk County Regarding Land Use Actions to Support the Salem River Crossing Preferred Alternative ~ Location: Center 50+, 2615 Portland Rd NE, Salem, Wednesday, October 12 at 6:00 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

NOLA - October 12 - Benjamin

WSNA - October 17 - Lewis, Bennett

NESCA - October 18 - Bennett, Andersen, Benjamin

SESNA - October 25 - Andersen

SWAN - November 3 - Bednarz

South Gateway - November 10 - McCoid

Title: PUBLIC HEARINGS

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

Joint Public Hearing with the City of Keizer, Marion County, and Polk
County Regarding Land Use Actions to Support the Salem River
Crossing Preferred Alternative ~ Location: Center 50+, 2615
Portland Rd NE, Salem, Wednesday, October 12 at 6:00 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

NOLA - October 12 - Benjamin

WSNA - October 17 - Lewis, Bennett

NESCA - October 18 - Bennett, Andersen, Benjamin

SESNA - October 25 - Andersen

SWAN - November 3 - Bednarz

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

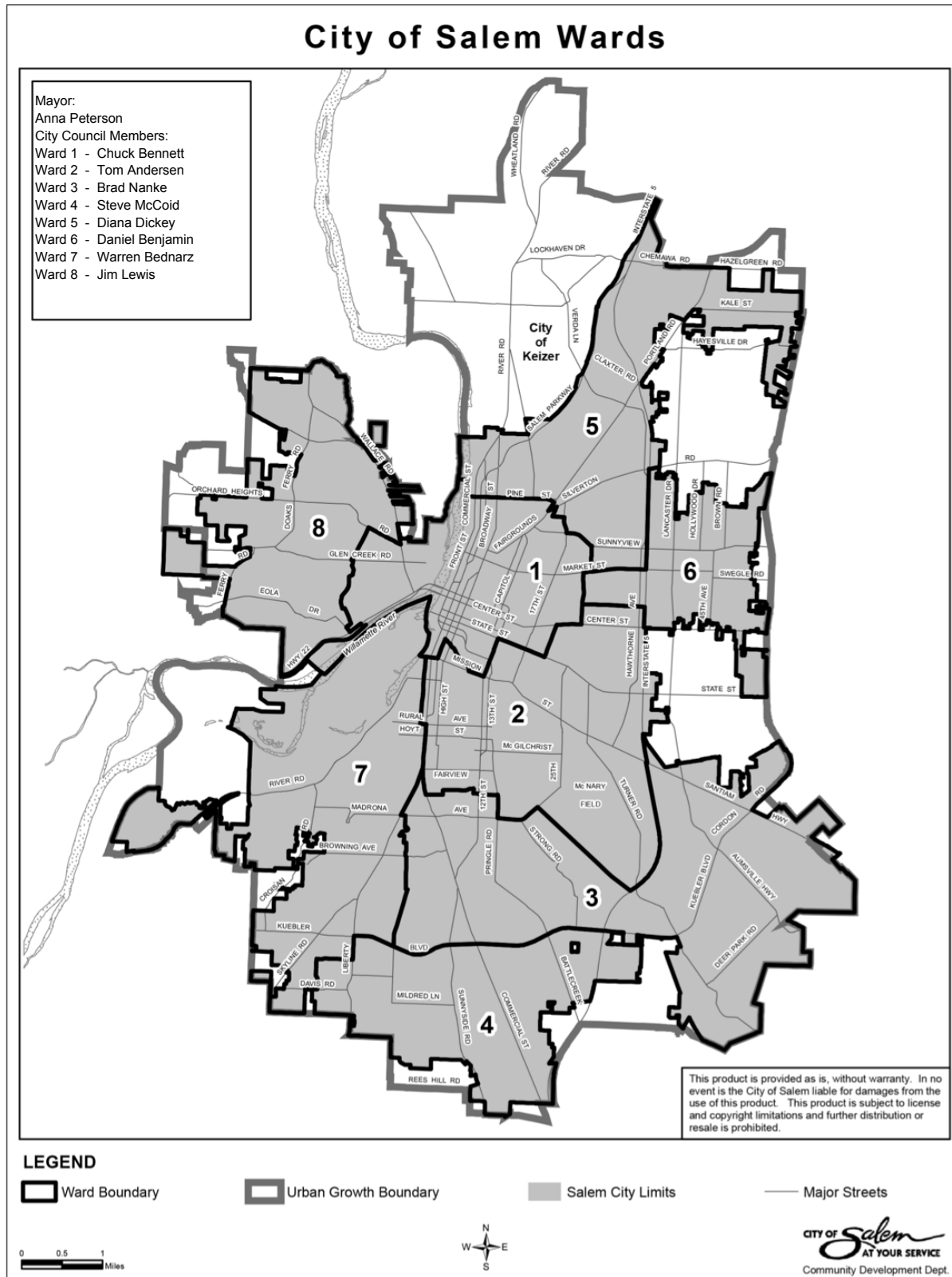
The City Council can hold public hearings to consider legislative, quasi-judicial or administrative matters. To testify at a hearing, you may sign up on the Hearing Roster located near the east entrance to the Council Chambers before the Mayor convenes the meeting. At the time for the hearing on the 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.



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