



# CITY OF SALEM

## Meeting Agenda

### City Council

555 Liberty St SE  
Salem, OR 97301

---

**Monday, December 5, 2016**

**6:30 PM**

**Council Chambers**

---

#### **EXECUTIVE SESSION**

**City Council:**

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

**Relating to the City Manager's performance evaluation process**

**ORS 192.660(2)(i)**

#### **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. [16-278](#)**

Proclamation of the Mayor and Canvass of Votes from the November 8, 2016 General Election

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Attachments:** [Proclamation of the Mayor](#)

[Canvass of Votes](#)

[Exhibit A - Canvass of Votes](#)

*Add - Report Added*

## 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

#### 3.2 RESOLUTIONS

#### 3.3 ACTION ITEMS

- 3.3a. [16-343](#)** Airport Capital Improvement Project and Federal Aviation Administration Grant Application for Design and Construction of Runway 13/31 Rehabilitation Project

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

**Recommendation:** Authorize the City Manager to apply for and accept Federal Aviation Administration Airport Improvement Program grant funds to be used for the design and construction of Runway 13/31 rehabilitation project.

**Attachments:** [Pavement Condition Map](#)  
[Pavement Condition Indices](#)

- 3.3b. [16-356](#)** Intergovernmental Agreement with the State of Oregon for the acquisition of real property in the 4100 block of Fisher Road NE.

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

**Recommendation:** Authorize the City Manager to execute the attached Intergovernmental Agreement with the State of Oregon for the acquisition of real property.

**Attachments:** [Site Map](#)  
[Proposed Agreement](#)

- 3.3c. [16-387](#)** 2016-2017 DUII Overtime Enforcement Grant

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Recommendation:**

Authorize the City Manager to accept and execute all grant documents associated with the Oregon Impact DUII Overtime Enforcement Grant for FY 2016-2017 in the amount of \$18,168.48.

**Attachments:** [Award letter](#)

**3.3d. [16-388](#)**

Federal Safety Belt Overtime Enforcement Grant

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Recommendation:**

Authorize the City Manager to accept and execute all documents associated with a federal Safety Belt Overtime Enforcement Grant for FY 2016-2017 in the amount of \$20,000.

**Attachments:** [Award Letter](#) [Safety Belt](#)

**3.3e. [16-404](#)**

Designation of March 14, 2017 as the date for a special election to fill the vacant council position for Ward 6.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Recommendation:**

Designate March 14, 2017 as the date for a special election to fill the vacant council position for Ward 6.

## 4. PUBLIC HEARINGS

**4.a. [16-269](#)**

Deliberations regarding major comprehensive plan amendments for the Salem River Crossing Preferred Alternative.

Note: The Public Hearing has been closed, and no testimony or public comment on this item or second reading of Ordinance Bill No. 14-16 may be received.

Ward(s): 1, 5, and 8

Councilor(s): Bennett, Dickey, Lewis

Neighborhood(s): Highland and West Salem

**Recommendation:**

Engross Ordinance Bill No. 14-16 (Attachments 1 - 4), which makes major comprehensive plan amendments for the Salem River Crossing Preferred Alternative, and proceed to second reading for enactment.

**Attachments:** [Engrossed Ordinance Bill No. 14-16](#)[Exhibit 1](#)[Exhibit 2](#)[Exhibits 3-7](#)[Summary of Responses to Public Testimony](#)[Keizer Ord without exhibits](#)[Marion Co Ord without exhibits](#)[Polk Co Ord without exhibits](#)

*Add - Added attachments from City of Keizer and Marion and Polk Counties. After the close of the joint public hearing on October 12, 2016, the City of Keizer and Marion and Polk Counties reconvened in their respective jurisdictions to deliberate on the proposed Urban Growth Boundary amendment. Each of these jurisdictions concurred with the proposed amendment as called for in the Regional Planning Action Procedures of the Salem Area Comprehensive Plan. The concurring ordinances, without exhibits, are attached for your information.*

**4.b.** [16-357](#)

Public hearing regarding vacation of a portion of right-of-way for Liberty Road S south of the intersection with Rainier Drive SE

Ward(s): 4

Councilor(s): McCoid

Neighborhood(s): South Gateway NA

**Recommendation:**

Approve the vacation of a public right-of-way and declare an emergency for vacating an easterly portion of the right-of-way for Liberty Road S south of the intersection with Rainier Drive SE, subject to the condition that an easement be reserved for public access and construction, maintenance, repair, and replacement of municipal and utility facilities.

**Attachments:** [Liberty & Rainier Vicinity Map](#)[2016-049 Council Resolution](#)**4.c.** [16-365](#)

City Council review of Planning Commission's decision for Comprehensive Plan Change / Neighborhood Plan Change / Zone Change Case No. CPC/NPC/ZC 16-08 for property located at 560 Glen Creek Road NW and 585-635 9th Street NW - 97304.

Ward(s): Ward 1

Councilor(s): Bennett

Neighborhood(s): West Salem Neighborhood Association

**Recommendation:**

Staff recommends that the City Council AFFIRM the Planning Commission's November 2, 2016, decision.

**Attachments:** [Vicinity Map](#)[November 2, 2016 Recommendation of the Planning Commission](#)[November 2, 2016 Decision of the Planning Commission](#)[September 6, 2016 Staff Report](#)[October 4, 2016 Supplemental Report](#)

**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.**    [16-366](#)                      Fiscal year 2016-2017 economic development update

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Recommendation:**              Information only.

**6.b.**    [16-379](#)                      Planning Commission Decision - Zone Change No. CPC-ZC16-09 - Approved - Mitchell Erwin - 3211 Duncan Avenue NE - A consolidated application to change the Comprehensive Plan Map designation and zoning of two taxlots located at 3211 Duncan Avenue NE to "Commercial" with CR (Retail Commercial) zoning.

Ward(s): 5

Councilor(s): Dickey

Neighborhood(s): Northgate

**Recommendation:**              Information Only.

**Attachments:**    [Land Use Decision CPC-ZC16-09](#)

**6.c.**    [16-391](#)                      Fiscal Year 2015-16 Financial Audit of the City of Salem, Oregon

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Recommendation:**              Information only.

**6.d.**    [16-392](#)                      Urban Renewal Agency Financial Report as Submitted by the Urban

Renewal Agency Board

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Recommendation:**

Information only.

## 7. ORDINANCES

### 7.1 FIRST READING:

**7.1a. [16-378](#)**

Ordinance Bill No. 24-16 vacating of a portion of right-of-way for Liberty Road S south of the intersection with Rainier Drive SE and declares an emergency

Ward(s): 4

Councilor(s): McCoid

Neighborhood(s): South Gateway NA

**Recommendation:**

Conduct first reading of Ordinance Bill No. 24-16, which vacates an easterly portion of the right-of-way for Liberty Road S south of the intersection with Rainier Drive SE, subject to the condition that an easement be reserved for the construction, maintenance, repair, and replacement of municipal and utility facilities, and declares an emergency.

**Attachments:** [Ordinance Bill No. 24-16](#)

**7.1b. [16-367](#)**

Proposed Comprehensive Plan Map Change - "Residential" to "Commercial" for a 0.2-acre property located at 3211 Duncan Avenue NE.

Ward(s): Ward 5

Councilor(s): Dickey

Neighborhood(s): Northgate

**Recommendation:**

Conduct first reading of Ordinance Bill No. 25-16 changing the Comprehensive Plan Map designation from "Residential" to "Commercial" for a 0.2-acre property located at 3211 Duncan Avenue NE and proceed to second reading.

**Attachments:** [Vicinity Map](#)

[Planning Commission Recommendation](#)

[Ordinance 25-16](#)

[Ordinance 25-16 Exhibit 1](#)

[Ordinance 25-16 Exhibit 2](#)

### 7.2 SECOND READING:

**7.2a. [16-384](#)**

Second reading of Engrossed Ordinance Bill No. 14-16 making 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:**

Engross Ordinance Bill No. 14-16, which makes major comprehensive plan amendments pertaining to the Salem River Crossing Preferred Alternative, to add supplemental findings, and conduct second reading of the ordinance as engrossed.

**Attachments:** [Engrossed Ordinance Bill No. 14-16](#)

[Exhibit 1](#)

[Exhibit 2](#)

[Exhibits 3-7](#)

## **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](mailto: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. [16-398](#)****PUBLIC HEARINGS**

Monday, December 12 - Ordinance Bill No. 23-16 an Ordinance Designating the Ed and Marie Viesko House, Located at 2060 High Street SE, Salem, Oregon, as a Local Historic Resource

January 9 - Appeal of Public Works Director System Development Charge decision related to placement of a manufactured dwelling at 2277 Orchard Heights Road NW

---

WORK SESSIONS - Held in the Council Chambers unless otherwise noted

Monday, January 30 at 6:00 p.m.  
City Council Work Session - Salem Strategic Plan

---

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

Wednesday, January 18 at 6:00 p.m.  
Budget Committee Meeting - Presentation of FY 2018-22 Five Year Forecast

---

PLANNING COMMISSION INTERVIEWS - Held in the Council Chambers unless otherwise noted

Monday, December 12 at 5:30 p.m.

---

**SCHEDULE OF NEIGHBORHOOD ASSOCIATION ANNUAL MEETINGS**

Neighborhood - Annual Meeting Date - Councilor



**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.**

**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.

