



CITY OF SALEM

Meeting Agenda

City Council

555 Liberty St SE
Salem, OR 97301

Monday, February 13, 2017

6:00 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

1.2 COUNCIL AND CITY MANAGER COMMENT

1.3 PROCLAMATIONS

1.3a. [17-43](#) Salem Neighborhood Association Program 45th Anniversary

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Information Only

Attachments: [NA 45th Anniversary - Proclamation](#)
[NA 45th Anniversary - History 1972-2017](#)

1.4 PRESENTATIONS

1.4a. [17-61](#) Mid-Willamette Homeless Initiative Presentation

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

Recommendation: Information Only.

Attachments: [Mid-Willamette Homeless Initiative Presentation.pptx](#)
[Mid-Willamette Homeless Initiative Strategic Plan](#)

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. [17-29](#) January 9, 2017 Council Minutes

Attachments: [1-9-17 Draft Council Minutes](#)

3.1b. [17-40](#) January 23, 2017 Council Minutes

Attachments: [1-23-17 Draft Council Minutes](#)

3.1c. [17-56](#) January 30, 2017 Council Work Session Minutes

Attachments: [1-30-17 Draft Council Work Session Minutes](#)

3.1d. [17-68](#) February 6, 2017 Council Work Session Minutes

Attachments: [2-6-17 Draft Council Work Session Minutes](#)

3.2 RESOLUTIONS

3.2a. [17-5](#) Acquisition of Property for the 12th Street SE Southbound Widening Project (Hoyt Street SE to Fairview Avenue SE).

Ward(s): Ward 2
Councilor(s): Andersen
Neighborhood(s): SCAN, Morningside

Recommendation: Staff recommends Council adopt Resolution Nos. 2017-4, 2017-5, 2017-6, 2017-7, 2017-8, 2017-9, 2017-10, 2017-11, 2017-12, 2017-13, 2017-14, and 2017-15, declaring a public need to acquire; the City of Salem's intent to negotiate; and if necessary authorize the City Attorney to commence eminent domain proceedings, for the acquisition of right-of-way and easements for the 12th Street SE Southbound Widening project.

Attachments: [Attachment 1 - Vicinity Map](#)
[Attachment 2 - Identified Properties](#)
[Attachment 3 - Property Aquisition Summary](#)
[Attachment 4 - Resolutions 2017-4 through 2017-15](#)

3.3 ACTION ITEMS

- 3.3a.** [17-11](#) Traffic signal at the intersection of Cordon Road SE and Gaffin Road SE

Ward(s): Ward 3
Councilor(s): Councilor Nanke
Neighborhood(s): Southeast Mill Creek Neighborhood Association (SEMCA)

Recommendation: Authorize the use of an additional \$180,000 of Mill Creek Corporate Center Development District infrastructure fees to complete installation a new traffic signal at the intersection of Cordon Road SE and Gaffin Road SE (Attachment 1).

Attachments: [Intersection Project Location](#)

- 3.3b.** [17-37](#) Intergovernmental Agreement with Chemeketa Community College Emergency Services Program

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

Recommendation: Authorize the City Manager to execute an Intergovernmental Agreement with Chemeketa Community College to establish the terms and conditions under which the parties shall share public resources to provide work experience training for College fire training students in exchange for training and facilities.

Attachments: [CCC IGA](#)

- 3.3c.** [17-32](#) Intergovernmental Agreement with U.S. Department of Agriculture, Animal and Plant Health Inspection Service-Wildlife Services for Migratory Bird Management

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

Recommendation: Authorize the City Manager to execute the attached Cooperative Agreement with the U. S. Department of Agriculture Animal and Plant Health Inspection Service-Wildlife Service for Migratory Bird Management services.

Attachments: [Final Migratory Bird Conservation Strategy](#)
[Cooperative Agreement APHIS 2017_2021](#)
[APHI Work Financial Plan.pdf](#)

- 3.3d.** [17-35](#) Research Services Agreement with University of Oregon for the

Salem Natural Hazard Mitigation Plan

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Authorize the City Manager to execute a services agreement with the University of Oregon for services related to the required five-year update of the City's Natural Hazard Mitigation Plan.

Attachments: [U of O Research Services Agreement 24361](#)

- 3.3e.** [17-46](#) Collective bargaining agreement between the City and 911 Professional Communications Employees' Association (PCEA).

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Approve a three-year collective bargaining agreement between the City and 911 Professional Communications Employees' Association (PCEA) for a period from July 1, 2016, through June 30, 2019.

- 3.3f.** [17-47](#) Legislative Priority Bills

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Approve the legislative positions and priorities recommended by the Council Legislative Committee.

Attachments: [Attachment 1 Positions Approved by the Legislative Committee on January 20, 2017](#)

- 3.3g.** [17-48](#) Intergovernmental Agreement for the performance of a Portland General Electric franchise fee review and analysis.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Authorize the City Manager to execute an Intergovernmental Agreement forming a government collective, Right of Way Accountability Coalition, to complete a multi-agency fee franchise review and analysis of Portland General Electric.

Attachments: [Attachment 1 IGA to Form ROWAC FINAL.pdf](#)

- 3.3h.** [17-50](#) Pedestrian Enforcement Grant Renewal Request

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 PSE Grant for FY 2017-2018 in the amount of \$9,447.28.

Attachments: [Pedestrian Safety Mini-Grant](#)

4. PUBLIC HEARINGS

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)

5.a. [17-69](#) May 16, 2017 Public Safety General Obligation Bond Measure

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Direct staff to present a resolution for Council's consideration, which calls for a measure election to be held on May 16, 2017, to submit to the voters of the city the question of issuing general bonded indebtedness not to exceed \$69,100,000 to finance the development of only a new public safety facility and related capital costs.

Attachments:

[Draft Measure 1 \\$69.1 Million Facility Only](#)

[Draft Measure 2 - \\$79.3 Million Public Safety Facility and Library Improvements](#)

[Draft Measure 3 - \\$64 Million Facility Only](#)

[Written Testimony-1](#)

[Written Testimony - 2](#)

Add - Written Testimony - 1

6. INFORMATION REPORTS: (Items that require no Council action)

6.a. [17-9](#) Annual Historic Landmarks Commission Report to the City Council

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Information Only.

Attachments:

[Final HLC 2016 Accomplishments & 2017 Workplan](#)

6.b. [17-21](#) Purchases approved administratively - December 1, 2016, through December 31, 2016.

Ward(s): All Wards

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

Recommendation: Information only.

Attachments: [Purchases approved administratively - December 2016](#)

- 6.c. [17-33](#) Hearings Officer Decision - Conditional Use - Case No. CU16-14 - Approved - Douglas Elkins for OG Leasing LLC (Alan Robert Elkins, Douglas Paul Elkins, Joel Steven Taylor, Russell Dyer, Holly Audette Cagle) - 1610 and 1639 Commercial Street NE - Conversion of an existing medical marijuana grow site to a facility for production of recreational marijuana, a conditional use in the IC (Industrial Commercial) zone.

Ward(s): 1
Councilor(s): Kaser
Neighborhood(s): Grant

Recommendation: Information Only.

Attachments: [Land Use Decision CU16-14](#)

- 6.d. [17-34](#) Hearings Officer Decision - Conditional Use Case No. CU16-13 - Approved - Richard Berger, Mountain West Investments - 3350 Portland Road NE - A request for a Conditional Use Permit to allow development of a 180-unit apartment complex on a portion of the subject property.

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

Recommendation: Information Only.

Attachments: [Land Use Decision CU 16-13](#)

- 6.e. [17-41](#) Hearings Officer Decision - Conditional Use / Class 3 Site Plan Review Case No. CU-SPR16-12 - Approved - OG Leasing LLC (Alan Robert Elkins, Douglas Paul Elkins, Joel Steven Taylor, Russell Dyer, Holly Audette Cagle) - 2842 19th Street SE - An Application to change part of an existing building to a recreational marijuana extraction facility and stripe parking spaces in an existing paved parking lot.

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

Recommendation: Information Only.

Attachments: [Land Use Decision CU-SPR16-12](#)

- 6.f. [17-44](#) Planning Administrator Decision - Partition No. PAR16-09 - Approved - Equity Investments LLC (Tyler Safina-Massey & Debra Shaffer) - 2315 Quail Run Lane S - A proposed partition to divide a lot at the northwest corner of Skyline Road S and Quail Run Lane S into three parcels for residential development. The existing single-family residence would remain.

Ward(s): 7
Councilor(s): Cook
Neighborhood(s): Sunnyslope

Recommendation: Information Only.

Attachments: [Land Use Decision PAR16-09](#)

- 6.g. [17-45](#) Planning Administrator Decision - Urban Growth Area Preliminary Declaration / Class 3 Site Plan Review / Class 2 Adjustment / Class 2 Driveway Approach Permit No. UGA-SPR-ADJ-DAP16-03 - Approved - Douglas Sproul, Mosaic Management, Inc. - 2900 Block of Boone Road SE - A proposed development of a new residential care facility approximately 134,700 square feet in size, with 122 total units.

Ward(s): 4
Councilor(s): McCoid
Neighborhood(s): South Gateway

Recommendation: Information Only.

Attachments: [Land Use Decision UGA-SPR-ADJ-DAP16-03](#)

- 6.h. [17-60](#) Planning Administrator's Decision - Subdivision / Class 3 Site Plan Review / Class 2 Adjustment / Class 2 Driveway Approach Permit / Class 1 Design Review Case No. SUB-SPR-ADJ-DAP-DR16-04 - Approved - Mountain West Investment Corporation - 3350 Portland Road NE - A request for a 4-lot Subdivision with Adjustments to reconfigure the subject property, and Site Plan Review and Design Review applications for development of a 180-unit apartment complex on proposed Lot 3.

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

Recommendation: Information Only.

Attachments: [Land Use Decision SUB-SPR-ADJ-DAP-DR16-04](#)

7. ORDINANCES

7.1 FIRST READING:**7.2 SECOND READING:**

- 7.2a.** [17-27](#) Amendments to SRC Chapter 32 - Marijuana Sales Tax, to conform the City's regulations to the Oregon Department of Revenue tax collection and enforcement procedures - Ordinance Bill No. 2-17.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Conduct second reading of Ordinance Bill No. 2-17, which amends SRC Chapter 32 to conform the City's marijuana sales tax collection and enforcement procedures with state law, and declaring an emergency.

Attachments: [Ordinance Bill No 2 17](#)

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. [17-31](#)

PUBLIC HEARINGS

Petitioner-Initiated Annexation of Territory Located at 3652 and 3672 Maly Place SE (Annexation Case No. C-719)
Monday, February 27

WORK SESSIONS - Held in the Council Chambers unless otherwise noted

Tuesday, February 21, 2017 at 6:00 p.m.
City Council Work Session - Police Facility

Monday, March 6, 2017 at 6:00 p.m. held in Anderson Rooms A&B at Salem Public Library
City Council Work Session - Strategic Plan

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

Joint Meetings of the City of Salem and Salem Urban Renewal Agency Budget Committees:

Proposed FY 2018 City of Salem Budget to the Budget Committee
Wednesday, April 12 at 6:00 p.m.

Budget Committee Review FY 2018 Budget
Wednesday, April 17 at 6:00 p.m.

Budget Committee Review FY 2018 Budget
Wednesday, April 26 at 6:00 p.m.

Budget Committee Review FY 2018 Budget
Wednesday, May 3 at 6:00 p.m.

Budget Committee Recommends FY 2018 Budget to City Council
Monday, May 15 at 6:00 p.m.

Budget Committee Recommends FY 2018-22 Capital Improvement Plan to City Council
Monday, May 15 at 6:00 p.m.

SCHEDULE OF NEIGHBORHOOD ASSOCIATION ANNUAL MEETINGS

Neighborhood - Annual Meeting Date - Councilor
Northgate - March 14 - Ausec
SEMCA - April 11 - Andersen, Nanke
CANDO - April 18 - Kaser
Lansing - April 25 - Ausec
Grant - May 4 - Kaser
Morningside - May 10 - Andersen, Nanke
Highland - May 11 - Kaser, Ausec
Faye Wright - May 11 - Nanke, Cook
SCAN - June 14 - Andersen, Cook

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.cityofsaalem.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.

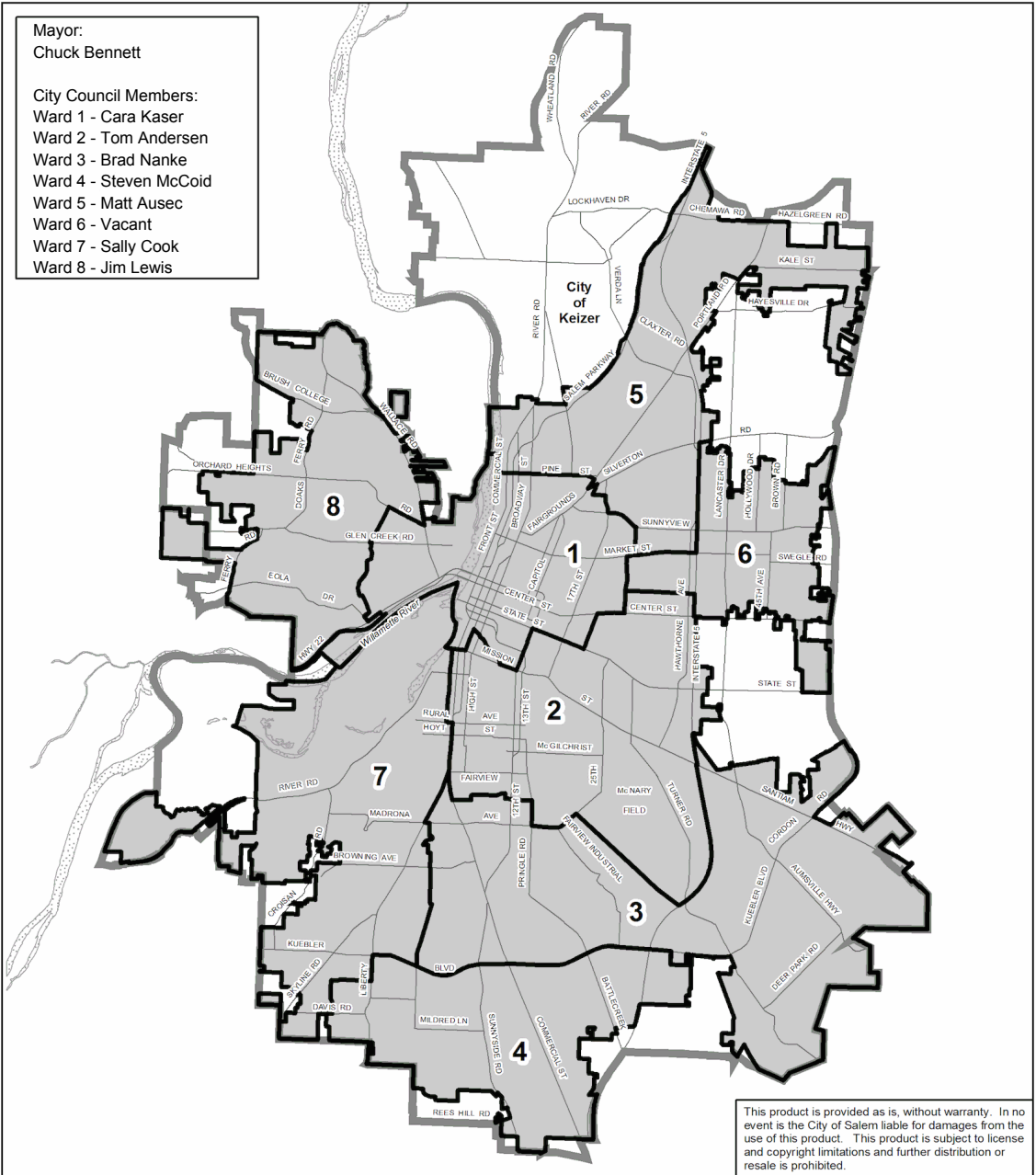
The time limit is 3 minutes per person for legislative and administrative hearings. The time limits for quasi-judicial hearings in non-land use cases are as follows:

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: 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:
Chuck Bennett

City Council Members:
 Ward 1 - Cara Kaser
 Ward 2 - Tom Andersen
 Ward 3 - Brad Nanke
 Ward 4 - Steven McCoid
 Ward 5 - Matt Ausec
 Ward 6 - Vacant
 Ward 7 - Sally Cook
 Ward 8 - Jim Lewis

LEGEND

Ward Boundary

Urban Growth Boundary

Salem City Limits

Major Streets

0 0.5 1 Miles



CITY OF Salem
AT YOUR SERVICE
Community Development Dept.

N:\CD\Proj\GIS\Public\Wards\Wards_B-W_ANSI-A.mxd - 11/29/2016 @ 12:34:47 PM