



CITY OF SALEM

Meeting Agenda

City Council

555 Liberty St SE
Salem, OR 97301

Monday, April 10, 2017

6:00 PM

Council Chambers

EXECUTIVE SESSION

City Council:

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

To consider information or records that are exempt by law from public inspection. ORS 192.660(2)(e)

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. [17-128](#) Arbor Week Proclamation

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Information only

Attachments: [Arbor Week Proclamation final](#)

[FINAL-tree-city-usa-40th-celebration-calendar](#)

1.3b. [17-150](#)

Proclamation recognizing Salem-Keizer Education Foundation's 35th Anniversary

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Information Only.

Attachments:

[Proclamation - Salem-Keizer Education Foundation.pdf](#)

1.3c. [17-153](#)

Proclamation recognizing National Child Abuse Prevention Month

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Information Only.

Attachments:

[Proclamation - National Child Abuse Prevention Month.pdf](#)

1.3d. [17-159](#)

Proclamation of the Mayor and Canvass of Votes from the March 14, 2017 Special Election

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments:

[March 14, 2017 Proclamation](#)

[March 14, 2017 Canvass of Votes](#)

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. [17-154](#)**

March 27, 2017 Council Minutes

Attachments:

[3-27-17 Draft Council Minutes](#)

3.2 RESOLUTIONS

- 3.2a.** [17-117](#) Resolution No. 2017-24 Delegating authority to apply for and accept certain grants to the City Manager.

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

Recommendation: Adopt Resolution No. 2017-24 authorizing the City Manager to apply for and accept certain grants of \$100,000 or less.

Attachments: [RESOLUTION NO 2017-24](#)

3.3 ACTION ITEMS

- 3.3a.** [17-135](#) Donation Agreement with Mountain West Investment Corporation for Enhancements to the Interactive Spray Fountain in Riverfront Park

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

Recommendation: Authorize the City Manager to execute a donation agreement with Mountain West Investment Corporation (the Donor) for construction modifications, repairs, and enhancements to the interactive spray fountain in Riverfront Park.

Attachments: [Final Agreement with Exhibits](#)

- 3.3b.** [17-146](#) Use of City rights-of-way by Salem-Keizer School District for telecommunications network.

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

Recommendation: Authorize the City Manager to execute an Intergovernmental Agreement with Salem-Keizer School District 24J for the School District's occupation of the City's rights-of-way for the placement of telecommunications system facilities within the City's rights-of-way.

Attachments: [Intergovernmental Agreement Between the City of Salem and Salem-Keizer School Dis](#)

Revised - Corrected scrivener's error in subject line, "networkJ" should read "network."

- 3.3c.** [17-158](#) 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: [Positions approved by the Legislative Committee on March 31 2017](#)

3.3d. [17-169](#) Appointment to the Salem Public Art Commission

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Appoint the applicant listed in the Facts and Findings section to the Salem Public Art Commission.

Attachments: [Nathan Good Application - Redacted.docx](#)

Add - Report Added

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: (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. [17-122](#)** Purchases approved administratively - February 1, 2017, through February 28, 2017.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Information only.

Attachments: [Purchases approved administratively - February 2017](#)

6.b. [17-136](#) Hearings Officer Decision - Quasi-Judicial Zone Change Case No. ZC17-01 - Approved - Brandie Dalton, Multi-Tech Engineering Inc

for Pacific Nation Development - 2332 Saginaw Street S - A proposal to re-zone the western portion of a split-zoned lot from RS (Single Family Residential) to CR (Retail Commercial) to match the remainder of the lot.

Ward(s): 7

Councilor(s): Cook

Neighborhood(s): Southwest Association of Neighbors (SWAN)

Recommendation: Information Only.

Attachments: [Attachment 1 Land Use Decision ZC17-01](#)

- 6.c. [17-156](#) Planning Administrator Decision - Subdivision/Urban Growth Area Preliminary Declaration/Class 2 Adjustment Case No. SUB-UGA-ADJ16-03 - Approved - Pacific Northwest Land Company LLC (Mark Vukanovich) - 2960 Michigan City Lane NW - A consolidated application for a 110-lot phased subdivision

Ward(s): 8

Councilor(s): Lewis

Neighborhood(s): West Salem

Recommendation: Information Only.

Attachments: [Land Use Decision SUB-UGA-ADJ16-03](#)

7. ORDINANCES

7.1 FIRST READING:

- 7.1a. [17-127](#) Proposed Amendments to the Salem Revised Code (SRC) to establish development standards and licensing requirements for short-term rentals and accessory short-term rentals and allowing those uses in the RA, RS, RD, RM-I, RM-II, RH, CN, CO, FMU, PM, and IG zones.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Schedule for public hearing Ordinance Bill No. 5-17, amending the SRC to establish development standards and licensing requirements for short-term rentals and accessory short-term rentals and allowing those uses in the RA, RS, RD, RM-I, RM-II, RH, CN, CO, FMU, PM, and IG zones.

Attachments: [Attachment 1 Ordinance Bill 5-17](#)
[Attachment 2 Planning Commission Recommendation \(March 7, 2017\)](#)
[Attachment 3 Neighborhood Association Comments](#)
[Attachment 4 Airbnb Comments](#)

7.1b. [17-133](#)

Consideration of Ordinance Bill No. 3-17, relating to vehicles for hire, taxis, and transportation network companies, and amending SRC chapter 30.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Conduct a public hearing, and advance Ordinance Bill No. 3-17 to second reading for enactment.

Attachments: [Attachment 1 Ordinance 3-17](#)

[Attachment 2 Comparison of Current City Regulations with the Draft Amendments](#)

[Attachment 3 - Background Check Comparison](#)

[Comments from Willamette Valley Yellow Cab](#)

[Written Testimony - Hughes](#)

[Written Testimony - Kirk, Hemmer, Denning, Jones, Urban](#)

[Written Testimony 1](#)

Add - Written Testimony 1

7.1c. [17-139](#)

Vacating a public right-of-way located south of Aumsville Highway SE and east of Kuebler Boulevard SE

Ward(s): 3

Councilor(s): Nanke

Neighborhood(s): SEMCA

Recommendation:

Conduct first reading of Ordinance Bill No. 8-17 (Attachment 1), which vacates a public right-of-way located south of Aumsville Highway SE and east of Kuebler Boulevard SE; and, advance Ordinance Bill No. 8-17 to second reading for enactment.

Attachments: [Attachment 1 Ordinance Bill No. 8-17](#)

[Legal and Exhibit](#)

7.2 SECOND READING:**7.2a. [17-160](#)**

City-Initiated Change of Comprehensive Plan Map designation from Single Family Residential to Multi-Family Residential and change of Neighborhood Plan Map designation from Single Family to Multi-Family for a 1.28-acre property located at 4220, 4230, and 4240 Sunnyview Road NE.

Ward(s): 6

Councilor(s): Vacant

Neighborhood(s): East Lancaster

Recommendation:

Conduct second reading of Ordinance Bill No. 4-17 changing the Comprehensive Plan Map designation from Single Family Residential to Multi-Family Residential and changing the Neighborhood Plan Map designation from Single Family to Multi-Family for a 1.28-acre property located at 4220, 4230, and 4240 Sunnyview Road NE.

Attachments:

[Attachment 1 - Vicinity Map](#)

[Attachment 2 - Planning Commission Recommendation](#)

[Attachment 3 - Ordinance](#)

[Attachment 4 - Ordinance Exhibit 1, Findings](#)

[Attachment 5 - Ordinance Exhibit 2, Legal Description](#)

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

FUTURE AGENDA ITEMS

To appear on the April 24, 2017 agenda

- a. [17-142](#) Amendments to the Salem Revised Code (SRC) to permit domestic violence shelters in residential and commercial zones (Ordinance Bill No. 6-17; Case No. CA17-02)

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Proceed to second reading for enactment of Ordinance Bill No. 6-17, amending SRC Chapters 510, 511, 512, 513, 514, 515, 520, 521, 522, 523, 524, 551, and 806 to allow non-profit shelters for victims of domestic violence with 10 or fewer people as a permitted use in residential and commercial zones, remove some siting requirements for domestic violence shelters in certain residential zones, and establish an off-street parking requirement for domestic violence shelters of one parking space per guest room or suite.

Attachments:

[Attachment 1. Planning Commission Recommendation](#)

[Attachment 2. Ordinance Bill No. 6-17](#)

[Attachment 3. Ordinance Exhibit 1](#)

[Attachment 4. SCAN Comments](#)

[Attachment 5. ELNA Comments](#)

[Attachment 6. NEN Comments](#)

[Attachment 7. SESNA Comments](#)

[Attachment 8. Letter from the Center for Hope & Safety](#)

- b. [17-151](#) PUBLIC HEARINGS - Held in the Council Chambers unless otherwise noted

Relating to Transportation Network Companies;

Amending SRC Chapter 30

Monday, April 24, 2017 at 6:00 p.m.

Relating To Land Use; Establishing Regulations Applicable To

Short-Term Rentals and Accessory Short-Term Rentals

Monday, April 24, 2017 at 6:00 p.m.

FY 2017-18 HUD Consolidated Annual Action Plan

Monday, April 24, 2017 at 6:00 p.m.

Relating to the Utility Code; Amending SRC Chapters 70, 70A, 71,

72, 73

Monday, May 22, 2017 at 6:00 p.m.

WORK SESSIONS - Held in the Council Chambers unless otherwise noted

Strategic Plan

Saturday, May 6, 2017 at 8:30 a.m. to 12:00 p.m.

STRATEGIC PLAN WORK GROUPS

Vision for Growth and Development

Thursday, April 6, 2017 at 5:30 p.m.

555 Liberty Street SE, Room 305, Community Development Conference Room

Economic Development and Downtown

Thursday, April 13, 2017 at 5:30 p.m.

350 Commercial Street SE NE, Urban Development Conference Room

Affordable Housing, Social Services, Homelessness

Friday, April 14, 2017 at 4:00 p.m.

370 Church Street NE, Robert Lyndsey Tower Community Room

Sustainable Service Delivery

Friday, April 21, 2017 at 5:30 p.m.

555 Liberty Street SE, Room 220, City Manager's Conference Room

Public Transportation

Friday, April 21, 2017 at 9:00 a.m.

555 Liberty Street SE, Room 325, Public Works Conference Room

Critical Infrastructure

Tuesday, April 25, 2017 at 5:30 p.m.

555 Liberty Street SE, Room 325, Public Works Conference Room

Public Transportation

Monday, May 1, 2017 at 5:30 p.m.

555 Liberty Street SE, Room 325, Public Works Conference Room

Critical Infrastructure

Tuesday, May 2, 2017 at 5:30 p.m.

555 Liberty Street SE, Room 325, Public Works Conference Room

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
Public Hearings - Capital Improvement Plan and State Revenue
Sharing
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
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
ELNA - June 1 - Ward 6
SCAN - June 14 - Andersen, Cook
Sunnyslope - June 15 - McCoid, 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.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.

