



CITY OF SALEM

Meeting Agenda

City Council

555 Liberty St SE
Salem, OR 97301

Monday, March 27, 2017

6:00 PM

Council Chambers

EXECUTIVE SESSION

City Council:

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

Current litigation 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

Pledge of Allegiance

1.1 APPROVAL OF ADDITIONS AND DELETIONS TO THE AGENDA

1.2 COUNCIL AND CITY MANAGER COMMENT

1.3 PROCLAMATIONS

1.4 PRESENTATIONS

1.4a. [17-105](#) Travel Salem 2017-2020 Strategic Plan

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Information only.

Attachments: [2017-2020 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.** [17-130](#) March 6, 2017 Council Work Session Minutes

Attachments: [3-6-17 Draft Council Work Session Minutes](#)

- 3.1b.** [17-131](#) March 13, 2017 Council Minutes

Attachments: [3-13-17 Council Minutes](#)

3.2 RESOLUTIONS

- 3.2a.** [17-113](#) Transfer of Appropriations for Utility Fund Debt Prepayment

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Adopt Resolution No. 2017-25, authorizing the transfer of \$4,800,000 in appropriations within the Utility Fund from contingencies to debt service for the purpose of debt prepayment.

Attachments: [Resolution No. 2017-25 - OECDD Loan Prepayment](#)

- 3.2b.** [17-125](#) Authorizing a transfer of appropriation authority for the purpose of expanding the plan development and community engagement activities of the City's current strategic planning initiative.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Adopt Resolution No. 2017-26 to transfer \$37,500 of appropriation authority within General Fund, Non Departmental from contingencies to materials and services for the purpose of expanding the plan development and community engagement activities of the City's current strategic planning initiative.

Attachments: [Resolution No. 2017-26](#)

[Resolution No. 2017-26, Exhibit A, Contingency Status](#)

3.3 ACTION ITEMS

- 3.3a.** [17-107](#) Intergovernmental agreement with the City of Lafayette to accept wastewater treatment sludge.

Ward(s): All
Councilor(s): All
Neighborhood(s): All

Recommendation: Authorize the City Manager to execute the attached Intergovernmental Agreement with the City of Lafayette to accept wastewater treatment sludge.

Attachments: [IGA City of Lafayette Signed](#)
[City of Salem Retail Water Utility Service Fees Schedule](#)

- 3.3b.** [17-108](#) Intergovernmental Agreement with the Oregon Department of Transportation for the Motor Carrier Safety Action Plan

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

Recommendation: Authorize the City Manager to execute the attached IGA with ODOT that would provide up to \$5,000 in reimbursement funds to the City through the Motor Carrier Safety Action Plan during Federal Fiscal Year 2016-17.

Attachments: [IGA with ODOT](#)

- 3.3c.** [17-118](#) Preserving an area in Riverfront Park for a performance facility

Ward(s): Ward 1
Councilor(s): Councilor Kaser
Neighborhood(s): CAN DO

Recommendation: Authorize reservation of the area (Attachment 1) for a performance facility at the current location of the amphitheater, in advance of completing a full master planning process for the Riverfront Park.

Attachments: [Attachment 1 Riverfront Park Master Planning-Area to be Preserved for Performance](#)
[Attachment 2 Early Draft Conceptual Designs for Enhanced Performance Facility](#)

- 3.3d.** [17-121](#) Cable Television Franchise Extension.

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

Recommendation: Authorize the City Manager to execute the cable television franchise extension agreement with Comcast of Oregon I, Inc. (Attachment 1) to allow staff, together with Marion County, to finalize the negotiation of a franchise renewal during the extension period.

Attachments: [Cable Television Franchise Extension Agreement](#)[Mid-Willamette Valley Cable Regulatory Commission Resolution No. 17-01](#)**3.3e. [17-124](#)**

Purchase and Sale Agreement with Pons Family Trust, William J. Pons and Sarah McCabe Pons, Trustees, for the Purchase of 1700 and 1770 Water Street NE.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Approve the attached Purchase and Sale Agreement with Pons Family Trust, William J. Pons and Sarah McCabe Pons, Trustees, for the purchase of 1700 and 1770 Water Street NE, Salem, Oregon for use by Capital Community Television.

Attachments: [Purchase and Sale Agreement](#)[Sales Listing \(including property description, photos, and map\)](#)[Appraisal Report](#)**3.3f. [17-132](#)**

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 17, 2017](#)**3.3g. [17-138](#)**

Position on Legislative Priority Bill

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Approve the attached legislative position on House Bill 3245.

Attachments: [Legislative position on House Bill 3245](#)[HB3245 Attachment 2](#)

Add - Report Added

4. PUBLIC HEARINGS

4.a. [17-116](#)

Public hearing regarding vacation of 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:

Approve the vacation of a public right-of-way located south of Aumsville Highway SE and east of Kuebler Boulevard SE, subject to the condition that the petitioner, State of Oregon, Department of Administrative Services, pay an Assessment of Special Benefit in the amount of \$50,960.

Attachments: [Attachment 1 - Legal Description and Exhibit](#)[Notice of Public Hearing](#)[ROW Vacation Valuation](#)[Written Testimony - 1](#)*Add - Written Testimony***4.b. [17-120](#)**

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

Ward(s): 2

Councilor(s): Andersen

Neighborhood(s): SESNA

Recommendation:

1. Find that the Petitioners have signed a valid triple majority petition for annexation of the Territory, in conformance with Oregon Revised Statutes (ORS) Chapter 222;
2. Determine that the Petition satisfies the criteria of Salem Revised Code (SRC) 260.060(c) and adopt Order No. 2017-01-ANX (Attachment 2);
3. Apply the City of Salem RS (Single Family Residential) zone to the Territory from Marion County RS (Single Family Residential); and
4. Withdraw the Territory from Marion County Fire District #1, the East Salem Service District, and the Suburban East Salem Water District.

Attachments:[Vicinity Map](#)[Attachment 2 -Order No. 2017-01-ANX Adopting the Final Decision and Findings of Co](#)[Annexation Petition \(Hallie Wolf and Prentice Wolf\)](#)[Public Works Department Parks Comments](#)[Fire Department Comments](#)[Public Works Department Development Services Section Comments](#)[Finance Division Comments](#)[Salem-Keizer School District Comments](#)

Item 4.b - Note: Deliberations only. The public hearing was held and closed on February 27, 2017. No further testimony will be taken.

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. [17-126](#) Councilor Item: City sponsorship of event featuring nationally recognized speaker and facilitator Dan Burden.

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

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

- 6.a. [17-112](#) Capital Improvement Plan for FY 2018 through FY 2022

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

Recommendation: Information only.

Attachments: [Proposed Capital Improvement Plan for FY 2018 through FY 2022](#)

- 6.b. [17-114](#) Planning Commission Decision - Zone Change No. CPC-NPC-ZC17-01 - Approved - City-initiated - 4220, 4230, and 4240 Sunnyview Road NE - A City-Initiated Change of Comprehensive Plan Map designation from Single Family Residential to Multi-Family Residential, A Neighborhood Plan Map designation from Single Family to Multi-Family, and zone change from Residential Agriculture (RA) to Multiple Family Residential (RM2).

Ward(s): 6
Councilor(s): Vacant
Neighborhood(s): East Lancaster and North Lancaster

Recommendation: Information Only.

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

- 6.c. [17-140](#) Emergency Warming Centers Report (2016-2017 Season)

Ward(s): All Wards
Councilor(s): Councilors Kaser, Andersen, Nanke, McCoid, Ausec,

Cook, and Lewis
Neighborhood(s): All Neighborhoods

Recommendation: Information Only.

Attachments: [Final Report Cumulative 12-14-16 through 1-15-17.pdf](#)

Add - Report Added

7. ORDINANCES

7.1 FIRST READING:

7.1a. [17-115](#)

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 first 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 and proceed to second reading.

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](#)

7.2 SECOND READING:

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. [17-129](#)**

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, May 8, 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

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.

