



# CITY OF SALEM

## Meeting Agenda

### City Council

555 Liberty St SE  
Salem, OR 97301

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**Monday, August 14, 2017**

**6:00 PM**

**Council Chambers**

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#### **EXECUTIVE SESSION**

##### **City Council**

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

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

##### **City Council**

**5:45 p.m. City Manager's Conference Room**

**To conduct deliberations with persons designated by the governing body to carry on labor negotiations ORS 192.660(2)(d).**

#### **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. [17-397](#)**

Proclamation recognizing the Start Making a Reader Today (SMART) program

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Recommendation:** Information only

**Attachments:** [SMART Proclamation.pdf](#)

## 1.4 PRESENTATIONS

Eclipse Preparation Update - Mark Bechtel, Public Works Operations Manager

## 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. [17-399](#) July 24, 2017 Draft Council Minutes

**Attachments:** [7-24-17 Draft Council Minutes](#)

### 3.2 RESOLUTIONS

3.2a. [17-247](#) Rescinding Council Resolution No. 79-104 regarding parking restrictions on Candalaria Boulevard South.

Ward(s): 2  
Councilor(s): Cook  
Neighborhood(s): SWAN

**Recommendation:** Adopt Resolution No. 2017-42, rescinding Resolution No. 79-104 regarding parking restrictions on Candalaria Boulevard S.

**Attachments:** [Resolution No. 2017-42](#)  
[Candalaria Blvd Council Resolution 79-104](#)

3.2b. [17-410](#) Amendment to Resolution No. 2017-29 forming the Salem City Council Transit Committee to increase the number of members

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

**Recommendation:** Adopt Resolution No. 2017-43, amending Resolution No. 2017-29, to expand the number of members of the Salem City Council Transit Committee from nine to a maximum of 17.

**Attachments:** [Resolution No. 2017-43](#)

[Resolution No. 2017-29 forming the Salem City Council Transit Committee.pdf](#)

### 3.3 ACTION ITEMS

- 3.3a. [17-373](#) Intergovernmental Agreement with the Drug Enforcement Administration for Narcotics Task Force Operations

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Recommendation:** Authorize the City Manager to execute the attached IGA between the United States Department of Justice, Drug Enforcement Administration and the City of Salem for the operation of a narcotics task force in FY17/18.

**Attachments:** [Program Funded State and Local Task Force Agreement](#)

- 3.3b. [17-383](#) Commercial-Vista Corridor Plan Recommendations

Ward(s): 2, 3, and 7

Councilor(s): Andersen, Nanke, and Cook

Neighborhood(s): SCAN, SWAN, Morningside, and Faye-Wright

**Recommendation:** Accept the recommendations contained in the Commercial-Vista Corridor Plan project report and direct staff to seek funding to implement the recommendations and to incorporate the recommendations into the Salem Transportation System Plan at the next amendment opportunity.

**Attachments:** [Commercial-Vista Corridor Plan Recommendations](#)

[Project Area Map](#)

[Proposed Amendments to Salem Transportation System Plan](#)

- 3.3c. [17-394](#) Kuebler Boulevard Improvement Agreement between the City of Salem and the Oregon Department of Administrative Services in support of Mill Creek Corporate Center development

Ward(s): Ward 3

Councilor(s): Councilor Nanke

Neighborhood(s): Southeast Mill Creek Association

**Recommendation:** Authorize the City Manager to execute the attached Improvement Agreement with the Oregon Department of Administrative Services (DAS) to formalize responsibility for approximately 2,700 feet of Kuebler Boulevard SE improvements along the Mill Creek Corporate Center frontage and issue a Partial Release of Constructional Deferral Agreement to DAS and the future property owner, after closing on the sale of Site A of the Corporate Center.

**Attachments:** [Construction Deferral Agreement](#)[Map](#)[Kuebler Boulevard Improvement Agreement](#)[Partial Release of Construction Deferral Agreement](#)

- 3.3d.** [17-398](#) Collective bargaining agreement with Salem Professional Fire Fighters, International Association of Fire Fighters (IAFF), Local 314, AFL-CIO

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Recommendation:** Approve a two-year collective bargaining agreement between the City and Salem Professional Fire Fighters, International Association of Fire Fighters (IAFF), Local 314, AFL-CIO, which includes the merger of a previously separate bargaining unit for Battalion Chiefs into the main IAFF unit for the remainder of the agreement period from July 1, 2017, through June 30, 2019.

- 3.3e.** [17-404](#) Lease extension and amendment with Shires Properties, LLC to secure proposed Salem Police Facility site.

Ward(s): 1

Councilor(s): Kaser

Neighborhood(s): CANDO

**Recommendation:** Authorize the City Manager to execute the attached lease amendment with Shires Properties, LLC to secure the site of the proposed Police Facility.

**Attachments:** [Site Map](#)[Current Lease \(as amended\)](#)[Proposed Second Amendment to Lease](#)

- 3.3f.** [17-412](#) Grant Agreement between the Housing Authority of the City of Salem and City of Salem for the Homeless Rental Assistance Program.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Recommendation:** Approve the attached grant agreement between the Housing Authority of the City of Salem and the City of Salem to provide \$1,400,000 of committed funds to the Housing Authority for the Homeless Rental Assistance Program.

**Attachments:** [Housing Authority of the City of Salem and City of Salem Grant Agreement](#)

## 4. PUBLIC HEARINGS

- 4.a.** [17-382](#) Amendments to the Salem Revised Code (SRC) Chapter 900, Sign Code. (Ordinance Bill No. 17-17; Case No. CA16-05)

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

**Recommendation:** Advance Ordinance Bill No. 17-17 to second reading for enactment, for the purpose of amending the Salem Revised Code Chapter 900, Sign Code.

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

[Attachment 2 - Exhibit A to Ordinance Bill No 17-17](#)

[Attachment 3 - Planning Commission Recommendation](#)

[Attachment 4 - Public Comments](#)

[Attachment 5 - Written Testimony](#)

[Written Testimony - 1](#)

*Add - Written Testimony*

## **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. [17-415](#) Announcing appointments to the Salem City Council Transit Committee

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

**Recommendation:** In an effort to include as many community members as possible who have an interest in having the Salem area served by a robust, convenient, and financially sustainable public transportation system, the Mayor has requested an amendment to Resolution No. 2017-29 to increase membership on the Salem City Council Transit Committee from a nine members to a maximum of 17 members. Contingent on Council's adoption of the amendment to Resolution 2017-29, Mayor Bennett is announcing the appointment of the following individuals to the committee:

Sadie Carney  
 Rebecca Engle  
 Kristin Grainger  
 Christina Marquez Guerrero  
 Cesar Torres Ibarra  
 Meg Rowe

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

- 6.a.**    [17-380](#)                      Purchases approved administratively - June 1, 2017, through June 30, 2017.
- Ward(s): All Wards  
Councilor(s): All Councilors  
Neighborhood(s): All Neighborhoods
- Recommendation:***              Information only.
- Attachments:***    [Purchases approved administratively City June 2017](#)
- 6.b.**    [17-381](#)                      Planning Administrator Decision - Class 2 Time Extension - Approved - Leota Dauge - 408 Stoneway Drive NW - A request for a two year extension of the tentative partition approval granted PAR09-06.
- Ward(s): 8  
Councilor(s): Lewis  
Neighborhood(s): West Salem
- Recommendation:***              Information Only.
- Attachments:***    [Land Use Decision PAR09-06EXT4](#)
- 6.c.**    [17-385](#)                      Planning Commission Decision - Comprehensive Plan Map Amendment / Neighborhood Plan Change / Zone Change Case No. CPC-NPC-ZC17-05 - Approved - Five07 Investors LLC (Michael D. Rohwer, MD, Dean G. Andretta, Holly Tindall, Chad Casady & Nathan Perrizo), Swamp Cat Investments LLC (Charles F. Columbus & Beverly K. Columbus, Dennis & Mary Jo Gabriel, Mark & Veronica Stapleton & Jeff & Cyndi Raines), Shangri-La Corporation (Karen Rutledge, Ross Stout & Nicole Titus) - 2425 Strong Road SE, 3991 & 3993 Fairview Industrial Drive SE & 4080 Reed Road SE - A consolidated application containing the following requests: 1) A Comprehensive Plan Map change from "Industrial" to "Industrial Commercial"; and 2) A change to the Morningside Neighborhood Plan designation from "Industrial" to "Industrial Commercial"; and 3) A Quasi-Judicial Zone Change from IBC (Industrial Business Center) to IC (Industrial Commercial).
- Ward(s): 3  
Councilor(s): Nanke  
Neighborhood(s): Morningside
- Recommendation:***              Information Only.
- Attachments:***    [Land Use Decision CPC-NPC-ZC17-05](#)
- 6.d.**    [17-388](#)                      Hearings Officer Decision - Conditional Use / Class 3 Site Plan Review Case No. CU-SPR17-08 - Approved - Aaron Mitchell - 3297 Portland Road NE - A request for a Conditional Use Permit to allow

the production of recreational marijuana, a conditional use in the IC (Industrial Commercial) zone.

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

***Recommendation:*** Information Only.

***Attachments:*** [Land Use Decision CU-SPR17-08](#)

- 6.e.** [17-389](#) Hearings Officer Decision - Conditional Use / Class 3 Site Plan Review Case No. CU-SPR17-09 - Approved - Richard Duncan for Lojco LLC (Paul Vettrus) - 1125 Salem Industrial Drive NE - An application to change part of an existing building to an industrial hemp processing facility and part to an industrial hemp extraction facility.

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

***Recommendation:*** Information Only.

***Attachments:*** [Land Use Decision CU-SPR17-09](#)

- 6.f.** [17-391](#) Planning Administrator Decision - Urban Growth Area Preliminary Declaration / Class 3 Site Plan Review / Class 2 Driveway Approach Permit Case No. UGA-SPR-DAP17-04 - Tobron Oregon LLC (Anthony L. Wiltse, Ronda R. Wiltse) - 4350 Ridge Drive NE - An Urban Growth Area Preliminary Declaration to determine the public facilities required for development of 3 acres and a Site Plan Review and Driveway Approach Permit for a towing company building and vehicle storage acres located at 4350 Ridge Drive NE.

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

***Recommendation:*** Information Only.

***Attachments:*** [Land Use Decision UGA-SPR-DAP17-04](#)

- 6.g.** [17-408](#) Hearings Officer Decision - Conditional Use / Class 3 Site Plan Review / Class 2 Adjustment Case No. CU-SPR-ADJ17-07 - Approved - Josh Snodgrass, RJ Development - 1190 Oakhill Avenue SE and 3988 12th Street Cutoff SE - An application to add a 20-unit, 36-bed memory care facility and 13 parking spaces to an existing 44-bed assisted living facility with 20 parking spaces.

Ward(s): 3

Councilor(s): Nanke  
 Neighborhood(s): Morningside

**Recommendation:** Information Only.

**Attachments:** [Land Use Decision CU-SPR-ADJ17-07](#)

6.h. [17-386](#) Community Forestry Strategic Plan.

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

**Recommendation:** Information only.

**Attachments:** [Tree Canopy by Neighborhood Map](#)  
[Strategic Plan Actions and Priorities Updated 2017v2 \(002\).pdf](#)  
[Salem Numbers FOT](#)  
[Tree City USA 40th Anniversary Calendar](#)

*Move - Moved Report from Action Items to Information Reports*

## 7. ORDINANCES

### 7.1 FIRST READING:

7.1a. [17-390](#) Proposed Comprehensive Plan Map Change and Neighborhood Plan Change - "Industrial" to "Industrial Commercial" for a 7.97-acre site partially bounded by Strong Road SE, Fairview Industrial Drive SE, and Reed Road SE.

Ward(s): Ward 3  
 Councilor(s): Nanke  
 Neighborhood(s): Morningside

**Recommendation:** Conduct first reading of Ordinance Bill No. 20-17 changing the Comprehensive Plan Map designation from "Industrial" to "Industrial Commercial" for a 7.97-acre site partially bounded by Strong Road SE, Fairview Industrial Drive SE, and Reed Road SE and proceed to second reading.

**Attachments:** [Attachment 1 - Vicinity Map](#)  
[Attachment 2 - Vicinity Comprehensive Plan Map](#)  
[Attachment 3 - Vicinity Zoning Map](#)  
[Attachment 4 - Ordinance 20-17](#)  
[Attachment 5 - Ordinance 20-17 Exhibit 1](#)  
[Attachment 6 - Ordinance 20-17 Exhibit 2](#)

### 7.2 SECOND READING:

7.2a. [17-407](#) Amendments to Salem Revised Code (SRC) Chapter 37 relating to



the collection of Transient Occupancy Tax

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Recommendation:** Conduct second reading of Ordinance Bill No. 19-17 which amends SRC Chapter 37 relating to Transient Occupancy Tax and declares an emergency.

**Attachments:** [Ordinance Bill No. 19-17](#)

## 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@cityofsaalem.net](mailto:cityrecorder@cityofsaalem.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. [17-387](#) PUBLIC HEARINGS - Held in the Council Chambers unless otherwise noted

Appeal of Hearings Officer Decision - Quasi-Judicial Zone Change /  
Class 3 Site Plan Review / Class 1 & 2 Adjustments Case No.  
ZC-SPR-ADJ17-02  
Monday, September 11, 2017 at 6:00 p.m.

Housing and Community Development Consolidated Annual  
Performance and Evaluation Report FY 2016-2017  
Monday, September 25, 2017 at 6:00 p.m.

WORK SESSIONS - Held in the Council Chambers unless otherwise  
noted

Strategic Planning Initiative  
Saturday, September 9, 2017 from 8:30 a.m. to 12:00 p.m.

Transient Occupancy Tax (TOT)  
Monday, October 16, 2017 at 6:00 p.m.

**SCHEDULE OF NEIGHBORHOOD ASSOCIATION ANNUAL MEETINGS**

Neighborhood - Annual Meeting Date - Councilor  
NOLA - September 6 - Hoy  
West Salem - October 16 - Kaser, Lewis  
SESNA - October 24 - Andersen  
South Gateway - November 9 - McCoid

**MEETING PROCEDURES**

City Council meets on the second and fourth Mondays of each month at 6:00 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:  
<http://www.cityofsaalem.net/Pages/council-rules.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](mailto: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](mailto: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.

