



CITY OF SALEM

Meeting Agenda

City Council

555 Liberty St SE
Salem, OR 97301

Monday, September 11, 2017 6:00 PM

Council Chambers

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).

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. [17-443](#) Proclamations recognizing Constitution Week

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Information Only.

Attachments: [Constitution Week Proclamation - Chemeketa Chapter.pdf](#)
[Constitution Week Proclamation - Anna Maria Pittman Chapter.pdf](#)

1.3b. [17-444](#) Proclamation recognizing Micronesia Islander Community

Celebration Day

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Information Only.

Attachments: [MICC Proclamation.pdf](#)

- 1.3c.** [17-466](#) Proclamation recognizing 9/11 as a Day of Remembrance

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Information Only.

Attachments: [9-11 Day of Remembrance Proclamation.pdf](#)

Add - Report added.

1.4 PRESENTATIONS

- 1.4a. Grant for Willow Lake Cogeneration Upgrade Project - Portland General Electric**

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.** [17-445](#) August 28, 2017 Draft Council Minutes

Attachments: [8-28-17 Draft Council Minutes](#)

3.2 RESOLUTIONS

3.3 ACTION ITEMS

- 3.3a.** [17-418](#) Collective Bargaining Agreement between the City and Salem Police Employees' Union.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Approve a three-year successor collective bargaining agreement between the City and Salem Police Employees' Union (SPEU), for a period from July 1, 2017, through June 30, 2020.

3.3b. [17-435](#)

Funding for Mill Creek Corporate Center infrastructure projects.

Ward(s): 3

Councilor(s): Nanke

Neighborhood(s): SEMCA

Recommendation:

Authorize the use of \$432,000 of Mill Creek Development District funds to fund sewer improvements within the Mill Creek Corporate Center.

Attachments: [Area Map](#)

3.3c. [17-436](#)

Intergovernmental Agreement with the Oregon Department of Transportation and the Mid-Willamette Valley Council of Governments to complete a Seismic Upgrade Study for the Center Street Bridge over the Willamette River

Ward(s): 1

Councilor(s): Kaser

Neighborhood(s): CANDO, WSNA

Recommendation:

Authorize the City Manager to execute an Intergovernmental Agreement with the Oregon Department of Transportation and the Mid-Willamette Valley Council of Governments to complete a Seismic Upgrade Study for the Center Street Bridge over the Willamette River.

Attachments: [Attachment 1 IGA 32156](#)
[Attachment 2 Project Location Map](#)

3.3d. [17-447](#)

Appointments to the Citizen Budget Committee, Community Police Review Board, Judicial Compensation Commission, and Salem Cultural and Tourism Promotion Advisory Board

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Appoint the applicants listed in the Facts and Findings section to the Citizen Budget Committee, Community Police Review Board, Judicial Compensation Commission, and Salem Cultural and Tourism Promotion Advisory Board.

Attachments: [Paul D Tigan Application - Redacted.pdf](#)
[Lucille Sage Application - Redacted.pdf](#)
[Claudia Lee Vorse Application - Redacted.pdf](#)
[Jonathan Baker Application - Redacted.pdf](#)

4. PUBLIC HEARINGS

4.a. [17-438](#)

Appeal of Hearings Officer's decision approving Quasi-Judicial Zone

Change / Class 3 Site Plan Review / Class 1 and 2 Adjustments Case
No. ZC-SPR-ADJ17-02 for property located at 390 Hawthorne
Avenue SE - 97301

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

Recommendation: Staff recommends that the City Council AFFIRM the June 30, 2017 Hearings Officer's Decision.

Attachments: [Vicinity Map](#)
[Approved Plans](#)
[Hearings Officer Decision June 30, 2017](#)
[Appeal Letter](#)
[Additional Testimony Submitted by the Applicant May 31, 2017](#)
[Additional Testimony Submitted by Andrew Sprauer for Garten Services Inc May 31, 2017](#)
[Rebuttal Submitted by Andrew Spauer for Garten Services Inc June 7, 2017](#)
[Final Argument Submitted by the Applicant June 14, 2017](#)
[Appeal Withdrawn - 17-438](#)

Removed - Removed item from agenda.

4.b. [17-441](#)

Petitioner-Initiated Annexation of Territory Located at 4932 Swegle
Road NE 97301 (Annexation Case No. C-721)

Ward(s): 6
Councilor(s): Hoy
Neighborhood(s): ELNA

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. 2017-02-ANX (Attachment 2);
3. Apply the City of Salem RS (Single Family Residential) zone to the Territory from Marion County UD (Urban Development); and
4. Withdraw the Territory from Marion County Fire District #1 and the East Salem Sewer and Drainage District.

Attachments: [Vicinity Map](#)[Order No. 2017-02-ANX Adopting the Final Decision and Findings of Compliance](#)[Public Works Department Parks Comments](#)[Fire Department Comments](#)[Public Works Department Development Services Section Comments](#)[Finance Division Comments](#)[Salem-Keizer School District Comments](#)**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. [17-403](#) Purchases approved administratively - July 1, 2017, through July 31, 2017.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Information only.**Attachments:** [Purchases approved administratively July 2017](#)

- 6.b. [17-433](#) Planning Administrator Decision - Subdivision / Class 2 Adjustment Case No. SUB-ADJ17-06 - Approved - 3 G's Construction - 655 Idylwood Drive SE - A subdivision to divide 1.42 acres into 7 lots ranging in size from approximately 4,456 square feet to approximately 15,507 square feet, with a two Class 2 Adjustments: 1) To increase the percentage of flag lots allowed in a subdivision from a maximum of 15 percent, to 71 percent of all lots; and 2) To increase the maximum lot depth from 300 percent of average lot width for Lot 7 to 331 percent of the average lot width.

Ward(s): 3

Councilor(s): Nanke

Neighborhood(s): Faye Wright

Recommendation: Information Only.**Attachments:** [Land Use Decision SUB-ADJ17-06](#)

- 6.c. [17-434](#) Hearings Officer Amended Decision - Conditional Use / Class 3 Site

Plan Review Case No. CU-SPR17-10 - Approved - Troy Parke - 325 13th Street NE - Proposed change of use of an existing office building to a mixed-use building with 32 dwelling units and office space.

Ward(s): 1
Councilor(s): Kaser
Neighborhood(s): Northeast Neighbors

Recommendation: Information Only.

Attachments: [Amended Land Use Decision CU-SPR17-10](#)

- 6.d.** [17-437](#) Planning Administrator Decision - Subdivision Case No. SUB17-04 - Approved - Dale Van Lydegraf - 1311 Doaks Ferry Road NW - An application for a 6-lot subdivision ("Lieutenant Ridge Estates") just east of the West Meadows Estates 2.

Ward(s): 8
Councilor(s): Lewis
Neighborhood(s): West Salem

Recommendation: Information Only.

Attachments: [Revised Land Use Decision SUB17-04](#)

- 6.e.** [17-439](#) Planning Administrator Decision - Replat Case No. REP17-01 - Approved - 1430 Tandem Ave LLC (Joseph Fox, Judith Fox, Mark Fox, Holly Smith, Jennifer Nopp, Jack Ryan Smith, Joshua J. Smith, Wyatt J. Fox, and Gauge F. Nopp) - 1430 Tandem Avenue NE - 97301 - An application to consolidate previously platted property and vacated easements and rights-of-way into two parcels, with Parcel 1 consisting of approximately 3.49 acres and Parcel 2 consisting of approximately 5.44 acres. The existing flex space building and associated parking would remain on Parcel 2.

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

Recommendation: Information Only.

Attachments: [Land Use Decision REP17-01](#)

- 6.f.** [17-440](#) Summary report of City's activities during 2017 Oregon Legislative Session

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

Recommendation: Information only.

Attachments: [2017 Salem Legislative Policy Statements](#)[City of Salem, Oregon Legislative Report, 2017 as submitted by CFM Strategic Commu](#)**6.g.** [17-464](#)

Appeal of Planning Administrator's Decision denying the request for Class 2 Adjustments to increase the allowable square footage and reduce rear yard setbacks for an accessory shop building at a single family residence, for property approximately 0.46 acres in size, zoned RS (Single Family Residential), at 2249 Joplin Court S.

Ward(s): Ward 7

Councilor(s): Cook

Neighborhood(s): Sunnyslope

Recommendation: Information Only.**Attachments:** [Attachment 1 Appeal Request](#)[Attachment 2 ADJ17-09 Decision](#)*Add - Report added.***7. ORDINANCES****7.1 FIRST READING:****7.1a.** [17-432](#)

Class 2 vacation of the southeasterly portion of Old MacLeay Road SE.

Ward(s):3

Councilor(s): Nanke

Neighborhood(s): Southeast Mill Creek Association

Recommendation: Conduct first reading of Ordinance Bill No. 20-17, which vacates the southeasterly portion of Old MacLeay Road SE subject to the condition that an easement is provided for construction, maintenance, repair, and replacement of municipal and utility facilities, and advance Ordinance Bill No. 20-17 to second reading for enactment.**Attachments:** [Attachment 1 - Ordinance Bill No. 20-17](#)[Exhibit A - Legal Description](#)[Exhibit B - Map](#)**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.

FUTURE AGENDA ITEMS

To appear on the September 25, 2017 agenda.

- a. [17-448](#) Consideration of Ordinance Bill No. 22-17, regulating use of public sidewalks

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

Recommendation: Enact Ordinance Bill No. 22-17 to regulate the use of public sidewalks.

Attachments: [Ordinance Bill No. 22-17](#)

UPCOMING PUBLIC HEARINGS, AND WORK SESSIONS

- b. [17-446](#) PUBLIC HEARINGS - Held in the Council Chambers unless otherwise noted

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

Sign Code Amendment
Monday, September 25, 2017 at 5:30 p.m.

Transient Occupancy Tax (TOT)
Monday, November 20, 2017 at 6:00 p.m.

SCHEDULE OF NEIGHBORHOOD ASSOCIATION ANNUAL MEETINGS

Neighborhood - Annual Meeting Date - Councilor
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.cityofsalem.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.

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.

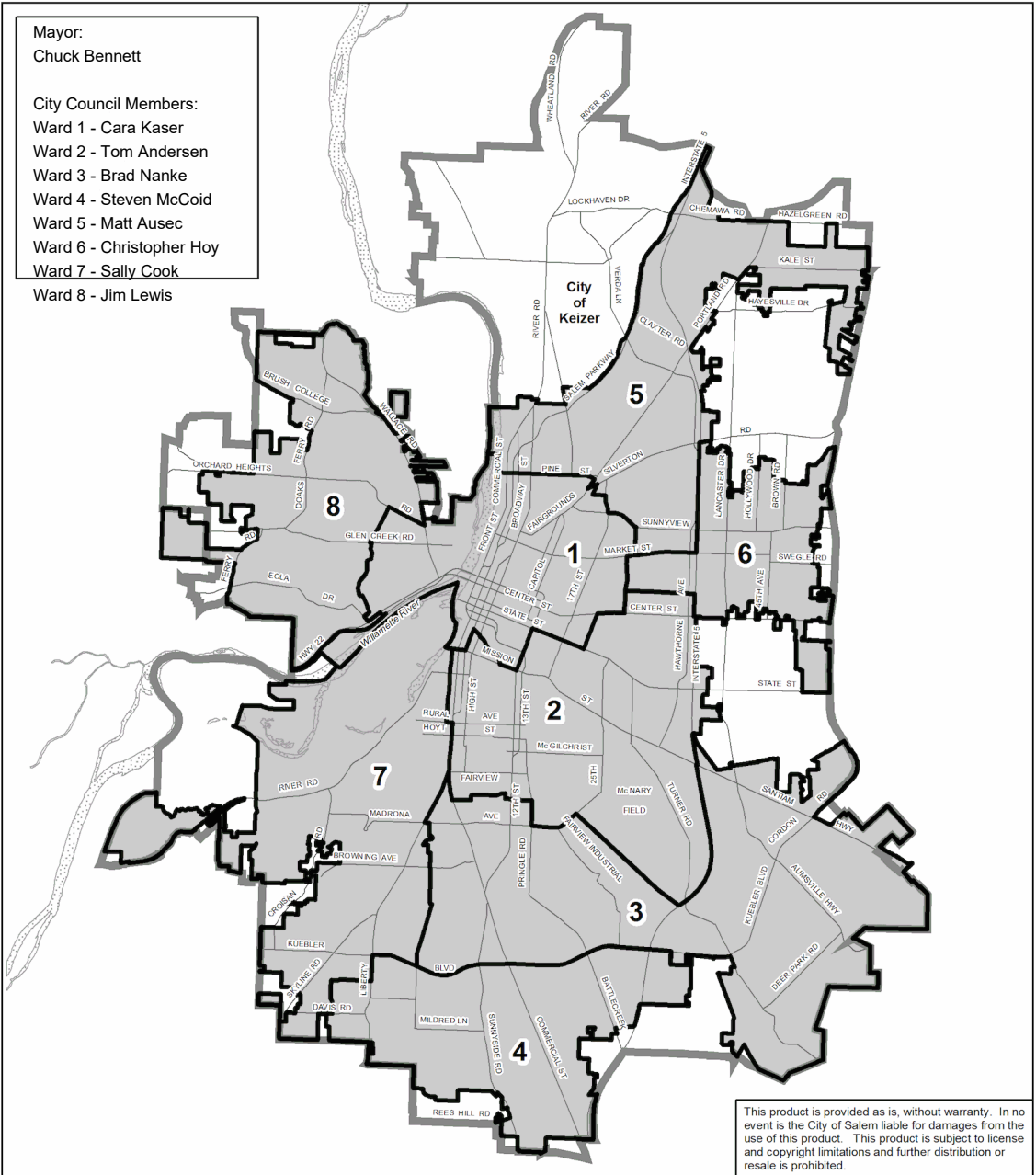
The time limit is 3 minutes per person for legislative and administrative hearings. The time limits for quasi-judicial hearings in non-land use cases are as follows:

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.

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 - Christopher Hoy
 Ward 7 - Sally Cook
 Ward 8 - Jim Lewis

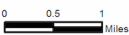
LEGEND

Ward Boundary

Urban Growth Boundary

Salem City Limits

Major Streets



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