



CITY OF SALEM

Meeting Agenda

City Council

555 Liberty St SE
Salem, OR 97301

Monday, April 9, 2018

6:00 PM

Council Chambers

EXECUTIVE SESSION

City Council

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

Real Property Transactions ORS 192.660(2)(e)

City Council

5:45 p.m. - City Manager Conference Room

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

1.4 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.** [18-165](#) March 26, 2018 Draft City Council Minutes

Attachments: [3-26-18 Draft Council Minutes](#)

3.2 RESOLUTIONS

- 3.2a.** [18-157](#) Dedication of Right-of-Way for Boundary Drive S

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

Recommendation: Adopt Resolution No. 2018-18 to dedicate land acquired from the Larry Epping Building Co. as public right-of-way for Boundary Drive S.

Attachments: [Resolution No. 2018-18](#)
[Resolution 2018-18 - Exhibit 1](#)

3.3 ACTION ITEMS

- 3.3a.** [18-95](#) Petition-initiated vacation of Vacation Lane SE.

Ward(s): 3
Councilor(s): Nanke
Neighborhood(s): Faye Wright

Recommendation: Accept a petition to vacate Vacation Lane SE and direct the City Manager to set a public hearing date to consider this petition-initiated vacation.

Attachments: [Legal & Map](#)
[Vacation Lane SE Vicinity Map](#)

- 3.3b.** [18-142](#) Amendment to lease with Salem-Keizer School District 24J for property located at 360 Commercial St. NE.

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

Recommendation: Authorize the City Manager to execute the attached amendment to the lease with Salem-Keizer School District 24J.

Attachments: [Current Lease](#)
[Proposed Amendment](#)

3.3c. [18-145](#)

Winter Maple Bikeway Plan

Ward(s): 1, 5

Councilor(s): Kaser, Ausec

Neighborhood(s): CANDO, Grant, Highland

Recommendation:

Adopt the Winter Maple Bicycle and Pedestrian Plan.

Attachments: [WMB Plan](#)[4-9-18 Written Testimony 1](#)*Add - Written Testimony.***3.3d. [18-149](#)**

Purchase and Sale Agreement with Westwood Homes LLC for the acquisition of real property

Ward(s): 3

Councilor(s): Nanke

Neighborhood(s): Morningside

Recommendation:

Authorize the City Manager to execute the attached Purchase and Sale Agreement for Tax Lot 083W11D00200 with Westwood Homes LLC.

Attachments: [Location Map](#)[Proposed Agreement](#)**3.3e. [18-150](#)**

Purchase and Sale Agreement with Dogwood Heights LLC for the acquisition of real property

Ward(s): 7

Councilor(s): Cook

Neighborhood(s): SWAN

Recommendation:

Authorize the City Manager to execute the attached Purchase and Sale Agreement with Dogwood Heights LLC for the acquisition of real property identified as a portion of tax lots 083W04C00100 and 083W04C00200.

Attachments: [Location Map](#)[Proposed Agreement](#)**3.3f. [18-153](#)**

Purchase and Sale Agreement with Donald L. Pierre for the acquisition of real property located at 2035 Oxford Street SE.

Ward(s): 2

Councilor(s): Andersen

Neighborhood(s): SESNA

Recommendation:

Authorize the City Manager to execute the attached Purchase and Sale Agreement with Donald L. Pierre for the acquisition of real property located at 2035 Oxford Street SE.

Attachments: [Site Map](#)[Proposed Agreement](#)

3.3g. [18-169](#)

City Manager's recommendation to move deliberations of reconsideration of approval of the Lone Oak Reimbursement District to June 11, 2018.

Ward(s): Ward 4

Councilor(s): Councilor McCoid

Neighborhood(s): South Gateway

Recommendation:

Move deliberations of reconsideration of the formation of the Lone Oak Reimbursement District from April 23, 2018 to June 11, 2018.

3.3h. [18-172](#)

Claim settlement authorization.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Authorize the City Manager to resolve a lawsuit brought by Richard Leonard in an amount not to exceed \$65,000.

Add - Report Added.

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. [18-175](#)**

Appointment to the Citizen Budget Committee

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Appoint applicant listed in the Facts and Findings section to Citizen Budget Committee upon recommendation of the Council Board and Commission Appointments Committee.

Attachments: [Application - Kendra Mingo \(redacted\).pdf](#)

Add - Report Added.

6. INFORMATION REPORTS: (Items that require no Council action)**6.a. [18-108](#)**

Update on the sidewalk rehabilitation program.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Information only.

Attachments: [Criteria for Identifying Priority Sidewalk Repairs](#)
[Priority ADA Routes](#)
[Original Sidewalk Program Planned Phases](#)

6.b. [18-116](#) Economic Development Quarterly Report

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Information only.

6.c. [18-120](#) Purchases approved administratively - February 1, 2018 through February 28, 2018

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Information only.

Attachments: [Purchases approved administratively February 2018](#)

6.d. [18-144](#) Public review of the draft update to the Floodplain Management Plan.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Information only.

Attachments: [floodplain-management-plan_DRAFT 2018 Update](#)

6.e. [18-148](#) Hearings Officer Decision - Sign Variance / Sign Permit Case No. VAR-SI-18-01 - Approved - Cyndi Stocks for Security Signs Inc - 827-955 Lancaster Drive NE - A request for a sign variance to replace an existing freestanding sign for a shopping center with a new freestanding sign.

Ward(s): 6

Councilor(s): Hoy

Neighborhood(s): NESCA

Recommendation: Information Only.

Attachments: [Land Use Decision VAR-SI18-01](#)

6.f. [18-155](#) Planning Administrator Decision - Partition - Approved - Matthew Sain - 2520 Summer Street SE - A tentative partition plan to divide

approximately 0.25 acres (10,791 square feet) into two parcels, with Parcel 1 consisting of approximately 6,456 square feet and Parcel 2 consisting of approximately 4,235 square feet. The existing single family residence would remain on Parcel 1, and Parcel 2 would consist of vacant land for future development.

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

Recommendation: Information Only.

Attachments: [Land Use Decision PAR17-05](#)

- 6.g. [18-160](#) Capital Improvement Plan for FY 2019 through FY 2023

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

Recommendation: Information only.

Attachments: [Proposed Capital Improvement Plan for FY 2019 through FY 2023](#)

- 6.h. [18-168](#) Planning Administrator Decision - Urban Growth Preliminary Declaration / Class Site Plan Review / Class 2 Driveway Approach Permit Case No, UGA-SPR-DAP17-05 - Approved - Rural Castle, LLC (Alex Casebeer, Matthew Casebeer) -700 Auto Group Avenue NE - An Urban Growth Area Preliminary Declaration to determine requirements for public facilities and a site plan review for phased development consisting of (Phase 1) mass grading and paved lot for auto display and sales, (Phase 2) drive-through coffee shop, and (Phase 3) future auto dealership.

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

Recommendation: Information Only.

Attachments: [Land Use Decision UGA-SPR-DAP17-05](#)

7. ORDINANCES

7.1 FIRST READING:

- 7.1a. [18-159](#) West Salem Zone Code Clean-Up Amendments

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

Recommendation:

Hold a public hearing on the West Salem Zone Code Clean-Up amendments, including various zoning code amendments, comprehensive plan map amendments, neighborhood plan map amendments, and zone map amendments to certain lands generally along Wallace Road NW, Edgewater Street NW, and Second Street NW.

Attachments:

[Attachment 1 - Map of New Zones](#)

[Attachment 2 - Planning Commission Recommendation](#)

[Attachment 3 - Ordinance Bill 3-18](#)

[Attachment 4 - Exhibit 1, CPCNPC for ESMU](#)

[Attachment 5 - Exhibit 2, CPCNPC for WSCB](#)

[Attachment 6 - Exhibit 3, ZC for ESMU](#)

[Attachment 7 - Exhibit 4, ZC for WSCB](#)

[Attachment 8 - Exhibit 5, ZC to SCI](#)

[Attachment 9 - Exhibit 6, Findings](#)

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. [18-163](#)**

PUBLIC HEARINGS - Held in the Council Chambers unless otherwise noted

West Salem Zone Code Clean-Up Amendments
Monday, April 23, 2018 at 6:00 p.m.

Appeal of Hearings Officer Decision - Conditional Use/Quasi-Judicial
Zone Change Case No. CU-ZC17-14 for the proposed relocation of the
Union Gospel Mission of Salem Men's Shelter
Monday, April 23, 2018 at 6:00 p.m.

2018 Community Development Block Grant and HOME Investment
Partnership Program Action Plan
Monday, May 14, 2018 at 6:00 p.m.

2019-2020 Utility Rate Proposal
Monday, October 8, 2018 at 6:00 p.m.

WORK SESSIONS - Held in the Council Chambers unless otherwise noted

Transient Occupancy Tax (TOT)
Monday, April 16, 2018 at 6:00 p.m.

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

Proposed FY 2019 City of Salem Budget to the Budget Committee
Public Hearings - Capital Improvement Plan and State Revenue Sharing
Wednesday, April 25, 2018 at 6:00 p.m.

Budget Committee Review FY 2019 Budget
Wednesday, May 2, 2018 at 6:00 p.m.

Budget Committee Recommends FY 2019 Budget and FY 2019-23
Capital Improvement Plan to City Council
Wednesday, May 9, 2018 at 6:00 p.m.

SCHEDULE OF NEIGHBORHOOD ASSOCIATION ANNUAL MEETINGS

Neighborhood - Annual Meeting Date - Councilor
SEMCA - April 10 - Andersen, Nanke, McCoid
CANDO - April 17 - Kaser
Lansing - April 24 - Ausec

Grant - May 3 - Kaser
Faye Wright - May 10 - Nanke, Cook
Highland - May 10 - Kaser, Ausec
Morningside - May 23 - Andersen, Nanke
ELNA - June 7 - Hoy
SCAN - June 12 - Andersen, Cook

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: 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.

