



CITY OF SALEM

Meeting Agenda

City Council

555 Liberty St SE
Salem, OR 97301

Monday, July 9, 2018

6:00 PM

Council Chambers

EXECUTIVE SESSION

Urban Renewal Agency
5:45 p.m. - City Manager's 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

Pledge of Allegiance

1.1 APPROVAL OF ADDITIONS AND DELETIONS TO THE AGENDA

1.2 COUNCIL AND CITY MANAGER COMMENT

1.3 PROCLAMATIONS

1.3a. [18-324](#) Proclamation acknowledging Ghadar Party Founding Day

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Information Only.

Attachments: [Proclamation - Ghadar Party Founding Day.pdf](#)

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. [18-313](#) June 1, 2018 Draft City Council Minutes

Attachments: [6-1-18 Draft Council Minutes](#)

3.1b. [18-239](#) June 25, 2018 Draft City Council Minutes

Attachments: [6-25-18 Draft Council Minutes](#)

3.2 RESOLUTIONS**3.3 ACTION ITEMS**

3.3a. [18-299](#) Mission Street Parks Conservancy Memorandum of Understanding

Ward(s): Ward 2

Councilor(s): Councilor Andersen

Neighborhood(s): SCAN

Recommendation: Authorize the City Manager and Public Works Director to enter into a Memorandum of Understanding (MOU) with the Mission Street Parks Conservancy to enhance and manage certain defined landscape areas of Bush's Pasture Park

Attachments: [Salem Parks Board MOU Action Report](#)
[Mission Street Parks Conservancy Memorandum of Understanding](#)

3.3b. [18-314](#) 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 to provide up to \$8,000 in reimbursement funds to the City through the Motor Carrier Safety Action Plan during Fiscal Year 2018-19.

Attachments: [IGA with ODOT Motor Carrier Safety Action Plan](#)

4. PUBLIC HEARINGS**4.a. [18-309](#)**

City-Initiated Septic Failure Annexation of Territory Located at 3641 Boone Road SE 97317 (Annexation Case No. C-720)

Ward(s): 3

Councilor(s): Nanke

Neighborhood(s): SEMCA

Recommendation:

1. Find that a majority of the property owners constituting a majority of the electors of the Territory have signed a valid consent for annexation of the Territory, in conformance with Oregon Revised Statutes (ORS) Chapter 222;
2. Determine that Annexation Case No. C-720 is exempt from the public vote requirement due to the existence of a health hazard (failing septic system), pursuant to Section 61 of the Salem City Charter and SRC 260.020(b);
3. Determine that Annexation Case No. C-720 satisfies the criteria of Salem Revised Code (SRC) 260.060(c) and adopt Order No. 2018-05-ANX (Attachment 2);
4. Apply the City of Salem IG (General Industrial) zone to the Territory from Marion County IG (General Industrial); and
5. Withdraw the Territory from Salem Suburban Rural Fire District.

Attachments: [Vicinity Map](#)

[Order No 2018-05-ANX](#)

[Public Works Department Parks Comments](#)

[Fire Department Comments](#)

[Public Works Department Development Services Section Comments](#)

[Finance Division Comments](#)

4.b. [18-310](#)

Petitioner-Initiated Annexation of Territory Located at 2487 Robins Lane SE - 97306 (Annexation Case No. C-722)

Ward(s): 4

Councilor(s): McCoid

Neighborhood(s): South Gateway

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. 2018-06-ANX (Attachment 2);
3. Apply the City of Salem RA (Residential Agriculture) zone to the Territory from Marion County UT-5 (Urban Transition 5 Acres); and
4. Withdraw the Territory from Salem Suburban Rural Fire Protection District.

Attachments: [Vicinity Map](#)[Order No. 2018-06-ANX](#)[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)**

- 5.a. [18-326](#) Motion from Councilor Tom Andersen to adopt resolution no. 2018-73, concerning the zero tolerance policy at the border.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [RESOLUTION NO 2018-73](#)[Written Testimony](#)*Add- Written Testimony.***6. INFORMATION REPORTS: (Items that require no Council action)**

- 6.a. [18-154](#) Friends of Trees Annual Report

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Information Only**Attachments:** [Salem Annual Report 1718 final](#)

- 6.b. [18-266](#) Purchases approved administratively - May 1, 2018 through May 31, 2018.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Information only.

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

- 6.c. [18-302](#) Hearings Officer Decision - Quasi-Judicial Zone Change Case No. ZC 18-02 - Approved - Seung-Bae and Yoon-Sin Kim - 5550-5554 Commercial Street SE - A Quasi-Judicial Zone Change from CO (Commercial Office) to CG (General Commercial).

Ward(s): 4
Councilor(s): McCoid
Neighborhood(s): South Gateway

Recommendation: Information Only.

Attachments: [Land Use Decision ZC18-02](#)

- 6.d. [18-303](#) Planning Administrator Decision - Class 2 Time Extension - Approved - Joshua Clark - 780 Idylwood Drive SE - A second request for a 2-year extension of the approval for PAR14-03, a 2-parcel partition to divide approximately 0.5 acres into 2 parcels, with proposed Parcel 1 consisting of 12,482 square feet (9,494 square feet exclusive of the flag lot accessway) and proposed Parcel 2 consisting of 9,278 square feet.

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

Recommendation: Information Only.

Attachments: [Land Use Decision PAR14-03EXT2](#)

- 6.e. [18-305](#) Planning Administrator Decision - Urban Growth Preliminary Declaration Case No. UGA18-01 - Approved - Alpha 3, LLC (Hunter Zeeb, Jeffery Zeeb, Oliver Raab) - 1800 Cordon Road SE - An Urban Growth Area Preliminary Declaration to determine the public facilities required for development of property approximately 19.26 acres, designated as IND (Industrial) in the Comprehensive Plan, and located at 1800 Cordon Road SE.

An appeal of this decision was filed by the applicant on Friday, July 6, 2018 (Attachment 2). In summary, the appeal requests access from the subject property to Cordon Road SE. Appeals of Urban Growth Area Preliminary Declarations are heard by the City Council. A public hearing on this matter will be scheduled on a date to be determined.

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

Recommendation: Information Only.

Attachments: [UGA18-01 Decision Revised](#)[Applicant Appeal Letter](#)*Add - Added Supplement Report (Version 2 of Staff Report).***6.f.** [18-306](#)

Planning Administrator Decision - Partition Case No. PAR18-05 - Approved - Salem Keizer School District 24J / City of Salem Real Estate Division - 5500 Reed Lane SE - A tentative partition plan to divide approximately 13.77 acres into 2 parcels, with Parcel 1 consisting of 3.49 acres, and Parcel 2 consisting of 10.28 acres.

Ward(s): 4

Councilor(s): McCoid

Neighborhood(s): South Gateway

Recommendation:

Information Only.

Attachments: [Land Use Decision PAR18-05](#)**6.g.** [18-308](#)

Planning Administrator Decision - Replat Case No. REP18-03 - Approved - Salem Keizer School District 24J / City of Salem Real Estate Division - 1776 Titan Drive NW - An application to Replat Lots , 3, 6, 7, and a portion of Lot 1 of Highland Fruit Farms into two lots approximately 6.09 acres and 47.98 acres in size.

Ward(s): 8

Councilor(s): Lewis

Neighborhood(s): West Salem

Recommendation:

Information Only.

Attachments: [Land Use Decision REP18-03](#)**6.h.** [18-318](#)

Planning Commission Decision - Comprehensive Plan Map Amendment / Zone Change Case No. CPC-ZC18-05 - Approved - 2015 Robins Lane SE - DAV II Investment Groups, LLC (Adam Huskey & David A Montagne) - consolidated application to change the Comprehensive Plan Map designation and zoning from "Commercial" with CG (General Commercial) zoning to "Industrial Commercial" with IC (Industrial Commercial) zoning for a proposed self-storage facility.

Ward(s): 4

Councilor(s): McCoid

Neighborhood(s): South Gateway

Recommendation:

Information Only.

Attachments: [Land Use Decision CPC-ZC18-05](#)**6.i.** [18-323](#)

Planning Administrator Decision - Partition Case No. PAR18-03 - Approved - Mark Bybee - 1080 Cascade Drive NW - A tentative

partition plan to divide approximately 0.34 acres into two parcels, with Parcel 1 consisting of 4,936 square feet, and Parcel 2 consisting of 5,829 square feet exclusive of the flag lot accessway.

Ward(s): 1
Councilor(s): Kaser
Neighborhood(s): West Salem

Recommendation: Information Only.

Attachments: [Revised Land Use Decision PAR18-03](#)

7. ORDINANCES

7.1 FIRST READING:

7.2 SECOND READING:

- 7.2a.** [18-291](#) Petitioner-Initiated Annexation of Territory Located at 6719 Devon Avenue SE - 97306 (Annexation Case No. C-725)

Ward(s): 4
Councilor(s): McCoid
Neighborhood(s): South Gateway

Recommendation: Conduct second reading of Ordinance Bill No. 13-18 annexing, applying City of Salem RS (Single Family Residential) zoning from Marion County UT-10 (Urban Transition 10 Acres), and withdrawing from the Salem Suburban Rural Fire Protection District, for a 20.35-acre property located at 6719 Devon Avenue SE.

Attachments: [Vicinity Map](#)
[Ordinance Bill No 13-18](#)
[Exhibit A - Territory Legal Description and Map](#)

- 7.2b.** [18-292](#) Petitioner-Initiated Annexation of Territory Located at 1338 and 1340 Wallace Road NW and Land East - 97304 (Annexation Case No. C-724)

Ward(s): 1
Councilor(s): Kaser
Neighborhood(s): West Salem

Recommendation: Conduct second reading of Ordinance Bill No. 14-18 annexing, changing the Salem Area Comprehensive Plan Map designation from "Developing Residential" to "Multi-Family Residential", changing the zoning from Polk County SR (Suburban Residential) to City of Salem RM2 (Multiple Family Residential 2), and withdrawing from the Salem Suburban Rural Fire Protection District, for a 0.80-acre property located at 1338 and 1340 Wallace Road NW and Land East.

Attachments: [Vicinity Map](#)[Ordinance No 14-18](#)[Exhibit A - Territory Legal Description and Map](#)[Written Testimony Received 7-9-18](#)*Add - Written Testimony.***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. [18-321](#)

CITY COUNCIL PUBLIC HEARINGS

Held in the Council Chambers unless otherwise noted

State Street Corridor Plan

Monday, July 16 at 6:00 p.m.

City-Initiated Petition to Vacate Aviation Loop SE

Monday, July 23, 2018 at 6:00 p.m.

Amendments to Salem Revised Code Chapters 75, 78, 82, 205, 210,
300, and 601

Monday, August 13, 2018 at 6:00 p.m.

2019-2020 Utility Rate Proposal

Monday, October 8, 2018 at 6:00 p.m.

SALEM HOUSING AUTHORITY PUBLIC HEARINGS

URBAN RENEWAL AGENCY PUBLIC HEARINGS

WORK SESSIONS Held in the Council Chambers unless otherwise
noted

BUDGET COMMITTEE MEETINGS

Held in the Council Chambers unless otherwise noted

SCHEDULE OF NEIGHBORHOOD ASSOCIATION ANNUAL MEETINGS

Neighborhood - Annual Meeting Date - Councilor

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.

