



CITY OF SALEM

Meeting Agenda

City Council

555 Liberty St SE
Salem, OR 97301

Monday, September 10, 2018 6:00 PM

Council Chambers

EXECUTIVE SESSION

None.

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. [18-405](#) Proclamation recognizing Fill the Boot Days

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Information Only.

Attachments: [Proclamation - Fill the Boot Days](#)

1.4 PRESENTATIONS

1.4 a. Donation of 4 KIDS Bags - Brandon Smith, Presenter

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. [18-420](#) August 27, 2018 Draft Council Minutes

Attachments: [8-27-18 Draft Council Minutes](#)

3.2 RESOLUTIONS

3.2a. [18-379](#) Proposed amendments to Council Rule 6 - Communications, changing the time communications must be submitted on the date of a meeting in order for copies to be provided to Council at the meeting.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Adopt Resolution No. 2018-75 to amend Council Rules 6(a) to change the time communications must be submitted to the City Recorder from 5:00 p.m. to 3:30 p.m. on the day of the meeting in order for copies to be provided to Council at the meeting.

Attachments: [Resolution 2018-75](#)

3.2b. [18-414](#) FY 2019 Supplemental Budget 1 for additional appropriation authority in the Community Renewal Fund.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Approve Resolution No. 2018-77, adopting FY 2019 Supplemental Budget 1 for the Community Renewal Fund, increasing expenditure appropriation authority and revenues by \$436,390.

Attachments: [Supplemental Budget 1 - Resolution 2018-77](#)
[Supplemental Budget 1 - Resolution 2018-77 Exhibit A](#)
[Supplemental Budget 1 - Resolution 2018-77 Exhibit B](#)

3.3 ACTION ITEMS

3.3a. [18-417](#) Approval to become a founding member of Cities4Forests.

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

Recommendation: Approve the City becoming a founding member of Cities4Forests.

Attachments: [Mayor Letter - Cities4Forests Mayor](#)

4. PUBLIC HEARINGS

- 4.a. [18-401](#) Community Development Block Grant and HOME investment partnership programs Consolidated Annual Performance and Evaluation Report (CAPER)

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

Recommendation: Approve submittal of the 2017-2018 Program Year Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant and HOME Investment Partnership Programs to the US Department of Housing and Urban Development (HUD) no later than September 30, 2018.

Attachments: [CAPER](#)

- 4.b. [18-404](#) Community Development Block Grant and HOME investment partnership programs Consolidated Plan Amendment #1

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

Recommendation: Approve the amendment to reprioritize the Consolidated Plan funding priorities to align with the City's Strategic Plan goal for Affordable Housing, Homelessness, and Social Services.

Attachments: [2015-2019 Consolidated Plan Amendment #1](#)

- 4.c. [18-403](#) Amendments to the 2018-2019 and 2017-2018 Housing and Community Development Annual Action Plans

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

Recommendation: Approve amendments to the 2018-2019 and 2017-2018 Housing and Community Development Annual Action Plans (AAP) and direct staff to submit the amendments and required forms to the U.S. Department of Housing and Urban Development.

Attachments: [Amendments to 2018-2019 and 2017-2018 Action Plans](#)

- 4.d. [18-415](#) Public hearing on Ordinance Bill No. 20-18, restricting use of

single-use plastic bags

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Hold a public hearing, and advance to second reading for enactment Ordinance Bill No. 20-18, restricting use of single-use plastic bags.

Attachments:

[Ordinance Bill No. 20-18](#)

[Ordinance Bill No. 20-18 Exhibit A](#)

[Public Comment](#)

[Public Comment Addition for August 27, 2018](#)

[Public Comment after August 27, 2018](#)

[Additional Public Comment Received by 5:00 p.m. 9-5-18](#)

[Public Comment received through 9:30 a.m. 9-10-2018](#)

[Public Comment received to 5:00 p.m. 9-10-18](#)

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.** [18-408](#) Announcing Mayoral appointments to the Our Salem Stakeholder Advisory Committee

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Revised - Removed item 5.a, File 18-408, from Special Orders of Business and relocated the item to the Information Reports, item 6.f. of the agenda.

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

- 6.a.** [18-371](#) Downtown Advisory Board Annual Communication

Ward: Ward 1

Councilor: Kaser

Neighborhoods: CANDO, Grant

Recommendation:

Information only.

Attachments:

[Memorandum - Downtown Advisory Board](#)

- 6.b. [18-372](#) Purchases approved administratively - July 1, 2018 through July 31, 2018.

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

Recommendation: Information only.

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

- 6.c. [18-407](#) Planning Commission Decision - Class 3 Design Review / Class 3 Site Plan Review / Class 2 Driveway Approach Permit Case No. DR-SPR-DAP18-04 - Approved - Scott Martin Construction Inc. - 1200 Block River Bend Road NW - Proposed development of a new 48 dwelling unit multi-family apartment complex and two new retail commercial buildings.

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

Recommendation: Information Only.

Attachments: [Land Use Decision DR-SPR-DAP18-04](#)

- 6.d. [18-418](#) Application was appealed and will be heard by the Planning Commission on October 2, 2018, unless called-up by City Council.

Planning Administrator Decision - Subdivision / Urban Growth Preliminary Declaration Case No. SUB-UGA18-01 - 1395 Boone Road SE - Boylan Construction Inc. - DENIED the tentative Subdivision and APPROVED the Urban Growth Preliminary Declaration - A tentative subdivision plan and Urban Growth Preliminary Declaration to divide approximately 4.82 acres into 20 lots ranging in size from 5,711 square feet to 11,466 square feet.

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

Recommendation: Information Only.

Attachments: [Land Use Decision SUB-UGA18-01](#)
[SUB-UGA18-01 Appeal Letter](#)

- 6.e. [18-419](#) Hearings Officer Decision - Conditional Use / Class 2 Adjustment Case No. CU-ADJ18-07 - Approved - Stuart Kirchick and Pensco Trust Company, LLC (Gregg Monette) - 725 High Street SE - A request to allow an existing single-family dwelling to be used as a short-term rental.

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

Recommendation: Information Only.

Attachments: [Land Use Decision CU-ADJ18-07](#)

7. ORDINANCES

7.1 FIRST READING:

7.2 SECOND READING:

- 7.2a. [18-411](#) 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: Conduct second reading of Ordinance Bill No. 19-18 annexing, applying City of Salem IG (General Industrial) zoning from Marion County IG (General Industrial), and withdrawing from the Salem Suburban Rural Fire Protection District, for a 1.88-acre property located at 3641 Boone Road SE.

Attachments: [Vicinity Map](#)
[Ordinance Bill No 19-18](#)
[Exhibit A - Territory Legal Description and Map](#)

- 7.2b. [18-412](#) 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: Conduct second reading of Ordinance Bill No. 18-18 annexing, applying City of Salem RA (Residential Agriculture) zoning from Marion County UT-5 (Urban Transition 5 Acres), and withdrawing from the Salem Suburban Rural Fire Protection District, for a 0.53-acre property located at 2487 Robins Lane SE.

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

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. [18-413](#)

CITY COUNCIL PUBLIC HEARINGS

Held in the Council Chambers unless otherwise noted

Appeal of the Planning Commission’s decision on Comprehensive Plan Change / Zone Change / Urban Growth Preliminary Declaration Case No. CPC-UGA18-04 for property at 4195 Aumsville Highway SE (The hearing is continued from the August 27, 2018 City Council Meeting) Monday, September 24, 2018 at 6:00 p.m.

Exemption from Competitive Bidding Requirement and the Use of an Alternative Contracting Method for the Salem Public Library Improvements Project
Monday, October 8, 2018

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

Proposed Solid Waste Collection Service Rates
Tuesday, November 13, 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

Riverfront Park Master Plan
Monday, September 24, 2018 at 5:30 p.m.

Council Policy Agenda
Monday, November 19, 2018 at 6:00 p.m.

Council Policy Agenda
Wednesday, January 23, 2019 at 6:00 p.m.

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.

