



CITY OF SALEM

Meeting Agenda

City Council

555 Liberty St SE
Salem, OR 97301

Monday, October 8, 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

1.4 PRESENTATIONS

1.4a. Achievement in Community Engagement Award to the Planning Division for the NESCA-Lansing Neighborhood Plan

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

- 3.1 a. [18-456](#) September 24, 2018 Draft City Council Minutes

Title: September 24, 2018 Draft City Council Minutes

Attachments: [9-24-18 Draft Council Minutes](#)

- 3.1 b. [18-457](#) September 24, 2018 Draft City Council Work Session Minutes

Title: September 24, 2018 Draft City Council Work Session Minutes

Attachments: [9-24-18 Draft Council Work Session Minutes](#)

3.2 RESOLUTIONS

- 3.2 a. [18-441](#) Amendments to the Wastewater System Development Charges Eligible Project List.

Ward(s): 8

Councilor(s): Lewis

Neighborhood(s): West Salem Neighborhood Association

Recommendation: Adopt Resolution No. 2018-78 amending the Wastewater System Development Charges Eligible Project List to specify eligibility of a wastewater main on Doaks Ferry Road NW, between Brush College Road NW and Orchard Heights Road NW?

Title:

Amendments to the Wastewater System Development Charges Eligible Project List.

Ward(s): 8

Councilor(s): Lewis

Neighborhood(s): West Salem Neighborhood Association

Attachments: [Resolution 2018-78](#)
[Wastewater 309 List](#)
[Project Map Doaks Ferry Rd Sewer](#)

3.3 ACTION ITEMS

- 3.3 a. [18-440](#) Mid-Year Project Request for Wastewater System Improvements on Doaks Ferry Road NW.

Ward(s): 8

Councilor(s): Lewis

Neighborhood(s): West Salem Neighborhood Association

Recommendation: Authorize the creation of a new wastewater project-"Doaks Ferry Sanitary Sewer Extension Project"-in the FY 2017-18 Extra Capacity Facilities Fund 260 and funded with Wastewater System Development Charges for construction of wastewater system improvements that provide wastewater service to the northwest corner of Doaks Ferry Road NW and Orchard Heights Road NW.

Title:
Mid-Year Project Request for Wastewater System Improvements on Doaks Ferry Road NW.

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

Attachments: [Project Map Doaks Ferry Rd Sewer](#)

3.3 b. [18-442](#) Adding Two New Full-Time Positions for Public Works Development Services Division.

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

Recommendation: Approve the addition of one Permit Technician position (1 FTE) and one Program Coordinator position (1 FTE) to the Public Works Development Services section, effective immediately.

Title:
Adding Two New Full-Time Positions for Public Works Development Services Division.

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

3.3 c. [18-443](#) Voluntary cancellation of a portion of a water right for the Willow Lake Golf Center.

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

Recommendation: Authorize the City Manager to sign an affidavit for the voluntary cancellation of a portion of a water right that is appurtenant to the Willow Lake Golf Center property.

Title:
Voluntary cancellation of a portion of a water right for the Willow Lake Golf Center.

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

Attachments: [Location Map](#)[Affidavit for Cancellation](#)**3.3 d. [18-444](#)**

Lease with Alpha Nursery, Inc. for property located in the 4400 block of Hazelgreen Road NE.

Ward(s): Ward 5

Councilor(s): Ausec

Neighborhood(s): Northgate

Recommendation: Authorize the City Manager to execute the attached lease with Alpha Nursery, Inc.

Title:

Lease with Alpha Nursery, Inc. for property located in the 4400 block of Hazelgreen Road NE.

Ward(s): Ward 5

Councilor(s): Ausec

Neighborhood(s): Northgate

Attachments: [Site Map](#)[Proposed Lease](#)**3.3 e. [18-445](#)**

Application for project funding under the Oregon Department of Transportation Safe Routes to School Infrastructure Program.

Ward(s): 3, 7

Councilor(s): Nanke, Cook

Neighborhood(s): Southeast Mill Creek, Faye Wright, Sunnyslope

Recommendation: Authorize the City Manager to apply for funding to design and construct three projects through the Safe Routes to School Infrastructure Program and, if successful, incorporate these projects into a future Capital Improvement Plan and authorize the City Manager to enter into an agreement with the Oregon Department of Transportation to accept the funds.

Title:

Application for project funding under the Oregon Department of Transportation Safe Routes to School Infrastructure Program.

Ward(s): 3, 7

Councilor(s): Nanke, Cook

Neighborhood(s): Southeast Mill Creek, Faye Wright, Sunnyslope

Attachments: [SRTS Competitive Infrastructure Grant Program Overview](#)[2019-2020 SRTS Project Selection Criteria](#)[SRTS Project Applications Vicinity Map](#)**3.3 f. [18-447](#)**

Federal Aviation Administration grant application for design and construction of taxiway "C" rehabilitation

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

Recommendation: Authorize the City Manager to apply for and accept Federal Aviation Administration Airport Improvement Program (AIP) grant funds for the design and construction of Taxiway "C" rehabilitation project at the Salem Airport.

Title:
Federal Aviation Administration grant application for design and construction of taxiway "C" rehabilitation

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

Attachments: [Project Location Map](#)

3.3 g. [18-448](#) Federal Aviation Administration grant application for construction of the Terminal Apron Rehabilitation Project

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

Recommendation: Authorize the City Manager to apply for and accept Federal Aviation Administration Airport Improvement Program (AIP) grant funds for the construction of the Terminal Apron Rehabilitation Project at the Salem Airport.

Title:
Federal Aviation Administration grant application for construction of the Terminal Apron Rehabilitation Project

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

Attachments: [Project Exhibit](#)
[Pavement Condition Map](#)
[Pavement Condition Indices](#)

3.3 h. [18-449](#) Critical Oregon Airport Relief (COAR) grant application for construction of the Terminal Apron Rehabilitation Project

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

Recommendation: Authorize the City Manager to apply for and accept Critical Oregon Airport Relief (COAR) Program grant funds to be used for the construction of the Terminal Apron Rehabilitation Project at the Salem Airport.

Title:
Critical Oregon Airport Relief (COAR) grant application for

construction of the Terminal Apron Rehabilitation Project

Ward(s): 2

Councilor(s): Andersen

Neighborhood(s): SEMCA

Attachments: [Project Exhibit](#)

[Pavement Condition Map](#)

[Pavement Condition Indices](#)

3.3 i. [18-460](#)

Recommendations for appointments and reappointments to the Citizen Budget Committee, Salem Cultural and Tourism Promotion Advisory Board, Salem Parks and Recreation Advisory Board, Salem Public Art Commission, and Salem Urban Development, Community Services and Housing Commission

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Appoint and reappoint the applicants listed in the Facts and Findings section to the Citizen Budget Committee, Salem Cultural and Tourism Promotion Advisory Board, Salem Parks and Recreation Advisory Board, Salem Public Art Commission, and Salem Urban Development, Community Services and Housing Commission.

Title:

Recommendations for appointments and reappointments to the Citizen Budget Committee, Salem Cultural and Tourism Promotion Advisory Board, Salem Parks and Recreation Advisory Board, Salem Public Art Commission, and Salem Urban Development, Community Services and Housing Commission

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Virginia Barker Application Redacted](#)

[Gaelen McAllister Application Redacted](#)

[Rita Siong Application Redacted](#)

[Micki Varney Application Redacted](#)

[Diana Dickey Application Redacted](#)

[Frank Hostler Application Redacted](#)

3.3 j. [18-472](#)

Collective Bargaining Agreement between the City and American Federation of State, County and Municipal Employees (AFSCME).

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Approve a three-year collective bargaining agreement between the City and American Federation of State, County and Municipal Employees (AFSCME), for a period from July 1, 2018, through June 30, 2021.

Title:
Collective Bargaining Agreement between the City and American Federation of State, County and Municipal Employees (AFSCME).

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

Deleted - Report deleted from agenda.

4. PUBLIC HEARINGS

4. a. [18-453](#) City Council Review of Hearings Officer’s decision approving Conditional Use / Class 2 Adjustment Case No. CU-ADJ18-07 allowing an existing single family dwelling to be used as a short-term rental for property located at 725 High Street SE.

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

Recommendation: Affirm the August 29, 2018, Hearings Officer's decision approving the consolidated conditional use and class 2 adjustment application allowing the use of an existing single family dwelling located at 725 High Street SE as a short-term rental and allowing a portion of the required off-street parking serving the proposed use to be located in the public street right-of-way of High Street on the existing driveway leading to the home rather than on the subject property.

Title:
City Council Review of Hearings Officer’s decision approving Conditional Use / Class 2 Adjustment Case No. CU-ADJ18-07 allowing an existing single family dwelling to be used as a short-term rental for property located at 725 High Street SE.

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

Attachments: [Vicinity Map](#)[Applicant's Site Plan and Floor Plans](#)[Applicant's Written Statements](#)[Applicant's Rebuttal Testimony \(From 7-Day Rebuttal Period\)](#)[Hearings Officer's Decision \(August 29, 2018\)](#)[Staff Report to Hearings Officer \(July 25, 2018\)](#)[Public Comments \(For July 25, 2018, Public Hearing\)](#)[Public Comments \(From During 7-Day Open Record Period\)](#)[Additional Public Testimony \(Submitted Prior to October 2, 2018\)](#)[Written Testimony received 10-3-18](#)[Written Testimony received by 3:30 p.m. 10-8-18](#)*Add - Written Testimony.***4. b.** [18-438](#)

City Council review of the Planning Administrator's decision denying a Tentative Subdivision Review and approving an Urban Growth Declaration for Permit Case No. SUB-UGA18-01 for property located at 1395 Boone Road SE - 97306.

Ward(s): Ward 3

Councilor(s): Nanke

Neighborhood(s): Morningside

Recommendation:

Staff recommends that the City Council AFFIRM the August 29, 2018 Planning Administrator's Decision.

Title:

City Council review of the Planning Administrator's decision denying a Tentative Subdivision Review and approving an Urban Growth Declaration for Permit Case No. SUB-UGA18-01 for property located at 1395 Boone Road SE - 97306.

Ward(s): Ward 3

Councilor(s): Nanke

Neighborhood(s): Morningside

Attachments: [Vicinity Map](#)[Tentative Subdivision Plan](#)[Planning Administrator's Decision](#)[Appeal Letter and Withdraw Request](#)[Written Testimony received 10-8-18](#)*Add - Written Testimony.***4. c.** [18-410](#)

Public Hearing - Exemption from Competitive Bidding Process and Authorization of an Alternative Contracting Method for the Salem Public Library Improvement Project

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

Recommendation: Adopt Resolution No. 2018-76 in support of an exemption from the competitive bidding process and use of a Design Build contracting method for the Salem Public Library Improvement project.

Title:

Public Hearing - Exemption from Competitive Bidding Process and Authorization of an Alternative Contracting Method for the Salem Public Library Improvement Project

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

Attachments: [Resolution 2018-76](#)
[Exhibit A](#)

4. d. [18-58](#) Proposed Fees and Charges for Utility Service Rates (Wastewater, Water, and Stormwater)

Ward(s): All
Councilor(s): All
Neighborhood(s): All

Recommendation: Adopt Resolution No. 2018-79 with exhibit, establishing fees and charges for utility service rates (wastewater, water, and stormwater) effective January 1, 2019, and January 1, 2020.

Title:

Proposed Fees and Charges for Utility Service Rates (Wastewater, Water, and Stormwater)

Ward(s): All
Councilor(s): All
Neighborhood(s): All

Attachments: [2018 Cost of Service Rate Study - Executive Summary \(including sample bills\)](#)
[Resolution 2018-79](#)
[Resolution 2018-79 Exhibit 1](#)
[Orchard Heights Water Association Statement](#)
[Written Testimony received through 9-21-2018](#)
[Written Testimony received through 10-3-18](#)
[Additional Written Testimony received through 10-8-18](#)

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)

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

6. a. [18-450](#)

Planning Commission Decision - Class 3 Design Review / Class 3 Site Plan Review / Class 2 Adjustment / Class 2 Driveway Approach Permit Case No. DR-SPR-ADJ-DAP18-05 - Approved - Mike Studer - 245 Patterson Street NW - A consolidated Class 3 Design Review, Class 3 Site Plan Review, Class 2 Adjustment, and Class 2 Driveway Approach Permit application to develop a building of approximately 9,964 square feet and a parking area for an outpatient medical services use on a property zoned ESMU (Edgewater/Second Street Mixed Use) and located at 245 Patterson Street NW 97304.

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

Recommendation:

Information Only.

Title:

Planning Commission Decision - Class 3 Design Review / Class 3 Site Plan Review / Class 2 Adjustment / Class 2 Driveway Approach Permit Case No. DR-SPR-ADJ-DAP18-05 - Approved - Mike Studer - 245 Patterson Street NW - A consolidated Class 3 Design Review, Class 3 Site Plan Review, Class 2 Adjustment, and Class 2 Driveway Approach Permit application to develop a building of approximately 9,964 square feet and a parking area for an outpatient medical services use on a property zoned ESMU (Edgewater/Second Street Mixed Use) and located at 245 Patterson Street NW 97304.

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

Attachments: [Land Use Decision DR-SPR-ADJ-DAP18-05](#)

6. b. [18-452](#)

Announcing Mayoral appointments to the Center 50+ Advisory Commission, Historic Landmarks Commission, and Human Rights Commission

Ward(s): All Wards

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

Recommendation: Information only

Title:

Announcing Mayoral appointments to the Center 50+ Advisory Commission, Historic Landmarks Commission, and Human Rights Commission

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

Attachments: [Trisha Irwin Application Redacted](#)
[Patricia Mulvihill Application Redacted](#)
[Tracy Schwartz Application Redacted](#)
[Krista Aquinas-Gallagher Application Redacted](#)
[Christine Detrois Application Redacted](#)

6. c. [18-463](#) 2018 Residential Satisfaction Survey

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

Recommendation: Information only.

Title:

2018 Residential Satisfaction Survey

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

Attachments: [City of Salem 2018 Survey Report](#)

7. ORDINANCES

7.1 FIRST READING:

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. [18-454](#)

CITY COUNCIL PUBLIC HEARINGS

Held in the Council Chambers unless otherwise noted

Petitioner-Initiated Annexation of Territory Located at 5826 Battle Creek Road SE - 97306 (Annexation Case No. C-726)
Monday, October 22, 2018 at 6:00 p.m.

Continuation - Restricting Use of Single-Use Plastic Bags
Monday, October 22, 2018 at 6:00 p.m.

Petitioner-Initiated Annexation of Territory Located at 4741-4753 Lancaster Drive NE (Annexation Case No. C-727)
Monday, November 13, 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

Results of the Congestion Relief Task Force
Monday, November 5, 2018 at 6:00 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

Fiscal Year 2020-2024 Five Year Forecasts
Monday, December 10, 2018 at 5:30 p.m.

SCHEDULE OF NEIGHBORHOOD ASSOCIATION ANNUAL MEETINGS

Neighborhood - Annual Meeting Date - Councilor

Title: CITY COUNCIL PUBLIC HEARINGS
Held in the Council Chambers unless otherwise noted

Petitioner-Initiated Annexation of Territory Located at 5826 Battle Creek Road SE - 97306 (Annexation Case No. C-726)
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BUDGET COMMITTEE MEETINGS
Held in the Council Chambers unless otherwise noted

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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 3:30 p.m. on the day of the City Council meeting when the item will be considered. For complete information on submitting communications to Council, please refer to Council Rule 6: Communications:
<https://www.cityofsalem.net/Pages/council-rules.aspx>.

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 220, 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.

