



CITY OF SALEM

555 Liberty St SE
Salem, OR 97301

Meeting Agenda

City Council

Tuesday, November 13, 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. [18-513](#) Marion County Law Enforcement Assisted Diversion (LEAD) - Joint Presentation by Marion County District Attorney Paige Clarkson and LEAD Program Coordinator Jan Calvin

Attachments: [LEAD FAQ](#)

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.** [18-514](#) October 22, 2018 Draft City Council Minutes

Attachments: [10-22-18 Draft Council Minutes](#)

- 3.1b.** [18-518](#) November 5, 2018 Draft City Council Work Session Minutes

Attachments: [11-5-18 Draft Council Work Session Minutes](#)

3.2 RESOLUTIONS

- 3.2a.** [18-500](#) Multiple Unit Housing Tax Incentive for M Parkside Living, LLC

Ward(s): 1

Councilor(s): Kaser

Neighborhood(s): CANDO

Recommendation: (1) Adopt Resolutions No. 2018-82 approving an application by M Parkside Living, LLC for tax exemption under the City's Multiple Unit Housing Tax Incentive Program.

(2) Request boards of other taxing districts to adopt a resolution consenting to a tax exemption for the project exempting the project's full property tax liability.

Attachments: [Core Area Map](#)

[Ordinance Bill No. 35-11](#)

[Resolution 2018-82](#)

[Application: Exhibit A of Resolution 2018-82](#)

[Legal Description: Exhibit B of Resolution 2018-82](#)

3.3 ACTION ITEMS

- 3.3a.** [18-117](#) Agreement between the City of Salem and Zagster, Inc., to place bike-sharing stations on City property.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Authorize the City Manager to execute an agreement with Zagster, Inc., to place bike-sharing stations on City property and waive fees for the term of the agreement.

Attachments: [Agreement for Bicycle Sharing Services](#)

[Bike Share Locations Map](#)

- 3.3b.** [18-477](#) Airport ground lease with Ponderosa Financial Services, LLC

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

Recommendation: Authorize the City Manager to execute a ground lease with Ponderosa Financial Services, LLC.

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

3.3c. [18-489](#) Riverfront Park Master Plan

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

Recommendation: Adopt the 2018 Riverfront Park Master Plan.

Attachments: [Riverfront MP SPRAB Action](#)
[DAB Letter of Support Riverfront Park Master Plan](#)

3.3d. [18-499](#) Order for City Council review of Tentative Subdivision and Urban Growth Declaration 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 adopt the order amending the decision to approve the subdivision and urban growth preliminary declaration permit, with conditions, as contained in Attachment 1.

Attachments: [Order 2018-10 SUB-UGA 18-01](#)
[Exhibit 1](#)

3.3e. [18-501](#) State of Oregon Rural Oregon Airport Relief (ROAR) Grant Application for Commercial Air Service Development

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

Recommendation: Authorize the City Manager to consent to the Salem Area Chamber of Commerce's application for Rural Oregon Airport Relief (ROAR) grant funds to be used for commercial air service development at the Salem Municipal Airport.

Attachments: [Airport Advisory Commission Letter of Support](#)
[Written Testimony 1](#)
[Written Testimony 2](#)

Add - Written Testimony.

3.3f. [18-529](#)

Ratification of the Intergovernmental Agreement with the State of Oregon Military Department, Office of Emergency Management.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Ratify the City Manager's execution of the attached IGA with the State of Oregon Military Department, Office of Emergency Management regarding the activation of the Emergency Management Assistance Compact for the November 2018 California wildfires.

Attachments: [IGA for EMAC - California November 2018](#)

Add- Report Added.

4. PUBLIC HEARINGS**4.a. [18-510](#)**

Establishing New Solid Waste Management Service Rates

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Adopt Resolution No. 2018-81 establishing new solid waste management service rates effective January 1, 2019, and rescinding Resolution No. 2017-45.

Attachments: [Resolution No. 2018-81](#)

[Resolution No. 2018-81 Exhibit A - Schedule of Solid Waste Management Service Rate](#)

[Letter from Bell & Associates, Inc., Solid Waste Cost of Service Analysis](#)

[Mid-Valley Comparative Rate Summary - Monthly Rates for Solid Waste Service](#)

[Comparison of Current and Proposed Solid Waste Collections Rates Effective January 1](#)

[Mid-Valley Comparative Rate Summary - Medical Waste Disposal](#)

[Written Testimony 1](#)

[Written Testimony 2](#)

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. [18-430](#)**

Motion from Councilor Tom Andersen regarding providing a stipend for members of Council

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

- 6.a. [18-502](#) Economic Development Quarterly Report

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Information only.

- 6.b. [18-520](#) The application for the Kuebler Gateway Shopping Center (Costco) has been appealed and will be heard by the Hearings Officer on December 12, 2018, unless called-up by City Council.

Planning Administrator Decision - Class 3 Site Plan Review / Class 2 Driveway Approach Permit Case No. 18-15 - 2500-2600 Block of Boone Road SE - M&T Partners & Pacific Realty Associates - APPROVED - An application for development of the Kuebler Gateway Shopping Center, including Costco, a retail fueling station, and four new retail shell buildings.

The decision was appealed by the South Gateway Neighborhood Association and by a group of neighbors.

Ward(s): 4

Councilor(s): McCoid

Neighborhood(s): SGNA

Recommendation:

Information Only.

Attachments: [SPR-DAP18-15 Decision](#)

[SNGA Appeal Letter](#)

[Anuta Appeal Letter](#)

[Written Tesimony 1](#)

Add - Written Testimony.

7. ORDINANCES

7.1 FIRST READING:

- 7.1a. [18-504](#) Petitioner-Initiated Annexation of Territory Located at 5826 Battle Creek Road SE - 97306 (Annexation Case No. C-726)

Ward(s): 4

Councilor(s): McCoid

Neighborhood(s): South Gateway

Recommendation:

Conduct first reading of Ordinance Bill No. 22-18 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 an 11.167-acre property located at 5826 Battle Creek Road SE.

Attachments: [Vicinity Map](#)

[Ordinance Bill No 22-18](#)

[Exhibit A - Territory Legal Description and Map](#)

7.2 SECOND READING:

7.2a. [18-508](#)

Ordinance Bill No. 20-18, restricting use of plastic carryout bags

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Conduct second reading for enactment of engrossed Ordinance Bill No. 20-18, restricting use of plastic carryout bags.

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

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

[Public Comment Received through September 10](#)

[Public Comment Received Before the Public Hearing on October 22](#)

[Public Comment Received After the Public Hearing on October 22](#)

[Additional Public Comment 1](#)

Add- Written Testimony.

7.2b. [18-503](#)

Abatement of public nuisance property

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Conduct second reading of Ordinance Bill 21-18, which amends Salem Revised Code (SRC) Chapter 98 regarding public nuisance properties.

Attachments: [Ordinance Bill 21-18](#)

[Exhibit A to Ordinance Bill 21-18](#)

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. [18-498](#)

CITY COUNCIL PUBLIC HEARINGS

Held in the Council Chambers unless otherwise noted

SALEM HOUSING AUTHORITY PUBLIC HEARINGS

URBAN RENEWAL AGENCY PUBLIC HEARINGS

WORK SESSIONS Held in the Council Chambers unless otherwise noted

Council Policy Agenda

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

Council Policy Agenda

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

Urban Renewal Agency - Downtown Salem Streetscape Design

Tuesday, February 19, 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

SWAN - November 13 - Cook

NEN - December 4 - Kaser, Andersen

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](http://www.cityofsalem.net/Pages/council%20rules.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](https://www.cityofsalem.net/Pages/council%20rules.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: 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.

