



CITY OF SALEM

Meeting Agenda

City Council

555 Liberty St SE
Salem, OR 97301

Monday, November 26, 2018 6:00 PM Council Chambers

EXECUTIVE SESSIONS:

Urban Renewal Agency Board
5:00 p.m. - City Manager Conference Room
Real Property Transactions - ORS 192.660(2)(e)

City Council
5:30 p.m. - City Manager Conference Room
To consider information or records that are exempt from public inspection -
ORS 192.660(2)(f)

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

1.3 a. [18-532](#) Proclamation recognizing Giving Tuesday

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

Recommendation: Information Only.

Attachments: [Proclamation - Giving Tuesday](#)

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

3.1 a. [18-542](#) November 13, 2013 Draft City Council Minutes

Attachments: [11-13-18 Draft Council Minutes](#)

3.2 RESOLUTIONS

3.2 a. [18-512](#) Property tax exemptions for nonprofit owned low-income housing properties

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Adopt Resolution No. 2018-84 approving property tax exemptions for seven nonprofit owned low-income housing properties.

Attachments: [Resolution 2018-84](#)
[2019-20 Program Applications](#)

3.2 b. [18-522](#) Proposed Amendments to the Riverfront-Downtown Urban Renewal Plan

Ward(s): Ward 1

Board Member(s): Board Member - Kaser

Neighborhood(s): CANDO

Recommendation:

Adopt Resolution No. 2018-83 approving amendments to the Riverfront-Downtown Urban Renewal Plan (URA Plan) to update the title of the Conference Center to the Convention Center, Sections 400; and 1100 to:

- (1) Add two new URA Objectives to Section 400;
- (2) Amend Project 1102 Description to include future expansion of the Salem Convention Center;
- (3) Add new URA Project 1110 to Address Homelessness and Support of the Salem Strategic Plan;
- (4) Add new URA Project 1111 for Public Facilities; and
- (5) Add new URA Project 1112 for Food and Beverage Related Development.

Attachments: [Riverfront-Downtown Urban Renewal Plan](#)
[Resolution No. 2018-83](#)

3.2 c. [18-523](#)

Acquisition of property for the 54-inch Water Transmission Line Repair Project.

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

Recommendation:

Adopt Resolution 2018-85, declaring a public need to acquire and the City of Salem's intent to negotiate for the acquisition of easements for construction of the 54-inch Water Transmission Line Repair project.

Attachments: [Vicinity Map](#)
[Identified Properties](#)
[Resolution 2018-85](#)
[Exhibit A, Identified Properties](#)

3.2 d. [18-535](#)

Transfer of appropriation from the Utility Fund to the Capital Improvements Fund.

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

Recommendation:

Adopt Resolution No. 2018-22 transferring \$3,900,000 of appropriation authority from the Utility Fund, Non-Divisional, contingency and materials and services to the Utility Fund, Non-Divisional, interfund transfers for the purpose of initiating drinking water treatment and system capacity projects in the Capital Improvements Fund.

Attachments: [Water Projects Summary](#)
[Resolution No. 2018-22](#)

3.3 ACTION ITEMS

3.3 a. [18-496](#)

Local Agency Agreement with the Oregon Department of

Transportation for Travel Time Reader Devices

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

Recommendation: Authorize the City Manager to execute the attached Local Agency Agreement No. 32804 with the Oregon Department of Transportation to purchase and install Travel Time Reader devices.

Attachments: [Local Agency Agreement No. 32804](#)

3.3 b. [18-511](#) Subordination of Two Community Development Block Grant Loans

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

Recommendation: Authorize the subordination of two Community Development Block Grant acquisition/rehabilitation deferred payment forgivable loans for the Center for Hope and Safety, owner of a property located at 605 Center Street NE.

3.3 c. [18-519](#) Chemeketa Parkade Retail Lease - Rudy's Steakhouse LLC

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

Recommendation: Authorize the City Manager to execute the attached lease with Rudy's Steakhouse LLC for property located at 310 Commercial Street NE.

Attachments: [Proposed Lease](#)

3.3 d. [18-524](#) Small Community Air Service Development Grant Application for Commercial Air Service Development

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

Recommendation: Authorize the Small Community Air Service Development grant application for commercial air service development at the Salem Municipal Airport.

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. [18-531](#) Motion from Councilor Jim Lewis concerning the Salem River

Crossing

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Letter received from City of Independence](#)

[Legal Memorandum Re: UGB Decision](#)

[Written Testimony 1](#)

[Written Testimony 2](#)

[Written Testimony 3](#)

Add - Written Testimony.

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

6. a. [18-506](#) Purchases approved administratively - October 1, 2018 through October 31, 2018.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Information only.

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

6. b. [18-515](#) Update on Issues from the Utility Rate Hearing

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Information only.

6. c. [18-516](#) Center 50+ Code of Conduct

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation: Information only

Attachments: [Notice of Proposed Administrative Rulemaking 119-001](#)

[Code of Conduct Final 2018](#)

6. d. [18-527](#) Notice of proposed administrative rulemaking to determine the amount of a civil penalty imposed by the City of Salem.

Ward(s): All Wards

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

Recommendation: Information Only.

Attachments: [Notice of Administrative Rule Making 103-001](#)
[APP 103 Finance Civil Penalties Matrixes and Instructions](#)

- 6.e. [18-555](#) Supplemental information on Low Income Utility Assistance and Wastewater Rate Assistance programs.

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

Recommendation: Information only.

Attachments: [Low Income Utility Assistance Program](#)
[Wastewater Rate Assistance Program](#)

Add - Report Added.

7. ORDINANCES

7.1 FIRST READING:

7.2 SECOND READING:

- 7.2 a. [18-539](#) Second Engrossed 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 second engrossed Ordinance Bill No. 20-18, restricting use of plastic carryout bags.

Attachments: [Second Engrossed Ordinance Bill No. 20-18](#)
[Second 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 October 22](#)

- 7.2 b. [18-505](#) 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 second 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](#)

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. [18-537](#)

CITY COUNCIL PUBLIC HEARINGS

Held in the Council Chambers unless otherwise noted

City Council review of an appeal of the Planning Administrator’s decision approving Class 3 Site Plan Review / Class 2 Driveway Approach Permit Case No. SPR-DAP18-15 for development of the Kuebler Gateway Shopping Center, including Costco, a retail fueling station, and four new retail shell buildings
Monday, December 10, 2018 at 6:30 p.m.

SALEM HOUSING AUTHORITY PUBLIC HEARINGS

URBAN RENEWAL AGENCY PUBLIC HEARINGS

WORK SESSIONS Held in the Council Chambers unless otherwise noted

Joint Work Session with City Council and Marion County Commissioners regarding Solid Waste Management
Monday, December 17, 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
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: 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.

