

This Final Action Agenda is supplemented by electronic recordings of the meeting, which may be reviewed upon request to the City Recorder. City Council meetings from May 27, 2003 forward can be viewed on-line at <http://www.cctvsalem.org/streaming/city-of-salem.php> under "Salem City Council." Staff reports, resolutions, ordinances and other documents related to this meeting are available at http://www.cityofsalem.net/departments/citygov/staff_reports/2007/022607/ at the corresponding agenda item number. Adobe Acrobat reader is required to open these pdf files. If you do not have it you can download it for free from <http://www.adobe.com/products/acrobat/readstep2.html>.

**APPROVED BY COUNCIL
MARCH 5, 2007**

EXECUTIVE SESSIONS:

Urban Renewal Agency

Real Property Transactions - ORS 192.660 (2)(e)

5:00 p.m.

City Manager's Conference Room

Joint City Council / Urban Renewal Agency

Real Property Transactions - ORS 192.660 (2)(e)

SPECIAL EVENT:

North Salem High School Choir Performance

6:30 p.m.

Council Chambers

FINAL ACTION AGENDA/MINUTES

SALEM CITY COUNCIL

6:30 P.M.

CITY OF SALEM, OREGON

February 26, 2007

1. ROLL CALL: 6:34 P.M.

Present: Mayor Taylor, and Councilors Walker, Tesler, Nanke, Sullivan, Stucky, Rogers, DeHart, and Clem.

1.1 Pledge of Allegiance

Led by Mayor Taylor

2. **REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES:** Representatives of City Boards, Commissions and Committees may comment on any item of City business except public hearings, deliberations and the merits of land use issues that are reviewable by Council at public hearings. Representatives must sign up prior to the commencement of this meeting in order to present testimony.

Appearances by:

Alan Alexander, Airport Administrator,
announced that Delta Airlines will begin flights from
Salem to Salt Lake City starting June 7, 2007

Agenda Item/Topic:

4.2 (b)

Tim Hay, Salem Airport Advisory Commission

4.2 (b)

Questions or Comments by: Mayor Taylor.

3. **PUBLIC COMMENT:** Up to thirty minutes is available for persons other than City Boards, Commissions and Committee representatives to comment on specific agenda items other than public hearings, deliberations and the merits of land use issues that are reviewable by Council at public hearings. Each person's comments will be limited to three minutes.

Time will be provided at the end of the meeting for comments on issues of City business not on the agenda.

Appearances by:

Bill Lufkin, 2245 Songbird Court SE
John Loney, 3325 Augusta National Drive S
Jeff Tross, Land Use Consultant, 1720 Liberty Street SE
Kris Gorsuch, Attorney, 250 Church Street

Agenda Item:

4.3 (c)

4.3 (c)

4.3 (c)

6 (a)

Questions or Comments by: Mayor Taylor and Councilors Sullivan and Stucky.

4. **CONSENT CALENDAR:** All items on the Consent Calendar that will be adopted as a group by a single motion.

Motion: Move to approve the Consent Calendar with additions, minus pulled items 4.3 (b) - Councilor Sullivan, 4.3 (c) - Councilor Nanke, and 4.3 (h) - Councilor DeHart.

Motion by: Councilor Nanke

Seconded by: Councilor Sullivan

Action: Approved the Consent Calendar with additions, minus pulled items 4.3 (b) - Councilor Sullivan, 4.3 (c) - Councilor Nanke, and 4.3 (h) - Councilor DeHart.

Vote:

Aye: Unanimous

Nay: Councilor Sullivan registered a no vote on agenda item 4.3 (i)

Abstentions: Councilor Sullivan recused himself on agenda item 4.3 (c)

Councilor DeHart recused himself on agenda item 4.2 (b)

Councilor Clem recused himself on agenda item 4.2 (b)

4.1 MINUTES:

- (a)** February 12, 2007
- (b)** February 20, 2007

Action: Approved the minutes of February 12, 2007 and February 20, 2007.

4.2 RESOLUTIONS:

- (a)** 2007-12 Setting Fees and Charges for the Salem Fire Department Pre-Hospital Emergency and Non-Emergency Medical Service Rates (FD)

Action: Approved.

- (b)** Resolution No. 2007-16 Authorizing a Transfer of Appropriation to be Expended for the Purpose of Constructing Phase II of the Salem Airport Terminal Improvements (CD)

Action: 1) Authorized construction of phase II airport terminal improvements at a cost of \$494,500; and 2) Approved Resolution No. 2007-16.

4.3 ROUTINE ITEMS:

- (a)** Administrative Decision - Partition 07-1 - Ponderosa Leasing Corp., Fred Ovchinnikoff - 5045 Barnes Court SE - Ward 4 - Councilor Sullivan - South Gateway (CD)

Action: Received and Filed.

- (b)** Hearings Officer Decision - Variance 06-13 - Our Savior's Lutheran Church - 1770 Baxter Road SE - Ward 4 - Councilor Sullivan - South Gateway (CD)

Action: Pulled by Councilor Sullivan - **see agenda item 5 (a)**

- (c)** Planning Commission Resolution No. 06-19 - Comprehensive Plan Change / Zone Change No. 06-6 - Pacific Realty Associates, L.P. - 2500 Block of Boone Road SE - Ward 4 - Councilor Sullivan - South Gateway (CD)

Action: Pulled by Councilor Nanke - **see agenda item 5 (b)**

- (d) Planning Commission Resolution No. 07-2 - Comprehensive Plan Change / Zone Change No. 06-17 - Bible Center Fellowship - 4059 Market Street NE - Ward 6 - Councilor Rogers - ELNA (CD)

Action: Received and Filed.

- (e) UGA Development Review Committee - Preliminary Declaration for Urban Growth Area Development Permit No. 06-16 - WDY, Inc. - 3100 Block of Eola Drive NW - Ward 8 - Councilor Clem - West Salem (CD)

Action: Received and Filed.

- (f) UGA Development Review Committee Decision - Preliminary Declaration for Urban Growth Area Development Permit No. 06-17 - Eric and Christine Bowen, and David Tan - 5385 Skyline Road S - Ward 7 - Councilor DeHart - Sunnyslope (CD)

Action: Received and Filed.

- (g) Selective Salary Adjustments for Engineer 3, 4 and 5, City Engineer and Assistant Public Works Director; Hiring Incentives for Engineering Classifications; and Establish the Salary Range for Business Investment Manager (HR)

Action: Approved: 1) A specialized salary adjustment for selected classifications effective March 5, 2007; 2) An adjustment of the current hiring incentives for Engineer 3, 4 and 5; and 3) The allocation of Business Investment Manager classification in the Urban Development Department to salary range B27.

- (h) Food for Fines Week

Action: Pulled by Councilor DeHart - see agenda item 5 (c)

- (i) Residential Parking Permit District revisions - Wards 1 and 2 - Councilors Walker and Tesler - CAN-DO, NEN, SCAN, SESNA, and Grant (PW)

Action: Approved implementation of revised RP Parking District boundaries by neighborhood association (Attachment A of the staff report), amendments to the Administrative Parking Regulations, Section 3.20, Residential Parking Permits (Attachment B of the staff report), and change of time limit restrictions in RP Parking Districts.

- (j) Set Public Hearing for petition-initiated vacation of unopened Bluff Avenue SE right-of-way, between Cannon Street SE and McGilchrist Street SE right-of-way - Ward 2 - Councilor Tesler - SCAN (PW)

Action: A public hearing was set for April 23, 2007, to receive input on the proposed vacation.

- (k) Approve Amendment to Intergovernmental Agreement between the City of Salem and Marion County to include use of the vendors, consultants, and contractors in design, development, and construction of new CCTV facility - Ward 2 - Councilor Tesler - CAN-DO (UD)

Action: Approved an amendment to the Intergovernmental Agreement (IGA) between the City of Salem and Marion County to include use of vendors, consultants, and contractors in design, development, and construction of the new Capital Community Television (CCTV) facility, as proposed in the 295 Church Street SE Redevelopment Project.

- (l) Approve Amendment to Intergovernmental Agreement between the Urban Renewal Agency and the City of Salem to include Design, Development, and Construction of new CCTV Facility - Ward 2 - Councilor Tesler - CAN-DO (UD)

Action: Approved an amendment to the Intergovernmental Agreement (IGA) authorizing the Urban Renewal Agency (Agency) to act on behalf of the City of Salem (City) in design, development and construction of a new Capital Community Television (CCTV) facility, as proposed in the 295 Church Street SE Redevelopment Project.

- (m) Legislative Report (Council Legislative Subcommittee)

Action: Adopted the positions recommended by the Legislative Subcommittee.

5. SPECIAL ORDERS OF BUSINESS: (Includes consideration of items deferred from the consent calendar and any action item which requires a selection among options, or consideration of matters of special importance to the Council)

- (a) 4.3 (b) Hearings Officer Decision - Variance 06-13 - Our Savior's Lutheran Church - 1770 Baxter Road SE - Ward 4 - Councilor Sullivan - South Gateway (CD)

Motion: Move that Council call up Variance 06-13 for public hearing.

Motion by: Councilor Sullivan
Seconded by: Councilor DeHart

Questions or Comments by: Councilor Sullivan.

Action: Variance 06-13 was called up for public hearing.

Vote:

Aye: Unanimous

Nay:

Abstentions:

- (b) 4.3 (c) Planning Commission Resolution No. 06-19 - Comprehensive Plan Change / Zone Change No. 06-6 - Pacific Realty Associates, L.P. - 2500 Block of Boone Road SE - Ward 4 - Councilor Sullivan - South Gateway (CD)

Motion: Move that Council call up Planning Commission Resolution No. 06-19 - Comprehensive Plan Change / Zone Change No. 06-6 for public hearing.

Motion by: Councilor Nanke
Seconded by: Councilor Stucky

Action: Planning Commission Resolution No. 06-19 - Comprehensive Plan Change / Zone Change No. 06-6 was called up for public hearing.

Vote:

Aye: Councilors Walker, Tesler, Nanke, Sullivan, Stucky, Rogers, Clem, and Mayor Taylor

Nay: Councilor DeHart

Abstentions:

- (c) 4.3 (h) Food for Fines Week

Motion: Move to adopt staff recommendation to authorize “Food for Fines Week” at the Central Library and West Salem Branch Library, March 25 through March 31 during the Marion - Polk Food Share Food Drive. The bookmobile “Food for Fines” would run March 19 through March 31 due to the cycle of stops.

Motion by: Councilor DeHart
Seconded by: Councilor Nanke

Questions or Comments by: Councilor DeHart.

Action: Authorized “Food for Fines Week” at the Central Library and West Salem Branch Library, March 25 through March 31 during the Marion - Polk Food Share Food Drive. The bookmobile “Food for Fines” would run March 19 through March 31 due to the cycle of stops.

Vote:

Aye: Unanimous

Nay:

Abstentions:

6. UNFINISHED BUSINESS: (Any business held over from a previous meeting, other than public hearings and ordinances)

- (a) New Communications Tower near the Skyline Reservoir - Communication Tower Policy - Ward 7 - Councilor DeHart - Sunnyslope (PW)

Motion: Move, without setting specific policy precedent, that Council opt for accepting the cost share agreement put forth by the developer under the spirit of Option Three in the staff report.

Motion by: Councilor DeHart

Seconded by: Councilor Clem

Questions or Comments by: Councilors DeHart, Clem, Nanke, Rogers, Sullivan, Stucky, and Mayor Taylor.

Action: Without setting specific policy precedent, Council opted for accepting the cost share agreement put forth by the developer under the spirit of Option Three in the staff report.

Vote:

Aye: Councilors Walker, Nanke, Stucky, Rogers, DeHart, Clem, and Mayor Taylor

Nay: Councilors Tesler and Sullivan

Abstentions:

7. PUBLIC HEARINGS: (Includes deliberations and deliberations from hearings held over from previous meetings). Public hearings will commence no later than 7:30 p.m.

- (a) Deliberations on Public Hearing held February 12, 2007: Approve Four Sites Recommended as Locations for Fire Stations - Wards 6, 7, and 8 - Councilors Rogers, DeHart, and Clem - NESCA, Sunnyslope, and West Salem (FD)

Motion: Move that City Council approve the following four sites recommended for fire stations to be constructed with funds provided by voter-approved general obligation bonds: 1) 5021 Liberty Road S (Station 7); 2) 3601 State Street SE (Station 10); 3) 1520 Glen Creek Road NW

(Station 5); and 4) 2000 Block of Orchard Heights Road NW (Station 11).

Motion by: Councilor Nanke
Seconded by: Councilor Sullivan

Questions or Comments by: Councilor Clem.

Action: Approved the following four sites recommended for fire stations to be constructed with funds provided by voter-approved general obligation bonds: 1) 5021 Liberty Road S (Station 7); 2) 3601 State Street SE (Station 10); 3) 1520 Glen Creek Road NW (Station 5); and 4) 2000 Block of Orchard Heights Road NW (Station 11).

Vote:
Aye: Unanimous
Nay:
Abstentions:

8. CALENDAR OF ORDINANCE BILLS:

8.1 FIRST READING OF ORDINANCE BILLS

- (a) Ordinance No. 74-07 Relating to the use of the streets and public ways of the City of Salem; amending SRC 95.730, SRC 95.740, SRC 95.750, SRC 95.760, SRC 95.770, SRC 102.050, SRC 102.535, and SRC 102.675; and creating new provisions (PD)

Motion: Move to hold a public hearing on Ordinance No. 74-07, and after the hearing, advance Ordinance No. 74-07 to second reading.

Motion by: Councilor Nanke
Seconded by: Councilor Sullivan

Action: A public hearing will be held on Ordinance No. 74-07, and after the hearing, Ordinance No. 74-07 will be advanced to second reading.

Vote:
Aye: Unanimous
Nay:
Abstentions:

8.2 SECOND READING OF ORDINANCE BILLS

Motion: Move to consider second reading of ordinance bills as a calendar.

Motion by: Councilor Nanke
Seconded by: Councilor Sullivan

Action: Approved second reading of ordinance bills as a calendar.

Vote:
Aye: Unanimous
Nay:
Abstentions:

- (a) Ordinance No. 70-07 Relating to Urban Growth Management; creating new provisions and declaring an emergency (PW)

Action: Passed - **Ordinance No. 70-07**

Vote:
Aye: Unanimous
Nay:
Abstentions:

- (b) Ordinance No. 73-07 Relating to Mill Creek Industrial Park Stormwater Management Requirements; Amending SRC 70.010, SRC 70.030, SRC 70.040, SRC 70.050, SRC 70.060, SRC SRC 70.070, SRC 70.080, SRC 70.090, SRC 70.100, SRC 70.110, SRC 73.012, SRC 73.015, SRC 73.020, SRC 73.030, SRC 73.050, SRC 73.060, SRC 73.075, SRC 73.080, SRC 73.085, SRC 73.100, SRC 73.160, SRC 73.250, SRC 73.255, SRC 73.291, SRC 77.090, and SRC 77.091; repealing SRC 70.090; creating new provisions; and declaring an emergency - Ward 2 - Councilor Tesler - SEMCA (PW)

Action: Passed - **Ordinance No. 73-07**

Vote:
Aye: Unanimous
Nay:
Abstentions:

- (c) Ordinance No. 75-07 Providing financing to property owners for payment of Parks, Water, Sewer, and Transportation System Development Charges against property located in the City of Salem, Oregon; making provisions therefor; and declaring an emergency - Wards 6 and 8 - Councilors Rogers and Clem - NESCA and West Salem (PW)

Action: Passed - **Ordinance No. 75-07**

Vote:

Aye: Unanimous

Nay:

Abstentions:

- (d) Ordinance No. 76-07 Providing for and assessing for an existing sewer line against benefitted property located at 1460 Doaks Ferry Road NW, City of Salem, Oregon; directing the Director of Finance to enter such assessment in the lien docket of the City of Salem; directing the service of notice of said assessment upon the owner of said property; and declaring an emergency - Ward 8 - Councilor Clem - West Salem (PW)

Action: Passed - **Ordinance No. 76-07**

Vote:

Aye: Unanimous

Nay:

Abstentions:

- (e) Ordinance No. 77-07 Providing for and assessing for an existing water line against benefitted property located at 1460 Doaks Ferry Road NW, City of Salem, Oregon; directing the Director of Finance to enter such assessment in the lien docket of the City of Salem; directing the service of notice of said assessment upon the owner of said property; and declaring an emergency - Ward 8 - Councilor Clem - West Salem (PW)

Action: Passed - **Ordinance No. 77-07**

Vote:

Aye: Unanimous

Nay:

Abstentions:

- (f) Ordinance No. 78-07 Providing for and assessing for an existing water line against benefitted property located at 2230 Doaks Ferry Road NW, City of Salem, Oregon; directing the Director of Finance to enter such assessment in the lien docket of the City of Salem; directing the service of notice of said assessment upon the owner of said property; and declaring an emergency - Ward 8 - Councilor Clem - West Salem (PW)

Action: Passed - **Ordinance No. 78-07**

Vote:

Aye: Unanimous

Nay:

Abstentions:

- (g) Ordinance No. 79-07 Vacating an Alley that runs from Gaines Street NE to Hood Street NE between Broadway Street NE and 5th Street NE and declaring an emergency - Ward 1 - Councilor Walker - Grant (PW)

Action: Passed - **Ordinance No. 79-07**

Vote:

Aye: Unanimous

Nay:

Abstentions:

9. MANAGEMENT REPORTS

None.

10. PUBLIC COMMENT: (Other than agenda items)

None.

11. NEW BUSINESS:

11.1 MAYOR'S ITEMS

None.

11.2 COUNCILOR'S ITEMS:

(a) Web Domains - Councilor Rogers

Motion: Move to direct staff to review and report back to Council a proposal from Jon Hazen concerning Web Domains and any potential value they could have to the City of Salem. Areas of interest may be public safety, community outreach, public works, parks and recreation.

Motion by: Councilor Rogers

Seconded by: Councilor Walker

Questions or Comments by: Councilor Rogers, DeHart, Clem, and Mayor Taylor.

Action: Directed staff to review and report back to Council a proposal from Jon Hazen concerning Web Domains and any potential value they could have to the City of Salem. Areas of interest may be public safety, community outreach, public works, parks and recreation.

Vote:

Aye: Unanimous

Nay:

Abstentions:

12. ADJOURNMENT: 7:32 P.M.

Kathy Hall, City Recorder

**APPROVED BY THE BOARD
MARCH 19, 2007**

FINAL ACTION AGENDA/MINUTES

“SPECIAL MEETING”

**URBAN RENEWAL AGENCY
OF THE CITY OF SALEM, OREGON**

February 26, 2007

Immediately following City Council meeting

A. ROLL CALL: 7:32 P.M.

Present: Chair Taylor and Board Members Walker, Tesler, Nanke, Sullivan, Stucky, Rogers, DeHart, and Clem.

Motion: Move to approve the special meeting agenda.

Motion by: Board Member Nanke

Seconded by: Board Member Sullivan

Action: Approved the special meeting agenda.

Vote:

Aye: Unanimous

Nay:

Abstentions:

B. PUBLIC COMMENT (Comment on **specific agenda items** other than public hearings and deliberations. Each person's comments will be limited to three minutes.)

None.

C. ACTION ITEMS:

- (1) Approve Amendment to Intergovernmental Agreement Between the Urban Renewal Agency and the City of Salem to Include Design, Development, and Construction of New CCTV Facility - Ward 2 - Commissioner Tesler - CAN-DO (UD)

Motion: Move to approve an amendment to the Intergovernmental Agreement (IGA) authorizing the Agency to act on behalf of the City of Salem (City) in design, development, and construction of a new Capital Community Television (CCTV) facility, as proposed in the 295 Church Street SE Redevelopment Project.

Motion by: Board Member Nanke

Seconded by: Board Member Tesler

Action: Approved an amendment to the Intergovernmental Agreement (IGA) authorizing the Agency to act on behalf of the City of Salem (City) in design, development, and construction of a new Capital Community Television (CCTV) facility, as proposed in the 295 Church Street SE Redevelopment Project.

Vote:

Aye: Unanimous

Nay:

Abstentions:

D. ADJOURNMENT: 7:34 P.M.

Kathy Hall, City Recorder