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**APPROVED BY THE BOARD
JULY 2, 2007**

FINAL ACTION AGENDA/MINUTES

"SPECIAL MEETING"

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

June 25, 2007

6:30 P.M.

A. ROLL CALL: 6:46 P.M.

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

Pledge of Allegiance

Led by Chair Taylor

B. APPROVAL OF SPECIAL MEETING AGENDA

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:

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

None.

D. ACTION ITEMS:

(1) Resolution No. 07-6 URA Adopting the Budget of the Urban Renewal Agency of the City of Salem, Oregon for Fiscal Year 2007-08, Making Appropriations, and Imposing and Categorizing Taxes (CM)

Motion: Move to approve Resolution No. 07-6 URA adopting the budget for the Salem Urban Renewal Agency.

Motion by: Board Member Nanke

Seconded by: Board Member Sullivan

Action: Approved.

Vote:

Aye: Unanimous

Nay:

Abstentions:

E. ADJOURNMENT: 6:47 P.M.

Kathy Hall, City Recorder

**APPROVED BY COUNCIL
JULY 2, 2007**

WORK SESSION:
Salem River Crossing Project Update

5:30 p.m.
Council Chambers

FINAL ACTION AGENDA/MINUTES

**SALEM CITY COUNCIL
Immediately Following Special Urban Renewal Agency Meeting
CITY OF SALEM, OREGON
June 25, 2007**

1. ROLL CALL: 6:47 P.M.

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

1.1 Presentation: Sister City Gim Hae Video - presented by Alan Bushong

Questions or Comments 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.

None.

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:

Britta Franz, 3220 Crestview Drive S

Mike Propes, Polk County Commissioner

Richard Chesbrough, 2277 Orchard Heights Road NW

Don Drake, 600 Mission Street SE, Executive Director, Salem Art Association

Agenda Item:

11.1 (a)

4.3 (l)

4.3 (l)

11.1 (a)

Questions or Comments by: Mayor Taylor and Councilors Clem 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 4.2 (f) - Councilor DeHart, 4.3 (i) - Councilor Nanke, and 4.3 (l) - Councilor Clem.

Motion by: Councilor Nanke

Seconded by: Councilor Sullivan

Action: Approved the Consent Calendar with additions, minus pulled items 4.2 (f) - Councilor DeHart, 4.3 (i) - Councilor Nanke, and 4.3 (l) - Councilor Clem.

Vote:

Aye: Unanimous

Nay:

Abstentions: Councilor Clem recused himself on item number 4.2 (e) - those portions of the city's budget that would have to do with the airport and/or any agreements with the State of Oregon, and item number 4.2 (g)

Councilor DeHart recused himself on item number 4.2 (g)

4.1 MINUTES:

(a) June 11, 2007

(b) June 18, 2007

Action: Approved the June 11, 2007 and June 18, 2007 minutes.

4.2 RESOLUTIONS:

(a) Resolution No. 2007-57 Dedicating a portion of property located on Stortz Avenue, east of Fisher Road NE for street and right-of-way - Ward 5 - Councilor Stucky - Northgate (PW)

Action: Approved.

(b) Resolution No. 2007-58 Authorizing 2006-2007 Fiscal Year Transfers of Appropriations (CM)

Action: Approved.

- (c) Resolution No. 2007-59 Certifying Municipal Services Pursuant to ORS 221.760(1) to Receive State Shared Revenue from Cigarette, Gas and Liquor Taxes (CM)

Action: Approved.

- (d) Resolution No. 2007-60 Adopting the Budget and Setting the Tax for the Downtown Parking District - Ward 2 - Councilor Tesler - CAN-DO (AS)

Action: Approved.

- (e) Resolution No. 2007-61 Adopting the Budget of the City of Salem, Oregon for Fiscal Year 2007-08, Making Appropriations, and Imposing and Categorizing Taxes (CM)

Action: Approved.

- (f) Adopting a Public Records Policy and Establishing Fees and Charges for Public Records (Legal)

(1) Resolution No. 2007-63 Adopting a Public Records Policy

(2) Resolution No. 2007-64 Establishing Fees and Charges for Public Records

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

- (g) Resolution No. 2007-66 Establishing Fees and Charges for the Salem Municipal Airport - Ward 2 - Councilor Tesler - SEMCA (CD)

Action: Approved.

4.3 ROUTINE ITEMS:

- (a) Administrative Decision - Partition 07-15 - Luke Brittain - 2870 Brooks Avenue NE - Ward 5 - Councilor Stucky - Highland (CD)

Action: Received and Filed.

- (b) Administrative Decision - Replat 07-6 - City of Salem Public Works Department / Urban Renewal Agency of the City of Salem - 2600 Block of Portland Road NE - Ward 5 - Councilor Stucky - Highland (CD)

Action: Received and Filed.

- (c) Hearings Officer Decision - Specific Conditional Use 07-4 - Scott Foresee - 3203 Willamette Drive N - Ward 5 - Councilor Stucky - Highland (CD)

Action: Received and Filed.

- (d) Planning Commission Decision - Resolution No. PC 07-5 - Comprehensive Plan Change/Zone Change 07-2 - Thousand Oaks LLC - 1000 Block of 25th Street SE - Ward 2 - Councilor Tesler - SESNA (CD)

Action: Received and Filed.

- (e) Planning Commission Decision - Annual Review of Neighborhood Organization Status for Croisan-Illahe, Highland, Morningside and Sunnyslope Neighborhood Associations - Wards 2, 3, 5 and 7 - Councilors Tesler, Nanke, Stucky and DeHart (CD)

Action: Recognition of Neighborhood Organization Status for Croisan-Illahe, Highland, Morningside and Sunnyslope Neighborhood Associations as official neighborhood organizations will continue.

- (f) Subdivision Review Committee Decision - Mildred Estates Subdivision Plat 07-5 - Richard Fry - 778 Mildred Lane SE - Ward 4 - Councilor Sullivan - South Gateway (CD)

Action: Received and Filed.

- (g) Subdivision Review Committee Decision - Wallace Hill Estates Subdivision Plat No. 06-17 - Jeff Ullman - 2912 Doaks Ferry Road NW - Ward 8 - Councilor Clem - West Salem (CD)

Action: Received and Filed.

- (h) UGA Development Review Committee Decision - Preliminary Declaration of UGA Development Permit No. 07-7 - Larry Smith, Lawrence Homes - 950 River Bend Road NW - Ward 8 - Councilor Clem - West Salem (CD)

Action: Received and Filed.

- (i) Order No. 2007-09-HDR - Order rescinding the decision of the Historic Landmarks and Design Review Commission Historic Design Review Case No. 07-7 - Ward 2 - Councilor Tesler - SCAN (**Public Hearing held May 21, 2007**) (CD)

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

- (j) Compliance Service Priority Response (CD)

Action: Information only.

- (k) Closure of Boone Road SE, east of Kinsington Street SE - Ward 3 - Councilor Nanke - Morningside (PW)

Action: Boone Road SE will remain closed to vehicular traffic east of Kinsington Street SE until such time as the hill on Boone Road SE is lowered sufficiently to meet City standards for a vertical curve.

- (l) Willamette River Channel Maintenance (CM)

Action: Pulled by Councilor Clem - **see agenda item 5 (c).**

- (m) Right-of-way and land purchases associated with the development of the West Salem Courthouse Athletic Club - Ward 8 - Councilor Clem - West Salem (PW)

Action: Approved the purchases, as outlined in the April 17, 2007, Memorandum of Understanding between the Courthouse Athletic Club (West Salem) and the City of Salem Public Works Department, attached to the staff report.

- (n) Environmental Services, Lease Amendment - Ward 2 - Councilor Tesler - SESNA (UD)

Action: Authorized the City Manager to execute a lease amendment between the City of Salem and Russell L. Elliott and H. Lloyd Jochimsen for approximately 2,940 square feet of leased office space occupied by the Environmental Services staff and located at 1758 22nd Street SE, in Salem.

Note: Agenda item 5. was deferred until after agenda item 7. Public Hearings.

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) 4.2 (f) Adopting a Public Records Policy and Establishing Fees and Charges for Public Records (Legal)

(1) Resolution No. 2007-63 Adopting a Public Records Policy

(2) Resolution No. 2007-64 Establishing Fees and Charges for Public Records

Motion: Move to refer back to staff for additional information.

Motion by: Councilor DeHart
Seconded by: Councilor Sullivan

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

Substitute Motion: Move that the City Council hold a public hearing on the fees and the policy, at a date to be determined by the City Manager.

Motion by: Councilor Clem
Seconded by: Councilor Sullivan

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

Action: A public hearing on the fees and the policy will be held.

Vote:

Aye: Unanimous

Nay:

Abstentions:

- (b) 4.3 (i) Order No. 2007-09-HDR - Order rescinding the decision of the Historic Landmarks and Design Review Commission Historic Design Review Case No. 07-7 - Ward 2 - Councilor Tesler - SCAN **(Public Hearing held May 21, 2007)** (CD)

Motion: Move that Council who participated in the public hearing and deliberations not approve Order No. 2007-09-HDR rescinding the decision of the Historic Landmarks and Design Review Commission Historic Design Review Case No. 07-7 and adopt an alternative Order affirming the decision of the Historic Landmarks and Design Review Commission Historic Design Review Case No. 07-7.

Motion by: Councilor Nanke

Seconded by: No second

Action: Motion died due to lack of a second.

Motion: Move that Council approve Order No. 2007-09-HDR rescinding the decision of the Historic Landmarks and Design Review Commission Historic Design Review Case No. 07-7.

Motion by: Councilor Nanke

Seconded by: Councilor Sullivan

Questions or Comments by: Councilor Nanke and Mayor Taylor.

Action: Approved Order No. 2007-09-HDR rescinding the decision of the Historic Landmarks and Design Review Commission Historic Design Review Case No. 07-7.

Vote:

Aye: Councilors Tesler and Sullivan

Nay: Councilor Nanke

Abstentions: Councilors Stucky, DeHart, Clem, and Mayor Taylor

- (c) 4.3 (l) Willamette River Channel Maintenance (CM)

Motion: Move that staff provide further input and amendments to the Intergovernmental Agreement sample as presented by Polk County Commissioner for future Council approval on the Willamette River channel maintenance agreement.

Motion by: Councilor Clem

Seconded by: Councilor Sullivan

Questions or Comments by: Councilors Clem, Stucky, Tesler, Nanke, Sullivan, and Mayor Sullivan.

Amendment to Motion: Move that staff contact Council of Governments for their possible sponsorship or hosting of the ORS 190 agreement.

Motion by: Councilor Clem
Seconded by: Councilor Sullivan

Questions or Comments by: Councilor Sullivan.

Substitute Motion: Move that staff provide further input and amendments to the Intergovernmental Agreement sample as presented by Polk County Commissioner, and that Council of Governments be contacted by staff for their possible sponsorship or hosting of the ORS 190 agreement.

Motion by: Councilor Stucky
Seconded by: Councilor Sullivan

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

Action: Staff to provide further input and amendments to the Intergovernmental Agreement sample as presented by Polk County Commissioner, and Council of Governments will be contacted by staff for their possible sponsorship or hosting of the ORS 190 agreement.

Vote:
Aye: Councilors Nanke, Sullivan, Stucky, DeHart, Clem, and Mayor Taylor
Nay: Councilor Tesler
Abstentions:

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

None.

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) Review of Subdivision Review Committee Decision on Amended Subdivision Case No. 05-20A for property located at 5532 Liberty Road S and the 100 Block of Holder Lane SE - Ward 4 - Councilor Sullivan - South Gateway (CD)

Persons Testifying:

For: Mark Hoyt, 475 Cottage Street NE, representing the applicant

Against:

Neutral: Lee Smith, 197 Rainier Drive SE

Organizations: None.

For:

Against:

Neutral:

Evidence Received From: None.

For:

Against:

Neutral:

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

Motion: Move to adopt staff recommendation to affirm the decision of the Subdivision Review Committee and adopt Resolution 2007-41, approving with conditions the request to amend Subdivision Plat 05-20 to eliminate the Seeger Lane extension to the south property line and connect the right-of-way to Lot 29 of the proposed “Waln Creek West Estates” for property in an RA (Residential Agriculture) zone and addressed as 5532 Liberty Road S and the 100 Block of Holder Lane SE (Attachment A of the staff report). The decision and conditions of approval are as required in the written decision and Findings and Order issued April 2, 2007 (Attachment C of the staff report).

Motion by: Councilor Sullivan

Seconded by: Councilor Nanke

Action: Affirmed the decision of the Subdivision Review Committee and adopted Resolution 2007-41, approving with conditions the request to amend Subdivision Plat 05-20 to eliminate the Seeger Lane extension to the south property line and connect the right-of-way to Lot 29 of the proposed “Waln Creek West Estates” for property in an RA (Residential Agriculture) zone and addressed as 5532 Liberty Road S and the 100 Block of Holder Lane SE (Attachment A of the staff report). The decision and conditions of approval are as required in the

written decision and Findings and Order issued April 2, 2007
(Attachment C of the staff report).

Vote:

Aye: Unanimous

Nay:

Abstentions:

- (b) City-initiated vacation of a three-foot strip of right-of-way along the north side of Belmont Street NE, between Broadway Street NE and the alley east of Liberty Street NE - Ward 1 - CAN-DO (PW)

Persons Testifying: None.

For:

Against:

Neutral:

Organizations: None.

For:

Against:

Neutral:

Evidence Received From: None.

For:

Against:

Neutral:

Questions or Comments by: Councilor DeHart.

Motion: Move to adopt staff recommendation to approve the City-initiated vacation of a three-foot strip of right-of-way along the north side of Belmont Street NE, between Broadway Street NE and the alley east of Liberty Street NE, subject to the condition to reserve a Public Utility Easement for maintenance of existing utilities (see map in Attachment A of the staff report).

Motion by: Councilor Nanke

Seconded by: Councilor Sullivan

Action: Approved the City-initiated vacation of a three-foot strip of right-of-way along the north side of Belmont Street NE, between Broadway Street NE and the alley east of Liberty Street NE, subject to the condition to reserve a Public Utility Easement for maintenance of existing utilities (see map in Attachment A of the staff report).

Vote:

Aye: Unanimous

Nay:

Abstentions:

- (c) City-initiated vacation of an eighteen-foot strip of right-of-way along the north side of Glen Creek Road NW, west of Wallace Marine Park - Ward 8 - Councilor Clem - West Salem (PW)

Persons Testifying:

For: Ashley DeForest, Saalfeld Griggs, 250 Church Street, representing West Salem Courthouse Athletic Club

Against:

Neutral:

Organizations: None.

For:

Against:

Neutral:

Evidence Received From: None.

For:

Against:

Neutral:

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

Motion: Move to adopt staff recommendation to approve the City-initiated vacation of an eighteen-foot strip of right-of-way along the north side of Glen Creek Road NW, west of Wallace Marine Park, subject to the condition to reserve a Public Utility Easement for maintenance of existing utilities (see map in Attachment A of the staff report).

Motion by: Councilor Clem

Seconded by: Councilor Sullivan

Action: Approved the City-initiated vacation of an eighteen-foot strip of right-of-way along the north side of Glen Creek Road NW, west of Wallace Marine Park, subject to the condition to reserve a Public Utility Easement for maintenance of existing utilities (see map in Attachment A of the staff report).

Vote:

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

Nay: Councilor DeHart

Abstentions:

- (d) Transmittal of Material related to the Council Review of Planning Commission Decision - Comprehensive Plan Change/Zone Change No. 06-6 - Pacific Realty Associates, L.P. - 2500 Block of Boone Rd SE

Questions or Comments by: Mayor Taylor and Councilor Clem.

8. CALENDAR OF ORDINANCE BILLS:

8.1 FIRST READING OF ORDINANCE BILLS

- (a) Ordinance No. 95-07 Annexing certain territory located south of Ward Drive NE, west of Cordon Road NE (4205 Cordon Road NE) into the City of Salem, prescribing zoning, and withdrawing the territory from Marion County Fire District #1 - Ward 5 - Councilor Stucky - Northgate **(Public Hearing held May 29, 2007)** (CD)

Motion: Move to advance Ordinance No. 95-07 to second reading.

Motion by: Councilor Stucky

Seconded by: Councilor Nanke

Action: Advanced Ordinance No. 95-07 to second reading.

Vote:

Aye: Unanimous

Nay:

Abstentions:

- (b) Ordinance No. 98-07 Ratifying an Intergovernmental Agreement creating the Regional Automated Information Network, an Intergovernmental entity (PD)

Motion: Move to advance Ordinance No. 98-07 to second reading, and authorize the City Manager to sign the IGA to become a member of the intergovernmental entity known as Regional Automated Information Network (RAIN).

Motion by: Councilor Nanke

Seconded by: Councilor Sullivan

Action: Advanced Ordinance No. 98-07 to second reading. Upon enactment, the City Manager will be authorized to sign the IGA to become a member of the intergovernmental entity known as Regional Automated Information Network (RAIN).

Vote:

Aye: Unanimous

Nay:

Abstentions:

8.2 SECOND READING OF ORDINANCE BILLS

- (a) Ordinance No. 94-07 Providing Financing to Property Owners for Payment of Parks, Water, Sewer, and Transportation System Development Charges Against Property Located in Salem, Oregon; making provisions therefor; and declaring an emergency - Wards 4 and 8 - Councilors Sullivan and Clem - South Gateway and West Salem (PW)

Action: Approved Ordinance No. 94-07.

Vote:

Aye: Unanimous

Nay:

Abstentions:

9. MANAGEMENT REPORTS

None.

10. PUBLIC COMMENT: (Other than agenda items)

Appearance by:

Thomas Smith, 1105 Savage Road NE

Topic:

Recent observation of trash in the city

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

11. NEW BUSINESS:

11.1 MAYOR'S ITEMS

(a) Art in Public Buildings and Parks

Motion: Move that one-half of one percent of the construction costs for City buildings intended for public use, be set aside for Oregon art to be purchased and displayed.

Motion by: Mayor Taylor
Seconded by: Councilor Nanke

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

Action: One-half of one percent of the construction costs for City buildings intended for public use, will be set aside for Oregon art to be purchased and displayed.

Vote:
Aye: Unanimous
Nay:
Abstentions:

11.2 COUNCILOR'S ITEMS

None.

12. ADJOURNMENT: 9:43 P.M.

Kathy Hall, City Recorder