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**APPROVED BY THE COMMISSION  
DECEMBER 3, 2007**

**FINAL ACTION AGENDA/MINUTES**

**SALEM HOUSING AUTHORITY**

**6:30 P.M.**

**November 5, 2007**

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

Present: Chair Nanke, and Commissioners Bennett, Sullivan, Rogers, DeHart, Clem, Williams and Guest Commissioner Roz Shirack. Absent: Commissioners Tesler and Tarter.

**1.1 Pledge of Allegiance**

Led by Commissioner Nanke

**CONSENT CALENDAR:**

**Motion:** Move to adopt the Consent Calendar.

**Motion by:** Commissioner Rogers

**Seconded by:** Commissioner Sullivan

**Questions or Comments by:** Commissioners Nanke and Rogers.

**Action:** Adopted the Consent Calendar.

**Vote:**

*Aye:* Unanimous

*Nay:*

*Abstentions:*

**2. REPORTS:**

**2.1 Program Management Report**

**Action:** Information only.

**2.2 Partnership Recognition for U.S. Bank**

**Action:** Information only.

**3. CALENDAR OF RESOLUTIONS:**

**3.1 Resolution No. 2042 Approving the Authority's PHAS Certification for Fiscal Year 2006-07 and Resolution No.2043 Approving the Authority's SEMAP Certification for Fiscal Year 2006-07**

**Action:** Approved.

**3.2 Resolution No. 2044 Authorizing Certification of Updated FY 2007-08 Public Housing Operating Budget**

**Action:** Approved.

**4. OTHER BUSINESS:**

**4.1 Approval of Housing Authority Commission Minutes of October 1, 2007**

**Action:** Approved the Commission minutes of October 1, 2007.

**5. ADJOURNMENT: 6:44 P.M.**

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Kellie Whiting, Deputy City Recorder

**APPROVED BY COUNCIL  
NOVEMBER 13, 2007**

**FINAL ACTION AGENDA/MINUTES**

**SALEM CITY COUNCIL  
6:30 P.M.  
CITY OF SALEM, OREGON  
November 5, 2007**

**1. ROLL CALL: 6:45 P.M.**

Present: Councilors Bennett, Nanke, Sullivan, Rogers, DeHart, Clem and Guest Councilor Roz Shirack. Absent: Mayor Taylor, and Councilors Tesler and Tarter.

**1.1 Proclamations:**

- (a) Children's Book Week - Presented by Council President Nanke to B.J. Quinlan, Youth Services Manager for Salem Public Library, proclaiming November 12 through 17, 2007 as Children's Book Week.
- (b) Veteran's Day - Presented by Councilor Clem to Kerry Wymatalek, President of the Greater Salem Area Veteran's Organization (GSAVO), proclaiming November 11, 2007 as Veteran's Day.

**1.2 Presentation:**

- (a) Unit Recognition for the Drug Activity Response Team (DART) (PD)

**Appearance by:**

Gerald Moore, Salem Chief of Police

**Questions or Comments by:** Councilor Nanke.

- 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.

**Appearance by:**

Lorraine Pullman, Grant Neighborhood Association,  
995 Capitol Street NE

**Agenda Item:**

4.3 (h)

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:**

Dave Hays, LCG Pence, 2747 Pence Loop SE  
Curt Pence, Cascadia Development, 720 Hazeltine Ave S  
Alan Bushong, CCTV, 4655 Lone Oak Road SE  
Ron Sterba, 500 20<sup>th</sup> Street S  
Dale Turner, 9205 Wallace Road NW

**Agenda Item/Topic:**

4.3 (m), (n), (o), (p), (q) & (r)  
4.3 (m), (n), (o), (p), (q) & (r)  
4.3 (m), (n), (o), (p), (q) & (r)  
2 Hour Parking  
11.2 (c)

**Questions or Comments:** Councilors Nanke, DeHart and Clem.

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, minus pulled items 4.3 (h) and 4.3 (k) - Councilor DeHart.

**Motion by:** Councilor Rogers  
**Seconded by:** Councilor Sullivan

**Action:** Approved the Consent Calendar, with additions, minus pulled items 4.3 (h) and 4.3 (k) - Councilor DeHart.

**Vote:**  
*Aye:* Unanimous  
*Nay:*  
*Abstentions:*

**4.1 MINUTES:**

- (a) October 22, 2007
- (b) October 26, 2007

**Action:** Approved.

**4.2 RESOLUTIONS:**

- (a) Resolution No. 2007-102 Initiating Amendments to Salem Revised Code Chapter 121, Planned Unit Development (CD)

**Action:** Approved.

- (b) Resolution No. 2007-103 Authorizing Negotiation for the Acquisition of a Permanent Easement for Installation of a Flow/Water Quality Monitoring Station on Glenn Creek - Ward 8 - Councilor Clem - West Salem (PW)

**Action:** Approved.

- (c) Resolution No. 2007-105 Authorizing a Transfer of Appropriation to be Expended for the Purpose of Accurately Reflecting and Appropriating the FY 2007-2008 Budget Amounts for Salaries and Benefits in Various City Funds

Cost-of-Living Increase for Non-Represented Employees; Specialized Adjustment for Certain Non-Represented Classification: Salary Range Approval for Two New Job Classifications and Increase in FTE for Risk Safety Coordinator (HR)

**Action:** Removed from agenda.

#### 4.3 ROUTINE ITEMS:

- (a) Parking Citations (AS)

**Action:** Information only.

- (b) Purchases Approved Administratively - September 25, 2007 through October 22, 2007 (AS)

**Action:** Information only.

- (c) Portland State University Intergovernmental Agreement (AS)

**Action:** Authorized the City Manager to enter into an Intergovernmental Agreement with Portland State University for placement of student interns with the City of Salem.

- (d) Administrative Decision - Replat 07-9 - Telos Development Company - 1100 Block of Broadway Street NE - Ward 1 - Councilor Bennett - CAN-DO and Grant (CD)

**Action:** Received and Filed.

- (e) Hearings Officer Decision - Variance 07-8 - Donald R Wyant, Sr. - 3800 and 3900 Blocks of Commercial Street SE - Ward 3 - Councilor Nanke - Faye Wright (CD)

**Action:** Received and Filed.

- (f) Hearings Officer Decision - Variance 07-9 - Bar Industries, Inc/Bar Industries LLC - 3500 to 3600 Blocks of Liberty Road S - Ward 7 - Councilor DeHart - South Salem and Faye Wright (CD)

**Action:** Received and Filed.

- (g) Subdivision Review Committee Decision - Trinity Estates Subdivision Plat No. 07-19 - Steve Parker, Trinity Real Estate Development and Neal Hausam - 2054 Mousebird Avenue NW - Ward 8 - Councilor Clem - West Salem (CD)

**Action:** Received and Filed.

- (h) Order No. 2007-15-VAR In the matter of rescinding the decision of the Hearings Officer for Variance Case No. 07-6 for property located at 1090 Shipping Street NE - Ward 1 - Councilor Bennett - Grant (CD)

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

- (i) Riverfront Park Rotary Centennial Pavilion - Use by Salem Rotary Clubs - Ward 2 - Councilor Tesler - CAN-DO (CS)

**Action:** Removed from agenda.

- (j) Notification of Award and Grant Contract (FD)

**Action:** Authorized the City Manager to execute a Pre-Disaster Mitigation Program (PDM) Contract with the State of Oregon enabling the City to accept a \$1,381,511 Federal Emergency Management Agency PDM Grant. The 25 percent local match of \$345,386 will be paid by funds received from the Fire General Obligation Bond.

- (k) Electronic Crime Fighting Tools Grant Request (PD)

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

- (l) Installation of Banner Sign Poles on Portland Road NE and Market Street NE - Wards 1, 5 and 6 - Councilors Bennett, Tarter and Rogers (PW)

**Action:** Information only.

- (m) Third Amendment to the Disposition and Development Agreement for the 295 Church Street SE Redevelopment Project - Ward 2 - Councilor Tesler - CAN-DO (UD)

**Action:** Approved the third amendment to the Disposition and Development Agreement with Cascadia Development LLC (Cascadia) for the 295 Church Street SE redevelopment project (Attachment A of the staff report) to extend the duration of the agreement and include exhibits as previously envisioned.

- (n) Approve Amendment to Intergovernmental Agreement between the City of Salem and Marion County to update construction cost, funding, and future roles for new CCTV Facility at 295 Church Street SE - 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 update the construction cost, funding, and future roles for the new Capital Community Television (CCTV) facility, as proposed in the 295 Church Street SE Redevelopment Project.

- (o) Guaranteed Maximum Development Cost for Information Technology and Capital Community Television Facilities at 295 Church Street SE Redevelopment Project - Ward 2 - Councilor Tesler - CAN-DO (UD)

**Action:** Approved the guaranteed maximum development cost (GMDC) for the Information Technology (IT) and Capital Community Television (CCTV) facilities at the 295 Church Street SE Redevelopment Project.

- (p) Intergovernmental Agreement Authorizing Funds for Completion of Information Technology Facility - Ward 2 - Councilor Tesler - CAN-DO (UD)

**Action:** Authorized the use of up to \$125,000 in City Services Funds, Fleet Division, to fully fund the construction of the City's new Information Technology (IT) facility, and Council will enter into an Intergovernmental Agreement (IGA) with the Urban Renewal Agency of the City of Salem (Agency), allowing the Agency to pledge future loan revenue to the City to repay the City Services Fund.

- (q) Unit Sales Agreement for New Capital Community Television (CCTV) Facility:  
295 Church Street SE - Ward 2 - Councilor Tesler - CAN-DO (UD)

**Action:** Authorized the City Manager to execute a Unit Sale Agreement for the purchase of a new Capital Community Television (CCTV) facility to be built by Cascadia Development, LLC as part of a mixed use project located at 295 Church Street SE (Attachment A of the staff report).

- (r) Unit Sales Agreement for New Information Technology (IT) Department Facility:  
295 Church Street SE - Ward 2 - Councilor Tesler - CAN-DO (UD)

**Action:** Authorized the City Manager to execute a Unit Sale Agreement for the purchase of a new Information Technology (IT) Department facility to be built by Cascadia Development, LLC as part of a mixed use project located at 295 Church Street SE (Attachment A of the staff report).

**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) 4.3 (h) Order No. 2007-15-VAR In the matter of rescinding the decision of the Hearings Officer for Variance Case No. 07-6 for property located at 1090 Shipping Street NE - Ward 1 - Councilor Bennett - Grant (CD)

**Motion:** Move to adopt Order No. 2007-15-VAR, adopting the findings in the report, with the deletion of Section (f)(a).

**Motion by:** Councilor DeHart  
**Seconded by:** Councilor Sullivan

**Questions or Comments by:** Councilors DeHart and Bennett.

**Action:** Adopted Order No. 2007-15-VAR, adopting the findings in the report, with the deletion of Section (f) (a).

**Vote:**  
*Aye:* Unanimous  
*Nay:*  
*Abstentions:*

(b) 4.3 (k) Electronic Crime Fighting Tools Grant Request (PD)

**Motion:** Move to adopt staff recommendation, to approve application for and acceptance of grant money allocated to the Salem Police Department to pay for one officer position which will research and develop software tools designed to assist law enforcement in locating child pornographers.

**Motion by:** Councilor DeHart  
**Seconded by:** Councilor Sullivan

**Questions or Comments by:** Councilors DeHart and Nanke.

**Action:** Approved application for and acceptance of grant money allocated to the Salem Police Department to pay for one officer position which will research and develop software tools designed to assist law enforcement in locating child pornographers.

**Vote:**  
*Aye:* Unanimous  
*Nay:*  
*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) Measure 37 Claim 07-4 - 3600 Echo Drive NW - Ward 8 - Councilor Clem - West Salem (CM)

**Persons Testifying:**

*For:* James Knight, 3826 Orchard Heights NW

*Against:*

*Neutral:*

**Organizations:** None.

*For:*

*Against:*

*Neutral:*

**Evidence Received From:** None.

*For:*

*Against:*

*Neutral:*

**Questions or Comments by:** Councilors Clem and Nanke.

**Motion:** Move to adopt staff recommendation to deny Measure 37 Claim 07-4, based on the review of SRC 166.015(a) and ORS 197.352, and the comments received.

**Motion by:** Councilor Rogers  
**Seconded by:** Councilor Sullivan

**Action:** Denied Measure 37 Claim 07-4, based on the review of SRC 166.015(a) and ORS 197.352, and the comments received.

**Vote:**  
*Aye:* Unanimous  
*Nay:*  
*Abstentions:*

## **8. CALENDAR OF ORDINANCE BILLS:**

**Note:** *Unanimous vote of Council to suspend Council Rule 20 (d) is required in order to consider First Reading of Ordinance Bill 124-07, Agenda Item 8.1(b) for immediate passage to 8.2(e), Second Reading of Ordinance Bills, and approval.*

### **8.1 FIRST READING OF ORDINANCE BILLS**

- (a) Ordinance No. 120-07 Relating to the Portland/Fairgrounds Road Overlay Zone; Amending SRC 143B.170 - Ward 5 - Councilor Tarter - Northgate and Highland (CD)

**Motion:** Move to advance Ordinance Bill No. 120-07 to second reading.

**Motion by:** Councilor Rogers  
**Seconded by:** Councilor Sullivan

**Action:** Advanced Ordinance Bill No. 120-07 to second reading.

**Vote:**  
*Aye:* Unanimous  
*Nay:*  
*Abstentions:*

**Motion:** Move that Council suspend Council Rule 20 (d) in order to consider first reading of Ordinance Bill No. 124-07 agenda item 8.1 (b) for immediate passage to 8.2 (e), Second Reading of Ordinance Bills, and approval.

**Motion by:** Councilor Nanke  
**Seconded by:** Councilor Sullivan

**Action:** Suspended Council Rule 20 (d) in order to consider first reading of Ordinance Bill No. 124-07 agenda item 8.1 (b) for immediate passage to 8.2 (e), Second Reading of Ordinance Bills, and approval.

**Vote:**

*Aye:* Unanimous

*Nay:*

*Abstentions:*

- (b) Ordinance No. 124-07 Amending Ordinance Bill No. 114-07, Relating to the Pine Street Mixed-use Area (Area 1) of the Portland/Fairgrounds Road Overlay Zone, to make the provisions of Ordinance Bill No. 114-07 Retroactive from and after October 1, 2007, and declaring an emergency - Ward 5 - Councilor Tarter - Highland (CD)

**Motion:** Move to advance Ordinance Bill No. 124-07 to second reading.

**Motion by:** Councilor Rogers

**Seconded by:** Councilor Sullivan

**Action:** Advanced Ordinance Bill No. 124-07 to second reading.

**Vote:**

*Aye:* Unanimous

*Nay:*

*Abstentions:*

## 8.2 SECOND READING OF ORDINANCE BILLS

- (a) Ordinance No. 115-07 Relating to Notification Procedures for the Property Owners of Potential Enclave Areas; amending SRC 165.130; and creating new provisions (CD)

**Action:** Approved Ordinance No. 115-07.

**Vote:**

*Aye:* Unanimous

*Nay:*

*Abstentions:*

- (b) Ordinance No. Ordinance No. 119-07 Relating to The Salem Transportation System Plan, and amending SRC 64.230 (PW)

**Action:** Approved Ordinance No. 119-07.

**Vote:**

*Aye:* Unanimous

*Nay:*

*Abstentions:*

- (c) Ordinance No. 121-07 Declaring certain territory located at 3887 Homestead Road S, annexed to the City of Salem, prescribing zoning, and withdrawing the territory from the Salem Suburban Rural Fire Protection District - Ward 7 - Councilor DeHart - Croisan-Illahe (CD)

**Action:** Approved Ordinance No. 121-07.

**Vote:**

*Aye:* Unanimous

*Nay:*

*Abstentions:*

- (d) Ordinance No. 122-07 Declaring certain territory located at 3831 Homestead Road S, annexed to the City of Salem, prescribing zoning, and withdrawing the territory from the Salem Suburban Rural Fire Protection District - Ward 7 - Councilor DeHart - Croisan-Illahe (CD)

**Action:** Approved Ordinance No. 122-07.

**Vote:**

*Aye:* Unanimous

*Nay:*

*Abstentions:*

- (e) Ordinance No. 124-07 Amending Ordinance Bill No. 114-07, Relating to the Pine Street Mixed-use Area (Area 1) of the Portland/Fairgrounds Road Overlay Zone, to make the provisions of Ordinance Bill No. 114-07 Retroactive from and after October 1, 2007, and declaring an emergency - Ward 5 - Councilor Tarter - Highland (CD)

**Action:** Approved Ordinance No. 124-07.

**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)** Corridor Safety Involving Trains and Traffic - Councilor Tarter

**Action:** Removed from agenda.

- (b)** Nature Park at the Kroc Center - Councilor Tarter

**Action:** Removed from agenda.

- (c)** Discharging Biosolid Affluent Material Policy - Councilor Clem

**Motion:** Move that staff bring information back to Council regarding the City's policy of discharging biosolid affluent material on farmland in Oregon.

**Motion by:** Councilor Clem

**Seconded by:** Councilor DeHart

**Questions or Comments by:** Councilor Clem.

**Action:** Directed staff to bring information back to Council regarding the City's policy of discharging biosolid affluent material on farmland in Oregon.

**Vote:**

*Aye:* Unanimous

*Nay:*

*Abstentions:*

**12. ADJOURNMENT: 7:56 P.M.**

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Kellie Whiting, Deputy City Recorder

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

**FINAL ACTION AGENDA/MINUTES**

**URBAN RENEWAL AGENCY  
OF THE CITY OF SALEM, OREGON  
November 5, 2007**

**Immediately Following City Council Meeting**

**A. ROLL CALL: 7:57 P.M.**

Present: Board Members Bennett, Nanke, Sullivan, Rogers, DeHart, Clem and Guest Board Member Roz Shirack. Absent: Chair Taylor, and Board Members Tesler and Tarter.

**A.1 Approval of Board Minutes**

**(a)** October 15, 2007

**Motion:** Move to approve the Board minutes of October 15, 2007.

**Motion by:** Board Member Rogers

**Seconded by:** Board Member DeHart

**Action:** Approved the Board minutes of October 15, 2007.

**Vote:**

*Aye:* Unanimous

*Nay:*

*Abstentions:*

**B. REPORTS OF COMMITTEES**

None.

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

None.

**D. CONSENT CALENDAR:**

**D.1 ACTION ITEMS:**

**Motion:** Move to approve the Consent Calendar.

**Motion by:** Board Member Rogers

**Seconded by:** Board Member Sullivan

**Action:** Approved the Consent Calendar.

**Vote:**

*Aye:* Unanimous

*Nay:*

*Abstentions:*

- (a) Third Amendment to the Disposition and Development Agreement for the 295 Church Street SE Redevelopment Project - Ward 2 - Councilor Tesler - CAN-DO (UD)

**Action:** Approved the third amendment to the Disposition and Development Agreement with Cascadia Development LLC (Cascadia) for the 295 Church Street SE redevelopment project (Attachment A of the staff report) to extend the duration of the agreement and include exhibits as previously envisioned.

- (b) Cascadia Development LLC (Residential) Grant Funding Approval - Ward 2 - Councilor Tesler - CAN-DO (UD)

**Action:** Authorized the Executive Director of the Urban Renewal Agency to execute a Pringle Creek Grant Agreement up to \$500,000 to offset the costs of prevailing wage rates for 295 Church Street residential units.

- (c) Intergovernmental Agreement Authorizing Funds for Completion of Information Technology Facility - Ward 2 - Councilor Tesler - CAN-DO (UD)

**Action:** The Board will enter into an intergovernmental agreement (IGA) with the City of Salem (City) allowing the Agency to pledge future loan revenue to the City to fully fund the construction of the City's new Information Technology (IT) facility.

**D.2 INFORMATION REPORTS:**

- (a)** Purchases Approved Administratively for Urban Renewal Agency -  
September 25, 2007 through October 22, 2007 (AS)

**Action:** Information only.

**D.3 COMMUNICATIONS**

None.

**E. PUBLIC HEARINGS AND DELIBERATION**

None.

**F. FURTHER CONSIDERATIONS OF ITEMS ON THE CONSENT CALENDAR**

None.

**G. NEW BUSINESS**

None.

**H. ADJOURNMENT: 7:58 P.M.**

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Kellie Whiting, Deputy City Recorder