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**APPROVED BY THE COMMISSION
FEBRUARY 4, 2008**

FINAL ACTION AGENDA/MINUTES

SALEM HOUSING AUTHORITY

6:30 P.M.

January 7, 2008

1. ROLL CALL: 6:43 P.M.

Present: Chair Nanke and Commissioners Walker, Tesler, Sullivan, Stucky, Rogers, DeHart, Clem and Williams.

CONSENT CALENDAR:

Motion: Move to approve the Consent Calendar.

Motion by: Commissioner Sullivan

Seconded by: Commissioner Rogers

Questions or Comments by: Commissioner Rogers.

Action: Approved the Consent Calendar.

Vote:

Aye: Unanimous

Nay:

Abstentions:

2. REPORTS:

2.1 Program Management Report

3. OTHER BUSINESS:

3.1 Approval of Housing Authority Commission Minutes of December 3, 2007

Action: Approved the minutes of December 3, 2007

4. ADJOURNMENT: 6:48 P.M.

Kellie Whiting, Deputy City Recorder

**APPROVED BY COUNCIL
JANUARY 14, 2008**

EXECUTIVE SESSION:

Records Exempt by Law from Public Inspection
ORS 192.660(2)(f)

5:15 p.m.

City Manager's Conference Room

WORK SESSION:

Transportation System Development Charges Update

5:30 p.m.

Council Chambers

FINAL ACTION AGENDA/MINUTES

**SALEM CITY COUNCIL
6:30 P.M.
CITY OF SALEM, OREGON
January 7, 2008**

1. ROLL CALL: 6:35 P.M.

Present: Mayor Taylor, and Councilors Bennett, Tesler, Nanke, Sullivan, Rogers, Tarter, DeHart and Clem.

Pledge of Allegiance

Led by Mayor Taylor

1.1 Presentations:

- (a) Good Citizen Award - Presented by Councilors Tarter and Sullivan to Benjamin Whitson, Abiqua School First Grade Student

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

1.2 Election of Council President

Motion: Move to nominate Councilor Nanke as Council President.

Motion by: Councilor Tarter

Seconded by: Councilor Rogers

Action: Elected Councilor Nanke as Council President.

Vote:

Aye: Unanimous

Nay:

Abstentions:

Recessed the meeting at 6:43 p.m. and reconvened at 6:49 p.m. in order to conduct the Salem Housing Authority Meeting.

- 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.

- (a)** Salem Social Service Advisory Board Presentation: Emergency Food Program (CS)

Appearances by:

Melissa Dablow, Social Services Advisory Board
Ron Hayes, Marion County Food Share

Action: Information only.

- (b)** Funding Priorities for Emergency Social Services (CS)

Appearances by:

Mark Freed, Social Services Advisory Board

Motion: Move to approve 1) The SSAB recommendation on emergency social service priorities for 2008-09 General Fund dollars that are outlined in Facts and Findings #3 of the staff report; and 2) Utilize no more than twenty percent (20%) of the General Fund dollars available for social services to help support services that are proven to move individuals and/or families from crisis toward self-sufficiency

Motion by: Councilor Nanke

Seconded by: Councilor Sullivan

Action: Approved: 1) The SSAB recommendation on emergency social service priorities for 2008-09 General Fund dollars that are outlined in Facts and Findings #3 of the staff report; and 2) To utilize no more than twenty percent (20%) of the General Fund dollars available for social services to help support services that are proven to move individuals and/or families from crisis toward self-sufficiency.

Vote:

Aye: Unanimous

Nay:

Abstentions:

(c) Approval of Budget Preparation Guidelines (Budget Committee)

Appearance by:

Margot Crow, Cultural and Tourism Promotion Advisory Board.

Motion: Move to approve the Budget Committee recommended FY 2008-09 budget preparation guidelines.

Motion by: Councilor Nanke

Seconded by: Councilor Rogers

Action: Approved the Budget Committee recommended FY 2008-09 budget preparation guidelines.

Vote:

Aye: Unanimous

Nay:

Abstentions:

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.

None.

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 (i) and 4.3 (r) - Councilor DeHart.

Motion by: Councilor Nanke

Seconded by: Councilor Sullivan

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

Vote:

Aye: Unanimous

Nay:

Abstentions:

4.1 MINUTES:

- (a) December 10, 2007

Action: Approved.

4.2 RESOLUTIONS:

None.

4.3 ROUTINE ITEMS:

- (a) Purchases Approved Administratively - November 20, 2007 through December 24, 2007 (AS)

Action: Information only.

- (b) Administrative Decision - Partition 07-28 - Allyson Puentes - 2400 Block of Rogers Lane NW - Ward 8 - Councilor Clem - West Salem (CD)

Action: Received and Filed.

- (c) Administrative Decision - Partition 07-29 - Mike Weaver - 684 Illinois Avenue NE - Ward 6 - Councilor Rogers - NESCA (CD)

Action: Received and Filed.

- (d) Administrative Decision - Partition 07-30 - Shonee and Sierra Langford - 1159 Shamrock Drive SE - Ward 3 - Councilor Nanke - Morningside (CD)

Action: Received and Filed.

- (e) Administrative Decision - Partition 07-31 - Willmar Development - 2700 Block of Vick Avenue NW - Ward 8 - Councilor Clem - West Salem (CD)

Action: Received and Filed.

- (f) Administrative Decision - Partition 07-32 - Paul Meyer and Walter Wells - 4425 Battle Creek Road SE - Ward 3 - Councilor Nanke - Morningside (CD)

Action: Received and Filed.

- (g) Administrative Decision - Replat 07-12 - Terry Carstensen and Diane Bassett - 2779 Merced Court SE, 5629 and 5639 Venice Avenue SE - Ward 4 - Councilor Sullivan - South Gateway (CD)

Action: Received and Filed.

- (h) Hearings Officer Decision - Specific Conditional Use Case No. 07-9 - Salem Child Development Center; Sharon Thompson - 1537 Winter Street NE - Ward 1 - Councilor Bennett - Grant (CD)

Action: Received and Filed.

- (i) Historic Landmarks & Design Review Commission Decision - Historic Review Case No. HIS 07-30 - R. Christopher Hackett - 1155 Summer Street NE - Ward 1 - Councilor Bennett - Grant (CD)

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

- (j) Historic Landmarks & Design Review Commission Decision - Historic Review Case No. HIS 07-32 - Irene Longaker - 975 High Street SE - Ward 2 - Councilor Tesler - SCAN (CD)

Action: Received and Filed.

- (k) Historic Landmarks & Design Review Commission Decision - Historic Review Case No. HIS 07-33 - City of Salem Urban Development Department - Eastern terminus: Union Street NE, at the intersection with Water Street NE; Western terminus: Wallace Marine Park - Wards 1 and 8 - Councilors Bennett and Clem - CAN-DO and West Salem (CD)

Action: Received and Filed.

- (l) Subdivision Review Committee Decision - Northstar Subdivision Plat No.07-13 Amendment - Larry Epping, Granada Land Company - 4400-5200 Blocks of Kale Road NE - Ward 5 - Councilor Tarter - Northgate (CD)

Action: Received and Filed.

- (m) UGA Development Review Committee Decision - Preliminary Declaration for Urban Growth Area Development Permit No. 07-13 - Mountain West Senior Housing LLC - 3400 Block of Kuebler Boulevard SE - Ward 3 - Councilor Nanke - SEMCA (CD)

Action: Received and Filed.

- (n) Land Lease with the City of Turner to Provide Property for a Neighborhood Park (PW)

Action: Authorized the City Manager to execute the Land Lease (Attachment A of the staff report).

- (o) Multiple Account Water/Sewer Customer Billing Processes (PW)

Action: Removed from agenda.

- (p) Set public hearing for Petition-Initiated Vacation of unopened Bellevue Street SE right-of-way, between Liberty Street SE and High Street SE - Ward 2 - Councilor Tesler - CAN-DO (PW)

Action: Directed the Interim City Manager to set a Public Hearing to receive input on the proposed Bellevue Street SE right-of-way vacation.

- (q) Quitclaim a ten-foot-wide Sewer Easement previously required for construction of an eight-inch sewer main to serve Parcels 1, 2, and 3, Partition Plat No. 2007-115, 3371-3383 Croisan Creek Road S - Ward 7 - Councilor DeHart - Croisan-Illahe (PW)

Action: Authorized staff to execute a quitclaim deed for the easement area to underlying owner as shown in the legal description (Attachment A of the staff report) and the easement map (Attachment B of the staff report).

- (r) Water and Sewer Rate Surcharge for Outside City Customers (PW)

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

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 (i) Historic Landmarks & Design Review Commission Decision - Historic Review Case No. HIS 07-30 - R. Christopher Hackett - 1155 Summer Street NE - Ward 1 - Councilor Bennett - Grant (CD)

Motion: Move to adopt staff recommendation to receive and file the report.

Motion by: Councilor DeHart
Seconded by: Councilor Sullivan

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

Action: Councilor DeHart withdrew the motion and Councilor Sullivan concurred.

Motion: Move to move the agenda item until next week to digest more information from staff for a more considered recommendation.

Motion by: Councilor DeHart
Seconded by: Councilor Clem

Questions or Comments by: Councilors DeHart and Bennett.

Substitute Motion: Move to adopt staff recommendation to receive and file the report.

Motion by: Councilor Bennett
Seconded by: Councilor Sullivan

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

Action: Received and filed the report.

Vote:
Aye: Unanimous
Nay:
Abstentions:

(b) 4.3 (r) Water and Sewer Rate Surcharge for Outside City Customers (PW)

Motion: Move to refer the agenda item back to staff and have staff come back to Council with something that is more in keeping with Council direction.

Motion by: Councilor Sullivan

Seconded by: Councilor DeHart

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

Action: Councilor Sullivan withdrew the motion and Councilor DeHart concurred.

Motion: Move to refer this to a Council Subcommittee, to be appointed by the Mayor, to work with staff to come up with a recommendation regarding the water and sewer rate surcharge and who would and would not be paying that surcharge.

Motion by: Councilor Sullivan

Seconded by: Councilor Rogers

Action: Referred the agenda item to a Council Subcommittee, to be appointed by the Mayor, to work with staff to come up with a recommendation regarding the water and sewer rate surcharge and who would and would not be paying that surcharge.

Vote:

Aye: Councilors Bennett, Tesler, Nanke, Sullivan, Tarter, Rogers, DeHart, and Mayor Taylor

Nay: Councilor Clem

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) Continuation of Public Hearing - Ordinance Bill No. 126-07 Relating to Solid Waste Management - Request to Continue Public Hearing to January 28, 2008 (AS)

Persons Testifying:

For: Jim Sears, 701 Mill Street Silverton, Oregon
Estle Harlan, 1952 NE Spin Drift Lincoln City, OR

Against:

Neutral:

Organizations:

For: Aron Levinson, Recycle Bank, 20533 Wood Avenue Torrance, CA
Joe Gilliam, NW Grocery Association
Tim Rocak, Executive Director, Garten Services, 3334 Industrial Way
NE
Kristan Mitchell, Executive Director, Oregon Refuse & Recycling
Association, 680 State Street NE

Against:

Neutral: Mike McLaran, Salem Chamber of Commerce, 1110 Commercial
Street NE

Evidence Received From:

For: Aron Levinson, Recycle Bank, 20533 Wood Avenue Torrance, CA

Against:

Neutral:

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

Motion: Move to approve the changes as identified in Ordinance Bill No.
126-07 and advance it to second reading.

Motion by: Councilor Nanke

Seconded by: Councilor Sullivan

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

Action: Approved the changes as identified in Ordinance Bill No. 126-07 and
advanced it to second reading.

Vote:

Aye: Councilors Bennett, Tesler, Nanke, Sullivan, Tarter, Rogers, Clem,
and Mayor Taylor

Nay: Councilor DeHart

Abstentions:

- (b) Ordinance Bill No. 1-08 Creating the Salem Downtown Economic Improvement District in the City of Salem, Oregon - Ward 2 - Councilor Tesler - CAN-DO (AS)

Persons Testifying:

For: Gary McIlnay, 409 Court Street NE
Dennis Young, 3060 Camellia Drive S
Marylou Zeek, 1730 Fairmount Avenue S
Against: James Nichols, 4108 Hertel Drive S
Neutral: Quing Hua Chen, 4237 Paintbrush Court

Organizations:

For: Roger Yost, Go Downtown Salem!, 189 Liberty Street NE
Doug Vande Griend, Go Downtown Salem!, 317 Court Street SE
Against:
Neutral:

Evidence Received From:

For: Roger Yost, Go Downtown Salem!, 189 Liberty Street NE
Against:
Neutral:

Questions or Comments by: Councilors Sullivan, Bennett, Tesler, and Mayor Taylor.

Motion: Move to enact Ordinance Bill No. 1-08, approving the formation of the Salem Downtown Economic Improvement District, authorizing certain economic improvement projects to be undertaken within the district, and finding that the properties within the proposed district are specially benefitted by the economic improvement projects, and that such properties should bear all of the costs of such projects, and directing the Finance Director to determine, based on the estimated cost of the economic improvement, the amount of assessment on each lot in the district, and to provide notice of a hearing upon such estimated costs.

Motion by: Councilor Tesler
Seconded by: Councilor Nanke

Action: Ordinance Bill No. 1-08 was approved for first reading.

Vote:
Aye: Unanimous
Nay:
Abstentions:

8. CALENDAR OF ORDINANCE BILLS:

8.1 FIRST READING OF ORDINANCE BILLS

- (a) Ordinance Bill No. 1-08 Creating the Salem Downtown Economic Improvement District in the City of Salem, Oregon - Ward 2 - Councilor Tesler - CAN-DO (AS)

Motion: Move to advance Ordinance Bill No. 1-08 to second reading.

Motion by: Councilor Tesler
Seconded by: Councilor Nanke

Action: Advanced Ordinance Bill No. 1-08 to second reading.

Vote:

Aye: Unanimous

Nay:

Abstentions:

- (b) Ordinance Bill No. 02-08 Relating to the Salem Area Comprehensive Plan Map and the East Lancaster Neighborhood Plan Map, amending both Plan Maps to change the Plan Designation for property located at 1850 45th Avenue NE from Single Family Residential to Multifamily Residential - Ward 6 - Councilor Rogers - ELNA (CD)

Motion: Move to hold a public hearing and advance Ordinance Bill No. 2-08 to second reading for enactment. Adoption of Ordinance Bill No. 2-08 would change the SACP map and East Lancaster Neighborhood map designation for property at 1850 45th Avenue NE (as shown in Attachment A of the staff report) from “Single Family Residential” to “Multi-Family Residential.”

Motion by: Councilor Rogers
Seconded by: Councilor Nanke

Action: A public hearing will be held on Ordinance Bill No. 2-08 and advancement to second reading will follow.

Vote:

Aye: Unanimous

Nay:

Abstentions:

8.2 SECOND READING OF ORDINANCE BILLS

- (a) Ordinance Bill No. 128-07 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 1 and 4 - Councilors Bennett and Sullivan - Grant, NEN and South Gateway (PW)

Action: Approved - Ordinance No. 128-07

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:

- (a) Albany & Eastern Railroad Company

Motion: Move to approve the letter of support attached to the Mayor's report for Albany & Eastern Railroad Company to obtain Connect Oregon II grant monies to be used in the rehabilitation of the rail line between Lebanon and Mill City, otherwise known as the Mill City Branch.

Motion by: Mayor Taylor

Seconded by: Councilor Nanke

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

Action: Approved the letter of support attached to the Mayor's report for Albany & Eastern Railroad Company to obtain Connect Oregon II grant monies to be used in the rehabilitation of the rail line between Lebanon and Mill City, otherwise known as the Mill City Branch.

Vote:

Aye: Councilors Bennett, Tesler, Nanke, Sullivan, Tarter, Rogers, DeHart, and Mayor Taylor.

Nay:

Abstentions: Councilor Clem recused himself.

11.2 COUNCILOR'S ITEMS:

(a) Bush Park Restroom Facility Replacement - Councilors Tesler and DeHart

Motion: Move that the closed restroom facility in Bush Park be replaced immediately, using any combination of resources and funds from general fund contingencies; TOT fund 07-08 revenue in excess of budgeted amounts; TOT fund contingencies; and parks, facilities, and public works personnel.

Motion by: Councilor DeHart

Seconded by: Councilor Tarter

Questions or Comments by: Councilors DeHart, Tarter, Sullivan and Nanke.

Action: Approved to immediately replace the closed restroom facility in Bush Park, using any combination of resources and funds from general fund contingencies; TOT fund 07-08 revenue in excess of budgeted amounts; TOT fund contingencies; and parks, facilities, and public works personnel.

Vote:

Aye: Unanimous

Nay:

Abstentions:

12. ADJOURNMENT: 9:58 P.M.

Kellie Whiting, Deputy City Recorder