



# CITY OF SALEM

## Meeting Agenda

### City Council

555 Liberty St SE  
Salem, OR 97301

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**Monday, February 25, 2019**

**6:00 PM**

**Council Chambers**

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#### **EXECUTIVE SESSION**

*None.*

#### **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**

**1.4 PRESENTATIONS**

**1.4 a. [19-95](#)** Presentation by Polk County Sheriff Mark Garton

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Recommendation:** Information Only.

**Attachments:** [Sheriff Garton - Salem City Council Presentation](#)

**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. [19-98](#) February 11, 2019 Draft City Council Minutes

**Attachments:** [2-11-19 Draft Council Minutes](#)

#### 3.2 RESOLUTIONS

#### 3.3 ACTION ITEMS

- 3.3 a. [19-58](#) Second amendment to Purchase and Sale Agreement with Dogwood Heights LLC for the acquisition of real property identified as a portion of tax lots 083W04C00100 and 083W04C00200.

Ward(s): 7

Councilor(s): Cook

Neighborhood(s): SWAN

Result Area(s): Welcoming and Livable Community.

**Recommendation:** Authorize the City Manager to execute the attached amendment to the Purchase and Sale Agreement with Dogwood Heights LLC to extend the closing date for the acquisition of real property.

**Attachments:** [Original Agreement and First Amendment](#)

[Proposed Second Amendment](#)

- 3.3 b. [19-85](#) Grant amendment for final construction payment on the Peter Courtney Minto Island Bicycle and Pedestrian Bridge and request for authorization for Division Street funding.

Ward(s): Ward 1

Councilor(s): Kaser

Neighborhood(s): CANDO

Result Area(s): Safe, Reliable and Efficient Infrastructure

**Recommendation:** Approve the attached grant amendment to accept \$690,000 of Riverfront-Downtown Urban Renewal Area funds for the final construction payment on the Peter Courtney Minto Island Bicycle and Pedestrian Bridge; authorize the use of \$690,000 of 2008 Streets and Bridges Bond funds for construction of improvements to Division Street adjacent to the new Police Station.

**Attachments:** [Grant Amendment](#)

### 4. PUBLIC HEARINGS

**4. a.** [19-63](#)

City Council review of the Planning Commission's decision approving Class 3 Design Review / Class 3 Site Plan Review / Class 2 Driveway Approach Permit / Tree Regulation Variance Case No. DR-SPR-DAP-TRV18-07 for proposed development of a 111-unit apartment complex with frontage on Wiltsey Road SE and Candy Flower Court SE.

Ward(s): 4

Councilor(s): Leung

Neighborhood(s): SGNA

Result Area(s): Welcoming and Livable Community

**Recommendation:**

Staff recommends that the City Council AFFIRM the December 19, 2018 decision of the Planning Commission.

**Attachments:** [Vicinity Map](#)

[Planning Commission's Decision DR-SPR-DAP-TRV18-07](#)

[Revised Grading Plan from Applicant](#)

[Written Testimony received from W. Dalton](#)

[Comments received from Bill Fujii on 2/11/19](#)

*Add - Written Testimony.*

**4. b.** [19-71](#)

System Development Charge Methodology Update

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance; Natural Environment Stewardship; Safe, Reliable, and Efficient Infrastructure; Strong and Diverse Economy; Welcoming and Livable Community.

**Recommendation:**

Adopt Resolution No. 2019-7, updating the System Development Charge Methodologies for Parks, Transportation, Water, Wastewater, and Stormwater, including the Majority Opinion from the System Development Charge Methodology Committee.

**Attachments:** [SDC Methodology Resolution](#)

[Exhibit 1: SDC Methodology Report - 2019](#)

[Notice of Public Hearing mailing](#)

[Written Testimony 1](#)

*Add - Written Testimony.*

**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)**

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

6. a. [19-4](#) Planning Commission Decision - Class 3 Design Review / Class 3 Site Plan Review / Replat / Property Line Adjustment / Class 2 Adjustment / Class 2 Driveway Approach Permit Case No. DR-SPR-REP-PLA-ADJ-DAP18-08 - Approved - Mountain West Corporation - 2100 to 2300 Blocks of Lindburg Road SE and Strong Road SE - A consolidated application for a proposed 180-unit multiple family development on approximately 9.51 acres of the former Fairview Training Center site.

Ward(s): 3  
Councilor(s): Nanke  
Neighborhood(s): Morningside

**Recommendation:** Information Only.

**Attachments:** [Land Use Decision DR-SPR-REP-PLA-ADJ-DAP18-08](#)  
[Written Testimony received from R. Berger](#)

*Add - Written Testimony.*

6. b. [19-61](#) Annual Historic Landmarks Commission Report

Ward(s): All Wards  
Councilor(s): All Councilors  
Neighborhood(s): All Neighborhoods  
Result Area(s): Welcoming and Livable Community

**Recommendation:** Information Only.

**Attachments:** [HLC 2018 Accomplishments & 2019 Work Plan](#)

6. c. [19-69](#) Purchases approved administratively from January 1, 2019 through January 31, 2019.

Ward(s): All Wards  
Councilor(s): All Councilors  
Neighborhood(s): All Neighborhoods  
Result Area(s): Good Governance

**Recommendation:** Information only.

**Attachments:** [Purchases approved administratively January 2019](#)

6. d. [19-76](#) Revised Report - Revised report to include public comment that was received during the comment period.

Notice of proposed administrative rulemaking to implement collection, reimbursement, and expenditure of System Development

Charges.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance; Natural Environment

Stewardship; Safe, Reliable, and Efficient Infrastructure; Strong and

Diverse Economy; Welcoming and Livable Community.

**Recommendation:** Information only.

**Attachments:** [Notice of Proposed Rule - SDC Final](#)

[SDC Admin Rule](#)

[Public Comments received during the comment period.](#)

*Revised - Report revised to include Public Comment that was received during the comment period.*

**6. e. [19-83](#)**

Planning Administrator Decision - Partition / Class 2 Adjustment  
Case No. PAR-ADJ18-13 - Approved - Maximiano Diaz-Salcedo -  
3430 Abrams Avenue NE - A proposed partition to divide a lot  
along the easterly side of Abrams Avenue NE into two parcels with  
two Class 2 Adjustments for lot depth and future setbacks abutting  
a street.

Ward(s): 5

Councilor(s): Ausec

Neighborhood(s): Northgate

**Recommendation:** Information Only.

**Attachments:** [Land Use Decision PAR-ADJ18-13](#)

**6. f. [19-87](#)**

Planning Administrator Decision - Partition Case No. PAR18-15 -  
Approved - 1290, LLC (Irvin Widmer) - 1290 Summer Street NE - A  
proposed partition to divide a lot along the easterly side of Summer  
Street NE into two parcels. The existing single family residence  
would remain on Parcel 1.

Ward(s): 1

Councilor(s): Kaser

Neighborhood(s): Grant

**Recommendation:** Information Only.

**Attachments:** [Land Use Decision PAR18-15](#)

## 7. ORDINANCES

### 7.1 FIRST READING:

**7.1 a. [19-73](#)**

Proposed amendments to Salem Revised Code pertaining to General Assessment Procedures (Chapter 21), Development Fee (Chapter 41), Water (Chapter 72), and Wastewater (Chapter 73).

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance; Natural Environment

Stewardship; Safe, Reliable, and Efficient Infrastructure; Strong and Diverse Economy; Welcoming and Livable Community.

**Recommendation:**

Conduct first reading Ordinance Bill No. 01-19, which amends Salem Revised Code (SRC) Chapters 21, 41, 72, 73 related to a System Development Charge Methodology Update, and advance to second reading for enactment.

**Attachments:** [SDC Ordinance 01-19](#)

[Exhibit A to Ordinance Bill No 1-19](#)

**7.1 b. [19-91](#)**

Petitioner-Initiated Annexation of Territory Located at 4945 Delton Lane NE - 97301 (Annexation Case No. C-728)

Ward(s): 6

Councilor(s): Hoy

Neighborhood(s): ELNA

Result Area(s): Good Governance; Safe Community; Safe, Reliable and Efficient Infrastructure

**Recommendation:**

Conduct first reading of Ordinance Bill No. 3-19 annexing, applying City of Salem RS (Single Family Residential) zoning from Marion County UD (Urban Development), and withdrawing from the Marion County Fire District #1 and the East Salem Sewer & Drainage District, for a 0.277-acre property located at 4945 Delton Lane NE.

**Attachments:** [Vicinity Map](#)

[Ordinance Bill No 3-19](#)

[Exhibit A - Territory Legal Description and Map](#)

**7.2 SECOND READING:****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](mailto: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. [19-93](#)

CITY COUNCIL PUBLIC HEARINGS

Held in the Council Chambers unless otherwise noted

SALEM HOUSING AUTHORITY PUBLIC HEARINGS

URBAN RENEWAL AGENCY PUBLIC HEARINGS

WORK SESSIONS Held in the Council Chambers unless otherwise noted

City Council

Aligning Services to Available Resources

Wednesday, March 18, 2019 at 6:00 p.m.

BUDGET COMMITTEE MEETINGS

Held in the Council Chambers unless otherwise noted

Review Proposed FY 2019-20 Budget

Wednesday, April 24, 2019 at 6:00 p.m.

Public Hearings: Capital Improvement Plan and State Revenue Sharing

Wednesday, April 24, 2019 at 6:00 p.m.

Review Proposed FY 2019-20 Budget

Wednesday, May 1, 2019 at 6:00 p.m.

Recommend FY 2019-20 Budget to City Council

Wednesday, May 8, 2019 at 6:00 p.m.

SCHEDULE OF NEIGHBORHOOD ASSOCIATION ANNUAL MEETINGS

Neighborhood - Annual Meeting Date - Councilor

Lansing - April 23 - Ausec

**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](mailto: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](mailto: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.

