



CITY OF SALEM

Meeting Agenda

City Council

555 Liberty St SE
Salem, OR 97301

Monday, June 24, 2019

6:00 PM

Council Chambers

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

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

3.1a. [19-262](#)

June 10, 2019 Draft City Council Minutes

Attachments: [6-10-19 Draft Council Minutes](#)

- 3.1b. [19-264](#) June 17, 2019 Draft City Council Work Session Minutes

Attachments: [6-17-19 Draft Council Work Session Minutes](#)

[6-17-19 Draft Council Work Session Minutes - Revised](#)

Revised - Revised Draft Minutes.

3.2 RESOLUTIONS

- 3.2a. [19-144](#) FY 2019-20 Downtown Parking District budget and parking tax

Ward(s): Ward 1

Councilor(s): Kaser

Neighborhood(s): CANDO

Result Area(s): Good Governance

Recommendation: Adopt Resolution No. 2019-20 (Attachment 1) adopting the FY 2019-20 budget and setting the business-paid parking tax for the Downtown Parking District.

Attachments: [Resolution No. 2019-20](#)

[Exhibit A](#)

- 3.2b. [19-194](#) Dedicating Real Property on the recorded plat of Woodscape Green Phase 1 located in Dragonfly Court SE (Tract "A") and Egret Avenue SE (Tract "B") as Public Right-of-Way.
Recommended Action: Adopt Resolution No. 2019-15.

Attachments: [Resolution 2019- 15](#)

[Exhibit 1](#)

- 3.2c. [19-289](#) Authorizing a transfer of appropriation authority in the Self Insurance Fund

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance

Recommendation: Adopt Resolution No. 2019-21, transferring \$9,950,000 of appropriation authority from the Self Insurance Fund materials and services category to the Self Insurance Fund interfund transfers category for the purpose of establishing separate funds for the Self Insurance Benefits and Self Insurance Risk programs.

Attachments: [Resolution No. 2019-21](#)

- 3.2d. [19-295](#) Transfer of FY 2019 budget appropriations.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance

Recommendation: Adopt Resolution No. 2019-22, authorizing transfers of appropriations within the City budget in order to maintain compliance with Oregon budget law.

Attachments: [Resolution 2019-22](#)

3.2e. [19-296](#) State shared revenues.

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

Recommendation: Adopt Resolution No. 2019-23, certifying that the City of Salem provides certain enumerated municipal services to receive state shared revenues in FY 2020.

Attachments: [Resolution 2019-23](#)

3.2f. [19-297](#) Adoption of the FY 2020 City of Salem budget.

Ward(s): All Wards
 Councilor(s): All Councilors
 Neighborhood(s): All Neighborhoods
 Result Area(s): Good Governance; Natural Environment
 Stewardship; Safe Community; Safe, Reliable and Efficient
 Infrastructure; Strong and Diverse Economy; Welcoming and
 Livable Community.

Recommendation: Adopt Resolution No. 2019-24 adopting the FY 2020 City of Salem budget.

Attachments: [Resolution 2019-24](#)

[Resolution 2019-24, Exhibit A](#)

[City of Salem FY 2020 City Council Amendments Summary](#)

[City of Salem FY 2019 Carryovers for the FY 2020 Budget, General Fund](#)

[City of Salem FY 2019 Carryovers for the FY 2020 Budget, All Other City Funds](#)

[Written Testimony 1](#)

[Written Testimony 2](#)

Add - Written Testimony.

3.3 ACTION ITEMS

3.3a. [19-270](#) Intergovernmental Agreement with the Salem Area Mass Transit District

Ward(s): All Wards
 Councilor(s): All Councilors
 Neighborhood(s): All Neighborhoods
 Result Area(s): Safe Community.

Recommendation: Authorize the City Manager to execute the attached IGA with SAMTD for police services at the Downtown Transit Center during Fiscal Year 2019-2020 and Fiscal Year 2020-2021.

Attachments: [IGA with Salem Area Mass Transit District](#)

3.3b. [19-283](#) Capital Improvement Plan for FY 2020 through FY 2024

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance; Natural Environment

Stewardship; Safe Community; Safe, Reliable and Efficient

Infrastructure; Strong and Diverse Economy; Welcoming and Livable Community.

Recommendation: Adopt the Capital Improvement Plan for FY 2020 through FY 2024 as recommended by the Budget Committee with the amendments to stormwater project 723 and streets project 554 as presented in attachment 2 and 3.

Attachments: [Recommended Capital Improvement Plan for FY 2020 through 2024](#)

[Project 723 - Pringle Creek Storm Enhancements](#)

[Project 554 - McGilchrist Street SE Corridor Improvements](#)

3.3c. [19-294](#) Recommended appointments to the Citizen Budget Committee, Citizens Advisory Traffic Commission, Civil Service Commission, Downtown Advisory Board, Salem Cultural and Tourism Advisory Board, and Salem Public Library Board

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Result Area - Good Governance

Recommendation: Appoint the applicants listed to the Citizen Budget Committee, Citizens Advisory Traffic Commission, Civil Service Commission, Downtown Advisory Board, Salem Cultural and Tourism Promotion Advisory Board, and Salem Public Library Advisory Board.

Attachments: [April Davis Application Redacted](#)

[Jeffrey R. Morehead Application Redacted](#)

[Joshua Kay Application Redacted](#)

[Lowell Alik Application Redacted](#)

[Ryan Gail Application Redacted](#)

[Gretchen Coppedge Application Redacted](#)

[Katherine Daniels Application Redacted](#)

4. PUBLIC HEARINGS

4.a. [19-244](#) Exemption from Competitive Bidding Process and Authorization of

an Alternative Contracting Method for the Geren Island Water Treatment Facility Improvements Project.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Recommendation: Conduct a public hearing and adopt Resolution No. 2019-16 in support of an exemption from the competitive bidding process and use of a Construction Manager / General Contractor contracting method for improvements to the Geren Island Water Treatment Facility.

Attachments: [Resolution 2019-16](#)
[718010 GIWTF Facts & Findings.docx](#)

4.b. [19-284](#) Petitioner-Initiated Annexation of Territory Located at 1235 Hoffman Road NE - 97301 (Annexation Case No. C-732)

Ward(s): 6

Councilor(s): Hoy

Neighborhood(s): ELNA

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

Recommendation:

1. Find that the Petitioners have signed a valid triple majority petition for annexation of the Territory, in conformance with Oregon Revised Statutes (ORS) Chapter 222;
2. Determine that the Petition satisfies the criteria of Salem Revised Code (SRC) 260.060(c) and adopt Order No. 2019-02-ANX (Attachment 2);
3. Apply the City of Salem RS (Residential Agriculture) zone to the Territory from Marion County UD (Urban Development); and
4. Withdraw the Territory from Marion County Fire District #1 and the East Salem Sewer & Drainage District.

Attachments: [Vicinity Map](#)
[Order No. 2019-02-ANX](#)
[Public Works Department Parks Comments](#)
[Fire Department Comments](#)
[Public Works Department Development Services Section Comments](#)
[Finance Division Comments](#)
[Salem-Keizer Public Schools Comments](#)

4.c. [19-285](#) Petitioner-Initiated Annexation of Territory Located at 4700 Block of Lancaster Drive NE - 97305 (Annexation Case No. C-727)

Ward(s): 5

Councilor(s): Ausec

Neighborhood(s): Northgate

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

Recommendation:

1. Find that the Petitioners have signed a valid triple majority petition for annexation of the Territory, in conformance with Oregon Revised Statutes (ORS) Chapter 222;
2. Determine that the Petition satisfies the criteria of Salem Revised Code (SRC) 260.060(c) and adopt Order No. 2019-03-ANX (Attachment 2);
3. Apply the City of Salem CG (General Commercial) zone to the Territory from Marion County CG (Commercial General); and
4. Withdraw the Territory from Marion County Fire District #1 and the East Salem Sewer & Drainage District.

Attachments:

[Vicinity Map](#)

[Order No. 2019-03-ANX](#)

[Public Works Department Parks Comments](#)

[Fire Department Comments](#)

[Public Works Development Services Section Comments](#)

[Finance Division Comments](#)

[Marion County Public Works Engineering Division Comments](#)

4.d. [19-263](#)

City Council review of the Planning Administrator's decision approving a Tentative Subdivision Review with a Class 2 Adjustment application for Permit Case No. SUB-ADJ19-03 for property located at the 600 Block of Mildred Lane SE.

Ward(s): Ward 4

Councilor(s): Leung

Neighborhood(s): South Gateway Neighborhood Association

Result Area(s): Welcoming and Livable Community

Recommendation:

Staff recommends that the City Council AFFIRM the May 6, 2019 Planning Administrator's Decision.

Attachments:

[Vicinity Map](#)

[Tentative Subdivision Plan](#)

[Planning Administrator Decision](#)

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)

5.a. [19-305](#)

Mobile Home Park Preservation

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Letter from representatives for residents of Sundial Mobile Home Park](#)

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

- 6.a. [19-266](#) Purchases approved administratively from May 1, 2019 through May 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 May 2019](#)

- 6.b. [19-274](#) NOTICE OF APPEALS RECEIVED - Two appeals have been received for the decision on an application for a 34-lot subdivision and will be heard by the Planning Commission unless called-up by the City Council.

Planning Administrator Decision - Subdivision / Class 1 Adjustment Case No. SUB-ADJ19-02 - 500 to 600 Blocks of Salem Heights Avenue S -Thomas Kay Co - Approved - A consolidated application for a proposed 34-lot subdivision (Wren Heights) that divides approximately 8 acres into 34 lots ranging in size from approximately 5,251 square feet to approximately 22,034 square feet. The applicant is requesting an alternative street standard for Earhart Street S and Felton Street S; in addition, a Class 1 Adjustment to reduce the minimum lot depth for Lot 7 from 120 feet, as required for double frontage lots under SRC 511.010(a), Table 511-2, to approximately 106-feet. The subject property is approximately 8 acres in size, zoned RS (Single Family Residential), and located in the 500 to 600 blocks of Salem Heights Avenue S.

Ward(s): 7

Councilor(s): Cook

Neighborhood(s): SWAN

Recommendation: Information Only.

Attachments: [Land Use Decision SUB-ADJ19-02](#)

[Appeal Application - Eachus](#)

[Appeal Application - Rietmann](#)

Revised - Report Revised.

6.c. [19-281](#)

Planning Commission Decision - Class 3 Design Review / Class 3 Site Plan Review / Class 2 Adjustment Case No. DR-SPR-ADJ19-03 - Approved - Union Gospel Mission of Salem - 700 to 800 Blocks of Commercial St NE & 253 to 275 Division St NE - A consolidated application for development of the Union Gospel Mission (UGM) of Salem's proposed new relocated men's shelter.

Ward(s): 1
Councilor(s): Kaser
Neighborhood(s): CANDO

Recommendation: Information Only.

Attachments: [Land Use Decision DR-SPR-ADJ19-03](#)

6.d. [19-282](#)

Hearings Officer Decision - Nonconforming Use / Site Plan Review / Adjustment Case No. NC-SPR-ADJ19-01 - Approved - Jeffrey Tross of Tross Consulting on behalf of Jennifer and Dean Stockwell - 3000 Block of Pringle Rd SE - Consolidated Nonconforming Use, Class 3 Site Plan Review, and Class 2 Adjustment applications to expand the nonconforming uses allowed on an existing private 30-foot-wide access easement through property zoned RM2 (Multiple Family Residential 2); to construct a new multi-tenant building with parking lot, landscaping, and other site improvements; and two class two adjustments to 1) reduce the required 30-foot setback to the west property line to approximately 20-feet 8-inches and 2) reduce the required 30-foot setback to the south property line to approximately 17-feet 6-inches on a property approximately 1.05 acres in size, zoned IP (Industrial Park), located at the 3000 Block of Pringle Road SE, adjacent to the west of 3224 Pringle Road SE 97302.

Ward(s): Ward 2
Councilor(s): Andersen
Neighborhood(s): Morningside

Recommendation: Information Only.

Attachments: [Land Use Decision NC-SPR-ADJ19-01.pdf](#)

6.e. [19-291](#)

Planning Administrator Decision - Partition Case No. PAR19-07 - Approved - Brenden McMullen - 3393 Pioneer Dr SE - A tentative partition plan to divide approximately 0.58 acres into 3 parcels, with Parcel 1 consisting of 7,877, Parcel 2 consisting of 5,500 square feet and Parcel 3 consisting of 7,400 exclusive of the flag lot accessway.

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

Neighborhood(s): Morningside

Recommendation: Information Only.

Attachments: [Land Use Decision PAR19-07](#)

- 6.f.** [19-292](#) Announcing Mayoral appointments to the Center 50+ Advisory Commission and Salem Human Rights Commission

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Result Area - Good Governance

Recommendation: Information Only.

Attachments: [John Hughes Application Redacted](#)

[Jon Deming Application Redacted](#)

[Billie Larson Application Redacted](#)

[Tricarico Schwartz Application Redacted](#)

[Lowell Alik Application Redacted](#)

[Wilma J. Marchbanks Application Redacted](#)

- 6.g.** [19-303](#) Planning Administrator Decision - Partition Case No. PAR19-05 - Approved - Jeffrey Latimer - 3146 Beacon Street NE - A tentative partition plan to divide approximately 0.49 acres (21,235 square feet) zoned RS (Single Family Residential) and located at 3146 Beacon Street NE (Marion County Assessor's Map and Tax Lot number 073W13AD / 1100) into two parcels, with Parcel 1 consisting of approximately 9,583 square feet and Parcel 2 consisting of approximately 11,652 square feet.

Ward(s): 5

Councilor(s): Ausec

Neighborhood(s): Lansing

Recommendation: Information Only.

Attachments: [Land Use Decision PAR19-05](#)

7. ORDINANCES

7.1 FIRST READING:

- 7.1a.** [19-88](#) Amendments to SRC Chapter 97 - Human Rights.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance; Safe Community; Welcoming

and Livable Community.

Recommendation: Advance Ordinance Bill No. 7-19, amending SRC chapter 97 - Human Rights, to second reading for enactment.

Attachments: [ORDINANCE BILL NO. 7-19](#)
[Exhibit A to Ordinance Bill No. 7-19](#)

7.2 SECOND READING:

7.2a. [19-302](#) Unified Development Code Update

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

Recommendation: Conduct second reading of Engrossed Ordinance Bill No. 6-19, adopting amendments to the Unified Development Code and other chapters of the Salem Revised Code.

Attachments: [Engrossed Ordinance Bill No. 6-19](#)
[Exhibit A to Engrossed Ordinance Bill No. 6-19 - Amendments](#)
[Exhibit B to Engrossed Ordinance Bill No. 6-19 - Findings](#)

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 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. [19-286](#)

CITY COUNCIL PUBLIC HEARINGS

Held in the Council Chambers unless otherwise noted

City Council review of the Planning Commission's Decision approving a Comprehensive Plan Map Change and Zone Change Case No.

CPC-ZC19-03 for a 15.8 acre property located at 5871 Liberty Road S from "Developing Residential" with RA (Residential Agriculture) zoning to "Multifamily Residential" with RM-2 (Multiple Family Residential) zoning

Monday, July 8, 2019 at 6:00 p.m.

SALEM HOUSING AUTHORITY PUBLIC HEARINGS

URBAN RENEWAL AGENCY PUBLIC HEARINGS

WORK SESSIONS Held in the Anderson Rooms at the Salem Public Library, 585 Liberty Street SE, unless otherwise noted

First Phase of Our Salem Project

Monday, August 19, 2019 at 6:00 p.m.

BUDGET COMMITTEE MEETINGS

Held in the Council Chambers unless otherwise noted

SCHEDULE OF NEIGHBORHOOD ASSOCIATION ANNUAL MEETINGS

Neighborhood - Annual Meeting Date - Councilor

Faye Wright - July 11 - Nanke, Cook

Northgate - September 19 - 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.

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.

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.

