



CITY OF SALEM
Meeting Agenda
City Council

555 Liberty St SE
Salem, OR 97301

Monday, February 11, 2019

6:00 PM

Council Chambers

EXECUTIVE SESSION

City Council

5:30 p.m. - City Manager's Conference Room

Real Property Transactions - ORS 192.660(2)(e)

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

Pledge of Allegiance

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. [19-59](#) January 28, 2019 Draft City Council Minutes

Attachments: [1-28-19 Draft Council Minutes](#)

- 3.1b. [19-81](#) January 23, 2019 Draft City Council Work Session Minutes

Attachments: [1-23-19 Draft Council Work Session Minutes](#)

- 3.1c. [19-82](#) January 30, 2019 Draft City Council Work Session Minutes

Attachments: [1-30-19 Draft Council Work Session Minutes](#)

3.2 RESOLUTIONS

3.3 ACTION ITEMS

- 3.3a. [19-20](#) Local Agency Agreement with the Oregon Department of Transportation (ODOT) for Signalized Intersection Improvements on 12th Street.

Ward(s): 1, 2

Councilor(s): Kaser, Andersen

Neighborhood(s): CANDO, NEN, SESNA

Service Area(s): Safe and Reliable Infrastructure

Recommendation: Authorize the City Manager to execute a Local Agency Agreement with ODOT to fund the design and construction of traffic signal improvements on 12th Street through the State Funded Local Project Program.

Attachments: [717506 Aqmt 32509](#)

[Project Location Map](#)

- 3.3b. [19-43](#) Subordination of Two HOME Investment Partnership Act Loans.

Ward(s): Ward 1

Councilor(s): Kaser

Neighborhood(s): CANDO

Result Area(s): Welcoming and Livable Community.

Recommendation: Authorize the subordination of two HOME Investment Partnership Act rehabilitation deferred payment forgivable loans for Jason Lee Manor, located at 1551 Center Street NE

- 3.3c. [19-65](#) Priority bills for 2019 Legislative Session

Ward(s): All Wards
 Councilor(s): All Councilors
 Neighborhood(s): All Neighborhoods

Recommendation: Approve the City of Salem's positions on the attached legislative bills active in the 2019 Oregon Legislative Session.

Attachments: [2018-19 Salem Legislative Policy Statements](#)
[Bills Reviewed by Legislative Committee on January 25, 2019](#)
[Public Comment received 2-11-19](#)

Add - Written Testimony.

3.3d. [19-70](#)

Ratification of the Subordination of two Community Development Block Grant loans.

Ward(s): Ward 1
 Councilor(s): Councilor Kaser
 Neighborhood(s): CANDO
 Result Area(s): Welcoming and Livable Community.

Recommendation: Ratify the subordination of two Community Development Block Grant (CDBG) deferred payment forgivable loans for the Salem Family YMCA, located at 685 Court Street.

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](#)

Deleted - This item has been removed from the agenda and will be rescheduled to February 25, 2019.

4.b. [19-64](#)

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:

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. 2019-01-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. 2019-01-ANX Adopting the Final Decision and Findings of Compliance](#)

[Public Works Department Parks Comments](#)

[Fire Department Comments](#)

[Public Works Department Development Services Section Comments](#)

[Finance Division Comments](#)

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. [19-74](#)

Council decision on how to proceed with Salem River Crossing Project

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:

Authorize the Mayor to sign a letter indicating how Council intends to proceed with the Salem River Crossing Project.

Attachments:

[Take Action on Remaining Issues](#)

[No Further Action](#)

[Public Comments received through 5:00 p.m. 2-6-19](#)

[Public Comments received through 3:30 p.m. 2-11-19](#)

[Public Comments received by 5:00 p.m. 2-11-19](#)

Add - Written Testimony.

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

- 6.a.** [19-41](#) Purchases approved administratively - December 1, 2018 through December 31, 2018.
- Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Result Area(s): Good Governance
- Recommendation:** Information only.
- Attachments:** [Purchases approved administratively December 2018](#)
- 6.b.** [19-68](#) Hearings Officer Decision - Validation of Units of Land Case No. VUL18-02 - Approved - Boulder Hill, LLC (Robert Nunn) - 2500 Block Kuebler BV S - A proposal to validate a unit of land that was created as a separate tax lot through a sale by deed in 1998.
- Ward(s): 3
Councilor(s): Nanke
Neighborhood(s): Morningside
- Recommendation:** Information Only.
- Attachments:** [Land Use Decision VUL18-02](#)
- 6.c.** [19-72](#) Hearings Officer Decision - Validation of Units of Land Case No. VUL18-03 - Approved - Michael Buck and Olin Green - 4145 Homestead Rd S - A proposal to validate a unit of land that was created as a separate tax lot through a sale by deed in 1987.
- Ward(s): 7
Councilor(s): Cook
Neighborhood(s): SWAN
- Recommendation:** Information Only.
- Attachments:** [Land Use Decision VUL18-03](#)
- 6.d.** [19-75](#) Hearings Officer Decision - Conditional Use / Class 3 Site Plan Review Case No. CU-SPR18-12 - Approved - Bridge Covenant Church - 1715 Capitol St NE - A conditional use and site plan review to allow a religious assembly.
- Ward(s): Ward 1
Councilor(s): Kaser
Neighborhood(s): Grant

Recommendation: Information Only.

Attachments: [Land Use Decision CU-SPR18-12](#)

- 6.e. [19-78](#) Announcing Mayoral appointments to the Library Renovation Council Subcommittee

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Welcoming and Livable Community

Recommendation: No action necessary; this is an information report.

Attachments: [Library Renovation Project Timeline](#)

- 6.f. [19-79](#) Additional Information on the Salem River Crossing Project.

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: [Second Supplemental Q+A.pdf](#)

- 6.g. [19-80](#) Planning Administrator Decision - Partition / Class 1 Adjustment Case No. PAR-ADJ18-12 - Approved John Kirk and Sarah R. Kirk - 2160 Trade Street SE - A proposed partition to divide a lot along the southerly side of Trade Street SE into two parcels with a Class 1 Adjustment for lot width and depth ratio.

Ward(s): 2

Councilor(s): Andersen

Neighborhood(s): SESNA

Recommendation: Information Only.

Attachments: [Land Use Decision PAR-ADJ18-12](#)

7. ORDINANCES

7.1 FIRST READING:

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 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. [19-67](#)

CITY COUNCIL PUBLIC HEARINGS

Held in the Council Chambers unless otherwise noted

Proposed Revisions to Systems Development Charges (SDC)

Monday, February 25, 2019 at 6:00 p.m.

SALEM HOUSING AUTHORITY PUBLIC HEARINGS

URBAN RENEWAL AGENCY PUBLIC HEARINGS

WORK SESSIONS Held in the Council Chambers unless otherwise noted

Urban Renewal Agency

Downtown Streetscape Design

Tuesday, February 19, 2019 at 6:00 p.m.

City Council

Downtown Homeless Solutions Task Force Implementation

Tuesday, February 19, 2019 - Begins immediately following work session on Downtown Streetscape Design

City Council

Aligning Services to Available Resources

Wednesday, February 27, 2019 at 6:00 p.m.

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

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.

