



# **CITY OF SALEM**

555 Liberty St SE  
Salem, OR 97301

## **Meeting Agenda**

### **City Council**

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**Monday, November 13, 2017**

**6:00 PM**

**Council Chambers**

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#### **WORK SESSION**

**5:00 p.m. - Council Chambers**  
**Pedestrian Safety Study**

#### **EXECUTIVE 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**

- 3.1 a. [17-277](#) October 23, 2017 Draft City Council Minutes

**Attachments:** [10-23-17 Draft Council Minutes](#)

## 3.2 RESOLUTIONS

## 3.3 ACTION ITEMS

- 3.3 a. [17-529](#) Liberty Parkade retail lease with Feinstrasse LLC

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

**Recommendation:** 1. Find that the City-owned leasehold space located at 365 Ferry Street SE, Suite A is not needed for public use; and

2. Authorize the City Manager to execute the attached retail lease with Feinstrasse LLC.

**Attachments:** [Proposed Lease](#)

- 3.3 b. [17-531](#) Intergovernmental Agreement with Marion County for the Cordon Road SE and Kuebler Boulevard SE Traffic Signal Interconnect Project

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

**Recommendation:** Authorize the City Manager to execute an Intergovernmental Agreement with Marion County for the design and construction of new traffic signal interconnect on Cordon Road SE and Kuebler Boulevard SE from Caplinger Road SE to Mill Creek Drive SE.

**Attachments:** [Attachment A - Vicinity Map](#)  
[Attachment B - Intergovernmental Agreement](#)

- 3.3 c. [17-533](#) Position Addition

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

**Recommendation:** Authorize the Salem Police Department to add one new Administrative Analyst II position, thereby allowing the Department to address staffing shortages of sworn Police Officers.

- 3.3 d. [17-539](#) Intergovernmental Agreement with Marion County for Mobile Crisis Response Team services

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

Neighborhood(s): All Neighborhoods

**Recommendation:**

Authorize the City Manager to execute the attached IGA (Attachment A) with Marion County, and any amendments to the IGA, in order to provide Mobile Crisis Response Team services during Fiscal Year 2017-2018 and 2018-2019.

**Attachments:** [IGA Marion County For MCRT Services](#)

## 4. PUBLIC HEARINGS

4. a. [17-524](#) Public hearing regarding vacation of Frontage Road NW and Paradise Court NW.

Ward(s): 8

Councilor(s): Lewis

Neighborhood(s): West Salem Neighborhood Association

**Recommendation:**

Approve the vacation of Frontage Road NW and Paradise Court NW subject to the following four conditions:

1. Final approval of the Capital Manor Partition Plat;
2. Provision of an easement for utilities;
3. Petitioner to maintain and pay on-going expenses for the three streetlights on Paradise Court NW, and
4. Payment of an assessment of special benefit in the amount of \$240,969.16.

**Attachments:** [Legal and Map](#)

[Attachment 2 - Capital Manor Vacation Map](#)

[Attachment 3 - Capital Manor Notice of Public Hearing](#)

[Attachment 4 - Real Property Services Evaluation](#)

4. b. [17-534](#) City Council review of the Planning Administrator's decision for Phased Subdivision / Urban Growth Preliminary Declaration Case No. SUB-UGA17-08 for property located at 3906 Corredale Drive S.

Ward(s): Ward 7

Councilor(s): Cook

Neighborhood(s): SWAN

**Recommendation:**

AFFIRM the Planning Administrator's September 29, 2017 decision.

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

[Site Plan](#)

[SUB-UGA17-08 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. [17-530](#)**

Announcing Mayoral appointment of Douglas Brenizer to the Airport Advisory Commission

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Recommendation:**

As described in Salem Revised Code Chapter 9, the Airport Advisory Commission (AAC) advises the Council on all airport matters. Mayor Bennett appointed Mr. Brenizer to a partial-term position on October 23, 2017, to fill a recent vacancy for an Active Pilot position. His partial term expires on December 31, 2018.

**Attachments:** [Douglas Edward Brenizer Application - Redacted.pdf](#)

**5. b. [17-537](#)**

Announcing appointment to the Salem City Council Transit Committee

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Recommendation:**

In an effort to include as many community members as possible who have an interest in having the Salem area served by a robust, convenient, and financially sustainable public transportation system, Mayor Bennett is announcing the appointment of the following individual to the committee:

James Alderson

**5. c. [17-545](#)**

Creation of a Council Task Force to evaluate options for reducing traffic congestion and improving vehicular mobility around the Marion and Center Street bridges.

Ward(s): Ward 1, 2

Councilor(s): Kaser, Andersen

Neighborhood(s): CANDO, SCAN, West Salem

**Attachments:** [Written Testimony - Easterly](#)

*Add- Written Testimony*

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

**6. a. [17-339](#)**

Library Code of Conduct and Children's Safety

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Recommendation:**

Information only

**Attachments:** [Notice of Proposed Administrative Rulemaking](#)[Childrens and Teen Area Use Final Draft](#)[Childrens Safety in the Library Final Draft](#)[Code of Conduct Final 2017](#)**6. b. [17-496](#)**

Purchases approved administratively - September 1, 2017, through September 30, 2017.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Recommendation:** Information only.

**Attachments:** [Purchases approved administratively September 2017](#)**6. c. [17-540](#)**

Planning Administrator Decision - Subdivision / Class 2 Adjustment Case No. SUB-ADJ17-09 - Approved - Dogwood Heights, LLC (Eric Jensen) - 3700 & 3800 Blocks of Dogwood Drive S - A consolidated application for a 46-lot phased subdivision ("Dogwood Heights") containing the following requests:

- 1) A phased subdivision tentative plan to divide approximately 14.14 acres into 46 lots and; 2) Class 2 Adjustments to:
  - a) Increase the maximum allowed grade of Hillside Court S, a local street, from 12 percent, as required under SRC 803.035(c), to 15 percent; and
  - b) Increase the maximum length of the flag lot accessway serving Lots 36-39 from 400 feet, as required pursuant to SRC 800.025(c), to 500 feet.

Ward(s): 7

Councilor(s): Cook

Neighborhood(s): SWAN

**Recommendation:** Information Only.

**Attachments:** [Land Use Decision SUB-ADJ17-09](#)[11-13-17 Written Testimony 1](#)

*Add - Written Testimony*

**6. d. [17-547](#)**

Planning Administrator Decision - Subdivision / Class 2 Adjustment Case No. SUB-ADJ17-10 - Approved - Sam Lapray - 1200 & 1295 Madrona Avenue SE - A subdivision to divide 2.41 acres into 15-lots ranging in size from approximately 4,060 square feet to approximately 10,899 square feet, with the following Class 2 Adjustments:

- 1) To increase the number of flag lots allowed in a subdivision from a maximum of 15 percent, to 19 percent;
- 2) To increase the maximum lot depth for Lot 5 from 300% of

average lot width for lot 5 to 331% of the average lot width; and  
3) To decrease the lot width at the setback line for Lot 4 from 40 feet to approximately 31 feet in width.

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

**Recommendation:** Information Only.

**Attachments:** [Land Use Decision SUB-ADJ17-10](#)

## 7. ORDINANCES

### 7.1 FIRST READING:

- 7.1 a. [17-520](#) Petitioner-Initiated Annexation of Territory Located at 4932 Swegle Road NE 97301 (Annexation Case No. C-721)

Ward(s): 6  
Councilor(s): Hoy  
Neighborhood(s): ELNA

**Recommendation:** Conduct first reading of Ordinance Bill No. 24-17 annexing, applying the City of Salem RS (Single Family Residential) zone, and withdrawing from the Marion County Fire District #1 and the East Salem Sewer and Drainage District, for a 0.55-acre property located at 4932 Swegle Road NE.

**Attachments:** [Vicinity Map](#)  
[Ordinance Bill No 24-17](#)  
[Exhibit A - Territory Legal Description and Map](#)

### 7.2 SECOND READING:

- 7.2 a. [17-528](#) Proposed Comprehensive Plan Map Change - "Developing Residential" to "Multifamily Residential" for a 1.46-acre portion of a 2.64 acre property located at 1332 and 1334 Wallace Road NW.

Ward(s): Ward 1  
Councilor(s): Kaser  
Neighborhood(s): West Salem Neighborhood Association

**Recommendation:** Conduct second reading of Ordinance Bill No. 23-17 changing the Comprehensive Plan Map designation from "Developing Residential" to "Multifamily Residential" for a 1.46-acre portion of a 2.64 acre property located at 1332 and 1334 Wallace Road NW.

**Attachments:** [Vicinity Map](#)[Planning Commission Recommendation to City Council](#)[CPC-ZC17-06 Notice of Decision](#)[Ordinance 23-17](#)[Ordinance, Exhibit A](#)[Ordinance, Exhibit B](#)**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. [17-527](#)**

PUBLIC HEARINGS - Held in the Council Chambers unless otherwise noted

Appeal of Planning Commission Decision - Class 3 Design Review/Conditional Use/Class 3 Site Plan Review/Class 2 Driveway Approach Permit Case No. DR-CU-SPR-DAP17-05 - Approved - Basil Elias - 3010 Silverton Road NE - A consolidated application for a Design Review, Conditional Use Permit, Site Plan Review, and Driveway Approach Permit to allow for the development of a proposed 96-unit multiple family development on property located at 3010 Silverton Road NE  
Monday, November 27, 2017 at 6:00 p.m.

NESCA-Lansing Neighborhood Plan  
Monday, December 4, 2017 at 6:00 p.m.

Exemption from Competitive Bidding Requirement and Authorization of an Alternative Contracting Method for a Class of Public Improvement Contracts - Related to the New Public Safety Facility Project  
Monday, December 11, 2017 at 6:00 p.m.

Recodification of the Unified Development Code  
Monday, December 11, 2017 at 6:00 p.m.

WORK SESSIONS - Held in the Council Chambers unless otherwise noted

Transient Occupancy Tax (TOT)  
Monday, November 20, 2017 at 6:00 p.m.

Council Policy Agenda  
Tuesday, January 16, 2018 at 6:00 p.m.

BUDGET COMMITTEE MEETING - Held in the Council Chambers unless otherwise noted

Wednesday, December 13, 2017 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>.

**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 5:00 pm on the day of the City Council meeting when the item will be considered. 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 205, 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.

