



# CITY OF SALEM

## Meeting Agenda

### City Council

555 Liberty St SE  
Salem, OR 97301

---

**Monday, March 26, 2018**

**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**

**1.3 a. [18-128](#)** Proclamation recognizing Arbor Week

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Recommendation:** Information only.

**Attachments:** [Proclamation - Arbor Week.pdf](#)

**1.3 b. [18-129](#)** Proclamation recognizing Wyland Mayor's Water Conservation Challenge Month

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Recommendation:** Information only.

**Attachments:** [Proclamation - Wyland Mayor's Water Conservation Challenge Month.pdf](#)

- 1.3 c. [18-130](#)** Proclamation recognizing Child Abuse Prevention Month

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Recommendation:** Information only.

**Attachments:** [Proclamation - Child Abuse Prevention Month.pdf](#)

## 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. [18-140](#)** March 12, 2018 Draft Council Minutes

**Attachments:** [3-12-18 Council Minutes](#)

### 3.2 RESOLUTIONS

- 3.2 a. [18-93](#)** Initiation of eminent domain/condemnation proceedings related to the Fisher Road NE Improvements Project.

Ward(s): 6

Councilor(s): Hoy

Neighborhood(s): NESCA

**Recommendation:** Adopt Resolution 2018-16 authorizing the use of eminent domain to acquire right-of-way from one remaining property owner for construction of the Fisher Road NE Extension Improvements project.

**Attachments:** [Project Area Map](#)  
[Resolution No. 2015-42](#)  
[Resolution No. 2018-16](#)  
[Exhibits A & B to Resolution No. 2018-16](#)

- 3.2 b. [18-135](#)** Amending Council Policy No. C-7, Investment Policy and Portfolio Guidelines.

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

**Recommendation:** Adopt Resolution No. 2018-17 amending Council Policy No. C-7, Investment Policy and Portfolio Guidelines.

**Attachments:** [Resolution No. 2018-17 Amending Council Policy C-7.](#)  
[Council Policy C-7 with Amendments \(Resolution Exhibit A\).](#)  
[Council Policy C-7 with Amendments \(Redline Changes\).](#)  
[Staff Report Dated February 8, 2016, Relating to the Adoption of Council Policy C-7.](#)

### 3.3 ACTION ITEMS

- 3.3 a. [18-113](#) Intergovernmental Agreement with the State of Oregon regarding real property in the 4100 block of Fisher Road NE.

Ward(s): 5  
Councilor(s): Ausec  
Neighborhood(s): Northgate

**Recommendation:** Authorize the City Manager to execute the attached third amendment to the Intergovernmental Agreement with the State of Oregon, extending the closing date for the acquisition of real property in the 4100 block of Fisher Road NE.

**Attachments:** [Agreement as amended](#)  
[Proposed Third Amendment](#)

- 3.3 b. [18-115](#) Transfer of real property between the City of Salem and Salem-Keizer School District

**Recommendation:** Authorize the City Manager to execute the attached amendment to the Intergovernmental Agreement with SKSD, extending the closing date to September 28, 2018 for transferring multiple properties between the City and SKSD.

**Attachments:** [Amended Agreement](#)  
[Proposed Amendment](#)

### 4. PUBLIC HEARINGS

4. a. [18-132](#) Reconsideration of the Lone Oak Reimbursement District

Ward(s): 4  
Councilor(s): McCoid  
Neighborhood(s): South Gateway

**Recommendation:** Affirm Lone Oak Road Reimbursement District to collect funds for reimbursement of the developer's costs associated with constructing Lone Oak Road SE between Muirfield Avenue SE and Rees Hill Road SE.

**Attachments:** [File 18-32 - Staff Report from 1-22-18 Council Meeting](#)

[Written Testimony - Jerry Bennett on behalf of South Gateway Neighborhood Assoc.](#)

[3-26-18 Council Written Testimony 2](#)

[3-26-18 Council Written Testimony 3](#)

*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. [18-90](#) Annual Planning Commission Report

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Recommendation:** Information Only.

**Attachments:** [2017 PC Committee Assignments](#)

[2017 PC Case History](#)

[Planning Commission 2018-2019 Work Plan](#)

6. b. [18-127](#) Hearings Officer Decision - Conditional Use Case No. CU18-01 - Approved - Eric Kittleson and Carole Smith - 1415 Jefferson Street NE - A conditional use application for a short term rental use in a single family dwelling.

Ward(s): 1

Councilor(s): Kaser

Neighborhood(s): NEN

**Recommendation:** Information Only.

**Attachments:** [Land Use Decision CU18-01](#)

6. c. [18-133](#) Planning Administrator Decision - Class 3 Site Plan Review / Class 2 Driveway Approach Permit / Tree Regulation Variance / Class 1 Adjustment / Class 1 Design Review Case No. SPR-DAP-TRV-ADJ-DR17-29 - Approved - Jeff Gordon for Orchard Heights Apartments LLC (CH Registered Services, LLC (Gretchen Barnes, Cable Huston LLP (( Clark I. Balfour, Robert T. Huston, Thomas M. Grim, James S. Kincaid, Gretchen S. Barnes, Tommy A.

Brooks, Lauar J. Walker, Anita H. Grinich, Jan K. Kitchel, Richard G. Lorenz, Laura Maffei, Jon W. Monson, Casey M. Nokes, Chad M. Stokes, Nikki Swift, Katherine O. Vanzanten, James E. Benedict, G. Kevin Kiely, Jonathan J. Cavanagh)), Investment Development Management LLC, Otto E. Gaither, JR) - 1800-2000 Block of Linwood Street NW - Proposed development of a new 322 dwelling unit multi-family apartment complex.

Ward(s): 8  
Councilor(s): Lewis  
Neighborhood(s): West Salem

**Recommendation:** Information Only.

**Attachments:** [Land Use Decision SPR-DAP-TRV-ADJ-DR17-29](#)

6. d. [18-134](#) City's legislative activities during the 2018 session of the Oregon State Legislature.

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

**Recommendation:** Information only.

**Attachments:** [2018 Legislative Policy Statements](#)  
[2018 Legislative Session Summary](#)

6. e. [18-139](#) Tax Collection Agreement with Airbnb

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

**Recommendation:** Information Only.

**Attachments:** [Tax Collection Agreement](#)

6. f. [18-143](#) Planning Administrator Decision - Modification of Tentative Phased Subdivision Plan Case No. SUB-PLA14-02MOD1 - West Coast Home Solutions, LLC (Eugene V. Labunsky) - 2825 Brush College Road NW - A modification of the approval of SUB-PLA14-02 (the "Brush College Hills" phased subdivision) to reconfigure street intersection grades within phases 3 and 4 of the subdivision to comply with American with Disabilities Act (ADA) requirements. The required reconfiguration of street intersection grades within these phases consequently requires modification of the alignment of the internal streets and the configuration of lots. The modification results in two additional lots within phase 3; no additional lots are created in phase 4.

Ward(s): 8  
Councilor(s): Lewis  
Neighborhood(s): West Salem

**Recommendation:** Information Only.

**Attachments:** [Land Use Decision SUB-PLA14-02MOD1](#)

## **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](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. [18-124](#)**

PUBLIC HEARINGS - Held in the Council Chambers unless otherwise noted

Appeal of Hearings Officer Decision - Conditional Use/Quasi-Judicial Zone Change Case No. CU-ZC17-14 for the proposed relocation of the Union Gospel Mission of Salem Men's Shelter  
Monday, April 23, 2018 at 6:00 p.m.

2018 Community Development Block Grant and HOME Investment Partnership Program Action Plan  
Monday, May 14, 2018 at 6:00 p.m.

WORK SESSIONS - Held in the Council Chambers unless otherwise noted

Downtown Salem Streetscape Design Plan  
Monday, May 21, 2018 at 6:00 p.m.

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

Proposed FY 2019 City of Salem Budget to the Budget Committee  
Public Hearings - Capital Improvement Plan and State Revenue Sharing  
Wednesday, April 25, 2018 at 6:00 p.m.

Budget Committee Review FY 2019 Budget  
Wednesday, May 2, 2018 at 6:00 p.m.

Budget Committee Recommends FY 2019 Budget and FY 2019-23 Capital Improvement Plan to City Council  
Wednesday, May 9, 2018 at 6:00 p.m.

**SCHEDULE OF NEIGHBORHOOD ASSOCIATION ANNUAL MEETINGS**

Neighborhood - Annual Meeting Date - Councilor  
Northgate - March 13 - 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>.

**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: [Imanderson@cityofsalem.net](mailto:Imanderson@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.

