



# CITY OF SALEM

## Meeting Agenda

### City Council

555 Liberty St SE  
Salem, OR 97301

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**Monday, January 14, 2019**

**6:00 PM**

**Council Chambers**

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#### **EXECUTIVE SESSIONS**

##### **City Council**

**5:00 p.m. - City Manager's Conference Room**

**Current or Pending Litigation - ORS 192.660(2)(h)**

##### **City Council**

**5:15 p.m. - City Manager's Conference Room**

**Labor Negotiations - ORS 192.660(2)(d)**

##### **City Council**

**5:45 p.m. - City Manager's Conference Room**

**Relating to the City Manager's performance evaluation process**

**ORS 192.660(2)(i)**

#### **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**

**Swearing-In / Oaths of Office**

**Roll Call**

**Pledge of Allegiance**

**Election of Council President**

**1.1 APPROVAL OF ADDITIONS AND DELETIONS TO THE AGENDA**

## 1.2 COUNCIL AND CITY MANAGER COMMENT

### 1.3 PROCLAMATIONS

- 1.3a. [19-35](#) Proclamation recognizing Willamette Valley Treaty Commemoration Day

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

**Recommendation:** Information Only.

**Attachments:** [Proclamation - Willamette Valley Treaty Commemoration Day](#)

### 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. [18-491](#) December 10, 2018 Draft City Council Minutes

**Attachments:** [12-10-18 Draft Council Minutes](#)

- 3.1b. [18-582](#) December 17, 2018 Draft Joint City Council Work Session Minutes

**Attachments:** [12-17-18 Draft Joint City Council Work Session Minutes](#)

- 3.1c. [18-583](#) December 17, 2018 Draft Special City Council Meeting Minutes

**Attachments:** [12-17-18 Draft Special Council Meeting Minutes](#)

### 3.2 RESOLUTIONS

- 3.2a. [18-558](#) Employee Benefits Self Insurance Fund Balance / Reserve Policy

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

**Recommendation:** Adopt Resolution 2019-2, establishing Council Policy C-16 for the Employee Benefits Self Insurance Fund.

**Attachments:** [Resolution 2019-2](#)[Exhibit A - Resolution 2019-2 Council Policy C-16](#)**3.2b.** [18-559](#) Risk Self Insurance Fund Balance / Reserve Policy

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Recommendation:** Adopt Resolution 2019-3, establishing Council Policy C-17 for the Risk Self Insurance Fund.**Attachments:** [Resolution 2019-3](#)[Exhibit A - Resolution 2019-3 Council Policy C-17](#)**3.2c.** [18-557](#) Risk Self Insurance Fund

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Recommendation:** Adopt Resolution 2019-1, creating the Risk Self Insurance Fund for use starting July 1, 2019.**Attachments:** [Resolution 2019-1](#)**3.2d.** [19-23](#) Resolution No. 2019-6 Dedicating a Public Right-of-Way on Mousebird Avenue NW and Ammon Street NW  
Recommended Action: Adopt Resolution No. 2019-6  
Ward 8 - Councilor Lewis - West Salem Neighborhood Association**Attachments:** [Resolution 2019-6 Dedication](#)[Resolution 2019-6 Dedication Exhibit](#)**3.3 ACTION ITEMS****3.3a.** [18-580](#) Amendment to the Intergovernmental Agreement for the Mid-Willamette Homeless Initiative

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Recommendation:** Authorize the City Manager to execute the First Amendment to the Intergovernmental Agreement for the Mid-Willamette Homeless Initiative.**Attachments:** [IGA Mid Willamette Homeless Initiative.pdf](#)[MWVHI IGA Amendment rev.pdf](#)**3.3b.** [19-7](#) Revised Report: Revision to report to include an additional applicant, Kelly Thomas, for recommended Planning Commission interviews.

Appointments and reappointments to the Citizens Advisory Traffic Commission, Community Police Review Board, Downtown Advisory Board, Salem Parks and Recreation Advisory Board, and Salem Planning Commission.

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

**Recommendation:** Appoint and reappoint the applicants listed in the Facts and Findings section to the Citizens Advisory Traffic Commission, Community Police Review Board, Downtown Advisory Board, Salem Parks and Recreation Advisory Board, and Salem Planning Commission.

**Attachments:** [Michelle Teed Application Redacted](#)  
[Dylan McDowell Application Redacted](#)  
[Paul Rice Application Redacted](#)  
[Alton Hoover Application Redacted](#)  
[Casey Kopcho Application Redacted](#)  
[Ryan Mann Application Redacted](#)  
[Kelly Thomas Application Redacted](#)

*Revised: Revised Report.*

- 3.3c.** [19-12](#) Intergovernmental Agreement with Keizer Rural Fire Protection District for vehicle maintenance

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

**Recommendation:** Authorize the City Manager to execute the attached IGA between the City and the District for fleet shop services through June 30, 2020.

**Attachments:** [IGA Keizer Fire 2018-2020](#)

- 3.3d.** [19-17](#) Intergovernmental Agreement with Polk County for Mobile Crisis Response Team

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

**Recommendation:** Authorize the City Manager to execute the attached IGA (Attachment A) with Polk County, and any amendments to the IGA, in order to provide mobile crisis response team services during Fiscal Year 2018-19.

**Attachments:** [IGA with Polk County for MCRT](#)

- 3.3e. [19-19](#) Local Agency Agreement with the Oregon Department of Transportation (ODOT) for Signalized Intersection Enhancements.

Ward(s): 1, 2, 5, 6

Councilor(s): Kaser, Andersen, Ausec, Hoy

Neighborhood(s): CANDO, ELNA, Lansing, Morningside, NOLA, Northgate, NESCA, SCAN

Service Area(s): Safe and Reliable Infrastructure

**Attachments:** [Local Agency Agreement No. 32562](#)

[Project Location Map](#)

- 3.3f. [19-21](#) Local Agency Agreement with the Oregon Department of Transportation (ODOT) for the Salem Multi-Modal Safety Crossings Project.

Ward(s): 1, 3, 5, 6

Councilor(s): Kaser, Nanke, Ausec, Hoy

Neighborhood(s): ELNA, Faye Wright, Grant, Highland, Morningside, NOLA

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 multi-modal safety crossings on Sunnyview Road NE, Pringle Road SE, Jones Road SE, Pine Street NE, and Fairgrounds Road NE through the State Funded Local Project Program.

**Attachments:** [Local Agency Agreement No. 32557](#)

[Project Location Map](#)

- 3.3g. [19-36](#) Exception to City Council meeting start time

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Recommendation:** Approve an exception to City Council rules for a 6:30 p.m. start time on January 28, 2019.

## 4. PUBLIC HEARINGS

## 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. [19-10](#) 2019 City Council Committee assignments.

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

**Recommendation:** Information Only.

**Attachments:** [2019 City Council Committee Assignments](#)

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

- 6.a. [18-572](#) Planning Administrator decision - Partition Case No. PAR18-10 - Approved Jordan Schweiger - 800 Taybin Road NW - A tentative partition plan to divide property approximately 12,958 square feet in size into two parcels, with Parcel 1 consisting of approximately 4,233 square feet (exclusive of the accessway) and Parcel 2 consisting of approximately 5,869 square feet (exclusive of the accessway). Parcel 1 would consist of vacant land for the future development of a single-family home. The existing dwelling will remain on Parcel 2.

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

**Recommendation:** Information Only.

**Attachments:** [Land Use Decision PAR18-10](#)

- 6.b. [18-575](#) Purchases approved administratively - November 1, 2018 through November 30, 2018.

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

**Recommendation:** Information only.

**Attachments:** [Purchases approved administratively November 2018](#)

- 6.c. [18-584](#) Planning Commission Decision - Class 3 Design Review / Class 3 Site Plan Review / Class 2 Driveway Approach Permit / Tree Regulation Variance Case No. DR-SPR-DAP-TRV18-07 - Approved - Montagne Development Inc. (Dave Montagne) - 1881 Wiltsey Road SE - Proposed development of a new 111-unit apartment complex.

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

**Recommendation:** Information Only.

**Attachments:** [Land Use Decision DR-SPR-DAP-TRV18-07](#)

- 6.d.** [18-585](#) Planning Commission Decision - Class 3 Design Review / Conditional Use Permit / Class 3 Site Plan Review / Class 2 Zoning Adjustment / Class 2 Driveway Approach Permit Case No. DR-CU-SPR-ADJ-DAP18-06 - Approved - PR-3, LLC (Ilana Gat) - 3355 Portland Road NE - A request for a Design Review, Conditional Use Permit, Site Plan Review, Class 2 Zoning Adjustment and Class 2 Driveway Approach Permit to allow a 20-unit multi-family use on the subject property.

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

**Recommendation:** Information Only.

**Attachments:** [Land Use Decision DR-CU-SPR-ADJ-DAP18-06](#)

- 6.e.** [19-1](#) Hearings Officer Decision - Validation of Units of Land Case No. VUL18-01 - Approved - Dean Pollman, Gunner LLC - 4735 Turner Road SE - A proposal to validate one of two parcels that were created as separate tax lots through a sale by deed in 1992.

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

**Recommendation:** Information Only.

**Attachments:** [Land Use Decision VUL18-01](#)

- 6.f.** [19-2](#) Hearings Officer Decision - Conditional Use Case No. CU18-11 - Approved - Chris Blackburn, Belmont Group, LLC - 1020 Liberty St NE - A conditional use application to allow a hair salon within an existing building in the RH zone.

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

**Recommendation:** Information Only.

**Attachments:** [Land Use Decision CU18-11](#)

- 6.g.** [19-3](#) Planning Administrator Decision - Partition Case No. PAR18-14 - Approved - Francisco Villalobos - 2605 Laurel Ave NE - A proposed partition to divide a lot at 2605 Laurel Avenue NE into two parcels.

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

Neighborhood(s): Highland

***Recommendation:*** Information Only.

***Attachments:*** [Land Use Decision PAR18-14](#)

6.h. [19-6](#)

Planning Administrator Decision - Modification of Class 3 Design Review / Class 3 Site Plan Review / Class 2 Adjustment - Case No. DR-SPR-ADJ17-02MOD1 - Approved - M Parkside Living, LLC (Paul Gehlar, Daphne Gehlar Schneider) - 231 Court Street NE - A proposed modification to the approved single-story commercial building included in the approval of Class 3 Design Review / Class 3 Site Plan Review / Class 2 Adjustment Case No. DR-SPR-ADJ17-02.

Ward(s): 1

Councilor(s): Kaser

Neighborhood(s): CANDO

***Recommendation:*** Information Only.

***Attachments:*** [Land Use Decision DR-SPR-ADJ17-02MOD1](#)

6.i. [19-9](#)

Mayoral Appointments and reappointments to the Airport Advisory Commission, Center 50+ Advisory Commission, Historic Landmarks Commission, and Human Rights Commission.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

***Recommendation:*** Information Only.

***Attachments:*** [Ken Gettys Application Redacted](#)  
[Brendan Omara Application Redacted](#)  
[Andrew Zimmerman Application Redacted](#)  
[Angelo Arredondo Application Redacted](#)  
[Nathan Schmidt Application Redacted](#)  
[Michael Watters Application Redacted](#)

6.j. [19-13](#)

Planning Administrator Decision - Partition Case No. PAR18-09 - Approved - SB2 Belmont, LLC (Brad Box) - 725 Belmont Street NE - A proposed partition to divide a lot along the northerly side of Belmont Street NE into three parcels. The existing single family residence would remain, while the accessory structure is planned to be removed.

Ward(s): 1

Councilor(s): Kaser

Neighborhood(s): Grant

***Recommendation:*** Information Only.



**Attachments:** [Land Use Decision PAR18-09](#)

- 6.k.** [19-26](#) Historic Landmarks Commission Decision - Historic Resource Demolition Case No. HIS18-34 - Approved - Lamont D. Smith for Sturgeon Development Partners, LLC (Robert Pile, James S. Bruce, Nick Fritel) - 195-197 Commercial St SE - A proposal to demolish the Marion Car Park (1950).

Ward(s): Ward 1  
Councilor(s): Kaser  
Neighborhood(s): CAN-DO

**Recommendation:** Information Only.

**Attachments:** [Land Use Decision HIS18-34](#)

- 6.l.** [19-16](#) Travel Salem Annual Report

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

**Recommendation:** Information only.

**Attachments:** [Annual Report](#)

- 6.m.** [19-34](#) Planning Administrator Decision - Site Plan Review/Urban Growth Preliminary Declaration/Driveway Approach Permit Case No.: SPR-UGA-DAP18-22 - Approved - Jeff Blater for The Math Learning Center - 1850 Oxford St SE - A proposal to construct two new warehouse and distribution buildings and site improvements, including an application to determine the required public facilities necessary to serve the property.

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

**Recommendation:** Information Only.

**Attachments:** [Land Use Decision SPR-UGA-DAP18-22](#)

*Add - Added Report.*

## 7. ORDINANCES

### 7.1 FIRST READING:

### 7.2 SECOND READING:

- 7.2a.** [18-579](#) Community Services and Housing Commission

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

**Recommendation:** Conduct second reading of Ordinance Bill No. 23-18 dissolving the Community Services and Housing Commission.

**Attachments:** [Ordinance Bill No. 23-18](#)

**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. [18-576](#)

CITY COUNCIL PUBLIC HEARINGS

Held in the Council Chambers unless otherwise noted

Petitioner-Initiated Annexation of Territory Located at 4945 Delton Lane NE (Annexation Case No. C-728)  
Monday, February 11, 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

Council Policy Agenda  
Wednesday, January 23, 2019 at 6:00 p.m.

Salem River Crossing  
Wednesday, January 30, 2019 at 6:00 p.m.

Urban Renewal Agency  
Downtown Salem Streetscape Design  
Tuesday, February 19, 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](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.

