



**CITY OF SALEM**  
**Meeting Agenda**  
**City Council**

555 Liberty St SE  
Salem, OR 97301

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**Monday, March 11, 2019**

**6:00 PM**

**Council Chambers**

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**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**

**1.4 a. Salem Parks Foundation Donation for McKay Park Playground**  
**Presenter: Carol Sndyer, President, Salem Parks Foundation**

**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. [19-102](#) February 19, 2019 Draft City Council Work Session Minutes

**Attachments:** [2-19-19 Draft Council Work Session Minutes](#)

- 3.1 b. [19-119](#) February 25, 2019 Draft City Council Minutes

**Attachments:** [2-25-19 Draft Council Minutes](#)

### 3.2 RESOLUTIONS

- 3.2 a. [19-97](#) Grant application for a Riverfront Park north restroom.

Ward(s): Ward 1

Councilor(s): Councilor Kaser

Neighborhood(s): CANDO

Result Area(s): Welcoming and Livable Community

**Recommendation:** Adopt Resolution 2019-8, authorizing the City Manager to apply for and, if successful, accept an Oregon Parks and Recreation Department Local Government Grant to provide funding assistance for constructing a new restroom facility in the north end of Riverfront Park.

**Attachments:** [North Restroom Site Plan](#)  
[Romtec Schematic Drawing](#)  
[RESOLUTION 2019-8 Authorizing Grant Application](#)  
[SPRAB Ltr of Support](#)  
[Salem Parks Foundation Ltr of Support](#)  
[Just Walk Salem Keizer Ltr of Support](#)  
[CANDO Ltr of Support](#)

### 3.3 ACTION ITEMS

- 3.3 a. [19-94](#) REVISED - Report updated to remove Linda Nishioka from consideration for an appointment to the Downtown Advisory Board. Recommended appointments to the Citizen Budget Committee, Citizens Advisory Traffic Commission, Community Police Review Board, Downtown Advisory Board, Salem Cultural and Tourism Promotion Advisory Board, and Salem Public Art Commission.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance

**Recommendation:** Appoint the applicants listed in the Facts and Findings section to the Citizen Budget Committee, Citizens Advisory Traffic Commission, Community Police Review Board, Downtown Advisory Board, Salem Cultural and Tourism Promotion Advisory Board, and Salem Public Art Commission.

**Attachments:** [Roz Shirack Application Redacted](#)  
[Steve McCoid Application Redacted](#)  
[William Andersen Application Redacted](#)  
[Kenneth W Adams Jr. Application Redacted](#)  
[Nick Cantonwine Application Redacted](#)  
[Lowell Alik Application Redacted](#)  
[Erin Hull Application Redacted](#)  
[Scott McLeod Application Redacted](#)  
[Linda T. Nishioka Application Redacted](#)  
[Omar Alvarado Application Redacted](#)  
[Kelly James Application Redacted](#)

*Revised - Report Revised to remove Linda Nishioka from consideration for the Downtown Advisory Board.*

**3.3 b. [19-96](#)** Intergovernmental Agreement with Marion County for Asphalt Slurry Seal Surfacing on City Streets and at the Willow Lake Wastewater Treatment Facility.

Ward(s): Ward 7  
 Councilor(s): Cook  
 Neighborhood(s): Sunnyslope  
 Result Area(s): Safe, Reliable and Efficient Infrastructure

**Recommendation:** Authorize the City Manager to execute an Intergovernmental Agreement with Marion County for the design and construction of an asphalt slurry seal surfacing project on various City streets and at the Willow Lake Wastewater Treatment Facility.

**Attachments:** [Attachment No. 1--IGA](#)  
[Attachment No. 2 -- Street list](#)

**3.3 c. [19-105](#)** Priority bills for 2019 Legislative Session

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

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

**Attachments:** [Attachment 1. Bills reviewed by Legislative Committee on February 22, 2019](#)  
[Attachment 2. 2018-19 Salem Legislative Policy Statements](#)

## 4. PUBLIC HEARINGS

### 4. a. [19-113](#)

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.

A public hearing for this case was held on February 25, 2019, the public hearing was closed on February 25, but the record was left open until 5:00 p.m. on March 11, 2019.

Ward(s): 4  
Councilor(s): Leung  
Neighborhood(s): SGNA  
Result Area(s): Welcoming and Livable Community

**Recommendation:**

Staff recommends that the City Council MODIFY the December 19, 2018 decision of the Planning Commission, to include the following additional conditions of approval:

Condition 1: The applicant shall make every effort to preserve the 30" diameter at breast height (dbh) significant tree. If the Fire Department determines that the roundabout does not work for fire operations, the significant tree may be removed.

Condition 2: Development plans shall be revised to protect and retain a minimum of three significant trees, and a minimum of 15 percent of the existing trees located on the property. All trees designated for preservation shall be marked and protected during construction.

Condition 3: Prior to approval of site development permits, the applicant shall provide a report prepared by a certified arborist identifying the health of each significant tree to be preserved, including identifying any prior impacts that have occurred within the root zone.

The arborist report shall provide a detailed description of tree protection measures to be implemented, description of alternative construction techniques and materials if applicable, and remedial actions taken to mitigate negative impacts on the tree, if necessary.

A final arborist report verifying the viability of the trees shall be provided prior to final inspection.

**Attachments:** [Vicinity Map](#)[Planning Commission's Decision DR-SPR-DAP-TRV18-07](#)[Revised Site Plan 2-25-2019](#)[Revised Site Plan 3-5-2019](#)[Public Comment from S. Quady and B. Fujii](#)*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)**

5. a. [19-125](#) Motion to implement Congestion Relief Task Force recommendations.

Ward(s): 1, 8

Councilor(s): Kaser and Lewis

Neighborhood(s): WSNA, CANDO

Result Area(s): Safe, Reliable, and Efficient Infrastructure; Strong and Diverse Economy; Welcoming and Livable Community

**Attachments:** [Congestion Relief Recommendations](#)[Written Testimony 1](#)[Written Testimony 2](#)*Add - Written Testimony.***6. INFORMATION REPORTS: (Items that require no Council action)**

6. a. [19-99](#) Salem Park Improvement Fund update and 2018/19 Grant Award summary.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Natural Environment Stewardship; Welcoming and Livable Community.

**Recommendation:** Information only.**Attachments:** [SPIF Project Summary](#)

6. b. [19-100](#) Hearings Officer Decision - Validation of Units of Land Case No. VUL18-04 - Approved - Mark B. Ferris for Project Delivery Group,

LLC (Barbara and Keith Whisenhunt) - 197 Rainier Dr SE - A proposal to validate one land area that was created through a sale by deed in 1985.

Ward(s): Ward 4

Councilor(s): Leung

Neighborhood(s): South Gateway Neighborhood Association

**Recommendation:** Information Only.

**Attachments:** [Land Use Decision VUL18-04.pdf](#)

**6. c. [19-103](#)** Economic Development Quarterly Report

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Strong and Diverse Economy

**Recommendation:** Information only.

**6. d. [19-107](#)** Planning Commission Decision - Planned Unit Development / Class 2 Adjustment Case No. PUD-ADJ19-01 - Approved - Boone Road Land SL, LLC (Douglas Sproul) - 2990 Boone Road SE - An application for development of a new 140-unit, four-story senior living facility and 18 senior living cottage units arranged in six triplex buildings.

Ward(s): 4

Councilor(s): Leung

Neighborhood(s): South Gateway

**Recommendation:** Information Only.

**Attachments:** [Land Use Decision PUD-ADJ19-01](#)

**6. e. [19-111](#)** Planning Commission Decision - Comprehensive Plan Map Change / Zone Change Case No. CPC-ZC19-01 - Approved - 5821 Liberty Road S - William (Bill) Armstrong - A comprehensive plan change to Multi-Family Residential and zone change to RM1 (Multiple Family Residential 1).

Ward(s): 4

Councilor(s): Leung

Neighborhood(s): Sunnyslope

**Recommendation:** Information Only.

**Attachments:** [Land Use Decision CPC-ZC19-01](#)

## 7. ORDINANCES

**7.1 FIRST READING:****7.2 SECOND READING:****7.2 a. [19-106](#)**

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:**

Conduct second reading of Ordinance Bill No. 3-19 annexing, applying City of Salem RS (Single Family Residential) zoning from Marion County UD (Urban Development), and withdrawing from the Marion County Fire District #1 and the East Salem Sewer & Drainage District, for a 0.277-acre property located at 4945 Delton Lane NE.

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

[Ordinance Bill No 3-19](#)

[Exhibit A - Territory Legal Description and Map](#)

**7.2 b. [19-123](#)**

Salem Revised Code amendments for System Development Charge Methodology

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:**

Conduct second reading to enact Ordinance Bill No. 01-19, which amends Salem Revised Code (SRC) Chapters 21, 41, 72, 73 related to a System Development Charge Methodology Update.

**Attachments:** [SDC Ordinance 01-19](#)

[Exhibit A to Ordinance Bill No 1-19](#)

**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. [19-112](#)

CITY COUNCIL PUBLIC HEARINGS

Held in the Council Chambers unless otherwise noted

SALEM HOUSING AUTHORITY PUBLIC HEARINGS

URBAN RENEWAL AGENCY PUBLIC HEARINGS

WORK SESSIONS

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

City Council

Aligning Services to Available Resources

Monday, April 15, 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

Lansing - April 23 - 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](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.

