



# **CITY OF SALEM**

## **Meeting Agenda**

### **City Council**

555 Liberty St SE  
Salem, OR 97301

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**Monday, July 22, 2019**

**6:00 PM**

**Council Chambers**

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#### **EXECUTIVE SESSION**

**City Council**

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

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

#### **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.** [19-355](#) July 8, 2019 Draft City Council Minutes

**Attachments:** [7-8-19 Draft Council Minutes](#)

#### **3.2 RESOLUTIONS**

- 3.2a.** [19-334](#) Amendments to the Water and Wastewater System Development Charge Eligible Project Lists.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

**Recommendation:** Adopt Resolution No. 2019-25, amending the Water and Wastewater System Development Charges Eligible Project Lists to specify eligibility of specific infrastructure projects.

**Attachments:** [2019 309 List Resolution](#)

[Exhibit 1 - Major Facilities](#)

[Exhibit 2 - Pumping and Treatment](#)

[Exhibit 3 - Pipes](#)

#### **3.3 ACTION ITEMS**

- 3.3a.** [19-299](#) Intergovernmental Agreement between the City of Salem and the U.S. Geological Survey to monitor water quality for source water protection in the North Santiam River Basin.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

**Recommendation:** City Council authorize the City Manager to execute the attached IGA with the USGS.

**Attachments:** [Intergovernmental Agreement, U.S. Geologic Survey](#)

[USGS HAB Project Proposal City of Salem](#)

- 3.3b.** [19-314](#) Real Property lease for temporary location of Salem Public Library

Ward(s): 1  
Councilor(s): Kaser  
Neighborhood(s): Grant  
Result Area(s): Safe, Reliable and Efficient Infrastructure;  
Welcoming and Livable Community.

**Recommendation:** Authorize the City Manager to execute a lease with Salem Alliance Church for 1400-1440 Broadway Street NE for the Salem Public Library's temporary use.

**Attachments:** [CSPL Lease Agreement](#)  
[Public Comment received 7-9-19](#)  
[Public Comment received 7-14-19](#)  
[Salem Human Rights Commission Library Relocation Statement](#)  
[Written Testimony](#)  
[Library Relocation Power Point](#)  
[Written Testimony 1](#)  
[Written Testimony 2](#)

*Add - Written Testimony*

**3.3c. [19-327](#)**

Intergovernmental Agreement with Chemeketa Community College for Emergency Services Program

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

**Recommendation:** Authorize the City Manager to execute an Intergovernmental Agreement with Chemeketa Community College to share public resources to enhance emergency services.

**Attachments:** [IGA with CCCC Emergency Services Program](#)

**3.3d. [19-329](#)**

Creation of a Resiliency Task Force

Ward(s): All Wards  
Councilor(s): All Councilors  
Neighborhood(s): All Neighborhoods  
Result Area(s): Natural Environment Stewardship; Safe Community;  
Welcoming and Livable Community.

**Recommendation:** Authorize the creation of a Resiliency Task Force to improve the preparedness of Salem residents and commuters into the city.

**3.3e. [19-337](#)**

Increase Authorized Staffing for Building and Site Permit Review

Ward(s): All Wards  
Councilor(s): All Councilors  
Neighborhood(s): All Neighborhoods  
Result Area(s): Welcoming and Livable Community.

**Recommendation:**

Approve the addition of a Permit Application Center (PAC) Planner (1.0 FTE).

**3.3f. [19-340](#)**

Transfer of water system infrastructure from Illahe Acreage Water Association to the City of Salem.

Ward(s): Ward 7

Councilor(s): Cook

Neighborhood(s): SWAN

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

**Recommendation:**

Authorize the City Manager to execute the Agreement for Termination of Water Supply Agreement and Transfer of Water System Infrastructure between the Illahe Acreage Water Association and the City of Salem.

**Attachments:**

[Illahe Acreage Water Association Boundary](#)

[Termination and Transfer Agreement](#)

**3.3g. [19-347](#)**

Order for City Council review of the Planning Commission May 8, 2019 decision approving a consolidated application to change the Comprehensive Plan Map designation and Zoning of an approximately 15.8-acre property located at 5871 Liberty Road S from "Developing Residential" with RA (Residential Agriculture) zoning to "Multifamily Residential" with RM-2 (Multiple Family Residential) zoning.

Ward(s): Ward 4

Councilor(s): Leung

Neighborhood(s): Sunnyslope Neighborhood Association

Result Area(s): Welcoming and Livable Community

**Recommendation:**

Staff recommends that the City Council adopt the order affirming the decision of the Planning Commission's Decision for Minor Comprehensive Plan Map Amendment of the Salem Area Comprehensive Plan Map and zone change Case No. CPC-ZC19-03.

**Attachments:**

[May 8, 2019 Planning Commission Decision](#)

[Council Order 2019-6 CPC-ZC19-03](#)

[Exhibit 1 for Council Order 2019-6 CPC-ZC19-03](#)

**3.3h. [19-349](#)**

Compliance with Oregon Pay Equity Law

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance.

**Recommendation:**

Authorize the addition of 14.65 full-time equivalent career status positions through the conversion of current part-time exempt positions.

**Attachments:**

[PTE Conversion to FTE by Department\](#)

## 4. PUBLIC HEARINGS

**4.a. [19-333](#)**

City Council review of the Planning Administrator's decision approving a Tentative Subdivision Review with a Class 1 Adjustment application for Permit Case No. SUB-ADJ19-02 for property located in the 500 to 600 Block of Salem Heights Avenue S.

Ward(s): Ward 7

Councilor(s): Cook

Neighborhood(s): SWAN

Result Area(s): Welcoming and Livable Community

**Recommendation:**

Staff recommends that the City Council AFFIRM the June 6, 2019 Planning Administrator's Decision.

**Attachments:**

[VicinityMap](#)

[Tentative Subdivison Plan](#)

[SUB-ADJ19-02 Decision](#)

[Appeals](#)

[Comments prior to June 6th Decision](#)

[Comments submitted as of July 15th](#)

[Written Testimony](#)

[Wren Heights Analysis Traffic Memo](#)

[Written Testimony 1](#)

[Written Testimony 2](#)

[Written Testimony 3](#)

*Add - Written Testimony*

**4.b. [19-336](#)**

Formation of Aspen Grove Reimbursement District.

Ward(s): 8

Councilor(s): Jim Lewis

Neighborhood(s): West Salem Neighborhood Association

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

**Recommendation:**

Adopt Resolution No. 2019-26, approving the formation of Aspen Grove Reimbursement District to collect funds for reimbursement of the developer's costs associated with constructing public infrastructure.

**Attachments:**

[Resolution - Aspen Grove Reimbursement District](#)

[Exhibit 1 - Aspen Grove Reimbursement Application](#)

[Exhibit 2 - Aspen Grove Reimbursement District Boundary](#)

[Exhibit 3 - Properties within District Boundary](#)

[Aspen Grove Sewer Reimbursement Certification of Costs](#)

[Cost Allocation Map](#)

**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.**     [19-332](#)                      Purchases approved administratively from June 1, 2019 through June 30, 2019.

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

**Recommendation:**     Information only.

**Attachments:**     [Purchases approved administratively June 2019](#)

- 6.b.**     [19-344](#)                      Planning Administrator's Decision - Modification of Tentative Subdivision Plan / Class 2 Adjustment Case No. SUB07-13A2-ADJ - Approved - Northstar Communities, LLC (Karl Ivanov) - Modification of the amended approval of tentative subdivision plan SUB07-13A (Northstar subdivision) to reconfigure several lots including a Class 2 Adjustment to allow lots greater than 300% of the lot width.

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

**Recommendation:**     Information Only.

**Attachments:**     [Land Use Decision SUB07-13A2MOD2](#)

- 6.c.**     [19-345](#)                      Planning Administrator's Decision - Partition Case No. PAR19-08 - Approved - Shelly Samson - 5039 Caplinger Road SE - A tentative partition plan to divide approximately 1.04 acres into 3 parcels, with Parcel 1 consisting of 17,585 exclusive of the accessway, Parcel 2 consisting of 8,470 square feet and Parcel 3 consisting of 15,800. The subject property is approximately 1.04 acres in size, zoned RA (Residential Agriculture), and located at 5039 Caplinger Road SE.

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

**Recommendation:**     Information Only.

**Attachments:** [Land Use Decision PAR19-08](#)

- 6.d.**     [19-346](#)     Planning Administrator's Decision - Partition / Property Line Adjustment / Class 1 Adjustment Case No. PAR-PLA-ADJ19-06 - Approved - Covey Rowhouses, LLC (Timothy Landis, Sam Lapray) - 6919 and 6929 Osprey Court SE - A proposal to relocate a property line between two properties, and divide one of the resultant lots into three parcels.

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

**Recommendation:**     Information Only.

**Attachments:** [Land Use Decision PAR-PLA-ADJ19-06](#)

- 6.e.**     [19-350](#)     Planning Commission Decision - Class 3 Design Review / Class 3 Site Plan Review / Class 2 Adjustment / Class 2 Driveway Approach Permit Case No. DR-SPR-ADJ-DAP19-04 - Approved - First Presbyterian Church for Ike Box - 220 Cottage Street NE - A consolidated application for the relocation of the Ike Box (eating and drinking establishment) consisting of the proposed approximate 5,223 square-foot building, new vehicle use area, and modifications to driveways on Cottage Street and Court Street.

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

**Recommendation:**     Information Only.

**Attachments:** [Land Use Decision DR-SPR-ADJ-DAP19-04](#)

- 6.f.**     [19-351](#)     Planning Commission Decision - Comprehensive Plan Map Change / Zone Change Case No. CPC-ZC19-06 - Approved - 4300 Block of Rickey Street SE - Mitch Teal - A Minor Comprehensive Plan Map Amendment from 'Single Family Residential' to "Commercial", and a Zone Change from RS (Single Family Residential) to CO (Commercial Office) for property approximately 0.94 acres in size, and located at the 4300 Block of Rickey Street SE.

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

**Recommendation:**     Information Only.

**Attachments:** [Land Use Decision CPC-ZC19-06](#)

- 6.g.**     [19-359](#)     Hearings Officer Decision - Sign Variance / Sign Permit Case No.

VAR-SI-19-01 - Denied - Mark Shipman of Saalfeld Griggs Lawyers on behalf of Archland Property I, LLC (Corporation Service Company and Golden W Investors Business Trust), McDonald's Corporation, and Pro Enterprises, LLC (Jill Seaman-Pollard, Alyssa Burgess, and Melanie Pollard) - 5090 Commercial St SE - A request for two sign permits and a sign variance to allow construction of two freestanding vehicle viewing signs 13.7 square feet in size.

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

**Recommendation:** Information Only.

**Attachments:** [Land Use Decision VAR-SI19-01.pdf](#)

*Add - Report Added*

## 7. ORDINANCES

### 7.1 FIRST READING:

### 7.2 SECOND READING:

- 7.2a.** [19-341](#) Petitioner-Initiated Annexation of Territory Located at 1235 Hoffman Road NE - 97301 (Annexation Case No. C-732)

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. 8-19 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 0.555-acre property located at 1235 Hoffman Road NE.

**Attachments:** [Vicinity Map](#)  
[Ordinance Bill No. 8-19](#)  
[Exhibit A - Territory Legal Description and Map](#)

- 7.2b.** [19-342](#) Petitioner-Initiated Annexation of Territory Located at 4700 Block of Lancaster Drive NE - 97305 (Annexation Case No. C-727)

Ward(s): 5  
Councilor(s): Ausec  
Neighborhood(s): Northgate  
Result Area(s): Good Governance; Safe Community; Safe, Reliable and Efficient Infrastructure



**Recommendation:**

Conduct second reading of Ordinance Bill No. 9-19 annexing, applying City of Salem CG (General Commercial) zoning from Marion County CG (Commercial General), and withdrawing from the Marion County Fire District #1 and the East Salem Sewer & Drainage District, for a 5.8-acre property located at 4700 Block of Lancaster Drive NE.

**Attachments:** [Vicinity Map](#)[Ordinance Bill No. 9-19](#)[Exhibit A - Territory Legal Description and Map](#)**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. [19-352](#)**

**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 the Salem Public Library, 585 Liberty Street SE, unless otherwise noted

**Our Salem Update**

Monday, August 19, 2019 at 6:00 p.m.

**BUDGET COMMITTEE MEETINGS**

Held in the Council Chambers unless otherwise noted

**SCHEDULE OF NEIGHBORHOOD ASSOCIATION ANNUAL MEETINGS**

Neighborhood - Annual Meeting Date - Councilor

Northgate - August 15 - Ausec

Sunnyslope - September 19 - Cook

**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: [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.

