



# CITY OF SALEM

## Meeting Agenda

### City Council

555 Liberty St SE  
Salem, OR 97301

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**Monday, October 28, 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**

**Pledge of Allegiance**

#### **Appointment to City Council Ward 7 Vacancy**

**a.**     [19-516](#)             Appointment to City Council Ward 7 Vacancy

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): All

**Recommendation:**     Reopen voting to make an appointment for the City Council Ward 7 vacancy.

**Attachments:**     [Vanessa Nordyke Application](#)  
                              [Reid Sund Application](#)

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

**1.2 COUNCIL AND CITY MANAGER COMMENT**

**1.3 PROCLAMATIONS**

## 1.4 PRESENTATIONS

- 1.4a. [19-507](#) Resiliency Task Force progress update

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Safe Community

**Recommendation:** Information Only.

**Attachments:** [Supplemental Information - Mayor's Resiliency Task Force October 2019](#)

*Add- Added Supplemental Report.*

## 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. [19-430](#) October 14, 2019 Draft City Council Minutes

**Attachments:** [10-14-19 Draft Council Minutes](#)

- 3.1b. [19-512](#) October 21, 2019 Draft Council Minutes

**Attachments:** [10-21-19 Draft Council Minutes](#)

- 3.1c. [19-514](#) October 21, 2019 Draft Council Work Session Minutes

**Attachments:** [10-21-19 Draft Work Session Minutes](#)

### 3.2 RESOLUTIONS

- 3.2a. [19-490](#) Multiple Unit Housing Tax Incentive Program application by Parke 325 LLC

Ward(s): 1

Councilor(s): Kaser

Neighborhood(s): NEN

Result Area(s): Strong and Diverse Economy; Welcoming and Livable Community.

**Recommendation:**

(1) Adopt Resolution No. 2019-80 approving an application by Parke 325 LLC for tax exemption under the City's Multiple Unit Housing Tax Incentive Program and;

(2) Direct staff to make a request to boards of other taxing districts to adopt a resolution agreeing with the policy of providing a tax exemption for the project, therefore exempting the project's full property tax liability.

**Attachments:** [Resolution 2019-80](#)

[Exhibit A to Resolution 2019-80](#)

[Exhibit B to Resolution 2019-80](#)

[Core Area Map](#)

### 3.3 ACTION ITEMS

**3.3a.** [19-465](#)

Real property lease with Oregon Mobile Pet Care, LLC at the Salem Municipal Airport

Ward(s): 2

Councilor(s): Andersen

Neighborhood(s): SEMCA

Result Area(s): Good Governance

**Recommendation:**

Authorize the City Manager to execute the attached lease with Oregon Mobile Pet Care, LLC.

**Attachments:** [Proposed Lease](#)**3.3b.** [19-488](#)

Mobile Home Park Preservation

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Welcoming and Livable Community

**Recommendation:**

Incorporate the preservation of mobile home parks into the City's broader housing strategy when pursuing and distributing funding sources and updating the Salem Area Comprehensive Plan.

**Attachments:** [Map of Existing Manufactured Dwelling Parks in Salem](#)

[Public Comments received by 3:30 p.m., 10-28-19](#)

*Add- Written Testimony.*

**3.3c.** [19-504](#)

Order for City Council review of the Hearings Officer's decision approving a consolidated application to allow a recreational marijuana production facility for property located at 3625 Portland Road NE.

Ward(s): 5

Councilor(s): Ausec

Neighborhood(s): Northgate Neighborhood Association

Result Area(s): Welcoming and Livable Community

**Recommendation:**

Staff recommends that the City Council adopt the order affirming the decision of the Hearings Officer for Conditional Use/ Class 3 Site Plan Review Case No. CU-SPR19-04.

**Attachments:** [August 30, 2019 Hearings Officer Decision](#)[Final Order](#)[Exhibit A](#)**4. PUBLIC HEARINGS****4.a.** [19-495](#)

Appeal of the Planning Commission September 5, 2019 decision approving a consolidated application to change the Comprehensive Plan Map designation and/or zoning for several tax lots to accommodate future commercial and mixed-use development of property located at 2465, 2499, 2501, and 2519 Wallace Road NW and 1221 River Bend Road NW

Comprehensive Plan Change / Zone Change / Zone Change Case No. CPC-ZC-ZC19-10 - 3030 Riverbend LLC (Scott Martin)

Ward(s): 8

Councilor(s): Lewis

Neighborhood(s): West Salem

Result Area(s): Welcoming and Livable Community

**Recommendation:**

Staff recommends that the City Council AFFIRM the September 5, 2019 Planning Commission Decision.

**Attachments:** [Vicinity Map](#)[Planning Commission Decision CPC-ZC-ZC19-10](#)[West Salem Neighborhood Association Appeal](#)[Oregon Department of Transportation Response to Appeal](#)[Public Comments received by 3:30 p.m., 10-28-19](#)

*Add - Written Testimony.*

**4.b.** [19-501](#)

FY 2020 Supplemental Budget 1 for additional expense in the Trust and Agency Unanticipated Fund Budget.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance; Natural Environment

Stewardship; Safe Community; Safe, Reliable and Efficient

Infrastructure; Strong and Diverse Economy; Welcoming and

Livable Community.

**Recommendation:**

The City Council hold a public hearing on Supplemental Budget 1 and adopt Resolution No. 2019-81, thereby adopting City of Salem FY 2020 Supplemental Budget 1 for the Trust and Agency Unanticipated Fund, increasing expenditure appropriation authority and revenues in the amount of \$1,000,000.

**Attachments:**

[Resolution No. 2019-81](#)

[Resolution No. 2019-81, Exhibit A](#)

[Resolution No. 2019-81, Exhibit B](#)

[Memorandum of Understanding between the Rotary Club of Salem and the City of Salem](#)

**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. [19-478](#)**

Purchases approved administratively from September 1, 2019 through September 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 September 2019](#)

**6.b. [19-494](#)**

Planning Administrator Decision - A proposal to divide a parcel along the westerly side of Williams Avenue NE into three parcels. The existing single-family residence would remain on one of the resultant parcels.

Partition / Class 2 Adjustment Case No. PAR-ADJ19-03 - Paul Lascola, The Right Solutions, On behalf of Victor Cortes - 3345 Williams Ave NE.

Ward(s): 5

Councilor(s): Matt Ausec

Neighborhood(s): Northgate Neighborhood Association

**Recommendation:**

Information Only.

**Attachments:**

[Land Use Decision PAR-ADJ19-03](#)

**6.c.**    [19-500](#)

Planning Commission Decision -Development of 659 single family and 36 multi-family residential units for property approximately 122 acres in size - Approved.

Comprehensive Plan Change / Zone Change / Planning Unit Development / Subdivision / Class 2 Adjustment Case No. CPC-ZC-PUD-SUB-ADJ19-08 - Mark Grenz, Multi-Tech Engineering, on behalf of, East Park, LLC (Randy Myers, Kiril Ivanov) - 255 Cordon Rd NE, 4800-4900 Block of State Street, and 4700-4800 Block of Auburn Road NE, Salem OR, 97301

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

**Recommendation:** Information Only.

**Attachments:**    [Land Use Decision CPC-ZC-PUD-SUB-ADJ19-08](#)  
[Public Comments received 3:30 p.m., 10-28-19](#)

*Add - Written Testimony.*

**6.d.**    [19-506](#)

Planning Administrator Decision - A modification of the phasing plan and related conditions of approval for the Mill Creek Corporate Center. - Approved.

Modification of a Phased Subdivision Case No. SUB08-05MOD2 - Steve Ward, Westech Engineering, on behalf of Darrin Brightman, Oregon Department of Administrative Services - 5400 Turner Rd SE.

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

**Recommendation:** Information Only.

**Attachments:**    [Land Use Decision SUB08-05MOD2](#)

## **7. ORDINANCES**

### **7.1 FIRST READING:**

**7.1a.**    [19-122](#)

Salem Transportation System Plan Amendment for Greencrest Street NE

Ward(s): 6  
Councilor(s):Hoy  
Neighborhood(s): East Lancaster NA  
Result Area(s): Safe, Reliable, and Efficient Infrastructure

**Recommendation:**

Conduct first reading of Ordinance Bill No. 18-19 to initiate a legislative land use proceeding to amend the Salem Transportation System Plan to shift the alignment of the proposed Greencrest Street NE extension and refer this matter to Planning Commission for a public hearing.

**Attachments:**

[Greencrest Vicinity Map](#)

[Ordinance Bill No. 18-19](#)

[Ordinance Bill No18-19 Exhibit1](#)

[Pictsweet Greencrest Street Alignment Memo, August 1, 2019, Transight Consulting, L](#)

[Greencrest Street Alignment Memo, October 11, 2019](#)

**7.1b. [19-491](#)**

First reading of Ordinance Bill No. 19-19 vacating a portion of Dogwood Drive S.

Ward(s): 7

Councilor(s): Vacant

Neighborhood(s): SWAN

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

**Recommendation:**

Conduct first reading of Ordinance Bill No. 19-19, which vacates a portion of Dogwood Drive S subject to the following condition:

\* Final approval of the Dogwood Heights Phase 2 Subdivision Plat, or

\* Provision of easements for the construction, maintenance, repair, and replacement of existing municipal utilities proposed to remain within the current right-of-way in a form and location acceptable to the City.

**Attachments:**

[Ordinance Bill No. 19-19](#)

[Exhibits A & B to Ordinance Bill No. 19-19](#)

**7.1c. [19-493](#)**

Oregon State Hospital National Register Historic District Boundary Revision

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance; Welcoming and Livable Community

**Recommendation:**

Hold a public hearing on Ordinance Bill No. 15-19, amending Salem Revised Code (SRC) Chapter 230 to reflect approved changes to the boundary of the Oregon State Hospital National Register Historic District and removing the historic district from that portion of property located at 2575 Center Street NE consistent with the approved boundary revision.

**Attachments:**

[Attachment 1 - Ordinance Bill No. 15-19](#)

[Ordinance Exhibit A](#)

[Ordinance Exhibit B](#)

**7.1d. [19-447](#)**

First reading of Ordinance Bill No. 11-19, creating an employee-paid tax on wages earned within the city of Salem, and referring the

proposal to voters.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance; Natural Environment

Stewardship; Safe Community; Safe, Reliable and Efficient

Infrastructure; Strong and Diverse Economy; Welcoming and

Livable Community.

**Recommendation:** Conduct a first reading of Ordinance Bill 11-19, creating an employee-paid payroll tax, and referring the proposal to voters.

**Attachments:** [ORDINANCE BILL NO 11-19](#)

[Exhibit A to Ordinance Bill No 11-19](#)

[Public Comments received by 3:30 p.m., 10-23-19](#)

[Public Comment received from Northeast Neighbors \(NEN\)](#)

*Add - Written Testimony.*

**7.1e. [19-474](#)**

First reading of Ordinance Bill 12-19, creating a City Operations Fee to fund City services

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance; Natural Environment

Stewardship; Safe Community; Safe, Reliable and Efficient

Infrastructure; Strong and Diverse Economy; Welcoming and

Livable Community.

**Recommendation:** Conduct first reading of Ordinance Bill No. 12-19, creating a City Operations Fee to fund City services.

**Attachments:** [Ordinance Bill No. 12-19](#)

[Exhibit A to Ordinance Bill No. 12-19](#)

[Utility Rate Relief Program Status Report](#)

[Public Comments received by 3:30 p.m., 10-23-19](#)

[Public Comments received by 3:30 p.m., 10-28-19](#)

*Add - Written Testimony.*

**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. [19-505](#)****CITY COUNCIL PUBLIC HEARINGS**

Held in the Council Chambers unless otherwise noted

Proposed Solid Waste Collection Service Rates

Tuesday, November 12, 2019 at 6:00 p.m.

City Council review of the Planning Administrator's decision approving  
a Tentative Subdivision Review application for Permit Case No.

SUB19-06 for property located in the 5800 Block of Battle Creek Road  
SE

Tuesday, November 12, 2019 at 6:00 p.m.

Tourism Promotion Area

Monday, November 25, 2019 at 6:00 p.m.

Petitioner-Initiated Annexation of Territory Located at 1096 Hoffman  
Road NE (Annexation Case No. C-734)

Monday, November 25, 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

City Council

Council Policy Agenda Priorities

Monday, November 18, 2019 at 6:00 p.m.

City Council

Council Policy Agenda

Tuesday, January 21, 2020 at 6:00 p.m.

City Council

Battle Creek Park Master Plan and Battle Creek Basin Plan

Tuesday, February 18, 2020 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

NEN - November 5 - Kaser, Andersen

SWAN - November 12 - Ward 7

**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.

