

*555 Liberty St SE  
Salem, OR 97301*



## **Final Action Agenda - Minutes - Final**

**Monday, March 11, 2019**

**6:00 PM**

**Council Chambers**

**City Council**

## 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

6:17 p.m.

#### Roll Call

**Note:** Councilor Andersen attended the meeting telephonically.

**Present:** 9 - Councilor Kaser, Councilor Andersen, Councilor Nanke, Councilor Ausec, Councilor Cook, Councilor Lewis, Councilor Hoy, Mayor Bennett, and Councilor Leung

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

A motion was made by Councilor Hoy, seconded by Councilor Kaser to approve the revision of item 3.3a to the agenda.

Comments by Councilor Hoy.

The motion carried by the following vote:

**Aye:** 9 - Kaser, Andersen, Nanke, Ausec, Cook, Lewis, Hoy, Bennett, and Leung

**Nay:** 0

**Abstain:** 0

### 1.2 COUNCIL AND CITY MANAGER COMMENT

Comments by Councilors Andersen, Leung, and Mayor Bennett.

### 1.3 PROCLAMATIONS

None.

### 1.4 PRESENTATIONS

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

Carol Snyder, President, Salem Parks Foundation, along with other members of the Foundation, presented a check to the City in the amount of the \$73,574.00 for a new playground at McKay Park.

Comments by Carol Snyder, Mayor Bennett, and Councilor Hoy.

**2. PUBLIC COMMENT: (Comment on agenda items other than public hearings and deliberations)**

Appearances by:

Steve Anderson, 3240 Gehlar Road NW, Item 5.a, File 19-125

Kathleen Dewoina, 1045 5th Street NE, Item 5.a, File 19-125

Mark Wigg, 1950 Saginaw Street S., Item 5.a, File 19-125

**3. CONSENT CALENDAR: (Includes approval of minutes, adoption of routine resolutions, and items of business requiring Council action)**

A motion was made by Councilor Hoy, seconded by Councilor Kaser to approve the consent calendar.

Comments by Councilor Hoy.

The motion carried by the following vote:

**Aye:** 9 - Kaser, Andersen, Nanke, Ausec, Cook, Lewis, Hoy, Bennett, and Leung

**Nay:** 0

**Abstain:** 0

**3.1 MINUTES**

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

**Action:** Approved.

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

**Action:** Approved.

**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

**Adopted 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.**

**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

**The following appointments were made:**

**Citizens Advisory Traffic Commission:**

**Appointed Kenneth Adams to a term #1 expiring on December 31, 2021;**

**Appointed Nick Cantonwine to a term #1 expiring on December 31, 2021.**

**Citizen Budget Committee:**

**Appointed Roz Shirack to a partial term representing Ward 2 expiring on**

**June 30, 2020; Appointed Steve McCoid to a partial term representing**

**Ward 4 expiring on June 30, 2021; Appointed William Andersen to a partial**

**term representing Ward 6 expiring on June 30, 2019.**

**Community Police Review Board:**

**Appointed Lowell Alik to a term #1 expiring on January 1, 2022; Appointed**

**Erin Hull to the Alternate #1 position (no expiration date).**

**Downtown Advisory Board:**

**Appointed Scott McLeod to a term #1 expiring on December 31, 2021,**

**representing business or property owners within the Downtown Riverfront  
Park Urban Renewal Area.**

**Salem Cultural and Tourism Promotion Advisory Board:**

**Appointed Omar Alvarado to a partial term expiring on June 30, 2019.**

**Salem Public Art Commission:**

**Appointed Kelly James to a partial term expiring on December 31, 2020, for  
an at-large position.**

**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

**Authorized 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.**

**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.

**Approved the City of Salem's positions, listed on the attachment to the staff report, on legislative bills active in the 2019 Oregon Legislative Session.**

## **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

**A motion was made by Councilor Leung, seconded by Councilor Hoy to approve staff recommendation to MODIFY the December 19, 2018 decision of the Planning Commission, to include the following additional conditions of approval:**

**Condition 1: 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 2: The applicant shall ensure that all buildings meet applicable setback requirements at the time of building permit.**

**Questions or Comments by: Councilors Leung, Cook, Nanke, Lewis, Aaron Panko, Planner, Community Development Planning Division, City Manager Powers, Mayor Bennett, and Peter Fernandez, Public Works Director.**

**The motion carried by the following vote:**

**Aye:** 9 - Kaser, Andersen, Nanke, Ausec, Cook, Lewis, Hoy, Bennett, and Leung

**Nay:** 0

**Abstain:** 0

**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

**Note: The following motion was prepared by both Councilors Kaser and Lewis:**

**A motion was made by Councilor Kaser, seconded by Councilor Lewis to direct staff to begin implementing the recommended actions identified by the 2018 Congestion Relief Task Force, and within 45 days, staff to provide a report to Council detailing a plan of action for implementing the recommendations, progress on items underway, and any additional next steps Council should take to further the recommendations.**

**Comments by: Councilors Kaser, Lewis, Nanke, Andersen, Mayor Bennett, and Peter Fernandez, Public Works Director.**

**The motion carried by the following vote:**

**Aye:**     9 - Kaser, Andersen, Nanke, Ausec, Cook, Lewis, Hoy, Bennett, and Leung

**Nay:**     0

**Abstain:**     0

## **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.

**This Informational Report was received and filed.**



**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

**This Informational Report was received and filed.**

**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

**This Informational Report was received and filed.**

**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

**This Informational Report was received and filed.**

**Comments by Councilor Leung.**

**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

**This Informational Report was received and filed.**

**Comments by Councilor Cook.**

**7. ORDINANCES****7.1 FIRST READING:**

**None.**

**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

**Conducted 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.**

**Ordinance Bill No. 3-19 was adopted by the following vote:**

**Aye:**   9 - Kaser, Andersen, Nanke, Ausec, Cook, Lewis, Hoy, Bennett, and Leung

**Nay:**    0

**Abstain:** 0

**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.

**Conducted second reading to enact Ordinance Bill No. 1-19, which amends Salem Revised Code (SRC) Chapters 21, 41, 72, 73 related to a System Development Charge Methodology Update.**

**Ordinance Bill No. 1-19 was adopted by the following vote:**

**Aye:** 9 - Kaser, Andersen, Nanke, Ausec, Cook, Lewis, Hoy, Bennett, and Leung

**Nay:** 0

**Abstain:** 0

**8. PUBLIC COMMENT: (Other than agenda items)**

None.

**9. ADJOURNMENT**

6:59 p.m.