



# CITY OF SALEM

## Meeting Agenda

### City Council

555 Liberty St SE  
Salem, OR 97301

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**Monday, July 25, 2022**

**6:00 PM**

**Virtual Meeting**

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This meeting is being conducted virtually, with remote attendance by the governing body. In-person attendance is not possible at this time. Interested persons may view the meeting in real-time on the City of Salem YouTube Channel, thanks to a partnership with CC:Media. Comcast Cable subscribers can watch on CC:Media Channel 21. Please submit comments on agenda items by 5:00 p.m., or earlier, on the day of the meeting at [cityrecorder@cityofsaalem.net](mailto:cityrecorder@cityofsaalem.net). Public comment and testimony may also be provided during the meeting via Zoom. Please pre-register between 8:00 a.m. and 2:00 p.m. on the day of the meeting using this link <https://bit.ly/COScomment>.

#### **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**

**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.** [22-295](#) July 11, 2022 Draft City Council Minutes

***Attachments:*** [7-11-22 Draft Council Minutes.pdf](#)

### **3.2 RESOLUTIONS**

**3.2a.** [22-321](#) Resolution to Extend Emergency Utility Assistance Program

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance; Strong and Diverse Economy;

Welcoming and Livable Community

***Recommendation:***

Adopt Resolution 2022-44 restating the terms of the Emergency Utility Assistance Program, extending the effective date, and authorizing up to \$300,000 of Utility revenue annually beginning in 2023.

***Summary:***

During the pandemic, City Council expanded the Emergency Utility Assistance program and increased authorized funding with Utility revenue. This resolution extends the current program through December 31, 2024, and authorizes up to \$300,000 of Utility revenue annually beginning in 2023 when existing funding is anticipated to be depleted.

***Attachments:*** [2022-44 Resolution](#)  
[Exhibit A - Emergency Utility Assistance Program \(July 2022\)](#)

**3.2b.** [22-344](#) Transfer of appropriations within the City's Fiscal Year 2023 Budget for the Capitol JAM event at the Gerry Frank | Rotary Amphitheater.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance.

**Recommendation:**

Adopt Resolution No. 2022-45 authorizing a transfer of appropriations within the City's Fiscal Year 2023 budget for the Capitol JAM event.

**Summary:**

Next month, the first City-lead Capitol JAM event is scheduled to take place in Salem. Fund raising efforts have begun to offset the costs of planning and hosting this event, but staff request funds be made available should fund raising efforts not cover the total cost. An appropriations transfer is required to move forward with event planning.

**Attachments:** [Resolution No. 2022-45](#)

### 3.3 ACTION ITEMS

**3.3a.** [22-313](#)

Developing a conceptual design for a road diet on Capitol Street NE between Center Street NE and Market Street NE in order to add a buffered bike lane.

Ward(s): 1

Councilor(s): Stapleton

Neighborhood(s): CANDO, NEN, Grant

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

**Recommendation:**

Direct staff to develop a plan to convert a travel lane on Capitol Street NE between Center Street NE and Market Street NE into a buffered bike lane, and to conduct public outreach for the plan.

**Summary:**

Capitol Street NE is a one-way three-lane Arterial street with no bike lanes. Traffic data show traffic volumes may be accommodated within two travel lanes with the possibility of converting the existing third travel lane into a buffered bike lane. A conceptual design process and outreach is needed to determine whether this concept is acceptable.

**Attachments:** [Capitol Count Locations](#)

[Public Comment received by 2:00 p.m., July 25, 2022](#)

*Add - Written Testimony.*

**3.3b.** [22-314](#)

Approval of the Bailey Ridge Park Master Plan

Ward(s): Ward 7

Councilor(s): Councilor Nordyke

Neighborhood(s): Southwest Association of Neighbors

Result Area(s): Welcoming and Livable Community

**Recommendation:**

Approve the Bailey Ridge Park Master Plan.

**Summary:**

The Bailey Ridge Park Master Plan (Master Plan) is the result of an eight-month planning process. It presents the overall park design, describes the proposed amenities and uses for the park, and provides guidelines for its future development. The Master Plan has been developed in consideration of community input and the unique characteristics of the site (Attachment 1).

**Attachments:** [Bailey Ridge Park Draft Park Master Plan Report](#)

[Salem Parks and Recreation Advisory Board Action Sheet of June 9, 2022](#)

**3.3c.** [22-347](#)

Claim Settlement Authorization

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): .

**Recommendation:**

Authorize the City Manager to resolve the matter of Stephen Cudeck workers' compensation claim in an amount of \$185,000.00.

Payment will be made from the City's self-insurance claim fund.

**Summary:**

A Workers' compensation claim is pending. Through settlement negotiations, the City has agreed to enter into a disputed claims settlement (DCS) and employment release.

**3.3d.** [22-349](#)

Approval of the explanatory statement, modification of measure language, and ratification of publication of ballot title for the Salem Community Capital Improvements Bond

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance.

**Recommendation:**

Approve the Explanatory Statement, adopt Resolution No. 2022-46 to approve modified measure language, and ratify the publication of the ballot title for the Salem Community Capital Improvements Bond.

**Summary:**

Upon approval, the Explanatory Statement will be included with the Measure and Ballot Title when they are filed with the Marion County Elections Official. An explanatory statement is limited to 500 words, and is an impartial, simple, and understandable statement

explaining the measure. The measure, adopted by City Council at its July 11, 2022 meeting, has been modified to provide more clarity on the projects proposed in the bond. This action will approve the Explanatory Statement, amend Resolution No. 2022-42 to conform the measure language with the Explanatory Statement, and ratify the publication of the ballot title.

**Attachments:** [Explanatory Statement 071422.docx](#)

[Ballot Measure Title 071422.docx](#)

[Amending Resolution 2022-46.docx](#)

**3.3e. [22-350](#)** Purchasing from a City Employee Owned Business

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance

**Recommendation:**

Authorize the City Manager to execute a contract with a City employee-owned business, Training 4 Responders LLC, to provide CPR training.

**Summary:**

Risk Management is in need of a CPR instructor to train employees. Training 4 Responders, LLC is a training provider whose owner is a City Fire Department employee.

PCR 1.7 "Purchasing from City Employees Prohibited" requires a contract with any City employee, or any business with which the employee is associated, be authorized and approved by City Council.

## 4. PUBLIC HEARINGS

**4.a. [22-293](#)** Proposed fees and charges for utility service rates (water, wastewater, and stormwater).

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance; Safe Community; Safe, Reliable, and Efficient Infrastructure

**Recommendation:**

Adopt Resolution No. 2022-43 with exhibit, establishing fees and charges for utility service rates (water, wastewater, and stormwater) effective January 1, 2023, and January 1, 2024, and approve the allocation of up to \$300,000 of Utility revenue annually beginning in

2023 for the Emergency Utility Assistance Program.

**Summary:**

Council has had a long-standing commitment to provide adequate funding for the City's water, wastewater, and stormwater systems (collectively referred to as the Utility) to meet the current, growing, and changing needs of our community, and to comply with state and federal regulations. Council has adopted the rate increases necessary to operate and maintain the systems, complete important capital projects, and preserve the financial health and stability of the Utility. To continue this commitment, the recommended revenue slope increases for each system are:

- Water 5.0 percent in 2023 and 2024,
- Wastewater 5.0 percent in 2023 and 2024, and
- Stormwater 5.0 percent in 2023 and 2024.

As part of the rate proposal, Council will also consider fee adjustments for other revenue including backflow monitoring, septage, leachate, and domestic sludge as well as continued funding for the Emergency Utility Assistance Program. All proposed changes were reviewed and recommended by the Water/Wastewater Task Force (Task Force).

**Attachments:** [Resolution 2022-43](#)

[Exhibit A - Utility Rates](#)

[Participation in Utility Assistance Programs](#)

[Sample Bills](#)

[Salem COSA Technical Update Attachment 5.pdf](#)

[Public Comment received by July 11, 2022](#)

[Additional Public Comments received by 5:00 p.m., July 20, 2022](#)

[Additional Public Comments received by 2:00 p.m., July 25, 2022](#)

[Additional Public Comments received by 5:00 p.m., July 25, 2022](#)

*Add - Written Testimony.*

**4.b.** [22-310](#)

City Council review of Subdivision Tentative Plan and Urban Growth Area Preliminary Declaration approval (SUB-UGA22-03) for property located at 1374 Crowley Avenue SE.

Ward(s): 4

Councilor(s): Leung

Neighborhood(s): Morningside Neighborhood Association  
(Morningside)

Result Area(s): Welcoming and Livable Community

**Recommendation:**

Affirm the Planning Administrator's decision approving subdivision

tentative plan, and urban growth area preliminary declaration case no. SUB-UGA22-03.

**Summary:**

City Council review of an approved subdivision and associated land use applications creating 46 single family lots ranging in size from 4,600 to 7,800 square feet for property located at 1374 Crowley Avenue SE.

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

[SUB-UGA22-03 Decision](#)

[Public Comment received by 2:00 p.m., July 25, 2022](#)

*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)**

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

- 6.a. [22-326](#) Communication from the Salem Parks and Recreation Advisory Board to City Council regarding increased communication and engagement between the two bodies.

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.

**Summary:**

The Salem Parks and Recreation Advisory Board (Board) provides recommendations and advice to Council. To increase communication and engagement between the two bodies, the Board is proposing five recommendations as outlined in their formal letter to the Mayor and Councilors (Attachment 1).

**Attachments:** [SPRAB Letter on Increased Roles](#)

- 6.b. [22-341](#) Hearings Officer Decision - To replace an existing reader board with a new electronic display - Approved.

Conditional Sign Use / Sign Permit Case No. CU-SI22-03 - Joel Smallwood on behalf of Salem Keizer School District 24J - 525 Rockwood St SE.

Ward(s): 4  
Councilor(s): Leung  
Neighborhood(s): SGNA

**Recommendation:**

Information Only.

**Attachments:** [Land Use Decision CU-SI22-03](#)

- 6.c. [22-342](#) Hearings Officer Decision - To install ten new signs on the Salem Heath campus - Approved.

Sign Variance / Sign Permit Case No. VAR-SI22-01 - Salem Hospital - Salem Health - 890 Oak St SE.

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

**Recommendation:**

Information Only.

**Attachments:** [Land Use Decision VAR-SI22-01](#)

- 6.d. [22-346](#) Update to City's projected spending plan related to homelessness services.

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

**Recommendation:**

Information Only.

**Summary:**

The City made recent investment in the Front Street Safe Park Program. The City received new grant revenue during the July 11, 2022 City Council meeting. This information report updates the five year spending plan to reflect these new revenues and expenditures.

**Attachments:** [Sheltering Spending Plan - July 25](#)  
[Public Comments received by 5:00 p.m., July 25, 2022](#)

*Add - Written Testimony.*

- 6.e. [22-348](#) Planning Administrator Decision - To remove two significant trees in association with construction of an apartment complex - Approved.

Tree Regulation Variance Case No. TRV22-02 - Scott Martin - 2499, 2501, 2519, and 2551 Wallace Rd NW.

Ward(s): 8  
Councilor(s): Varney  
Neighborhood(s): WSNA

**Recommendation:**

Information Only.

**Attachments:** [TRV22-02 Decision](#)

- 6.f. [22-351](#) Planning Administrator Decision - For the removal of three significant trees associated with the development of a single-family dwelling. - Approved

Tree Regulation Variance Case No. TRV22-03 - Carlos Armas - 1845 Turnage St NW.

Ward(s): 8  
Councilor(s): Varney  
Neighborhood(s): WSNA

**Recommendation:**

Information Only.

**Attachments:** [Land Use Decision TRV22-03](#)

## 7. ORDINANCES

### 7.1 FIRST READING:

### 7.2 SECOND READING:

- 7.2a. [22-334](#) Our Salem Project - Updating the Salem Area Comprehensive Plan.

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

**Recommendation:**

Engross Ordinance Bill No. 9-22 and pass Engrossed Ordinance Bill No. 9-22.

**Summary:**

Engrossed Ordinance Bill No. 9-22 updates the Salem Area

Comprehensive Plan to guide future growth and development in Salem.

**Attachments:** [1 - ENGROSSED ORDINANCE BILL NO 9-22](#)

[Engrossed Ordinance 9-22 Exhibit A Draft Salem Area Comprehensive Plan July 2022](#)

[Engrossed Ordinance 9-22 Exhibit B Findings Comprehensive Plan amendment](#)

**7.2b.** [22-335](#)

Our Salem Project - Amending the Comprehensive Plan Map and Zoning Map.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

**Recommendation:**

Engross Ordinance Bill No. 10-22 and pass Engrossed Ordinance Bill No. 10-22.

**Summary:**

Engrossed Ordinance Bill No. 10-22 amends the Comprehensive Plan Map and zoning map to guide future growth and development in Salem.

**Attachments:** [1 - ENGROSSED ORDINANCE BILL NO 10-22](#)

[Engrossed Ordinance 10-22 Exhibit A Proposed Comprehensive Plan Map Changes](#)

[Engrossed Ordinance 10-22 Exhibit B Proposed Zoning Map Changes](#)

[Engrossed Ordinance 10-22 Exhibit C Findings Comp Plan Map changes](#)

[Engrossed Ordinance 10-22 Exhibit D Findings Zoning Map Changes](#)

**7.2c.** [22-336](#)

Our Salem Project - Amending the Salem Revised Code.

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:**

Engross Ordinance Bill No. 11-22 and pass Engrossed Ordinance Bill No. 11-22.

**Summary:**

Engrossed Ordinance Bill No. 11-22 amends the Salem Revised Code to guide future growth and development in Salem.

**Attachments:** [1 - ENGROSSED ORDINANCE BILL NO 11-22](#)  
[Engrossed Ordinance 11-22 Exhibit A Code Amendment](#)  
[Engrossed Ordinance 11-22 Exhibit B Findings Code Amendment](#)

**7.2d.** [22-337](#) Our Salem Project - Adopting the Salem Housing Needs Analysis.

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:**

Pass Ordinance Bill No. 12-22.

**Summary:**

Ordinance Bill No. 12-22 adopts the Salem Housing Needs Analysis as part of the Our Salem project.

**Attachments:** [1 - ORDINANCE BILL NO 12-22](#)  
[Ordinance 12-22 Exhibit A Salem Housing Needs Analysis.pdf](#)  
[Ordinance 12-22 Exhibit B Findings Salem Housing Needs Analysis.pdf](#)

**7.2e.** [22-274](#) Designation of the Eco Earth Globe as a Local Historic Resource

Ward(s): Ward 1  
Councilor(s): Councilor Stapleton  
Neighborhood(s): CANDO  
Result Area(s): Welcoming and Livable Community

**Recommendation:**

Pass Ordinance Bill No. 13-22 designating the Eco Earth Globe as a local historic resource.

**Summary:**

Salem's Public Art Commission requested local historic resource designation of the Eco Earth Globe for its association with the Oregon Pulp and Paper Mill and Boise Cascade as well as for significance as one of Salem's first community projects that adaptively reused an industrial structure, converting it to a piece of art representing the earth and symbolizing world peace and cultural diversity.

**Attachments:** [1 - Historic Landmarks Commission Recommendation](#)  
[2 - Vicinity Map with Photographs of the Eco Earth Globe](#)  
[3 - HIS22-05 Eco Earth Ball. Staff Report](#)  
[4 - Ordinance No. 13-22](#)

**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@cityofsaalem.net](mailto:cityrecorder@cityofsaalem.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. [22-353](#) Due to COVID-19, and until further notice, all meetings, public hearings, and work sessions will be conducted virtually. Real-time remote viewing is available online at CC:Media YouTube Channel and can also be viewed on Comcast Cable CC:Media Channel 21.

CITY COUNCIL PUBLIC HEARINGS:

Proposed Solid Waste Collection Service Rates  
Monday, August 22, 2022 at 6:00 p.m.

SALEM HOUSING AUTHORITY PUBLIC HEARINGS:

URBAN RENEWAL AGENCY PUBLIC HEARINGS:

WORK SESSIONS:

City Council  
Council Policy Agenda Update and Progress Report  
Thursday, July 28, 2022 at 6:00 p.m.

BUDGET COMMITTEE MEETINGS

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.

