



# CITY OF SALEM

## Meeting Agenda

### City Council

555 Liberty St SE  
Salem, OR 97301

---

**Monday, March 9, 2020**

**6:00 PM**

**Council Chambers**

---

#### **EXECUTIVE SESSION**

**City Council**  
**5:30 p.m. - City Manager's Conference Room**  
**ORS 192.660(2)(h) Current or Pending Litigation**

#### **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. [20-96](#) February 24, 2020 Draft City Council Minutes

**Attachments:** [2-24-20 Draft Council Minutes](#)

### 3.2 RESOLUTIONS

3.2a. [20-69](#) Resolution No. 2020-7 Dedicating Properties acquired for use as Public Right-of-Way adjacent to Broadway Street NE and River Road NE for a private development project in the City of Salem.

Recommended Action: Adopt Resolution No. 2020-7.  
Ward 5 - Councilor Ausec - Highland

**Attachments:** [Resolution 2020-7](#)

[Exhibit 1 Map](#)

3.2b. [20-70](#) Resolution No. 2020-8 Dedicating certain real property adjacent to Strong Road SE and Lindburg Road SE as Public Right-of-Way.  
Recommended Action: Adopt Resolution 2020-8  
Ward 3 - Councilor Nanke - Morningside

**Attachments:** [Resolution 2020-8](#)

[Exhibit 1 Map](#)

3.2c. [20-71](#) Resolution No. 2020-9 Dedicating certain real property for a future street located between Mill Creek Drive SE and Aumsville Highway SE as Public Right-of-Way.  
Recommended Action: Adopt Resolution No. 2020-9  
Ward 3 - Councilor Nanke - SEMCA

**Attachments:** [Resolution 2020-9](#)

[Attachment 1 Map](#)

[Exhibits A, B-1 and B-2](#)

3.2d. [20-72](#) Resolution No. 2020-10 Dedicating property acquired for use as Public Right-of-Way adjacent to Orchard Heights Road NW for a private development project in the City of Salem.  
Recommended Action: Adopt Resolution No. 2020-10.  
Ward 8 - Councilor Lewis - West Salem

**Attachments:** [Resolution 2020-10](#)

[Exhibit 1 Map](#)

3.2e. [20-73](#) Resolution No. 2020-11 Dedicating land at the north end of Ponderosa Drive S as shown on Skyline Village Phase IV.  
Recommended Action: Adopt Resolution No. 2020-11.  
Ward 7 - Councilor Nordyke - Sunnyslope

**Attachments:** [Resolution 2020-11](#)[Exhibit 1 Map](#)

**3.2f. [20-74](#)** Grant application for Bill Riegel Park Phase 2 Development.

Ward(s): Ward 3

Councilor(s): Councilor Nanke

Neighborhood(s): SEMCA

Result Area(s): Welcoming and Livable Community.

**Recommendation:** Adopt Resolution 2020-12, authorizing the City Manager to apply for and, if successful, accept an Oregon Parks and Recreation Department (OPRD) Local Government Grant to provide funding for constructing the final phase of Bill Riegel Park.

**Attachments:** [Bill Riegel Park Location](#)[Bill Riegel Master Plan](#)[Aerial image of proposed improvements](#)[Resolution No. 2020-12](#)[Salem Parks and Recreation Advisory Board Letter of Support and Action Sheet](#)[Salem Parks Foundation Letter of Support](#)

**3.2g. [20-82](#)** Resolution No. 2020-13 Dedicating Tract "A" on the Recorded Plat of Cascadia Industrial Park as Public Right-of-Way.  
Recommended Action: Adopt Resolution No. 2020-13.  
Ward 3 - Councilor Nanke - Morningside

**Attachments:** [Resolution 2020-13](#)[Exhibit 1](#)

### 3.3 ACTION ITEMS

**3.3a. [19-415](#)** Intergovernmental Agreement with Oregon Department of Corrections

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Safe Community.

**Recommendation:** Authorize the City Manager to execute the attached IGA with ODOC for the use of its training facility/firearms range for Salem Police Department training.

**Attachments:** [IGA with ODOC and COS .docx](#)

**3.3b. [20-89](#)** Willamette Valley Communication Center lease for property located at 595 Cottage Street NE.

Ward(s): 1

Councilor(s): Kaser

Neighborhood(s): CANDO

Result Area(s): Good Governance; Safe Community

**Recommendation:** Authorize the City Manager to execute the attached lease with Deems, Inc. for property located at 595 Cottage Street NE to house the Willamette Valley Communications Center.

**Attachments:** [Proposed Lease](#)

#### 4. PUBLIC HEARINGS

### 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. [20-103](#) Extension of the Emergency Declaration

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

**Recommendation:** Adopt Resolution No. 2020-14 to extend the declaration of emergency until August 25, 2020 to allow United Way's Safe Sleep Women's shelter to continue to operate at an expanded occupancy of 19 people and continue the vehicle camping pilot program.

**Attachments:** [Res No. 2020-14 Extending the state of emergency](#)

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

6.a. [20-86](#) Planning Administrator Decision - Replace an existing utility pole with a taller utility pole supporting an antenna, equipment enclosure, and conduits for wireless communications. - Approved.

Class 2 Wireless Siting Permit Case No. WS2-20-03 - Melissa Juel on behalf of Mastec Wireless Solutions - 663 25th St SE.

Ward(s): 2

Councilor(s): Andersen

Neighborhood(s): SESNA

**Recommendation:** Information Only.

**Attachments:** [Land Use Decision WS2-20-03](#)

**6.b. [20-87](#)** Planning Administrator Decision - A tentative partition plan to divide approximately 0.33 acres into two parcels. - Approved.

Partition Case No. PAR19-15 - Access Properties, Inc. - 1215 Parkway Dr NW.

Ward(s): 8  
Councilor(s): Lewis  
Neighborhood(s): West Salem

**Recommendation:** Information Only.

**Attachments:** [Land Use Decision PAR19-15](#)

**6.c. [20-88](#)** Planning Administrator Decision - A subdivision plan to divide 4.71 acres into 24 lots. - Approved.

Tentative Subdivision Case No. SUB19-09 - Mark Ferris, Project Delivery Group, on behalf of Jensen Consulting and Development - 4560 Center St NE.

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

**Recommendation:** Information Only.

**Attachments:** [Land Use Decision SUB19-09](#)

**6.d. [20-92](#)** Update on the 2020 Oregon Legislative Session.

Ward(s): All Wards  
Councilor(s): All Councilors  
Neighborhood(s): All Neighborhoods

**Recommendation:** Information only.

**Attachments:** [Positions Reviewed by Legislative Committee February 21, 2020](#)

**6.e. [20-102](#)** An appeal of the Site Plan Review decision for South Salem High School has been received; the appeal will be heard by the Hearings Officer, unless called-up by City Council.

Planning Administrator Decision - Site plan review for the addition of classrooms, performing arts classrooms and theater, new auxiliary gym, field house and parking area of the existing South Salem High School with an adjustment for a reduction to the setback abutting the street, amount of off-street parking, distance to primary entrance for bike parking and reduction in interior landscaping. - Approved.

Class 3 Site Plan Review / Class 2 Adjustment / Class 2 Driveway  
Approach Permit Case No. SPR-ADJ-DAP20-03 - 1910 Church St SE  
- Salem Keizer School District - 1910 Church St SE.

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

Recommendation: Information Only.

**Attachments:** [Land Use Decision SPR-ADJ-DAP20-03.pdf](#)

[SPR-ADJ-DAP20-03 Appeal Application.pdf](#)

## 7. ORDINANCES

### 7.1 FIRST READING:

**7.1a. [20-101](#)** An ordinance relating to conduct on sidewalks, creating Salem Revised Code 95.715

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

Recommendation: Conduct first reading of Ordinance Bill No. 6-20, relating to conduct on sidewalks.

**Attachments:** [ORDINANCE BILL NO 6-20](#)

[Exhibit A to ordinance bill 6-20 Proposed Text](#)

[Public Comments received by 5:00 p.m. on 3-4-20](#)

[Public Comments received by 3:30 p.m. 3-9-20](#)

*Add - Written Testimony.*

### 7.2 SECOND READING:

**7.2a. [20-99](#)** Petitioner-Initiated Annexation of Territory Located at SE Corner of Kuebler Blvd SE and 36th Ave SE - 97317 (Annexation Case No. C-733)

Ward(s): 3  
Councilor(s): Nanke  
Neighborhood(s): SEMCA  
Result Area(s): Good Governance; Safe Community; Safe, Reliable and Efficient Infrastructure

**Recommendation:** Conduct second reading of Ordinance Bill No. 5-20 annexing, applying City of Salem IG (General Industrial) zoning from Marion County IG (General Industrial), and withdrawing from Salem Suburban Rural Fire Protection District and Turner Fire District, for a 4.94-acre property located at the SE Corner of Kuebler Blvd SE and 36th Ave SE - 97317.

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

[Ordinance Bill No. 5-20](#)

[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.**

## FUTURE REPORT

**The Salem Municipal Airport Strategic Business Plan will appear on the March 16, 2020 City Council Work Session Agenda:**

a. [19-606](#) Salem Municipal Airport Strategic Business Plan

Ward(s): 2

Councilor(s): Andersen

Neighborhood(s): SEMCA

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

**Recommendation:** Information only.

**Attachments:** [Salem Municipal Airport Strategic Business Plan](#)

**UPCOMING PUBLIC HEARINGS, AND WORK SESSIONS****b. 20-93****CITY COUNCIL PUBLIC HEARINGS**

Held in the Council Chambers unless otherwise noted

Exemption from Competitive Bidding Requirement for the Aquifer Storage and Recovery Improvements at Woodmansee Park Project  
Monday, March 23, 2020 at 6:00 p.m.

FY 2021 Recommended City of Salem Budget  
Monday, June 8, 2020 at 6:00 p.m.

State Revenue Sharing Funds  
Monday, June 8, 2020 at 6:00 p.m.

**SALEM HOUSING AUTHORITY PUBLIC HEARINGS****URBAN RENEWAL AGENCY PUBLIC HEARINGS**

FY 2021 Recommended Urban Renewal Agency Budget  
Monday, June 8, 2020 at 6:00 p.m.

WORK SESSIONS Held in the Council Chambers, unless otherwise noted

Joint Urban Renewal Agency and City Council  
Economic Development and Urban Renewal  
Monday, March 16, 2020 at 6:00 p.m.

Joint City Council and Salem Planning Commission Work Session  
Our Salem project update  
Monday, April 20, 2020 at 6:00 p.m.  
Meeting Location: Center 50+, 2615 Portland Rd NE, Classrooms A and B

City Council  
Salem's Trees and Programs  
Monday, May 18, 2020 at 6:00 p.m.

**BUDGET COMMITTEE MEETINGS**  
Held in the Council Chambers unless otherwise noted

City Manager Presents Proposed FY 2021 Budget to the Budget Committee

Wednesday, April 15, 2020 at 6:00 p.m.

Budget Committee Review Meeting  
Wednesday, April 22, 2020 at 6:00 p.m.

Budget Committee Review Meeting  
Wednesday, April 29, 2020 at 6:00 p.m.

Budget Committee Recommends FY 2021 Budget to the City Council  
and Urban Renewal Agency  
Wednesday, May 6, 2020 at 6:00 p.m.

**SCHEDULE OF NEIGHBORHOOD ASSOCIATION ANNUAL MEETINGS**

Neighborhood - Annual Meeting Date - Councilor

CANDO - April 21 - Kaser

Lansing - April 28 - Ausec

Grant - May 7 - Kaser

SEMCA - May 12 - Andersen, Nanke, Leung

Morningside - May 13 - Andersen, Nanke

**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](http://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.**

**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.**

**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.**

## City of Salem Wards

