



CITY OF SALEM

555 Liberty St SE
Salem, OR 97301

Meeting Agenda

City Council

Monday, July 27, 2020

6:00 PM

Virtual Meeting

**Due to the COVID-19 Pandemic, this meeting is being conducted virtually, with remote attendance by the governing body. No in-person attendance is possible. Interested persons may attend the meeting online at City of Salem Facebook, CCTVSalem You Tube Channel, or watch on Comcast Cable CCTV Channel 21. Please submit comments on agenda items by 5:00 p.m., or earlier, on the day of the meeting at cityrecorder@cityofsalem.net. Public comment and testimony may also be provided during the meeting via Zoom at this link: <https://www.cityofsalem.net/Pages/Public-Comment-at-Salem-City-Council-Meeting.aspx>

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

1.3a. 20-292 Proclamation recognizing Wyland Mayor's Water Conservation Challenge Month

Ward(s): All Wards

Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Recommendation: Information Only.

Attachments: [Proclamation - Wyland Mayor's Water Conservation Challenge Month](#)

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. [20-293](#) July 13, 2020 Draft City Council Minutes

Attachments: [7-13-20 Draft Council Minutes](#)

3.2 RESOLUTIONS

3.2a. [20-290](#) Transfer of FY 2021 General Fund budget appropriations.

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: Adopt Resolution No. 2020-35, authorizing a transfer of appropriations within the City budget in order to address unforeseen changes.

Attachments: [Resolution No. 2020-35](#)

3.3 ACTION ITEMS

3.3a. [20-259](#) Memorandum of Understanding with Salem Area Mass Transit District.

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Result Area(s): Safe, Reliable, and Efficient Infrastructure;

Welcoming and Livable Community.

Recommendation: Authorize the City Manager to sign the attached Memorandum of Understanding (MOU) with the Salem Area Mass Transit District.

Attachments: [Memorandum of Understanding 2020](#)

[Transit Core Network](#)

3.3b. [20-263](#)

Purchase and Sale Agreement with Robert and Suzan Creamer for acquisition of real property

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): WSNA

Result Area(s): Good Governance; Natural Environment

Stewardship; Safe, Reliable and Efficient Infrastructure; Strong and Diverse Economy; Welcoming and Livable Community

Recommendation: Authorize the City Manager to execute the attached Purchase and Sale Agreement for the acquisition of real property located at 1440 Wallace Road NW.

Attachments: [Proposed Agreement](#)

[Exhibit E to Agreement](#)

[Public Comments received](#)

Add - Written Testimony.

3.3c. [20-269](#)

2020 Transportation and Growth Management Grant Program, Application for Urban Trails Implementation Plan.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Welcoming and Livable Community.

Recommendation: Authorize the City Manager to apply for and, if successful, accept funds from the 2020 Transportation and Growth Management Grant Program to develop an Urban Trails Implementation Plan. Additionally, authorize the Mayor to sign a letter supporting this grant application.

Attachments: [Urban Trails Implementation Plan Letter of Support](#)

3.3d. [20-270](#)

Inter-Governmental Agreement with Marion County.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance

Recommendation: Authorize the City Manager to execute an Intergovernmental Agreement with Marion County to allow Marion County non-exclusive use of the City's optical fiber network for the purpose of connecting Marion County business offices to the Marion County network.

Attachments: [IT-3172-19 County Signed.pdf](#)

3.3e. [20-275](#) Eagle's View Park Master Plan

Ward(s): Ward 8

Councilor(s): Councilor Jim Lewis

Neighborhood(s): West Salem Neighborhood Association

Result Area(s): Welcoming and Livable Community

Recommendation: Adopt the proposed 2020 Eagle's View Park Master Plan.

Attachments: [Eagles View Master Plan](#)[Eagles View Park Master Plan draft-2020-07-06](#)[WSNA Minutes 2020-05-18](#)[SPRAB Action Sheet](#)

3.3f. [20-278](#) Lease amendment for property located at 960 Liberty Street SE to expand City of Salem employee health clinic

Ward(s): 2

Councilor(s): Andersen

Neighborhood(s): SCAN

Result Area(s): Good Governance

Recommendation: Authorize the City Manager to execute the attached lease amendment to increase the square footage of the City's existing lease.

Attachments: [Lease](#)[Amendment](#)

3.3g. [20-300](#) Order for City Council Review of an Appeal of System Development Charge Expenditure.

Ward(s): 1

Councilor(s): Kaser

Neighborhood(s): West Salem Neighborhood Association

Result Area(s): Reliable and Efficient Infrastructure

Recommendation: Adopt the order denying the appeal brought pursuant to SRC 41.180(c) regarding the use of Stormwater System Development Charge (SDC) funds for the purchase of real property at 298 Taybin Road NW.

Attachments: [SDC Appeal Order](#)[Public Comments received](#)

Add - Written Testimony.

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)

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

6.a. [20-280](#) Planning Administrator Decision - A proposed partition to divide a property into three parcels - Approved.

Partition Case No. PAR20-07 - Brandie Dalton of Multi/Tech Engineering Services on behalf of the applicant Ken Rasmussen and property owner Cascade Legacy Properties LLC (James L. Rasmussen, Trustee, James L. Rasmussen Revocable Living Trust; Kenneth A. Rasmussen, Trustee, Kenneth Rasmussen Revocable Living Trust; Alan D. Rasmussen, Trustee, Alan and Angela Rasmussen Trust; Ryan Rasmussen) - 4195 Aumsville Highway SE

Ward(s): 3

Councilor(s): Nanke

Neighborhood(s): SEMCA

Recommendation: Information Only.

Attachments: [Land Use Decision PAR20-07.pdf](#)

6.b. [20-294](#) Hearings Officer Decision - A proposal to construct four tennis courts and associated parking - Approved.

Conditional Use / Class 3 Site Plan Review / Class 2 Zoning Adjustment / Class 2 Driveway Approach Permit Case No. CU-SPR-ADJ-DAP20-04 - Mark Shipman, Saalfeld Griggs Lawyers, on behalf of Salem Keizer School District 24J - 1163 D Street NE.

Ward(s): 1

Councilor(s): Kaser

Neighborhood(s): Grant

Recommendation: Information Only.

Attachments: [Land Use Decision CU-SPR-ADJ-DAP20-04](#)

6.c. [20-298](#) Planning Administrator Decision - A tentative partition to divide 0.65 acres into three parcels - Approved.

Partition Case No. PAR20-08 - Michael Barnes, MRB Enterprises

Inc., on behalf of JDV Investments LLC (James Vick) - 655 Boone
Road SE

Ward(s): 3
Councilor(s): Nanke
Neighborhood(s): Faye Wright

Recommendation: Information Only.

Attachments: [Land Use Decision PAR20-08.pdf](#)

6.d. [20-304](#) Planning Administrator Decision - A tentative partition to divide 0.45 acres into 3 parcels. - Approved.

Partition Case No. PAR-ADJ20-10 - AKS Engineering & Forestry, on behalf of Eric Peterson, GP Equity Holdings, LLC (Michael Paluska, David Gollersrud, Eric Peterson) - 1331 6th St NW

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

Recommendation: Information Only.

Attachments: [Land Use Decision PAR-ADJ20-10](#)

Add - Added New Report.

7. ORDINANCES

7.1 FIRST READING:

7.2 SECOND READING:

7.2a. [20-287](#) Amending Salem Revised Code Chapter 41, Development Fee.

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Result Area(s): Safe, Reliable, and Efficient Infrastructure

Recommendation: Conduct second reading of Ordinance Bill No. 9-20, amending Salem Revised Code Chapter 41.

Attachments: [SRC 41 Ordinance](#)
[SRC 41 Exhibit A](#)

7.2b. [20-291](#) Ratification of the creation of an intergovernmental entity to support the Mid-Willamette Valley Homeless Alliance, and announcing Mayoral appointments to the intergovernmental entity Board of Directors.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Recommendation: Pass ordinance bill no. 10-20 to ratify the creation of an intergovernmental entity to support the Mid-Willamette Valley Homeless Alliance

Attachments: [ORDINANCE BILL NO 10-20](#)

[File 20-138](#)

[Public Comment received by 5:00 p.m. 7-13-20](#)

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 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. 20-288 CITY COUNCIL PUBLIC HEARINGS**

Due to the COVID-19 Pandemic, and until further notice, all meetings, public hearings, and work sessions will be conducted virtually.

Real-time remote viewing is available online on the City of Salem Facebook page, CCTVSalem You Tube Channel, and is also available on Comcast Cable CCTV Channel 21.

City Council review of the Site Plan Review decision for Grant Elementary School Case No. Case No. SPR20-19 for property located at 725 Market ST NE
Monday, August 10, 2020 at 6:00 p.m.

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

Joint City Council and Salem Planning Commission Work Session
Our Salem project update
Wednesday, September 23, 2020 at 6:00 p.m.

City Council
Salem's Trees and Programs
Monday, October 19, 2020 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](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

