



CITY OF SALEM

Meeting Agenda

City Council

555 Liberty St SE
Salem, OR 97301

Monday, March 23, 2020

6:00 PM

Council Chambers

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

COVID-19 Update from Katrina Rothenberger, Public Health Director, Marion County Health and Human Services

Add - Add Update

1.1 APPROVAL OF ADDITIONS AND DELETIONS TO THE AGENDA

1.2 COUNCIL AND CITY MANAGER COMMENT

1.3 PROCLAMATIONS

1.4 PRESENTATIONS

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

2.1 MINUTES

- 2.1 a. [20-119](#) March 9, 2020 Draft City Council Minutes

Attachments: [3-9-20 Draft Council Minutes](#)

- 2.1 b. [20-132](#) March 17, 2020 Draft Minutes for the Joint Emergency Meeting of the City Council, Salem Housing Authority, and Urban Renewal Agency

Attachments: [3-17-20 Draft Joint Emergency Meeting Minutes](#)

2.2 RESOLUTIONS

- 2.2 a. [20-114](#) Transfer of FY 2020 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. 2020-17, authorizing transfer of appropriations within the City budget in order to address unforeseen changes.

Attachments: [Resolution No. 2020-17](#)

2.3 ACTION ITEMS

- 2.3 a. [20-90](#) Salem Municipal Airport ground lease with Valmont Industries, Inc.

Ward(s): 2

Councilor(s): Andersen

Neighborhood(s): SEMCA

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

Recommendation: Authorize the City Manager to execute the attached lease with Valmont Industries, Inc. for a ground lease at the Salem Municipal Airport.

Attachments: [Proposed Lease](#)

- 2.3 b. [20-113](#) Subordination of Community Development Block Grant loans for Westcare Foundation, Inc.

Ward(s): 2

Councilor(s): Andersen

Neighborhood(s): NESCA

Result Area(s): Welcoming and Livable Community

Recommendation: Authorize the subordination of two Community Development Block Grant rehabilitation deferred payment forgivable loans for WestCare Foundation, Inc. for property located at 2933 Center Street NE.

- 2.3 c. [20-120](#) Domestic Violence Response Team (DVRT) Stop Violence against Women Act Grant

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

Recommendation: Authorize the City Manager to accept awarded grant funds from the federal STOP Violence Against Women grant program in an amount of \$331,629.00 to help support the City's DVRT.

Attachments: [2020-'22 VAWA Competitive Grant Agreement.pdf](#)
[MOU with DVRT partners.pdf](#)

3. PUBLIC HEARINGS

4. 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)

- 4 a. [20-128](#) Withdrawal of the employee payroll tax ballot measure from the May 19, 2020 election.

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Result Area(s): All.

Recommendation: Adopt Resolution No. 2020-19 withdrawing the referral of Ordinance Bill No. 11-19 (creating an employee-based payroll tax) to Salem voters at the May 19, 2020 election.

Attachments: [RESOLUTION 2020-19](#)
[Written Testimony](#)

Add - written testimony added

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

5. a. [20-83](#) Salem Revised Code Chapter 86 - Trees on City Owned Property.

Ward(s): All Wards

Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Result Area(s): Good Governance; Natural Environment
Stewardship; Welcoming and Livable Community.

Recommendation: Information only.

Attachments: [Attachment 1 - Admin Rule-109-100 Public Works Enforcement](#)
[Attachment 2 - Violations+Civil Penalties+Appraised Values](#)
[Attachment 3 - Enforcement Order+Notice and Assessment of Civil Penalty](#)

5. b. [20-100](#) Purchases approved administratively from February 1, 2020 through February 29, 2020.

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Result Area(s): Good Governance

Recommendation: Information only.

Attachments: [Purchases approved administratively February 2020](#)

5. c. [20-110](#) Planning Administrator Decision - A tentative subdivision plan to divide approximately 5.7 acres into 45 lots. - Approved.

Subdivision / Class 2 Adjustment / Class 1 Adjustment Case No.
SUB-ADJ20-01 - Mountain West Investment Corporation - 2575
Center St NE.

Ward(s): 2
Councilor(s): Andersen
Neighborhood(s): Boundary of NESCA and NEN

Recommendation: Information Only.

Attachments: [SUB-ADJ20-01 Decision](#)

5. d. [20-117](#) Planning Administrator Decision - An application to add a 6,535 square foot asphalt concrete storage pad. - Approved.

Modification of Conditional Use / Class 3 Site Plan Review Case No.
CU-SPR14-05-MOD2 - Luke Gmazel, City of Salem Public Works
Engineering, on behalf of City of Salem - 3121 Airway Dr SE.

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

Recommendation: Information Only.

Attachments: [Land Use Decision CU-SPR14-05MOD2](#)

5. e. [20-122](#)

Planning Administrator Decision - Proposed replat to consolidate five lots, construct two warehousing buildings with new vehicle use areas and driveways. - Approved.

Class 3 Site Plan Review / Replat / Class 2 Adjustment / Class 2 Driveway Approach Permit Case No. SPR-REP-ADJ-DAP20-09- Andisheh Afghan, AAI Engineering, on behalf of PNWP, LLC #5 (Tom Stern) - 3992 Fairview Industrial Dr SE.

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

Recommendation: Information Only.

Attachments: [Land Use Decision SPR-REP-ADJ-DAP20-09](#)

5. f. [20-125](#)

Planning Administrator Decision - A proposal to construct a 22,600 square-foot building at an existing food processing facility, with associated site improvements. - Approved.

Class 3 Site Plan Review / Urban Growth Area Preliminary Declaration / Class 2 Adjustment Case No. SPR-UGA-ADJ20-06 - Gary Livermore, Livermore Architecture and Engineering - 1965 Claxter Rd NE.

Ward(s): 5
Councilor(s): Ausec
Neighborhood(s): Northgate

Recommendation: Information Only.

Attachments: [Land Use Decision SPR-UGA-ADJ20-06](#)

5.g. [20-131](#)

Protections against eviction for residential tenants.

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

Recommendation: Information only.

Attachments: [Eviction Moratorium Ordinance with Signatures](#)

[eo 20-11](#)

[executive-rule-amending-emergency-declaration-addendum](#)

[HUD eviction and foreclosure action](#)

[Multifamily NW letter](#)

Add - report added

6. ORDINANCES

6.1 FIRST READING:

6.2 SECOND READING:

- 6.2 a. [20-118](#) Second Reading of Ordinance Bill No. 6-20, Relating to Conduct on Sidewalks; Creating Salem Revised Code 95.715; and Declaring an Emergency

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 second reading to enact Ordinance Bill No. 6-20, relating to conduct on sidewalks; creating Salem Revised Code 95.715; and declaring an emergency.

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

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

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

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

[Written Testimony 1](#)

7. 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. [20-115](#)

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, April 13, 2020 at 6:00 p.m.

City Council review of the Planning Administrator’s Decision approving a Site Plan Review with a Class 2 Adjustment and Class 2 Driveway Approach application for Permit Case No. SPR-ADJ-DAP20-03 for property located at the 1910 Church Street SE
Monday, April 27, 2020 at 6:00 p.m.

Jory Apartments Tax Increment Financing (TIF) District
Monday, April 27, 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 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](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.

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.

