



CITY OF SALEM

555 Liberty St SE
Salem, OR 97301

Meeting Agenda

City Council

Monday, March 27, 2023

6:00 PM

**Hybrid Meeting / Council
Chambers**

This meeting is being conducted both in-person and remotely and allows remote attendance by the governing body, when requested. Interested persons may attend the meeting in Council Chambers or 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@cityofsalem.net. If attending the meeting remotely, public comment and testimony may be provided during the meeting via Zoom. Remote attendees must pre-register between 8:00 a.m. and 2:00 p.m. on the day of the meeting using this link <https://www.cityofsalem.net/comment-at-council>.

EXECUTIVE SESSION

The following executive session will be held in the City Manager's Conference Room, 555 Liberty Street SE, Room 220:

5:30 p.m. - 6:00 p.m. - City Council

ORS 192.660(2)(e)&(f) – real property transactions and records exempt by law from public inspection.

THE EXECUTIVE SESSION HAS BEEN CANCELLED

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**

- 1.4a.** [23-57](#) Presentation from Polk County Sheriff Mark Garton on the Sheriff's Office and the Upcoming Polk County Levy Renewal

Ward(s): Wards 1 and 8
Councilor(s): Stapleton, Varney
Neighborhood(s): WSNA

Recommendation:

Information Only.

Attachments: [Polk County Public Safety Operating Levy.pdf](#)

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.** [23-126](#) March 13, 2023 Draft City Council Minutes

Attachments: [3-13-23 Draft Council Minutes.pdf](#)

3.2 RESOLUTIONS

- 3.2a.** [23-114](#) Geer Park Development Grant Application to the Oregon Parks and Recreation Department Local Government Grant Program.

Ward(s): Ward 2
Councilor(s): Nishioka
Neighborhood(s): NESCA
Result Area(s): Welcoming and Livable Community

Recommendation:

Adopt Resolution 2023-11 authorizing the City Manager to apply for

and, if successful, accept an Oregon Parks and Recreation Department Local Government Grant to provide funding for construction of improvements identified in the Geer Park Master Plan.

Summary:

Geer Park is a 44-acre community park located at 241 Geer Drive NE in Salem. The City is applying for funds for improvements identified in the 2021 Park Master Plan, including paved pathways, a skate park, a spectator viewing plaza, and a picnic shelter. A City Council Resolution is required as part of the Oregon Parks and Recreation Department application process.

Attachments: [Geer Park Location Map](#)
[Resolution 2023-11](#)
[Geer Park skate park conceptual design](#)
[Geer Park Master Plan graphic](#)
[Geer Park Grant - SPRAB Action Sheet](#)

3.2b. [23-124](#)

Appointment of Resident Commissioner to the Salem Housing Authority Commission

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

Recommendation:

Adopt Resolution 2023-12 appointing Heather Villegas to the Board of Commissioners of the Salem Housing Authority for a term of four years, beginning March 27, 2023, and ending March 26, 2027.

Summary: 24 CFR 964.415 states that the membership of the governing board of each public housing agency must contain not less than one eligible resident board member. Salem Housing Authority has identified a participant from the Housing Choice Voucher program, Heather Villegas, as a candidate to serve as Resident Commissioner for a four-year term.

Attachments: [Resolution 2023-12](#)
[Villegas, Heather - Commission Application](#)

3.3 ACTION ITEMS

3.3a. [23-130](#)

Portland General Electric Drive Change Fund Grant to Purchase Electric Battery-Powered Mini Street Sweeper.

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.

Recommendation:

Approve applying for and accepting the grant funds from the PGE Drive Change Fund and authorize the use of matching funds from the City.

Summary:

The City has an opportunity to pursue grant funds from the Portland General Electric (PGE) Drive Change Fund grant program (PGE Drive Change Fund 2023 Guidelines Attachment 1) to purchase an electric battery-powered mini-street sweeper. The narrow width and short wheelbase of the sweeper would make it ideal for sweeping buffered bicycle lanes, downtown alleys, parks pathways, plazas, parking lots, and public spaces. Purchasing an electric sweeper advances the City's climate action goals. The total cost of the purchase, including a trailer to transport it, is estimated to be approximately \$250,000. The City would utilize Utility Funds to pay a minimum of ten percent of the total cost of the purchase or \$25,000; with the grant request totaling up to \$225,000. The City would commit to using the sweeper for ten years.

Attachments: [2023 PGE Drive Change Fund Guidelines](#)

[Written Testimony](#)

Add - Written Testimony

3.3b. [23-109](#)

Recommended revisions to policy statements guiding Salem's response to proposed legislation for 2023 Oregon Legislative Session.

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:

Approve positions on specific bills for the 2023 Oregon Legislative Session.

Summary:

The 2023 Oregon Legislative Session began on January 17, 2023. In September 2022, the City Council approved a set of priorities to pursue during the session and policy statements to guide Salem's

response to draft legislation. When the subject of proposed legislation is outside the scope of the policy statements, the City Council's Legislative Committee reviews bills identified as critical by City staff and recommends to City Council the position the City should take on critical bills.

Attachments: [Legislative Committee recommended revisions to 2023 Legislative Policy Statements](#)

Add - Report Added

4. PUBLIC HEARINGS

4.a. [23-116](#) Public hearing regarding the vacation of 1st Street NW.

Ward(s): 1

Councilor(s): Stapleton

Neighborhood(s): West Salem NA

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

Recommendation:

Approve the vacation of 1st Street NW with the condition that access and utility easements be provided.

Summary:

Public hearing to consider the vacation of the remaining section of 1st Street NW, east of Murlark Street NW. This section of roadway (approximately 300 feet) is underimproved and provides limited transportation function. Vacating 1st Street NW will help spur development in the surrounding area.

Attachments: [Resolution No. 2023-04](#)

[Vicinity Map](#)

[Written Testimony](#)

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. [23-111](#) Planning Administrator Decision - A consolidated application to develop a 90-unit multiple family development. - Approved.

Urban Growth Preliminary Declaration, Class 3 Site Plan Review, Class 2 Adjustment, Class 2 Driveway Approach Permit, Class 1 Design Review Case No. UGA-SPR-ADJ-DAP-DR23-01 - Britany Randall, Brand Land Use on behalf of Blossom Gardens Apartments LLC (Sean Blackburn, Terence Blackburn) - 3500 Block of Blossom Dr NE

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

Recommendation:

Information Only.

Attachments: [Land Use Decision UGA-SPR-ADJ-DAP-DR23-01](#)

- 6.b. [23-125](#) Hearings Officer Decision - To convert an existing building to a marijuana production use - Approved.

Conditional Use / Class 3 Site Plan Review Case No. CU-SPR23-01 - Danny Kim - 1290 12th St SE.

Ward(s): 2
Councilor(s): Nishioka
Neighborhood(s): SESNA

Recommendation:

Information Only.

Attachments: [Land Use Decision CU-SPR23-01](#)

7. ORDINANCES

7.1 FIRST READING:

7.2 SECOND READING:

- 7.2a. [23-115](#) Designation of the Civic Center as a Salem Local Historic Resource

Ward(s): 2
Councilor(s): Nishioka
Neighborhood(s): Central Area Neighborhood Development Organization (CANDO)
Result Area(s): Welcoming and Livable Community

Recommendation:

Pass Ordinance Bill No. 3-23, designating the Salem Civic Center as a local historic resource.

Summary:

The Salem Civic Center is eligible for listing as a local historic resource due to its significance as an excellent local example of Brutalist architecture. The Civic Center meets the applicable criteria in SRC 230.010 for age, integrity and significance, especially for its association with Salem's community planning efforts in the late 1960s and early 1970s.

Attachments: [Ordinance Bill No. 3-23](#)
[Exhibit A -January 19, 2023 Staff Report](#)
[Exhibit B - HLC Recommendation](#)
[Exhibit C- Vicinity Map](#)

7.2b. [23-123](#)

Amendment to SRC Chapter 102 - Parking.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Recommendation:

Pass Ordinance Bill No. 6-23 to amend SRC Chapter 102 related to parking.

Summary:

The proposed code amendments updates SRC Chapter 102 - Parking - to align the code with state law for the disposition of unclaimed vehicles. Changes also will allow the Salem Municipal Court to adopt rules for virtual appearances of person charged with violations of Chapter 102 designated as an infraction.

Attachments: [Ordinance Bill No. 6-23.docx](#)
[Exhibit A to Ordinance Bill No. 6-23.docx](#)

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. [23-120](#) Unless otherwise noted, all meetings, public hearings, and work sessions will be conducted in Council Chambers, located at City Hall, 555 Liberty Street SE, Room 240, with the option for remote attendance. Please see the meeting agenda header for more details on remote attendance. The meetings are also available to watch in real-time online at CC:Media YouTube Channel, as well as Comcast Cable CC:Media Channel 21.

CITY COUNCIL PUBLIC HEARINGS:

2023 Annual Action Plan and Notice of Funding Available (NOFA) 2023 Subrecipients
Monday, April 10, 2023 at 6:00 p.m.

Eliminating Minimum Off-Street Parking Requirements Citywide (Ordinance Bill No. 4-23)
Monday, April 10, 2023 at 6:00 p.m.

Repealing Overlay Zones on Commercial Street SE (Ordinance Bill No. 5-23)
Monday, May 22, 2023 at 6:00 p.m.

FY 2024 Recommended Budget
Monday, June 12, 2023 at 6:00 p.m.

State Revenue Sharing
Monday, June 12, 2023 at 6:00 p.m.

SALEM HOUSING AUTHORITY PUBLIC HEARINGS:

URBAN RENEWAL AGENCY PUBLIC HEARINGS:

FY 2024 Recommended Budget
Monday, June 12, 2023 at 6:00 p.m.

CITY COUNCIL WORK SESSIONS:

Revenue Options for Sustainable City Services, Continued
Wednesday, April 5, 2023 at 6:00 p.m.
Meeting location: Main Library, Anderson Rooms, 585 Liberty St SE, Plaza Level
(This is a follow-up work session to the February 21, 2023 City Council

Work Session)

BUDGET COMMITTEE MEETINGS

City Manager Presents Proposed FY 2024 Budget to Budget Committee
Result Areas Reviewed: Welcoming and Livable Community, Natural
Environment Stewardship
Wednesday, April 19, 2023 at 6:00 p.m.

Budget Committee Review - Result Areas Reviewed: Strong and Diverse
Economy, Urban Renewal Agency, Safe Reliable and Efficient
Infrastructure, and CIP Public Hearing
Wednesday, April 26, 2023 at 6:00 p.m.

Budget Committee Review - Result Areas Reviewed: Safe Community,
Good Governance
Wednesday, May 3, 2023 at 6:00 p.m.

Budget Committee Recommends FY 2024 Budget to City Council /
Urban Renewal Agency
Wednesday, May 10, 2023 at 6:00 p.m.

SCHEDULE OF NEIGHBORHOOD ASSOCIATION ANNUAL MEETINGS

Neighborhood - Annual Meeting Date - Time - Councilor
Morningside May 10, 2023 6:30 p.m. - Councilors Nishioka, Phillips
ELNA Jun 1, 2023 7:00 p.m. - Councilor Hoy
SCAN June 14, 2023 6:30 p.m. - Councilors Nishioka, Nordyke
Grant July 6, 2023 6:15 p.m. - Councilor Stapleton
Highland August 10, 2023 7:00 p.m. - Councilors Gonzalez,
Stapleton
Faye Wright August 10, 2023 7:00 p.m. - Councilors Nordyke,
Phillips
Northgate September 21, 2023 6:00 p.m. - Councilor Gonzalez
West Salem October 4, 2023 7:00 p.m. - Councilors Stapleton,
Varney
NOLA October 4, 2023 6:30 p.m. - Councilors Hoy, Gonzalez
NESCA October 17, 2023 7:00 p.m. - Councilors Hoy, Nishioka,
Stapleton
CANDO October 17, 2023 6:00 p.m. - Councilors Nishioka, Stapleton
Sunnyslope October 19, 2023 7:00 p.m. - Councilors Nordyke, Gwyn
SWAN November 7, 2023 6:30 p.m. - Councilors Nishioka, Nordyke
NEN November 14, 2023 6:30 p.m. - Councilors Nishioka, Stapleton
SESNA November 28, 2023 7:00 p.m. - Councilor Nishioka

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: Imanderson@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.

