

Meeting Agenda**City Council**

Monday, December 4, 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 4:00 p.m. on the day of the meeting using this link <https://www.cityofsalem.net/comment-at-council>.

EXECUTIVE SESSION**City Council****5:00 p.m. - City Manager's Conference Room****Current Litigation - ORS 192.660(2)(h)****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**

**1.1 APPROVAL OF ADDITIONS AND DELETIONS TO THE
AGENDA**

1.2 COUNCIL AND CITY MANAGER COMMENT

1.3 PROCLAMATIONS

- 1.3a. [23-461](#) Proclamation - Pearl Harbor Day
Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods

Recommendation:

Information Only.

Attachments: [Proclamation - Pearl Harbor Day](#)

- 1.3b. [23-463](#) Proclamation - Human Rights Day
Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods

Recommendation:

Information Only.

Attachments: [Proclamation - Human Rights Day](#)

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

3.2 RESOLUTIONS

- 3.2a. [23-440](#) Dedication of Reserve Strip Tract "A" Of Battle Creek Heights No. 2 as Public Right-Of-Way

Ward(s): Ward 4
Councilor(s): Deanna Gwyn
Neighborhood(s): South Gateway
Result Area(s): Safe, Reliable and Efficient Infrastructure

Recommendation:

Adopt Resolution No. 2023-37 to dedicate the reserve strip identified as Tract "A" of Battle Creek Heights No. 2 as public

right-of-way.

Summary:

Landon Street SE is being extended south as part of the Reserve at Battlecreek subdivision, approved by Planning Case No. SUB-ADJ21-04. It is necessary to dedicate the reserve strip as public right-of-way to allow access to the proposed Landon Street SE extension.

Attachments: [Resolution No. 2023-37.docx](#)
[Location Map \(Exhibit A\).pdf](#)

3.2b. [23-441](#)

Dedication of Block "B" of Battlecreek Estates No. 4 as Public Right-Of-Way.

Ward(s): Ward 4
Councilor(s): Deanna Gwyn
Neighborhood(s): South Gateway
Result Area(s): Safe, Reliable and Efficient Infrastructure

Recommendation:

Adopt Resolution No. 2023-38 to dedicate the reserve strip identified as Block "B" of Battlecreek Estates No. 4 as public right-of-way.

Summary:

Talloc Avenue SE is being extended south as part of the Talloc Estates subdivision, approved by Planning Case No. SUB20-02. It is necessary to dedicate the reserve strip as public right-of-way to allow access to the proposed Talloc Avenue SE extension.

Attachments: [Resolution No. 2023-38.docx](#)
[Location Map \(Exhibit A\).pdf](#)

3.2c. [23-442](#)

Dedication of City Property as Public Right-of-Way to be Known as Simpson Street SE

Ward(s): Ward 2
Councilor(s): Linda Nishioka
Neighborhood(s): Southeast Salem
Result Area(s): Safe, Reliable and Efficient Infrastructure

Recommendation:

Adopt Resolution No. 2023-39 dedicating a remnant piece of City owned property as public right-of-way to be known as Simpson Street SE.

Summary:

The City intends to dedicate a remnant piece of City owned property as public Right-of-Way to be known as Simpson Street SE.

Attachments: [Resolution No. 2023-39.docx](#)
[Location Map \(Exhibit A\).pdf](#)

3.2d. [23-443](#)

Dedication of City Property as Public Right-of-Way for Fisher Road NE

Ward(s): Ward 6
Councilor(s): Julie Hoy
Neighborhood(s): Northeast Salem Community
Result Area(s): Safe, Reliable and Efficient Infrastructure

Recommendation:

Adopt Resolution No. 2023-40 dedicating City property as public right-of-way for Fisher Road NE.

Summary:

The City acquired property between Fisher Road NE and Market Street NE as part of the Fisher Road NE Improvements Project completed in 2020. The property needs to be dedicated as public right-of-way for Fisher Road NE.

Attachments: [Resolution No. 2023-40.docx](#)
[Location Map \(Exhibit A\).pdf](#)

3.2e. [23-447](#)

Update to the City of Salem Floodplain Management Plan.

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

Recommendation: Adopt Resolution No. 2023-42 updating the City of Salem Floodplain Management Plan.

Summary:

A committee of City staff and community stakeholders completed a five-year evaluation of the Floodplain Management Plan (Plan) in compliance with Federal Emergency Management Agency (FEMA) requirements for the Community Rating System. The plan update review included an overall evaluation of the Plan, and a detailed review of the Program for Public Information (Appendix F) and the Flood Insurance Coverage Improvement Plan (Appendix G) of the Floodplain Management Plan. Recommendations from City staff, committee members and the public were compiled and summarized in the 2023 *Floodplain Management Plan Update* prepared for Council consideration.

Attachments: [2023-floodplain-management-plan.pdf](#)
[Resolution 2023-42 2023 Floodplain Management Plan Update.docx](#)
[Written Testimony 1](#)

Add - Written Testimony

3.3 ACTION ITEMS

3.3a. [23-385](#)

Grant agreements to pass state grant funds through to Mid-Willamette Valley Community Action Agency (MWVCAA).

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Recommendation:

Authorize the City Manager to execute two grant agreements, the first to receive \$1.85M in grant funds from the State of Oregon and the second to pass the funds through to MWVCAA.

Summary:

The State of Oregon granted \$1.85M from their General Fund for renovations of ARCHES Inn and for Wallace Early Learning Center. Both of these projects are under the purview of MWVCAA. In order for the City to both receive and pass through the funds, two grant agreements need to be executed: one with the State to send the grant funds to the City and another with MWVCAA for the City to pass the funds through.

Attachments: [State of Oregon Grant Agreement 107-2023-5506-14.pdf](#)
[MWVCAA Grant Agreement](#)

3.3b. [23-453](#)

NOAA Grant Application Cooperative Agreement

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Recommendation:

Ratify the City Manager's execution of the attached NOAA Grant Application Cooperative Agreement.

Summary:

As part of the application process for the 2023 NOAA Transformational Habitat and Coastal Resilience Grant, the City of Salem, and the Santiam Water Control District (District) have entered into a Cooperative Agreement. This agreement addresses roles and responsibilities for the proposed grant-funded projects, which involve major capital improvements to Upper Bennett Dam and Lower Bennett Dam's fish ladder. In order for the City to submit the grant application prior to the November 17 deadline, the City Manager has already executed the Cooperative Agreement. City

Council is being asked to ratify the City Manager's execution of the agreement.

Attachments: [NOAA Grant Application Cooperative Agreement](#)
[Commitment Letter](#)

4. PUBLIC HEARINGS

4.a. [23-433](#)

An annexation of an approximate 0.78-acre territory located at 572 Hile Lane NE with a Minor Comprehensive Plan Map Amendment to Multi-Family Residential and Zone Change to RM-II (Multiple Family Residential).

Ward(s): Ward 6

Councilor(s): Hoy

Neighborhood(s): East Lancaster Neighborhood Association

Result Area(s): Welcoming and Livable Community

Recommendation:

Approve the annexation of the territory located at 572 Hile Lane NE, including a Minor Comprehensive Plan Map Amendment to Multi-Family Residential and Zone Change to RM-II (Multiple Family Residential) and withdrawal of the territory from the Marion County Fire District #1 and East Salem Sewer and Drainage District, and advance to first reading.

Summary:

Annexation of an approximate 0.78-acre territory located at 572 Hile Lane NE with a Minor Comprehensive Plan Map Amendment to Multi-Family Residential and Zone Change to RM-II (Multiple Family Residential).

Attachments: [1 - Vicinity Map](#)
[2 - Territory Legal Description and Map](#)
[3 - Comprehensive Plan Change Map](#)
[4 - Zone Change Map](#)
[5 - Existing Conditions Plan](#)
[6 - Conceptual Phase 2 Site Plan](#)
[7 - Development Services Division Comments](#)
[8 - Finance Department Comments](#)
[9 - Salem-Keizer School District Comments](#)
[10 - Planning Commission Recommendation \(July 19, 2023\)](#)
[Written Testimony 1](#)

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)

5.a. [23-475](#) Revenue Task Force discussion and information

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance.

Recommendation:

Information only.

Summary:

The City Council voted to form a Revenue Task Force at their meeting on November 27, 2023. After the vote, the City Council discussed next steps and directed staff to bring back information and an opportunity to provide direction at their next meeting on the:

- Charter
- Membership selection process
- Timeline

Additional information will be presented at the meeting.

Attachments: [Moss Adams Scope of Work.docx](#)

[Written Testimony 1](#)

[Written Testimony 2](#)

Add - Written Testimony

5.b. [23-472](#) Acquisition and disposition of property located at the 2500 block of Center Street, NE (formerly the site of the Salem General Hospital).

Ward(s): Ward 1

Councilor(s): Virginia Stapleton

Neighborhood(s): NEN

Result Area(s): Safe and Healthy Community; Strong and Diverse Economy; Welcoming and Livable Community.

Recommendation:

Authorize the City Manager to:

1. Execute an Assignment and Assumption of Purchase and Sale Agreement to acquire property located at the 2500 block of Center Street, NE from Salem Health, and
2. Execute a Purchase and Sale Agreement to convey the

- property to Green Light-HomeFirst, LLC, and
3. Upon acquisition of the Property by City, execute a lease of the Property to Green Light in a form of lease mutually agreed to by the parties?

Summary:

The City has been asked to help facilitate the conveyance of approximately 10.6 acres located at the 2500 block of Center Street, NE (Property Map, Attachment 1) from Salem Health to Green Light-HomeFirst, LLC (Green Light) for the purpose of Green Light developing affordable housing on the property. Under the tentative agreement reached by the parties, the City will take an assignment of the existing purchase and sale agreement between Salem Health and Green Light (Assignment, Attachment 2) and execute a new purchase and sale agreement to convey the property to Green Light (Purchase and Sale Agreement, Attachment 3).

Attachments: [Subject Property 2500 Block of Center Street, NE.docx](#)
[Assignment and Assumption of Purchase Agreement - Green Light -- Salem Hospital \(1\).docx](#)
[PSA City and Green Light City Council Exhibit.docx](#)
[Gussie Belle Brown Apts.pdf](#)

Added - Report added

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

7. ORDINANCES

7.1 FIRST READING:

7.2 SECOND READING:

- 7.2a.** [23-474](#) Salem Transportation System Plan amendment relating to Colorado Drive NW and Landaggard Drive NW.

Ward(s): 8

Councilor(s): Varney

Neighborhood(s): West Salem Neighborhood Association

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

Recommendation:

Pass Engrossed Ordinance Bill No. 15-23.

Summary:

The proposed amendment to the *Salem Transportation System Plan* (TSP) would reclassify Landaggard Drive NW as a local street and extend Colorado Drive NW east as a collector street to connect with Doaks Ferry Road NW (see Attachment 1). Landaggard Drive NW is

currently an unimproved, dead-end street lined by single family homes that extends approximately 1,200 feet north from Orchard Heights Road NW. In the TSP, Landaggard Drive NW is classified as a collector street that is planned to be extended north to connect to Colorado Way NW and Grice Hill Drive NW, thereby forming a looped collector street that connects back to Orchard Heights Road NW. A proposed development will extend Colorado Drive NW to Doaks Ferry Road NW which will eliminate the need for Landaggard Drive NW to serve as a collector and allow Landaggard Drive NW to be reclassified as a local street, which is consistent with its current function.

Attachments: [TSP Amendment 23-05, Exhibit Map](#)

[Engrossed Ordinance Bill No. 15-23](#)

[Exhibit1 to Engrossed Ordinance Bill No. 15-23](#)

[Public Comments](#)

[Public Comments received November 14, 2023](#)

[Additional Public Comments received November 21, 2023](#)

[TSP staff response to SALEM TSP Questions A Testimony.pdf](#)

[Additional Written Testimony](#)

7.2b. [23-460](#)

Second Reading of a Code Amendment (Case No. CA23-03) to Salem Revised Code Chapter 900 (Sign Code) and Chapter 300 (Procedures for Land Use Applications and Legislative Land Use Proposals).

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Recommendation:

Pass Ordinance Bill No. 16-23 for the purpose of amending Salem Revised Code Chapter 900 (Sign Code) and Chapter 300 (Procedures for Land Use Applications and Legislative Land Use Proposals).

Summary:

The proposed code amendment, CA23-03, to Salem Revised Code Chapter 900 (Sign Code) and Chapter 300 (Procedures for Land Use Applications and Legislative Land Use Proposals) is needed to update, clarify, correct, and simplify development standards and definitions; remove sign variances, adjustments, and conditional uses; and delete old references to zones that have been previously eliminated.

Attachments: [Ordinance Bill No 16-23](#)**7.2c. [23-446](#)**

An Annexation of an approximately 48-acre territory located at 7006 Sunnyside Road SE and 7102 Cains Place SE.

Ward(s): 4

Councilor(s): Gwyn

Neighborhood(s): South Gateway

Result Area(s): Welcoming and Livable Community

Recommendation:

Pass Ordinance Bill No. 18-23 approving annexation, applying City zoning, and approving withdrawal from the Salem Suburban Rural Fire Protection District, for a territory at 7006 Sunnyside Road SE and 7102 Cains Place SE, to second reading for enactment.

Summary:

Annexation of an approximately 48-acre territory located at 7006 Sunnyside Road SE and 7102 Cains Place SE.

Attachments: [Vicinity Map](#)

[Ordinance Bill No. 18-23](#)

[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 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. [23-470](#) Unless otherwise noted, all meetings and public hearings 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:

Exemption from Competitive Bidding Process and Authorization of an Alternative Contracting Method for the Construction of the Geer Park Skate Park

Monday, January 8, 2024 at 6:00 p.m.

Exemption from Competitive Bidding Process and Authorization of an Alternative Contracting Method for the Civic Center Seismic Upgrade

Monday, January 8, 2024 at 6:00 p.m.

Annexation of an approximately 0.96-acre territory, application of MU-III (Mixed Use-III) zoning, and withdrawal from the Marion County Fire District #1 and East Salem Sewer and Drainage District for property located at 4370 Fisher Road NE (Annexation No. C-753)

Monday, January 22, 2024 at 6:00 p.m.

Connecting Approximately 40 Homes in the Sleepy Hollow Neighborhood to the City's Public Water System

Monday, January 22, 2024 at 6:00 p.m.

SALEM HOUSING AUTHORITY PUBLIC HEARINGS:

Exemption from the Competitive Bidding Process and Authorization of an Alternative Contracting Method for a Class of Public Improvement Contracts for projects located at Englewood West Apartments, 1068 Park Avenue NE, Salem, OR, and Southview Terrace Apartments, located at 375 Fairview Avenue SE, Salem, OR.

Monday, January 8, 2024 at 6:00 p.m.

URBAN RENEWAL AGENCY PUBLIC HEARINGS:

CITY COUNCIL WORK SESSIONS: (Unless otherwise noted, work sessions are held in the Anderson Rooms at Salem Public Library, 585 Liberty St SE)

BUDGET COMMITTEE MEETINGS: (Budget Committee meetings are held in Council Chambers, 555 Liberty Street SE, Room 240)

Presentation of the Five-Year Financial Forecast
Wednesday, January 10, 2024 at 6:00 p.m.

SCHEDULE OF NEIGHBORHOOD ASSOCIATION ANNUAL MEETINGS:

Neighborhood - Annual Meeting Date - Time - 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.

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.

