



CITY OF SALEM

555 Liberty St SE
Salem, OR 97301

Meeting Agenda

City Council

Monday, December 11, 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

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. [23-490](#) Proclamation of the Mayor and Canvass of Votes from the

November 7, 2023 Special Election

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance

Recommendation: Information Only

Attachments: [PROCLAMATION OF THE MAYOR](#)

[CANVASS OF VOTES](#)

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. [23-457](#) November 20, 2023 Draft Minutes - Joint Work Session with City Council and Marion County Board of Commissioners

Attachments: [11-20-23 Draft Minutes - Joint City Council and Marion Co. Board of Commissioners W](#)

3.1b. [23-458](#) November 20, 2023 Draft City Council Work Session Minutes

Attachments: [11-20-23 Draft Council Work Session Minutes - 2024 Council Policy Agenda.pdf](#)

3.1c. [23-485](#) November 27, 2023 Draft City Council Minutes

Attachments: [11-27-23 Draft Council Minutes.pdf](#)

3.2 RESOLUTIONS

3.2a. [23-403](#) Multiple Unit Housing Tax Incentive Program application by Brandon Fahlman seeking a 10-year property tax exemption for a seven-unit residential project located at 890 Commercial Street NE.

Ward(s): 1

Councilor(s): Stapleton

Neighborhood(s): CANDO

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

Recommendation:

(1) Adopt Resolution No. 2023-32 approving an application by Brandon Fahlman for a ten-year property tax exemption under the City's Multiple Unit Housing Tax Incentive Program and;

(2) Direct staff to make a request to boards of other taxing districts to adopt a resolution agreeing with the policy of providing a tax exemption for the project, therefore exempting the Project's full property tax liability.

Summary:

On October 20, 2023, Brandon Fahlman (Applicant) submitted an application for participation in the Multiple Unit Housing Tax Incentive Program (Program) for development of two mixed-use buildings located at 890 Commercial Street NE (Project). The Project will be developed on a 0.31-acre unimproved piece of land and contain seven residential units and two commercial units. The Applicant has submitted an application and material asserting compliance with all Program requirements. The Project contains more than two dwelling units, is located within the Core Area, and meets 10 of the 19 public benefit requirements. Adoption of Resolution 2023-32 (Attachments 1, 2, 3) would approve the application by Brandon Fahlman for tax exemption of the multiple family residential portion of the Project under the Program.

Attachments: [Resolution 2023-32](#)

[Exhibit A to Resolution 2023-32](#)

[Exhibit B to Resolution 2023-32](#)

[Core Area Map](#)

3.2b. [23-455](#)

Acquisition of Property for the Sunnyview Road NE and Hollywood Drive NE Pedestrian Crossing Improvements Project

Ward(s): Ward 6

Councilor(s): Julie Hoy

Neighborhood(s): East Lancaster (ELNA), North Lancaster (NOLA)

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

Recommendation:

Adopt Resolution No. 2023-43, declaring a public need to acquire and the City of Salem's intent to negotiate for the acquisition of easements for the Sunnyview Road NE and Hollywood Drive NE Pedestrian Crossing Improvements Project.

Summary:

The Sunnyview Road NE and Hollywood Drive NE Pedestrian Crossing Improvements project includes construction of a rectangular rapid flashing beacon (RRFB) on the east side of the Sunnyview Road NE and Hollywood Drive NE intersection, construction of ADA-compliant sidewalk ramps, and installation of

street lighting (Attachment 1, Project Location Map). The project is currently in design.

Attachments: [Project Location Map.pdf](#)
[Resolution Number 2023-43.docx](#)
[Identified Properties \(Exhibit 1 to Resolution\).pdf](#)

- 3.2c.** [23-484](#) Consideration of a land use fee reduction request for 650 15th St SE.

Ward(s): 2
 Councilor(s): Nishioka
 Neighborhood(s): SESNA
 Result Area(s): Good Governance; Welcoming and Livable Community

Recommendation:

Adopt Resolution No. 2023-34, authorizing a fifty percent fee reduction for a Comprehensive Plan Change and Zone Change for 650 15th St SE?

Summary:

Consideration of a request for a fifty percent reduction in the land use fee for a Comprehensive Plan Change and Zone Change for 650 15th St SE.

Attachments: [Vicinity Map](#)
[Zoning Map](#)
[Resolution No. 2023-34](#)
[Public Comments received by 2:00p.m., December 11, 2023.pdf](#)

Add - Written Testimony.

3.3 ACTION ITEMS

- 3.3a.** [23-468](#) REVISED - Applications for transportation safety projects through the Oregon Department of Transportation All Roads Transportation Safety (ARTS) program.

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

Recommendation:

Authorize the City Manager to apply for project funding with a total estimated cost of \$3,798,000 under the All Roads Transportation Safety (ARTS) program for systemic measures (intersection, bicycle and pedestrian, and roadway departure) and, if successful, incorporate projects into a future Capital Improvement Plan and

authorize the City Manager to enter into an agreement with ODOT to accept and expend the funds.

Summary:

The Oregon Department of Transportation (ODOT) is soliciting applications for funding of projects through the 2027-2030 All Roads Transportation Safety (ARTS) program. The ARTS program distributes funds from the Federal Highway Safety Improvement Program for the purpose of achieving a significant reduction in fatalities and serious injuries on public roads. The three projects that are proposed will increase the safety of the City's transportation system by reducing conflicts among pedestrian, bike, transit, motor vehicle and freight modes at locations throughout Salem.

Attachments: [Attachment 1 - Vicinity Map](#)

Revised - The staff report has been revised to correct an error in the table that summarizes the total estimated grant requests and required city match.

3.3b. [23-476](#)

Marion County Ambulance Service Area Franchise Agreement Renewal.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Safe and Healthy Community

Recommendation:

Authorize the City Manager to execute the Ambulance Service Area Franchise Agreement between the City of Salem and Marion County, renewing the City's exclusive right and responsibility to provide ambulance services in Marion County from January 1, 2024, through December 31, 2028.

Summary:

The Marion County Board of Commissioners has the authority to assign Ambulance Service Areas (ASA) within Marion County, complying with ORS Chapter 682. Under the Marion County ASA plan, the County has designated ten ASAs. The City of Salem has been granted a renewal of the exclusive franchise to ASA No. 1 for a five-year term ending December 31, 2028.

Attachments: [Franchise Agreement \(ASA #1\) HE-5719-23](#)

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. [23-493](#) Revenue Task Force charter and member selection

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

Recommendation:

Approve the attached Revenue Task Force Charter.

Summary:

The City Council voted to form a Revenue Task Force on November 27, 2023 and provided additional direction at the December 4, 2023 meeting. Based on that direction a draft Revenue Task Force charter is attached (attachment 1).

Attachments: [2024 City of Salem Revenue Task Force DRAFT](#)
[Revenue Task Force Member Selection Calendar DRAFT](#)
[Revenue Task Force Application DRAFT](#)
[Public Comments received by 2:00 p.m., December 11, 2023.pdf](#)

Add - Written Testimony.

5.b. [23-444](#) Transfer of appropriations within the City's Fiscal Year (FY) 2024 Budget to fund the facilitation of a Revenue Task Force.

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

Recommendation:

Adopt Resolution No. 2023-41 authorizing a transfer of \$302,800 in appropriations within the City's FY 2024 budget for unanticipated changes.

Summary:

A transfer of \$302,800 in appropriations from General Fund contingency is needed to fund the facilitation of a Revenue Task Force. Due to capacity constraints, staff are recommending engaging with Moss Adams for overall task force facilitation and project management. Consultants for community engagement and polling are also included.

Attachments: [Resolution No. 2023-41](#)[Moss Adams Scope of Work](#)**5.c.** [23-473](#)

This is an annual report of the Salem Public Art Commission for 2023.

Ward(s): Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Welcoming and Livable Community

Recommendation:

Approve the Salem Public Art Commission 2023 Annual Report as an informational report from staff.

Summary:

This is the annual report of the Salem Public Art Commission for 2023. The report highlights the commission's accomplishments with regard to managing the Salem Public Art Collection. Furthermore, the report highlights artwork in the new Public Works Operations Building and discusses SPAC's goal of making public art accessible in Salem.

Attachments: [Salem Public Art Commission 2023 Report and Update.pdf](#)[SPAC 2023 Annual Report - Attachment 2.pdf](#)**5.d.** [23-479](#)

Salem Civic Center Improvement Project - Pre-Design Report Update

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Recommendation:

Information only.

Summary:

The 2022 City of Salem Safety and Livability General Obligation Bond includes \$39.5 million for the construction of the Salem Civic Center Improvement Project. Work on the initial task of pre-design master planning is nearing completion and staff will provide a presentation on the findings.

5.e. [23-496](#)

Decision to interview applicants to the Citizen Budget Committee and Salem Planning Commission put forth by the Appointment Committee.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods
Result Area(s): Good Governance

Recommendation:

Determine whether to hold interviews for the current applicant's selected by the Appointment Committee for the Citizen Budget Committee and Salem Planning Commission and direct that interviews be held on January 8, 2024 prior to the City Council meeting.

Summary:

The Appointment Committee has selected applicants to move forward for full Council consideration for the Citizen Budget Committee and Salem Planning Commission. Council is required to decide if those applicants should be interviewed.

Attachments: [David Gier Application Redacted](#)
[Evan Manvel Application Redacted](#)
[Nick Beleiciks Application Redacted](#)
[Paul Tigan Application Redacted](#)
[Beth Rhoades Application Redacted](#)
[Jordan Truitt Application Redacted](#)

Add - New report added - Decision to interview applicants to the Citizen Budget Committee and Salem Planning Commission.

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

6.a. [23-467](#) Changes to City Council Committee Assignments

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

Recommendation:

Information Only.

Attachments: [2023 City Council Committee Assignments](#)

6.b. [23-471](#) Purchases approved administratively from October 1, 2023 through October 31, 2023.

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

Recommendation:

Information only.

Summary:

Specific awards and the sources of funds for all contracts administratively awarded, renewed, or modified during the month of October. Included in the report are procurement contracts and public contracting activities with a current fiscal year impact and annual contracts.

Attachments: [Purchases approved administratively October 2023.pdf](#)

- 6.c.** [23-478](#) Expiration of the Emergency Declaration related to unsheltered residents.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

- 6.d.** [23-481](#) Reduction in Library operational hours, beginning January 2, 2024.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Recommendation:

Information only.

Summary:

The Salem Public Library has faced staffing shortages and increased demands for service. The lack of staffing has led to difficulty in providing service to patrons during open hours, cancellation of library programs, and inequitable distribution of workload among staff. In an effort to proactively conserve resources in anticipation of the potential for expenditure reductions in either the current FY24 Budget or the FY25 Budget, Community Services and Library management have for the past several months chosen not to fill most staff positions as they become vacant. These are vacancies created by normal, ongoing staff turnover due to retirements and resignations. As such, this has created a reduced level of staffing and an increasing burden to existing staff in maintaining the current levels of service. We have now reached a point of no longer having the staffing capacity to operate the Library at a level needed to support the current levels of service. Given this, it has become necessary to reduce the days and hours of operation at both the Main Library and the West Salem Library, beginning January 2, 2024. The reductions in days and hours are reflective of our capacity to staff the operation of our two Library buildings including

all accompanying services and programs.

ISSUE:

Information only.

RECOMMENDATION:

Attachments: [Salem Public Library Operational Hours.pdf](#)
[Public Comments received by 2:15 p.m., December 11, 2023.pdf](#)

Add - Written Testimony.

- 6.e. [23-482](#) Planning Administrator Decision - A replat to reconfigure three existing properties - Approved.

Replat Tentative Plan / Class 2 Adjustment Case No. REP-ADJ23-06
 - M And T Partners Inc., Matthew Oyen - 2540-2560 Kuebler Boulevard SE.

Ward(s): 4
 Councilor(s): Gwyn
 Neighborhood(s): SGNA

Recommendation:

Information Only.

Attachments: [Land Use Decision REP-ADJ23-06](#)

7. ORDINANCES

7.1 FIRST READING:

7.2 SECOND READING:

- 7.2a. [23-487](#) Revisions to the Salem Revised Code Sections 2.870, 2.880, 2.890, 2.900, and 2.910 related to the Salem Non-Profit Corporation Low Income Housing Tax Exemption Program.

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

Recommendation:

Pass Ordinance Bill 17-23.

Summary: Council advanced the bill from First Reading at its November 27, 2023, meeting without changes.

There are currently 17 properties owned by six non-profits enrolled or applying for enrollment in the Low Income Housing Tax Exemption Program. Five properties are in pre-development. The total number of exempted units is 384. Foregone taxes for the City equal \$252,800 in FY24. Foregone taxes for all jurisdictions equal \$577,020 in FY24.

Attachments: [Ordinance Bill 17-23.docx](#)
[Exhibit A to Ordinance Bill 17-23.pdf](#)

8. PUBLIC COMMENT: (Other than agenda items)

**** 2023 Year in Review ****

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@cityofsaalem.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. [23-489](#) 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)

2024 City Council Policy Agenda Update
Tuesday, January 16, 2024 at 6:00 p.m.

Sheltering and Homelessness in Salem: Partnerships and Progress
Tuesday, February 20, 2024 at 6:00 p.m.

Options for Allocation of Opioid Settlement Funds
Monday, March 18, 2024 at 6:00 p.m.

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: 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.

