



CITY OF SALEM

Meeting Agenda

City Council

555 Liberty St SE
Salem, OR 97301

Monday, December 9, 2019

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

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. [19-573](#) Salem Public Art Commission Annual Report

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Welcoming and Livable Community.

Recommendation: Information only.

Attachments: [Attachment 1: Salem Public Art Commission-2019-annual-report_final-2019-11-20](#)

[Attachment 2: PowerPoint Presentation](#)

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. [19-595](#) November 25, 2019 Draft City Council Minutes

Attachments: [11-25-19 Draft Council Minutes](#)

3.1b. [19-571](#) December 2, 2019 Draft City Council Minutes

Attachments: [12-2-19 Draft Council Minutes](#)

3.2 RESOLUTIONS

3.3 ACTION ITEMS

3.3a. [19-555](#) Federal Emergency Management Agency Performance 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 the Federal Emergency Management Agency Performance Grant to support the City's emergency management program for Fiscal Year 2019/2020.

Attachments: [EMPG Agreement 19-542 City of Salem v2](#)

3.3b. [19-578](#) Amendment to the Intergovernmental Agreement with the Oregon Department of Transportation (ODOT) for Right-of-Way Services for the McGilchrist Street SE Corridor Improvement Project.

Ward(s): 2
Councilor(s): Andersen
Neighborhood(s): SESNA
Result Area(s): Safe, Reliable, and Efficient Infrastructure

Recommendation: Authorize the City Manager to execute Amendment Number 1 to the Intergovernmental Agreement with ODOT for Right-of-Way Services for the McGilchrist Street SE Corridor Improvement Project.

- Attachments:** [Attachment 1 - Vicinity Map](#)
[Attachment 2 - Right-of-Way Services Agreement Number 32537.pdf](#)
[Attachment 3 - Amendment 1 to Right-of-Way Services Agreement No 32537.pdf](#)

3.3c. [19-580](#) Policy statements for the interim and 2020 Oregon Legislative Session.

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

- Recommendation:**
1. Approve the attached legislative policy statements as policy direction for the interim and 2020 Oregon Legislative Session.
 2. Authorize the City Council Legislative Committee to act on behalf of the Council during the 2020 Legislative Session in adopting positions on bills outside the scope of the policy statements.

- Attachments:** [2020 Legislative Policy Statements](#)

3.3d. [19-582](#) Subordination of Two HOME Investment Partnership Act Loans

Ward(s): Ward 5
Councilor(s): Councilor Ausec
Neighborhood(s): Northgate
Result Area(s): Welcoming and Livable Community

- Recommendation:** Authorize the subordination of two HOME Investment Partnership Act rehabilitation deferred payment forgivable loans for Community Resource Trust, located at 2540 Rose Garden Street NE.

4. PUBLIC HEARINGS

4.a. [19-554](#) Petitioner-Initiated Annexation of Territory Located at 4696 Center Street NE and 592 Hile Lane NE - 97301 (Annexation Case No. C-736)

Ward(s): 6
Councilor(s): Hoy
Neighborhood(s): ELNA

Recommendation:

1. Find that the Petitioners have signed a valid triple majority petition for annexation of the Territory, in conformance with Oregon Revised Statutes (ORS) Chapter 222;
2. Determine that Annexation Case No. ANXC-736 satisfies the criteria of Salem Revised Code (SRC) 260.060(c) and adopt Order No. 2019-16 ANX (Attachment 2);
3. Change the Salem Area Comprehensive Plan (SACP) map designation of the southern part of the Territory (592 Hile Lane NE and Marion County Assessor Map and Tax Lot 072W29BC03801) from "Developing Residential" to "Multi- Family Residential";
4. Change the zoning of the Territory from Marion County UD (Urban Development) to City of Salem RM-II (Multiple Family Residential II); and
5. Withdraw the Territory from Marion County Fire District #1 and the East Salem Sewer and Drainage District.

Attachments: [Vicinity Map](#)[Order No. 2019-16 ANX Adopting the Final Decision](#)[Planning Commission Recommendation on Land Use Designations](#)[Fire Department Comments](#)[Public Works Department Development Services Section Comments](#)[Public Works Department Parks Comments](#)[Finance Division Comments](#)[Salem-Keizer School District Comments](#)[Citizen Comments Received After the Planning Commission Hearing](#)[Written Testimony received](#)[Written Testimony received by 5:00 p.m. 12-9-19](#)

Add- Written Testimony.

4.b. [19-572](#)

Fiscal Year 2020 Supplemental Budget 2 for creation of Special Revenue Fund 177 to receive and expend funds collected for the Tourism Promotion Area

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Recommendation:

The City Council adopt Resolution No. 2019-86, adopting FY 2020 Supplemental Budget 2 amending the adopted budget for the creation of an unanticipated Special Revenue Fund 177 to receive and expend funds collected for the Tourism Promotion Area.

Attachments: [Resolution 2019-86](#)[Resolution 2019-86 Exhibit A](#)[Resolution 2019-86 Exhibit B](#)

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. [19-600](#) Motion from Councilor Hoy regarding organized car camping.

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

Attachments: [Public Comment received](#)

- 5.b. [19-599](#) Temporary permitted overnight emergency camping sites

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

Recommendation: Information Only.

Attachments: [Eugene Rest Stop Salem Staff Visit Summary.pdf](#)

[Public Comment received](#)

[Revised Table](#)

[Public Comment received by 5:00 p.m. 12-9-19](#)

Add - Written Testimony.

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

- 6.a. [19-574](#) Drinking Water and the 2019 algal bloom season.

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

Recommendation: Information only.

- 6.b. [19-577](#) Planning Administrator Decision - A consolidated application to create 212-lots for single family development (Coburn Grand View Estates) - Approved

Tentative Subdivision Plan / Class 2 Adjustment / Urban Growth Preliminary Declaration Modification Case No. SUB-ADJ19-08 &

UGA17-03MOD1 - Brandie Dalton, MultiTech Engineering, on behalf of Westwood Homes, LLC (Todd Boyce, Bill Wagoner) - 4700 Battle Creek Rd SE

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

Recommendation: Information Only.

Attachments: [Land Use Decision SUB-ADJ19-08 & UGA17-03MOD01](#)

- 6.c. [19-581](#) Planning Administrator Decision - A proposal to lawfully establish a unit of land that was created by sale through the recording of a deed in 1980 - Approved
Validation of Units of Land Case No. VUL19-07 - Investor Brokerage Inc. - 2920 Cherry Ave NE / 97301

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

Recommendation: Information Only.

Attachments: [Land Use Decision VUL19-07](#)

- 6.d. [19-587](#) Planning Administrator Decision - A partition to create two parcels - Approved.

Partition Case No. PAR19-13 Dura Built Construction, LLC (Zachary Zeek) - 1195 Park Ave NE

Ward(s): 6
Councilor(s): Hoy
Neighborhood(s): NESCA

Recommendation: Information Only.

Attachments: [Land Use Decision PAR19-13](#)

- 6.e. [19-596](#) Hearings Officer Decision - A request for a Conditional Use Permit and Site Plan Review to allow a marijuana extraction use, classified as heavy manufacturing, within an existing building - Approved

Conditional Use / Class 3 Site Plan Review - Daniel Grimm, G & G Investments Enterprises, LLC (Daniel Grimm, Nathan Martinez, and Jessica Martinez) - 2805 Valpak Rd NE

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

Neighborhood(s): Northgate

Recommendation: Information Only.

Attachments: [Land Use Decision CU-SPR19-06](#)

7. ORDINANCES

7.1 FIRST READING:

7.2 SECOND READING:

- 7.2a. [19-583](#) Repealing Salem Revised Code chapter 48, relating to plastic carryout bags

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: Conduct second reading of Ordinance Bill No. 13-19, repealing Salem Revised Code chapter 48 - Plastic Carryout Bags.

Attachments: [Ordinance Bill No. 13-19 repealing chapter 48](#)

[State of Oregon Enrolled HB 2509](#)

[Oregon Checkout Bag FAQ](#)

- 7.2b. [19-586](#) Oregon State Hospital National Register Historic District Boundary Revision

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Community

Recommendation: Conduct second reading of Ordinance Bill No. 15-19, amending Salem Revised Code (SRC) Chapter 230 to approve changes to the boundary of the Oregon State Hospital National Register Historic District and remove the historic district from that portion of property located at 2575 Center Street NE consistent with the approved boundary revision.

Attachments: [Map of Boundary Changes](#)

[Ordinance Bill No. 15-19](#)

[Exhibit A \(Ordinance Bill No. 15-19\) - Amendments](#)

[Exhibit B \(Ordinance Bill No. 15-19\) - Map](#)

[Exhibit C \(Ordinance Bill No. 15-19\) - Findings](#)

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. [19-585](#)

CITY COUNCIL PUBLIC HEARINGS

Held in the Council Chambers unless otherwise noted

SALEM HOUSING AUTHORITY PUBLIC HEARINGS

URBAN RENEWAL AGENCY PUBLIC HEARINGS

WORK SESSIONS Held in the Council Chambers, unless otherwise noted

City Council

Council Policy Agenda

Tuesday, January 21, 2020 at 6:00 p.m.

BUDGET COMMITTEE MEETINGS

Held in the Council Chambers unless otherwise noted

Presentation of the FY 2021 - 2025 Five Year Forecast

Wednesday, January 15, 2020 at 6:00 p.m.

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](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.

