



CITY OF SALEM

Meeting Agenda

City Council

555 Liberty St SE
Salem, OR 97301

Monday, January 27, 2020

6:00 PM

Council Chambers

EXECUTIVE SESSION

City Council

5:30 p.m. - City Manager's Conference Room

ORS 192.660(2)(e) Real Property Transactions

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. [19-608](#) Travel Salem 2020-2025 Strategic Plan

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Strong and Diverse Economy

Recommendation: Information only.

Attachments: [Travel Salem 20-25 Strategic Plan](#)

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. [20-7](#) January 13, 2020 Draft City Council Minutes

Attachments: [1-13-20 Draft Council Minutes](#)

3.2 RESOLUTIONS

3.2a. [19-623](#) A transfer of appropriation authority to enhance Information Technology

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Recommendation: Adopt Resolution 2020-2 transferring \$63,160 of appropriation authority from the General Fund, Finance, personal services to General Fund, Information Technology, personal services to enhance Information Technology network security.

Attachments: [Resolution No. 2020-2](#)

3.2b. [20-22](#) A transfer of appropriation authority for the purpose of funding additional downtown cleaning services

Ward(s): 1

Councilor(s): Kaser

Neighborhood(s): CANDO

Result Area(s): Good Governance; Natural Environment Stewardship; Strong and Diverse Economy; Welcoming and Livable Community.

Recommendation: Adopt Resolution No. 2020-3 transferring \$30,000 of appropriation authority from the Parking Fund, contingencies, to Parking Fund, materials and services, for the purpose of funding additional downtown cleaning services.

Attachments: [Resolution No. 2020-3](#)

3.3 ACTION ITEMS

3.3a. [19-624](#) Construction of previously deferred street improvements abutting

1515 Boone Road SE.

Ward(s): 3

Councilor(s): Nanke

Neighborhood(s): Morningside

Result Area(s): Welcoming and Livable Community

Recommendation: Require construction of deferred street improvements abutting 1515 Boone Road SE.

Attachments: [Attachment 1 Location Map 1515 Boone Rd SE](#)

[Attachment 2 - Deferral Agreement](#)

[Attachment 3 - Sky Meadows](#)

[Attachment 4 - SUB19-01](#)

[Attachment 5 - Letter to Property Owner](#)

3.3b. [20-15](#)

Permit fee waiver request from Salem Health for use of on-street parking spaces

Ward(s): 1

Councilor(s): Kaser

Neighborhood(s): CANDO

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

Recommendation: Fees are adopted by City Council resolution; waivers require City Council approval.

Attachments: [Council Request from Salem Health](#)

[Parking Mitigation Plan](#)

Item reordered - See item 5.c, Special Orders of Business.

3.3c. [20-16](#)

United States Department of Justice Edward Bryne Memorial Justice Assistance Grants for Federal Fiscal Year 2019

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Safe Community.

Recommendation: Authorize the City Manager to execute all U.S. Department of Justice, Justice Assistance Grant documents to accept the \$87,139 award.

Attachments: [2019 JAG Grant Award \(with strikethrough\)](#)

3.3d. [20-23](#)

Order for City Council review of the Planning Administrator's decision modifying and approving a Tentative Subdivision Review with a Class 2 Adjustment application for Permit Case No. SUB-ADJ19-08 and Modification to Urban Growth Preliminary Declaration Case No. UGA17-03MOD1 for property located at the 4700 Block Battle Creek Road SE.

Ward(s): 3

Councilor(s): Nanke
Neighborhood(s): Morningside Neighborhood Association
Result Area(s): Welcoming and Livable Community

Recommendation: Staff recommends that the City Council adopt the order modifying the decision of the Planning Administrator for Tentative Phased Subdivision and Class 2 Adjustment applications for Permit Case No. SUB-ADJ19-08 and Urban Growth Preliminary Declaration Modification Case No. UGA17-03MOD1.

Attachments: [November 21, 2019 Planning Administrator Decision](#)
[Order 2020-2 SUB-ADJ19-08](#)
[Exhibit 1](#)

3.3e. [20-34](#) Memorandum of Understanding with Confederated Tribes of the Grand Ronde Community of Oregon.

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

Recommendation: Approve the Memorandum of Understanding between the Confederated Tribes of the Grand Ronde and the City of Salem, authorizing the City Manager to execute the agreement and any necessary amendments.

Attachments: [MOU Confederated Tribes of Grand Ronde](#)

4. PUBLIC HEARINGS

4.a. [20-8](#) Amendment #1 to the 2019-2020 Housing and Community Development Annual Action Plan

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Result Area(s): Safe Community; Welcoming and Livable Community; Strong and Diverse Economy

Recommendation: Approve Amendment #1 the 2019-2020 Housing and Community Development Annual Action Plans (AAP) and direct staff to submit the amendment to the U.S. Department of Housing and Urban Development (Attachment 1)

Attachments: [Amendments to 2019-2020 Action Plan](#)
[Public Comments and Responses](#)

4.b. [20-13](#) Petitioner-Initiated Annexation of Territory Located at the SE Corner of Kuebler Blvd SE and 36th Ave SE - 97317 (Annexation Case No. C-733)

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

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

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 the Petition satisfies the criteria of Salem Revised Code (SRC) 260.060(c) and adopt Order No. 2020-1 ANX (Attachment 2);
3. Apply the City of Salem IG (General Industrial) zone to the Territory from Marion County IG (General Industrial); and
4. Withdraw the Territory from Salem Suburban Rural Fire Protection District and Turner Fire District.

Attachments:

[Vicinity Map](#)

[Order No. 2020-1 ANX Adopting the Final Decision and Findings of Compliance](#)

[Public Works Department Parks Comments](#)

[Fire Department Comments](#)

[Public Works Department Development Services Section Comments](#)

[Finance Department Comments](#)

4.c. [20-17](#)

Salem Revised Code updates to multifamily housing design standards and regulations.

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:

Engross Ordinance Bill No. 1-20, amending the Salem Revised Code to update design standards for multifamily housing and related regulations, and advance it to second reading for enactment.

Attachments:

[Summary of Proposed Code Amendment](#)

[Planning Commission Recommendation](#)

[Engrossed Ordinance Bill No. 1-20](#)

[Ordinance Bill No. 1-20 - Exhibit A \(Findings\)](#)

[Ordinance Bill No. 1-20 -Exhibit B Proposed Code Amendment](#)

[Core Network map](#)

[Written Testimony received by 3:30 p.m. 1-22-20](#)

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. [20-33](#) Motion from Councilor Chris Hoy regarding a speed limit review of 17th Street, from Mission Street SE to Silverton Road NE; and 45th Street NE, from Center Street NE to Sunnyview Road NE.

Ward(s): 1, 2, 5, and 6
Councilor(s): Councilor Hoy
Neighborhood(s): ELNA, NEN, SESNA

- 5.b. [20-40](#) Zoning analysis for a temporary shelter and low-barrier shelter, and

Considerations for adjusting camping restriction

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

Recommendation: No changes to City camping ordinances.

Add - Added report.

- 5.c. [20-15](#) Permit fee waiver request from Salem Health for use of on-street parking spaces

Ward(s): 1
Councilor(s): Kaser
Neighborhood(s): CANDO
Result Area(s): Good Governance, Strong and Diverse Economy

Recommendation: Fees are adopted by City Council resolution; waivers require City Council approval.

Attachments: [Council Request from Salem Health](#)
[Parking Mitigation Plan](#)

Reordered from item 3.3b.

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

- 6.a. [19-563](#) Salem Center 50+ Advisory 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: [Salem Center 50+ Advisory Commission Annual Report 2019](#)

- 6.b. [20-4](#) Update on the 2020 Oregon Legislative Session.

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

Recommendation: Information only.

Attachments: [2020 Legislative Policy Statements](#)
[2020 Legislative Calendar](#)

- 6.c. [20-5](#) FY 2018-19 Financial Audit of the City of Salem, Oregon

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

Recommendation: Information Only

- 6.d. [20-6](#) Purchases approved administratively from December 1, 2019 through December 31, 2019.

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

Recommendation: Information only.

Attachments: [Purchases approved administratively December 2019](#)

- 6.e. [20-9](#) Planning Commission Decision - Proposed development of a new 246-unit multiple family residential apartment complex. - Approved

Class 3 Design Review / Class 3 Site Plan Review / Class 2 Zoning Adjustment / Class 2 Driveway Approach Permit Case No. DR-SPR-ADJ-DAP19-11 - Richard Berger, Mountain West Investment Corp. - 2600 Center St NE Salem OR 97301

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

Recommendation: Information Only.

Attachments: [Land Use Decision DR-SPR-ADJ-DAP19-11](#)

- 6.f.** [20-12](#) Hearings Officer Decision - A proposal to add a cannabis concentrate processing operation to an existing marijuana production facility - Approved
- Conditional Use Case No. CU19-07 - Randy Hudnall - 4055 Turner Rd SE
- Ward(s): 3
Councilor(s): Nanke
Neighborhood(s): SEMCA
- Recommendation:** Information Only.

Attachments: [Land Use Decision CU19-07 Decision](#)

- 6.g.** [20-27](#) Welcoming and Inclusive Library Spaces
- Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Result Area(s): Welcoming and Livable Community
- Recommendation:** Information Only.

Attachments: [Draft Interior Vestibule Welcoming Mission & Values](#)

- 6.h.** [20-30](#) Hearings Officer Decision - Proposed mixed-use development with three buildings, including 26 multi-family residential units, and approximately 10,242 square feet of retail floor area. - Approved.
- Conditional Use / Class 3 Site Plan Review / Class 2 Driveway Approach Permit / Class 2 Adjustment / Class 1 Adjustment Case No. CU-SPR-ADJ-DAP19-08- Gene Bolante, Studio 3 Architecture, on behalf of Jim Iverson, JMI Investments - 4700 Block of Liberty Rd S.
- Ward(s): 7
Councilor(s): Nordyke
Neighborhood(s): Faye Wright
- Recommendation:** Information Only.

Attachments: [Land Use Decision CU-SPR-ADJ-DAP19-08](#)

- 6.i.** [20-31](#) Annual Historic Landmarks Commission Report
- Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods

Result Area(s): Welcoming and Livable Community

Recommendation: Information Only.

Attachments: [HLC 2019 Accomplishments & 2020 Workplan CC](#)

- 6.j. [20-32](#) Historic Landmarks Commission Decision - A modification to a previous historic design review approval (HIS18-28) to change the window types to be installed as part of the construction of a new mixed-use apartment building - Approved

Historic Design Review - New Construction Case No. HIS18-28MOD1 - Joshua Scott for KOZ Development, LLC (Cathy Reines, Dean Derrah) - 260 State St

Ward(s): 1
Councilor(s): Kaser
Neighborhood(s): CANDO

Recommendation: Information Only.

Attachments: [Land Use Decision HIS18-28MOD1.pdf](#)

- 6.k. [20-35](#) Hearings Officer Decision - A request to increase the height and display surface of a vehicle directional sign. - Approved.

Sign Variance Case No. VAR-SI19-05 - Savana Meyer, Rudnick Electric Signs, LLC (Steven Rudnick, Falin Rudnick) - 640 Hawthorne Ave SE.

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

Recommendation: Information Only.

Attachments: [Land Use Decision VAR-SI19-05](#)

- 6.l. [20-36](#) Planning Administrator Decision - A proposal to validate a unit of land that was created through the recording of a deed in 1994. - Approved.

Validation of Units of Land Case No. VUL19-08 - Lee Litvin - 4393 Kurth St S.

Ward(s): 7
Councilor(s): Nordyke
Neighborhood(s): Sunnyslope

Recommendation: Information Only.

Attachments: [Land Use Decision VUL19-08.pdf](#)

7. ORDINANCES

7.1 FIRST READING:

7.1a. [20-24](#) Issuance of Utility Revenue Bonds

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:

Conduct a first reading of ordinance bill no. 4-20 authorizing the City Manager, or the City Manager's designee, to issue approximately \$60 million in Utility revenue bonds to finance the City of Salem's Utility capital needs and costs of the debt issuance.

Attachments: [Bond Ordinance-Bill \(City of Salem Water & Sewer Revenue Bonds 2020\)](#)

7.2 SECOND READING:

7.2a. [20-25](#) Petitioner-Initiated Annexation of Territory Located at 1096 Hoffman Road NE - 97301 (Annexation Case No. C-734)

Ward(s): 6

Councilor(s): Hoy

Neighborhood(s): ELNA

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

Recommendation:

Conduct second reading of Ordinance Bill No. 2-20 annexing, applying City of Salem RA (Single Family Residential) zoning from Marion County UD (Urban Development) and UT-5 (Urban Transition - 5 Acres), and withdrawing from Marion County Fire District #1, for a 1.06-acre property located at 1096 Hoffman Road NE.

Attachments: [Vicinity Map](#)
[Ordinance Bill No. 2-20](#)
[Exhibit A - Territory Legal Description and Map](#)

7.2b. [20-26](#) 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

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

Recommendation:

Conduct second reading of Ordinance Bill No. 3-20 annexing, changing the Salem Area Comprehensive Plan 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," changing the zoning from Marion County UD (Urban Development) to City of Salem RM-II (Multiple Family Residential II), and withdrawing from the Marion County Fire District #1 and the East Salem Sewer and Drainage District, for a 5.04-acre property located at 4696 Center Street NE and 592 Hile Lane NE - 97301.

Attachments: [Vicinity Map](#)[Ordinance Bill No 3-20](#)[Exhibit A - 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. [20-28](#)

CITY COUNCIL PUBLIC HEARINGS

Held in the Council Chambers unless otherwise noted

PLANNING COMMISSION INTERVIEWS Held in the Council Chambers
Monday, February 10, 2020 at 5:30 p.m.

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, February 18, 2020 at 6:45 p.m.

Joint Urban Renewal Agency and City Council
Economic Development and Urban Renewal
Monday, March 16, 2020 at 6:00 p.m.

Joint City Council and Salem Planning Commission Work Session
Our Salem project update
Monday, April 20, 2020 at 6:00 p.m.
Center 50+
2615 Portland Rd NE, Classrooms A and B

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

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.

