



# **CITY OF SALEM**

555 Liberty St SE  
Salem, OR 97301

## **Meeting Agenda**

### **City Council**

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**Monday, September 14, 2020      6:00 PM**

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**Virtual Meeting**

**\*\*Due to the COVID-19 Pandemic, this meeting is being conducted virtually, with remote attendance by the governing body. No in-person attendance is possible. Interested persons may attend the meeting online at City of Salem Facebook, on CC:Media You Tube Channel, or watch on Comcast Cable 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](mailto:cityrecorder@cityofsalem.net). Public comment and testimony may also be provided during the meeting via Zoom at this link:**

**<https://www.cityofsalem.net/Pages/Public-Comment-at-Salem-City-Council-Meeting.aspx>**

#### **EXECUTIVE SESSIONS**

##### **City Council**

**5:15 p.m. – 5:30 p.m. - Virtual Meeting**

**ORS 192.660(2)(h) Current or Pending Litigation**

##### **City Council**

**5:30 p.m. – 6:00 p.m. - Virtual Meeting**

**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

- 1.3a. [20-354](#) Proclamation recognizing 9/11 Remembrance

Ward(s): All Wards  
Councilor(s): All Councilors  
Neighborhood(s): All Neighborhoods  
**Recommendation:** Information Only.

**Attachments:** [Proclamation -- 9-11 Remembrance](#)

- 1.3b. [20-351](#) Proclamation recognizing Constitution Week

Ward(s): All Wards  
Councilor(s): All Councilors  
Neighborhood(s): All Neighborhoods  
**Recommendation:** Information Only.

**Attachments:** [Proclamation - Constitution Week](#)

## 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. [20-323](#) August 24, 2020 Draft City Council Minutes

**Attachments:** [8-24-20 Draft Council Minutes.pdf](#)

### 3.2 RESOLUTIONS

- 3.2a. [20-350](#) Authorizing a transfer of appropriation authority in the General Fund

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:** Adopt Resolution No. 2020-42, transferring \$442,000 in the General Fund from contingency to materials and services to pay for a performance audit of the Salem Police Department and extend security services for Marion Square and Wallace Marine parks for the 2021 fiscal year.

**Attachments:** [Resolution No. 2020-42](#)

### 3.3 ACTION ITEMS

- 3.3a.** [20-334](#) Petition-initiated vacation of an alley near the intersection of Pine Street NE and Front Street NE.

Ward(s): Ward 1  
Councilor(s): Councilor Kaser  
Neighborhood(s): Highland  
Result Area(s): Safe, Reliable, and Efficient Infrastructure

**Recommendation:** Accept a petition to vacate an alley near the intersection of Pine Street NE and Front Street NE and direct the City Manager to set a public hearing date to consider the request.

**Attachments:** [Vicinity Map.pdf](#)  
[Map & Legal.pdf](#)

- 3.3b.** [20-340](#) Agreement between the City of Salem and Ride Salem to operate bike-sharing stations on City property.

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 execute an agreement with Ride Salem to operate bike-sharing stations on City property and waive fees for the first year.

**Attachments:** [Agreement for Bicycle Sharing Services](#)  
[Bike Share Locations on City Property](#)

- 3.3c.** [20-341](#) Intergovernmental Agreement with the Bend Police Department for an audit of Bend's evidence processes and evidence room.

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

**Recommendation:** Authorize the City Manager to execute the attached IGA between the Bend Police Department and the Salem Police Department for the purpose of conducting an audit of Bend's evidence processes and evidence room.

**Attachments:** [IGA with City of Bend](#)

- 3.3d.** [20-344](#) Purchase and Sale Agreement with Donald E. and Mary L. Clark for acquisition of real property

Ward(s): All Wards  
Councilor(s): All Councilors  
Neighborhood(s): WSNA  
Result Area(s): Good Governance; Natural Environment  
Stewardship; Safe, Reliable and Efficient Infrastructure; Strong and Diverse Economy; Welcoming and Livable Community.

**Recommendation:** Authorize the City Manager to execute the attached Purchase and Sale Agreement for the acquisition of real property located at 1990 Wallace Road NW.

**Attachments:** [Proposed Agreement](#)  
[Exhibit D to Agreement](#)  
[Public Comment received 9-14-20](#)

*Add - Written Testimony.*

- 3.3e.** [20-345](#) Amendment to lease with Rudy's Steakhouse LLC

Ward(s): 1  
Councilor(s): Kaser  
Neighborhood(s): CANDO  
Result Area(s): Strong and Diverse Economy; Welcoming and Livable Community

**Recommendation:** Authorize the City Manager to execute the attached lease amendment with Rudy's Steakhouse LLC.

**Attachments:** [Lease](#)  
[Proposed Amendment](#)

- 3.3f.** [20-347](#) Grant to Salem Main Street Association for Holiday Promotion and Events

Ward(s): Ward 1  
Councilor(s): Councilor Kaser  
Neighborhood(s): CANDO  
Result Area(s): Strong and Diverse Economy; Welcoming and Livable Community.

**Recommendation:** Authorize the City Manager to execute the attached grant agreement for \$5,000 with the Salem Main Street Association (SMSA), a 501 (c)(3), to fund costs associated with marketing and organizing downtown holidays events.

**Attachments:** [Grant Agreement](#)

**3.3g. [20-349](#)**

General Fund grant to Mid-Willamette Valley Community Action Agency for Volunteer Recruitment

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Welcoming and Livable Community.

**Recommendation:**

Authorize the City Manager to execute the attached grant agreement for \$5,000 with the Mid-Willamette Valley Community Action Agency (MWVCAA), a 501 (c)(3), to fund costs associated with marketing and outreach efforts to recruit volunteers to support the Salem warming center network.

**Attachments:** [Grant Agreement](#)

**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. [20-356](#)**

Strategic Plan Update

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Recommendation:**

Information only.

Colleen Rozillis with Moss Adams will provide an update on the Strategic Plan.

**Attachments:** [CCWS Strategic Plan Update 9.14.pdf](#)

**6. INFORMATION REPORTS: (Items that require no Council action)****6.a. [20-325](#)**

Salem's Economic Development Strategic Plan Update

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

**Recommendation:**

Information only.

**6.b. [20-330](#)**

Language access to City Council agendas and meetings

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

**Recommendation:**

Information only.

**6.c. [20-337](#)**

Planning Commission Decision - A Minor Comprehensive Plan Map Amendment, Neighborhood Plan Map Amendment, and Zone Change from CG (General Commercial) and RM-II (Multiple Family Residential) to PS (Public Service) - Approved.

Minor Comprehensive Plan Map Amendment / Neighborhood Plan Map Amendment / Quasi-Judicial Zone Change Case No. CPC-NPC-ZC20-04 - Matt Hastie, Angelo Planning Group, on behalf of Daniel Fricke, ODOT - 2400 Block of Commercial Street NE & Liberty Street NE.

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

**Recommendation:**

Information Only.

**Attachments:** [Land Use Decision CPC-NPC-ZC20-04](#)

**6.d. [20-346](#)**

Economic Development Quarterly Report

Ward(s): All Wards  
Councilor(s): All Councilors  
Neighborhood(s): All Neighborhoods  
Result Area(s): Strong and Diverse Economy

**Recommendation:**

Information only.

**6.e. [20-348](#)**

Planning Commission Decision - A Minor Comprehensive Plan Change, Neighborhood Plan Change, and Zone Change from POS (Public Open Space) and PA (Public Amusement) to CSE (Community Service Education) and PE (Public and Private Educational Service). - Approved

Minor Comprehensive Plan Map Amendment / Neighborhood Plan Map Amendment / Zone Change Case No.: CPC-NPC-ZC20-05 - Mark Shipman, Saalfeld Griggs Lawyers, on behalf of Joel Smallwood, Salem Keizer School District 24J - 2373 Kuebler Rd S

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

**Recommendation:** Information Only.

**Attachments:** [Land Use Decision CPC-NPC-ZC20-05](#)

## 7. ORDINANCES

### 7.1 FIRST READING:

### 7.2 SECOND READING:

- 7.2a.** [20-333](#) Amending Salem Revised Code Chapter 70 (Utilities), Chapter 71 (Stormwater), and Chapter 601 (Floodplain Overlay Zone).

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Natural Environment Stewardship.

**Recommendation:** Conduct second reading and enact Engrossed Ordinance Bill No. 8-20, amending Chapter 70 (Utilities), Chapter 71 (Stormwater), and Chapter 601 (Floodplain Overlay Zone) of the Salem Revised Code.

**Attachments:** [SRC 71 Engrossed Ordinance 8-20](#)

[SRC 71 Exhibit A Ordinance 8-20](#)

[Public Comments received 9-14-20.pdf](#)

*Add - Written Testimony.*

## 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](mailto:cityrecorder@cityofsalem.net) at least two business days in advance.

Si necesita ayuda para comprender esta información, por favor llame 503-588-6003.

**FUTURE AGENDA ITEM**

To appear on the September 28, 2020 agenda.

- a. [20-338](#) Public Hearing on Amendment to Salem's Stormwater Master Plan.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Natural Environment Stewardship; Safe Community;  
Safe, Reliable and Efficient Infrastructure.

**Recommendation:** Advance Ordinance Bill No. 11-20, which amends Salem's Stormwater Master Plan, to first reading.

**Attachments:** [Ordinance Bill 11-20](#)  
[SWMP Amendment 2020](#)  
[Battle Creek Basin Plan 2019](#)  
[Mill Creek Basin Plan 2019](#)  
[Pringle Creek Basin Plan 2019](#)  
[SWMP Plan Virtual Open House Comments](#)  
[Questions+Answers](#)

**UPCOMING PUBLIC HEARINGS, AND WORK SESSIONS**

- b. [20-332](#) CITY COUNCIL PUBLIC HEARINGS

Due to the COVID-19 Pandemic, and until further notice, all meetings, public hearings, and work sessions will be conducted virtually.

Real-time remote viewing is available online on the City of Salem Facebook page, CC:Media You Tube Channel, and is also available on Comcast Cable CC:Media Channel 21.

Stormwater Master Plan Update  
Monday, September 28, 2020 at 6:00 p.m.

Proposed Fees and Charges for Utility Service Rates (Wastewater, Water, and Stormwater)  
Monday, October 12, 2020 at 6:00 p.m.

SALEM HOUSING AUTHORITY PUBLIC HEARINGS

URBAN RENEWAL AGENCY PUBLIC HEARINGS



**WORK SESSIONS**

## City Council

Police Response to Non-Criminal Activities in Salem

Monday, September 21, 2020 at 6:00 p.m.

## Joint City Council and Salem Planning Commission Work Session

Our Salem project update

Wednesday, September 23, 2020 at 6:00 p.m.

## City Council

Salem's City Trees and Programs

Monday, October 19, 2020 at 6:00 p.m.

## City Council

Strategic Plan Update: Priorities for 2020-2023

Monday, November 16, 2020 at 6:00 p.m.

## City Council

Review of Strategic Plan Draft and Policy Agenda

January 19, 2021 at 6:00 p.m.

**BUDGET COMMITTEE MEETINGS****SCHEDULE OF NEIGHBORHOOD ASSOCIATION ANNUAL MEETINGS**

\*Please check with the association to determine if the meeting will be held virtually or in-person

Neighborhood - Annual Meeting Date - Councilor

Northgate - September 17 - Ausec

Sunnyslope - September 17- Nordyke, Leung

West Salem - October 19 - Kaser, Lewis

SESNA - October 27 - Andersen, Nanke

**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](mailto: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](mailto: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.

