



CITY OF SALEM

Meeting Agenda

City Council

555 Liberty St SE
Salem, OR 97301

Monday, November 23, 2020

6:00 PM

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 CC:Media YouTube 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@cityofsaalem.net. Public comment and testimony may also be provided during the meeting via Zoom at this link: <https://www.cityofsaalem.net/Pages/Public-Comment-at-Salem-City-Council-Meeting.aspx>**

EXECUTIVE SESSION

**Joint City Council and Salem Housing Authority Commission
5:30 p.m. –6:00 p.m. - Virtual Meeting
ORS 192.660(2)(d) Labor Negotiations**

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. [20-468](#) Proclamation recognizing Small Business Saturday

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

Recommendation: Information Only.

Attachments: [Proclamation - Small Business Saturday](#)

1.4 PRESENTATIONS

1.4 a. Presentation by Salem Police Foundation

- 1.4 b. [20-463](#) Presentation of 2020 Volunteer Recognition awards - Distinguished Project, Spirit, Youth Achievement

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

Recommendation: Information Only.

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. [20-479](#) November 9, 2020 Draft City Council Minutes

Attachments: [11-9-20 Draft Council Minutes.pdf](#)

- 3.1b. [20-480](#) November 16, 2020 Draft City Council Work Session Minutes

Attachments: [11-16-20 Draft Council Work Session Minutes.pdf](#)

3.2 RESOLUTIONS

3.3 ACTION ITEMS

- 3.3a. [20-447](#) Award of a \$50,000 wastewater pre-treatment grant to Oregon Fruit Products.

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

Neighborhood(s): SESNA

Result Area(s): Natural Environment Stewardship; Reliable and Efficient Infrastructure; Strong and Diverse Economy.

Recommendation: Staff recommends awarding a \$50,000 wastewater pre-treatment grant to Oregon Fruit Products. The award is consistent with the requirements of Salem Revised Code Chapter 74.190, and Public Works Department Policy WW 1-11.

Attachments: [Grant Request Letter from Chris Sarles, President/CEO Oregon Fruit Products](#)
[Oregon Fruit Products Process Cooling Alternatives Analysis](#)
[Cooling Tower Specifications](#)
[Chiller Technical Information](#)

3.3b. [20-457](#) Commercial lease with Pringle Place, LLC for storage of City supplies

Ward(s): 2

Councilor(s): Andersen

Neighborhood(s): Morningside

Result Area(s): Good Governance; Safe Community

Recommendation: Authorize the City Manager to execute the attached lease with Pringle Place, LLC.

Attachments: [Proposed Lease](#)
[Map](#)

3.3c. [20-458](#) Amending the June 2019 agreement with the Rotary Club of Salem regarding construction of the Gerry Frank | Salem Rotary Amphitheater.

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 an amendment to the ground lease agreement with the Rotary Club of Salem regarding construction of the Gerry Frank | Salem Rotary Amphitheater at Riverfront Park.

Attachments: [Gerry Frank Rotary Amphitheater Ground Lease](#)
[Exhibit G - Final for Report](#)

3.3d. [20-465](#) United States Department of Justice Edward Bryne Memorial Justice Assistance Grant for Federal Fiscal Year 2020

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 \$66,389 award to continue the Community Service Officer program.

Attachments: [2020 JAG Grant](#)

- 3.3e.** [20-467](#) Intergovernmental Agreement between the City of Salem and the State of Oregon granting use of the City rights-of-way for State telecommunication facilities.

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

Recommendation: Authorize the City Manager to execute the Intergovernmental Agreement between the City of Salem and the State of Oregon, granting nonexclusive use of the City rights-of-way.

Attachments: [IGA between City and State](#)
[Existing IGA between City and State \(2003\)](#)

4. PUBLIC HEARINGS

- 4.a.** [20-460](#) Community Development Block Grant and HOME investment partnership programs Consolidated Annual Performance and Evaluation Report (CAPER)

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

Recommendation: Approve submittal of the 2019-2020 Program Year Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant and HOME Investment Partnership Programs to the US Department of Housing and Urban Development (HUD).

Attachments: [CAPER](#)

- 4.b.** [20-444](#) Appeal of the Planning Commission's decision approving Comprehensive Plan Map Designation, Neighborhood Plan Change, Zone change, Class 3 Site Plan Review, Class 1 Design Review and Class 2 Adjustments to develop a 19-unit multi-family complex for properties located at 905 and 925 Cottage Street NE.

Ward(s): Ward 1
Councilor(s): Vacant
Neighborhood(s): Grant Neighborhood Association
Result Area(s): Welcoming and Livable Community

Recommendation:

Staff recommends that the City Council affirm the Planning Commission's decision for Comprehensive Plan Map Designation, Neighborhood Plan Change, Zone change, Class 3 Site Plan Review, Class 1 Design Review and Class 2 Adjustments Case No. CPC-NPC-ZC-SPR-ADJ-DR20-03.

Attachments:

[Vicinity Map, Site Plans and Building Elevations](#)
[Grant Neighborhood Association Appeal](#)
[Planning Commission Decision for Case No. CPC-NPC-ZC-SPR-ADJ-DR20-03](#)
[Public Comments Submitted after October 29,2020](#)
[Additional Public Comment received by 5:00 p.m. 11-18-20.pdf](#)
[Public Comments received by 3:00 p.m. 11-23-20.pdf](#)
[Public Comments received by 5:00 p.m. 11-23-20pdf](#)

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)

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

- 6.a. [20-425](#) Notice of proposed administrative rulemaking to implement collection, reimbursement, and expenditure of System Development Charges.

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; Strong and Diverse Economy; Welcoming and Livable Community.

Recommendation:

Information only.

Attachments:

[SDC Admin Rule Change Notice](#)
[SDC Admin Rule Change](#)

- 6.b. [20-471](#) Purchases approved administratively from September 1, 2020 through September 30, 2020.

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

Recommendation: Information only.

Attachments: [Purchases approved administratively September 2020](#)

6.c. [20-475](#) Planning Administrator Decision - A replat to reconfigure lots and increase open space at the Heritage Court Planned Unit Development - Approved.

Replat and Planned Unit Development Final Plan Modification Case No. REP-PUD-SUB06-05MOD1 - John Brosy on behalf of Dwight Ferris LLC (Dwight Ferris) - 2800 Block of Silverton Road NE & 3200 to 3300 Blocks of Williams Avenue NE.

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

Recommendation: Information Only.

Attachments: [Land Use Decision REP-PUD-SUB06-05MOD1](#)

7. ORDINANCES

7.1 FIRST READING:

7.2 SECOND READING:

7.2a. [20-474](#) Proposed revisions to Public Art Fund Allocations listed under Salem Revised Code Chapter 15 - Public Art (SRC 15) and Salem Public Art Commission Guidelines, Policies, and Procedures (SPAC Guidelines).

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

Recommendation: Staff recommends City Council conduct second reading and enact Ordinance Bill No. 13-20, which removes existing percent allocations within the Public Art Fund under SRC Chapter 15 (Public Art) and revises SPAC Guidelines, to second reading.

Attachments: [Ordinance Bill 13-20](#)
[Exhibit A SRC Chapter 15 Fund Revisions](#)
[Exhibit B SPAC Guidelines Fund Revisions](#)

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. [20-473](#) 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 at CC:Media You Tube Channel and can also be viewed on Comcast Cable CC:Media Channel 21.

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 Construction of Affordable Housing Property, Sequoia Crossings Apartments.
Monday, December 7, 2020 at 6:00 p.m.

URBAN RENEWAL AGENCY PUBLIC HEARINGS

WORK SESSIONS

City Council
Review of Strategic Plan Draft and Policy Agenda
Tuesday, January 19, 2021 at 6:00 p.m.

City Council
Long-Term Airport Planning
Tuesday, February 16, 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

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.

