



CITY OF SALEM

Meeting Agenda

City Council

555 Liberty St SE
Salem, OR 97301

Monday, March 22, 2021

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 view 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@cityofsalem.net. Public comment and testimony may also be provided during the meeting via Zoom. Please pre-register between 8:00 a.m. and 2:00 p.m. on the day of the meeting at the following link: <https://www.cityofsalem.net/Pages/Public-Comment-at-Salem-City-Council-Meeting.aspx>**

EXECUTIVE SESSION

City Council

5:30 p.m.

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. [21-110](#) Proclamation recognizing Arbor Month

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

Recommendation: Information Only.

Attachments: [Proclamation - Arbor Month 2021](#)

- 1.3b. [21-111](#) Proclamation recognizing Mayor's Monarch Pledge

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

Recommendation: Information Only.

Attachments: [Proclamation - Mayor's Monarch Pledge](#)

- 1.3c. [21-115](#) Proclamation recognizing Child Abuse Prevention Month

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

Recommendation: Information Only.

Attachments: [Proclamation - Child Abuse Prevention Month](#)

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. [21-116](#) March 8, 2021 Draft City Council Minutes

Attachments: [3-8-21 Draft Council Minutes.pdf](#)

- 3.1b. [21-124](#) March 15, 2021 Draft Joint City Council and Community Engagement Audit Steering Committee Work Session Minutes

Attachments: [3-15-21 Draft Joint Council Work Session Minutes.pdf](#)

3.2 RESOLUTIONS

3.2a. [21-88](#)

Library Parkade Policy for three free hours of parking for library visitors.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Welcoming and Livable Community

Recommendation:

Adopt Resolution No. 2021-7 adopting Council Policy L-2, establishing that parking at the main library parkade be provided at no cost to the public for the first three hours of use per day.

Attachments:

[Resolution 2021-7.doc](#)

[Resolution 2021-7 - Exhibit 1.pdf](#)

[Library Advisory Board Recommendations](#)

[Written Testimony](#)

Add - Written Testimony

3.2b. [21-107](#)

Extension of Emergency Utility Assistance and update on outreach and assistance provided to customers during the pandemic.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Recommendation:

Adopt Resolution 2020-10 restating the terms of the Emergency Utility Assistance Program and extending the effective date for the increase in maximum annual assistance to December 31, 2021.

Attachments:

[Resolution 2021-10](#)

[Exhibit A for 2021-10](#)

[Billing Utility Assistance Insert](#)

[Billing Assistance Program Insert](#)

[Low Income Assistance Donation Program](#)

[Stay Connected Utility Assistance Promotion](#)

[Social Media Utility Rate Relief Program Promotion](#)

[Utility Assistance Council Meeting Promotion 1](#)

[Utility Assistance Council Meeting Promotion 2](#)

[2020-040 Council Resolution 2020-08-10](#)

3.3 ACTION ITEMS

3.3a. [21-89](#)

First Amendment to the Lease Agreement between the City of Salem and Capital Community Television.

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

Recommendation: Authorize the City Manager to execute Amendment #1 to the Lease Agreement with Capital Community Television to waive their rent obligation under the existing lease through July 31, 2022 and to fix scrivener's errors.

Attachments: [CCMedia Signed Lease Amendment #1](#)
[CCTV Lowen Tower Lease](#)
[CCMedia Lowen Lease Moratorium Request](#)

- 3.3b.** [21-98](#) Purchase and Sale Agreement with Joyce S. Fincham for acquisition of real property as part of the Marine Drive NW alignment.

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 1370 Wallace Road NW.

Attachments: [Proposed Agreement](#)

- 3.3c.** [21-119](#) Recommended appointments and reappointments to the Citizens Advisory Traffic Commission, Salem Parks and Recreation Advisory Board, Salem Planning Commission, Salem Public Art Commission, and Salem Public Library Advisory Board.

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

Recommendation: Appoint and reappoint the applicants listed in the Facts and Findings section to the Citizens Advisory Traffic Commission, Salem Parks and Recreation Advisory Board, Salem Planning Commission, Salem Public Art Commission, and Salem Public Library Advisory Board.

Attachments: [John Lattimer Application_Redacted](#)
[Rick Hartwig Application_Redacted](#)
[Stephen Rosen Application_Redacted](#)

- 3.3d.** [21-56](#) Priority bills for 2021 Oregon Legislative Session

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

Recommendation: Approve the City of Salem's positions on legislative bills in the 2021 Oregon Legislative Session.

Attachments: [Bills Reviewed by Legislative Committee - March 19, 2021](#)

[Written Testimony](#)

Add - Report Added

4. PUBLIC HEARINGS

- 4.a. [21-100](#) Amending Salem Revised Code Chapter 601 (Floodplain Overlay Zone) to improve Salem's rating within the Federal Emergency Management Agency's Community Rating System Program.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Natural Environment Stewardship

Recommendation: Conduct a public hearing to consider Ordinance Bill No. 1-21 amending Chapter 601 (Floodplain Overlay Zone) of the Salem Revised Code and advance to second reading for enactment.

Attachments: [SRC 601_075 Ordinance Bill No.1-21](#)

[SRC 601_075 Exhibit A to Ordinance Bill No. 1-21](#)

- 4.b. [21-105](#) Public Hearing to consider Resolution No. 2021-9 to amend the Trelstad Reimbursement District by lowering the district fees based on actual construction costs.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Natural Environment Stewardship

Recommendation: Adopt Resolution No. 2021-9, (Attachment 1) approving the adjustment of the Trelstad Reimbursement District fee to reflect actual construction costs after conducting a public hearing on the matter.

Attachments: [Resolution No. 2021-9](#)

[Authorized Construction Costs](#)

[Exhibit A to Resolution No. 2021-9](#)

[Public Hearing Notice - Trelstad](#)

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. [21-131](#) Amending the Emergency Declaration related to unsheltered residents to allow for a limited, managed outdoor camp at City-owned property at 2640 Portland Road, NE? (Resolution No. 2021-11)

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Recommendation: Adopt Resolution No. 2021-11 to amend the declaration of emergency extended by Resolution No. 2020-49 related to unsheltered residents.

Attachments: [RESOLUTION No. 21-131 amending resolution 2020 49.docx](#)

[Written Testimony](#)

Add - Report Added

Add - Written Testimony

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

- 6.a. [21-84](#) Salem 2020 Annual Tree Report

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Natural Environment Stewardship; Welcoming and Livable Community.

Recommendation: Information only.

Attachments: [2020 Tree Report - Final](#)
[Strategic Plan Actions and Implementation Updated 2/24/2021](#)

- 6.b. [21-102](#) Hearings Officer Decision - To allow above-ground storage tanks for petroleum wholesaler - Approved.

Conditional Use / Class 3 Site Plan Review Case No. CU-SPR21-01 - Peter Nelson - 1977 Claxter Rd NE.

Ward(s): 5

Councilor(s): Gonzalez

Neighborhood(s): Northgate

Recommendation: Information Only.

Attachments: [Land Use Decision CU-SPR21-01](#)

- 6.c. [21-106](#) Senior Outreach Services, WOW Van, and Center 50+ Village

Network Grant.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Welcoming and Livable Community.

6.d. [21-108](#)

Hearings Officer Decision - To change the zoning from IBC to IG on Lots 1, 2, 3, 5, 6, and 8 at the Salem Business Campus - Approved.

Quasi-Judicial Zone Change Case No. ZC20-02 - Tory Banford,
Urban Development Director, City of Salem - 5730 Culver Dr SE.

Ward(s): 3

Councilor(s): Phillips

Neighborhood(s): SEMCA

Recommendation:

Information Only.

Attachments: [Land Use Decision ZC20-02](#)

6.e. [21-109](#)

Planning Administrator Decision - To Modify a tentatively approved partition - Approved.

Partition Modification Case No.

CU-PAR-UGA-SPR-ADJ-DAP19-01MOD1 - Jon Taylor - 4910 Turner
Road SE.

Ward(s): 3

Councilor(s): Phillips

Neighborhood(s): SEMCA

Recommendation:

Information Only.

Attachments: [Land Use Decision CU-PAR-UGA-SPR-ADJ-DAP19-01MOD1](#)

6.f. [21-114](#)

Purchases approved administratively from February 1, 2021 through February 28, 2021.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance

Recommendation:

Information only.

Attachments: [Purchases approved administratively February 2021](#)

6.g. [21-120](#)

Appointments and reappointments to the Center 50+ Advisory Commission, Historic Landmarks Commission, and Human Rights Commission.

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

Recommendation: Information only.

Attachments: [Linda Schellenberg Application Redacted](#)
[Brett Fuller Application Redacted](#)
[Steven Ponce Application Redacted](#)
[Kelsey A Murray Application Redacted](#)
[Cathy Ostrand-Ponsioen Application Redacted](#)

- 6.h.** [21-123](#) Hearings Officer Decision - To allow a driveway where a driveway is not allowed for a single-family residential use - Denied.

Variance / Class 2 Driveway Approach Permit Case No.
VAR-DAP21-01 - James Helton - 1355 Mildred Ln SE

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

Recommendation: Information Only.

Attachments: [Land Use Decision VAR-DAP21-01](#)

- 6.i.** [21-127](#) Announcing Mayoral appointments to the Our Salem Zoning Subcommittee

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: Information only.

7. ORDINANCES

7.1 FIRST READING:

- 7.1a.** [21-74](#) Amending Salem Revised Code Chapter 74, to modify the City's Wastewater Industrial Pretreatment Provisions to help prevent introduction of pollutants into the City's wastewater collection and treatment system.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Recommendation:

Staff recommends the City Council conduct first reading of Ordinance Bill 2-21, adopting wastewater industrial pretreatment regulations and scheduling a second reading of the ordinance.

Attachments: [ORDINANCE BILL 2-21 Amending SRC Chapter 74](#)

[Proposed SRC Chapter 74 Revisions](#)

7.2 SECOND READING:

7.2a. [21-101](#)

Amending Salem Revised Code Chapter 601 (Floodplain Overlay Zone) in order to improve Salem's rating within the Federal Emergency Management Agency's (FEMA's) Community Rating System (CRS) program.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Natural Environment Stewardship.

Recommendation:

Conduct second reading and enact Ordinance Bill No. 1-21 amending Chapter 601 (Floodplain Overlay Zone) of the Salem Revised Code.

Attachments: [SRC 601.075 Ordinance Bill No.1-21](#)

[SRC 601.075 Exhibit A to Ordinance Bill No. 1-21](#)

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. [21-112](#) 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.

CITY COUNCIL PUBLIC HEARINGS:

Climate Action Plan
December 6, 2021

SALEM HOUSING AUTHORITY PUBLIC HEARINGS:

URBAN RENEWAL AGENCY PUBLIC HEARINGS:

WORK SESSIONS:

City Council
Long-Term Airport Planning
Monday, April 19, 2021 at 6:00 p.m.

City Council
Climate Action Plan
Monday, September 20, 2021 at 6:00 p.m.

BUDGET COMMITTEE MEETINGS

- City Manager Presents Proposed FY 2022 Budget
Wednesday, April 14, 2021 at 6:00 p.m.
- Budget Committee Review of Proposed FY 2022 Budget
Wednesday, April 21, 2021 at 6:00 p.m.
- Budget Committee Review of Proposed FY 2022 Budget
Wednesday, April 28, 2021 at 6:00 p.m.
- Budget Committee Recommendation of FY 2022 Budget
Wednesday, May 5, 2021 at 6:00 p.m.

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
Lansing - April 27 - Gonzalez

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: 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.

