



CITY OF SALEM

Meeting Agenda

City Council

555 Liberty St SE
Salem, OR 97301

Monday, April 26, 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

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

1.3a. [21-163](#) Proclamation recognizing International Firefighters Day

Ward(s): All Wards

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

Recommendation: Information Only.

Attachments: [Proclamation - International Firefighters Day - v2.pdf](#)

Revised - Revised Proclamation.

- 1.3b.** [21-165](#) Proclamation recognizing Elsinore Theatre's 95th Anniversary

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

Recommendation: Information Only.

Attachments: [Proclamation - Elsinore Theatre's 95th Anniversary](#)

- 1.3c.** [21-166](#) Proclamation recognizing Asian-Pacific American Heritage Month

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

Recommendation: Information Only.

Attachments: [Proclamation - Asian-Pacific American Heritage 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.** [21-164](#) April 12, 2021 Draft City Council Minutes

Attachments: [4-12-21 Draft Council Minutes.pdf](#)

- 3.1b.** [21-118](#) April 19, 2021 Draft City Council Work Session Minutes

Attachments: [4-19-21 Draft Council Work Session Minutes.pdf](#)

3.2 RESOLUTIONS

- 3.2a.** [21-141](#) Multiple Unit Housing Tax Incentive Program application by 990

Broadway LLC seeking a ten-year property tax exemption for a 23-unit apartment development located at 990 Broadway Street NE.

Ward(s): 1

Councilor(s): Stapleton

Neighborhood(s): CANDO

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

Recommendation:

(1) Adopt Resolution No. 2021-12 approving an application by 990 Broadway LLC for a ten-year property tax exemption under the City's Multiple Unit Housing Tax Incentive Program and;

(2) Direct staff to make a request to boards of other taxing districts to adopt a resolution agreeing with the policy of providing a tax exemption for the project, therefore exempting the project's full property tax liability.

Attachments:

[Resolution No. 2021-12](#)

[Exhibit A to Resolution No. 2021-12](#)

[Exhibit B to Resolution No. 2021-12](#)

[Core Area Map](#)

3.3 ACTION ITEMS

3.3a. [21-161](#)

Special appointment of Chair to the Mid-Willamette Valley Cable Regulatory Commission.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Recommendation:

Appoint Councilor Trevor Phillips as Chair of the Mid-Willamette Valley Cable Regulatory Commission.

4. PUBLIC HEARINGS

4.a. [21-149](#)

Petitioner-Initiated Annexation of Territory Located at 2527 and 2547 Robins Lane SE - 97306 (Annexation Case No. C-730)

Ward(s): 4

Councilor(s): Leung

Neighborhood(s): SGNA

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. 2021-1 ANX (Attachments 2 through 5);
3. Apply the City of Salem RA (Residential Agriculture) zone to the Territory from Marion County UT-5 (Urban Transition 5 Acres) and UT-10 (Urban Transition 10 Acres);
4. Withdraw the Territory from Salem Suburban Rural Fire Protection District and Turner Fire District; and
5. Approve the annexation subject to the following conditions:
 - (a) Any future development of the Subject Property shall require compliance with SRC 808.050 tree planting requirements; however, the minimum diameter of the trees to be planted shall be increased from a 1.5-inch caliper to a 2-inch caliper standard and replacement tree diversity shall be increased by planting not less than five species authorized in the City's Tree and Vegetation Technical Manual; and
 - (b) Prior to recordation of a final plat for any partition, subdivision, or planned unit development, or occupancy of a commercial development, the applicant shall grant \$15,000 to the Salem City Tree Fund; and
 - (c) Prior to submittal of any application for a land use approval, limited land use approval, or permit for developing the Subject Property, Applicant shall enter into an agreement with the City of Salem acknowledging and agreeing that the City of Salem will not record a final plat for any partition, subdivision, or planned unit development on or before July 1, 2023.

Attachments:[Vicinity Map](#)[Order No. 2021-1 ANX](#)[Exhibit A - Petition](#)[Exhibit B - Territory Legal Description and Map](#)[Exhibit C - Findings for Order No. 2021-1 ANX](#)[Public Works Department Parks Comments](#)[Fire Department Comments](#)[Public Works Department Comments](#)[Finance Department Comments](#)[Applicant's Mitigation Proposal](#)[Public Comments in Support](#)[Public Comments in Opposition](#)[Additional Comments in Support received by 5:00 p.m. 4-21-21.pdf](#)[Additional Comments received by 2:00 p.m. 4-26-21.pdf](#)[Additional Comments received by 5:00 p.m. 4-26-21.pdf](#)

Add - Written Testimony.

4.b. [21-150](#)

Petitioner-Initiated Annexation of Territory Located at 3880 Croisan

Creek Road South and City Owned Lands - 97302 (Annexation Case No. C-738)

Ward(s): 7

Councilor(s): Nordyke

Neighborhood(s): SWAN

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. 2021-2 ANX (Attachments 2 through 5);
3. Apply the City of Salem RA (Residential Agriculture) zone to the Territory from Marion County UT-5 (Urban Transition 5 Acres); and
4. Withdraw the Territory from Salem Suburban Rural Fire Protection District.

Attachments:

[Vicinity Map](#)

[Order No. 2021-2 ANX Adopting the Final Decision and Findings of Compliance](#)

[Exhibit A - Petition.pdf](#)

[Exhibit B - Territory Legal Description and Map.pdf](#)

[Exhibit C - Findings for Order No. 2021-2 ANX](#)

[Public Works Department Parks Comments](#)

[Fire Department Comments](#)

[Public Works Department Comments.pdf](#)

[Finance Department Comments](#)

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. [21-153](#)

Motion from Councilor Virginia Stapleton regarding the City's Carecorps youth jobs program

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

5.b. [21-167](#)

Motion from Councilor Virginia Stapleton regarding temporary street closure of Union Street and Winter Street on Saturdays from May through October to benefit the area neighborhoods and the Saturday Market.

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

Attachments: [Public comments received by 2:00 p.m. 4-26-21.pdf](#)
[Additional Comments received by 5:00 p.m. 4-26-21.pdf](#)

Add- Written Testimony.

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

- 6.a. [21-152](#) Announcing Mayoral appointments to the Library Strategic Plan Steering Committee.

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

Recommendation: Information only

Deleted - This item has been deleted from the agenda.

- 6.b. [21-155](#) Planning Commission Decision - A proposed new mixed-use building - Approved.

Class 3 Design Review / Class 3 Site Plan Review / South Waterfront Mixed-Use Zone Development Phasing Plan Modification / Class 2 Adjustment / Class 2 Driveway Approach Permit Case No. DR-SPR-SWMUDPP-ADJ-DAP21-01 - Steve Fogg, Kathleen Levee, L. Charles Bloom - 295 Commercial St SE

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

Recommendation: Information Only.

Attachments: [Land Use Decision DR-SPR-SWMUDPP-ADJ-DAP21-01](#)

- 6.c. [21-159](#) Planning Commission Decision - A consolidated application for a proposed new building and vehicle use area serving 34-unit multiple family development. - Approved.

Class 3 Design Review / Conditional Use Permit / Class 3 Site Plan Review / Class 2 Adjustment Case No. DR-CU-SPR-ADJ21-02 - Doug Circosta on behalf of Salem Y Veterans Housing - 220 Cottage Street NE.

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

Recommendation: Information Only.

Attachments: [Land Use Decision DR-CU-SPR-ADJ21-02](#)

- 6.d. [21-168](#) Planning Administrator Decision - To validate a unit of land - Approved.

Validation of Unit of Land Case No. VUL21-01 - Matthew Fitzmaurice - 4000 Block of Salem Industrial Dr NE

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

Recommendation: Information Only.

Attachments: [Land Use Decision VUL21-01](#)

- 6.e. [21-169](#) Purchases approved administratively from March 1, 2021 through March 31, 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 March 2021](#)

7. ORDINANCES

7.1 FIRST READING:

7.2 SECOND READING:

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. [21-158](#) 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:

2021 Annual Action Plan for CDBG and HOME Funding and Amendments to 2019 and 2020 Annual Action Plans
Monday, May 24, 2021 at 6:00 p.m.

FY 2022 Recommended City of Salem Budget
Monday, June 14, 2021 at 6:00 p.m.

State Revenue Sharing Funds
Monday, June 14, 2021 at 6:00 p.m.

Petitioner-initiated vacation to vacate a portion of an alley, and of the 12th Street NE right-of-way along the railroad north east of D Street NE
Monday, June 28, 2021 at 6:00 p.m.

Petitioner-initiated vacation to vacate an easement over a portion of the previously vacated George Street NW
Monday, June 28, 2021 at 6:00 p.m.

Climate Action Plan
Monday, December 6, 2021 at 6:00 p.m.

SALEM HOUSING AUTHORITY PUBLIC HEARINGS:**URBAN RENEWAL AGENCY PUBLIC HEARINGS:**

FY 2022 Recommended Urban Renewal Agency Budget
Monday, June 14, 2021 at 6:00 p.m.

WORK SESSIONS:

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

BUDGET COMMITTEE MEETINGS

- 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

Grant - May 6 - Stapleton

Morningside - May 12 - Andersen, Phillips

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.

