



CITY OF SALEM

Meeting Agenda

City Council

555 Liberty St SE
Salem, OR 97301

Monday, September 27, 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

WORK SESSION

5:15 p.m. - 6:00 p.m.

City Council

2021 Community Satisfaction Survey and Resident Perspective on Infrastructure Need

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

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. [21-392](#) September 13, 2021 Draft City Council Minutes

Attachments: [9-13-21 Draft Council Minutes.pdf](#)

3.1b. [21-432](#) September 20, 2021 Draft City Council Work Session Minutes

Attachments: [9-20-21 Draft City Council Work Session Minutes.pdf](#)

3.2 RESOLUTIONS

3.2a. [21-340](#) Authorizing a transfer of appropriation authority in the Airport Fund for a security system.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Service Area(s): Safe Community; Welcome and Livable

Neighborhood; Strong and Diverse Economy; Safe and Reliable

Infrastructure; Good Governance; Natural Environment Stewardship

Recommendation:

Adopt Resolution No. 2021-37, transferring \$50,000 in the Airport Fund from contingency to materials and services to pay for a security system at the Salem Municipal Airport during fiscal year 2022.

Summary:

The Salem Municipal Airport has seen an increase in theft and suspicious late-night activity in parking areas, access roads, and around the terminal building. Installation of a video surveillance system around the terminal building is recommended to increase security at the Airport and protect City assets, the property of tenants, and vehicles of paid-parking customers. The project would be funded by an award from the American Rescue Plan Act to the Salem Municipal Airport that was not appropriated in the fiscal year 2022 adopted budget. Additional budget authority may be needed

to complete the project which is why a transfer from contingency for the project cost is necessary.

Attachments: [Resolution No. 2021-37.docx](#)

3.2b. [21-404](#) Resolution to Extend Emergency Assistance

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:

Adopt Resolution 2021-36 (Attachment 1) restating the terms of the Emergency Utility Assistance Program, extending the effective date, and expanding qualification criteria.

Summary:

Extension of Emergency Utility Assistance Program maximum benefit to December 31, 2022, from December 31, 2021, and expansion of pre-qualification criteria to include customer participation in the Low-Income Household Water Assistance (LIHWA) Program.

Attachments: [Resolution 2021-36](#)
[Exhibit A to Resolution 2021-36](#)

3.3 ACTION ITEMS

3.3a. [21-363](#) Lease amendment with Allelu Beauty LLC for lease space in the Liberty Parkade.

Ward(s): 1,

Councilor(s): Stapleton

Neighborhood(s): CANDO

Result Area(s): Good Governance

Recommendation:

Authorize the City Manager to execute the attached lease amendment with Lessee to include non-compete language for other retail space in the Liberty Parkade.

Summary:

On June 6, 2021, Allelu Beauty LLC (Lessee) (Amie K. LaPray, Manager) entered into a lease (Lease) (Attachment 1) with the City of Salem (Lessor) for retail space located in the Liberty Parkade at 195 Liberty Street SE. Lessee has asked to have the Lease amended to include non-compete language for other retail space located in the Liberty Parkade.

Attachments: [Lease](#)[Amendment](#)**3.3b. [21-403](#)**

Authorization to partner with Mid-Willamette Valley Community Action Agency to provide financial relief to City of Salem utility customers through the Low-income Household Water Assistance (LIHWA) Program.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Recommendation:

Authorize the City Manager to execute a LIHWA Program agreement with MWVCAA to provide financial relief to qualified City of Salem water, wastewater, and stormwater customers.

Summary:

In 2021, Congress created the Low-Income Household Water Assistance (LIHWA) Program. Funds awarded to Oregon will be administered by Oregon Housing and Community Services (OHCS) and distributed through community action agencies in partnership with utility providers. Council is asked to authorize the City Manager to execute an agreement with the Mid-Willamette Valley Community Action Agency (MWVCAA) to make LIHWA Program funds available to qualified City of Salem water, wastewater, and stormwater customers.

Attachments: [Draft LIHWA Program Agreement](#)**3.3c. [21-409](#)**

Approve the addition of .5 FTE in the Urban Development Department to hire a Program Manager 1 to support federal program delivery efforts

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 the addition of .5 FTE in the Urban Development Department to hire a Program Manager 1 to support federal program delivery efforts.

Summary:

In March 2021, the Urban Development Department hired a Program Manager 1 in the Federal Programs Division in an

18-month limited duration capacity. This limited duration position was created to assist with new Covid-related funding received from HUD. It is evident that distribution of these funds and ongoing monitoring and reporting requirements will continue for several years into the future. The Urban Development Department currently has .5 FTE within the department's position control that can be re-purposed. With approval of an additional .5 FTE, the Urban Development Department can convert the existing limited duration position to a full-time permanent position through an internal recruitment process. This position will be funded from the HUD-allowed administrative set aside for HOME and CDBG programs and program delivery revenues.

Attachments: [CDBG and HOME Entitlement Grants by Year with FTE](#)

3.3d. [21-410](#)

Creation of a fee to use on-street parking spaces in the Downtown Parking District for outdoor dining platforms

Ward(s): Ward 1

Councilor(s): Stapleton

Neighborhood(s): CANDO

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

Recommendation:

Approve the proposed fee for the Sidewalk Café/On-Street Platform Program.

Summary:

While the proposed fee for the Sidewalk Café/On-Street Platform Program won't go into effect until July 2022, approving the fee structure now will help restaurants determine if investing in a dining platform makes financial sense for their business prior to undertaking the investment.

Attachments: [Public Comments received.pdf](#)
[Public Comments received by 3:15 p.m. 9-27-21.pdf](#)

Add - Written Testimony.

3.3e. [21-411](#)

Amendment to Lease with Swift Mountain, LLC for City-occupied lease space at 960 Liberty Street SE housing the City of Salem Employee Health Hub.

Ward(s): 2

Councilor(s): Andersen

Neighborhood(s): SCAN

Result Area(s): Good Governance

Recommendation:

Authorize the City Manager to execute the attached lease

amendment to reduce the square footage of the lease space for the City of Salem Employee Health Hub.

Summary:

The City currently leases space for its Employee Health Hub at 960 Liberty Street SE. A portion of the space was envisioned as an employee pharmacy, however the cost of developing and maintaining an employee pharmacy proved cost prohibitive. In order to reduce future costs, an amendment (Amendment) (Attachment 1) to the lease (Lease) (Attachment 2) between the City and Swift Mountain, LLC (Lessor) (George Miller, Member) for a reduction of leased square footage is necessary.

Attachments: [Amendment No. 2](#)

[Lease \(as amended\)](#)

3.3f. [21-421](#)

Managed Temporary Camping.

Ward(s): 8

Councilor(s): Lewis

Neighborhood(s): West Salem

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

Recommendation:

Authorize the City Manager to establish a managed temporary camp at the 2700 Wallace Road NW parcel, within the city-owned commercial retail zoned portion.

Summary:

Managed temporary camping options are available to increase services to the unhoused. One is identified within city property inventory at 2700 Wallace Road NW. Council direction on location selection is requested.

Attachments: [Wallace P&R Site Plan v2.pdf](#)

[Public Comments received by 10:00 a.m. 9-27-21.pdf](#)

[Public Comments received by 3:15 p.m. 9-27-21.pdf](#)

[Additional Public Comments received by 5:00 p.m. 9-27-21.pdf](#)

Add - Written Testimony.

4. PUBLIC HEARINGS

4.a. [21-385](#)

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 2020-2021 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).

Summary:

The City is required to file by September 31, 2021, a CAPER with HUD for the Community Development Block Grant and HOME Investment Partnership programs (Attachment 1). The report lists projects and programs funded through these sources including homeless prevention, economic development, affordable housing, public service, required planning, and administrative activities. The CAPER assesses the progress made toward the community's housing and community development goals.

Attachments: [CAPER 2020-2021](#)

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. [21-426](#)

Motion from Councilor Virginia Stapleton regarding requiring multifamily developments to provide emergency power supply for tenants.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Delete - This item has been deleted from the agenda.

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

6.a. [21-408](#)

Purchases approved administratively from August 1, 2021 through August 31, 2021.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods
Result Area(s): Good Governance

Recommendation:

Information only.

Summary:

The purpose of this report is to inform the Council of the specific awards and the sources of funds for all contracts administratively awarded, renewed, or modified during the month of August. Included in the report are procurement contracts and public contracting activities with a current fiscal year impact and annual contracts.

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

6.b. [21-413](#)

Planning Administrator Decision - To divide approximate 11.85 acres into 30 lots - Approved.

Subdivision / Class 2 Adjustment Case No. SUB-ADJ21-08 - George Jennings, Patricia Stineff, Connie Jennings, Judy Vivier - 1684 Doaks Ferry Rd NW.

Ward(s): 8
Councilor(s): Lewis
Neighborhood(s): WSNA

Recommendation:

Information Only.

Attachments: [Land Use Decision SUB-ADJ21-08](#)

6.c. [21-414](#)

Planning Administrator Decision - Third modification to Salem Business Campus increasing the size of conservation lots and alteration to Gaia Street SE - Approved.

Modification of Subdivision Case No. SUB09-02MOD3 - City of Salem - 5730 Culver Dr SE.

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

Recommendation:

Information Only.

Attachments: [Land Use Decision SUB09-02MOD3.pdf](#)

6.d. [21-417](#)

Planning Commission Decision - To change a 1.87 acre property from Single Family Residential to Multiple Family Residential - Approved.

Minor Comprehensive Map Amendment / Zone Change Case No.
CPC-ZC21-03 - Charles Weathers - 1055 Schurman Dr S.

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

Recommendation:

Information Only.

Attachments: [Land Use Decision CPC-ZC21-03](#)

6.e. [21-420](#)

Recommendations from the Salem Parks and Recreation Advisory Board on park usage and permitting of events at City parks.

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

Recommendation:

Information only.

Summary:

On May 10, 2021, Council directed the Salem Parks and Recreation Advisory Board (SPRAB) to "develop recommendations for usage and permitting of events at City parks." A subcommittee consisting of four SPRAB members was formed to review existing City policies and regulations and to consider best practices of other jurisdictions. The subcommittee prepared a memorandum summarizing its findings, which was adopted by SPRAB at its meeting on September 9, 2021, and is now being forwarded to Council for further consideration.

Attachments: [SPRAB Action Sheet, 9/9/2021](#)
[Park Usage and Permitting Subcommittee Report, 9/9/2021](#)
[Public Comment received.pdf](#)

Add - Written Testimony.

6.f. [21-424](#)

Planning Administrator Decision - To replace an existing utility pole and install a small cell wireless communications facility on the replacement pole - Approved.

Class 2 Wireless Permit Case No. WS221-05 - Meredith Hewett on behalf of New Cingular Wireless PCS LLC (AT&T) - 4500-4699 Liberty Rd S.

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

Recommendation:

Information Only.

Attachments: [Land Use Decision WS221-05](#)

- 6.g. [21-425](#) Planning Administrator Decision - To construct an accessory structure to serve the existing First Slavic Baptist Church - Approved.
- Urban Growth Area Preliminary Declaration / Class 3 Site Plan Review Case No. UGA-SPR21-01 - Alex Polk - 1746 Davis Rd S.
- Ward(s): 4
Councilor(s): Leung
Neighborhood(s): Sunnyslope

Recommendation:

Information Only.

Attachments: [Land Use Decision UGA-SPR21-01](#)**7. ORDINANCES****7.1 FIRST READING:**

- 7.1a. [21-151](#) Revision to the Salem Revised Code Sections 2.800, 2.830, and 2.835, related to the Multiple Unit Housing Tax Incentive Program
- Ward(s): Wards 1 and 2
Councilor(s): Stapleton and Andersen
Neighborhood(s): CANDO, SESNA, NEN, SCAN, Highland
Result Area(s): Good Governance; Strong and Diverse Economy; Welcoming and Livable Community

Recommendation:

Conduct first reading and advance to second reading Ordinance Bill No. 3-21 to amend SRC 2.800, SRC 2.830, and SRC 2.835 related to Multiple-Unit Housing Tax Incentive Program, extending the program until January 1, 2032.

Summary:

As an incentive to create multiple-unit housing in the downtown core, the City of Salem offers an abatement of ad valorem taxes through its Multiple Unit Housing Tax Incentive Program (Program). The Program is set to expire on January 1, 2022, if not extended.

Attachments: [Ordinance No. 3-21](#)
[Exhibit A to Ordinance 3-21 MUHTIP.docx](#)
[Core Area Map](#)
[MUHTIP QA](#)

7.1b. [21-422](#)

Petitioner-Initiated Annexation of Territory Located at 681 Rees Hill Road SE - 97306 (Annexation Case No. C-739).

Ward(s): 4

Councilor(s): Leung

Neighborhood(s): SGNA

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

Recommendation:

Conduct first reading of Ordinance Bill No. 10-21 annexing, changing the Salem Area Comprehensive Plan map designation of the portion of the Territory east of the centerline of the proposed extension of Lone Oak Road SE from "Developing Residential" to "Parks, Open Space, and Outdoor Recreation," changing the zoning of the portion of the Territory east of the centerline of the proposed extension of Lone Oak Road SE from Marion County UT-10 (Urban Transition - 10 Acre) to City of Salem PA (Public Amusement), applying City of Salem RA (Residential Agriculture) zoning to the portion of the Territory west of the centerline of the proposed extension of Lone Oak Road SE, and withdrawing from the Salem Suburban Rural Fire Protection District, for an 18.05-acre property located at 681 Rees Hill Road SE - 97306.

Summary:

This is a City-initiated (as property-owner), voter-exempt annexation of an 18.05-acre territory located at 681 Rees Hill Road SE 97306 (Marion County Assessor Map and Tax Lot Number 083W22C00400) for the purpose of developing a City park. The annexation would include a concurrent change in the Salem Area Comprehensive Plan map designation to "Parks, Open Space, and Outdoor Recreation" and concurrent change in zoning to City PA (Public Amusement) for the portion of territory east of the centerline of the proposed extension of Lone Oak Road SE and concurrent change in zoning to City RA (Residential Agriculture) for the portion of the territory west of the centerline of the proposed extension of Lone Oak Road SE. A vicinity map is included as Attachment 1.

Attachments: [Vicinity Map](#)

[Ordinance Bill No. 10-21](#)

[Exhibit A - Territory Legal Description and Map](#)

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. [21-418](#) Due to COVID-19, 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 YouTube Channel and can also be viewed on Comcast Cable CC:Media Channel 21.

CITY COUNCIL PUBLIC HEARINGS:

City-initiated vacation located at 4740-4744 Liberty Road S, vacating right-of-way necessary for the City to surplus former Fire Station No. 7.
Monday, October 11, 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:****WORK SESSIONS:**

Joint City Council and Planning Commission
Our Salem Project
Monday, October 18, 2021 at 6:00 p.m.

City Council
2022 Council Policy Agenda
Monday, November 15, 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
West Salem - October 18, 2021 - Stapleton, Lewis
NESCA - October 19, 2021 - Stapleton, Anderson, Hoy
CANDO - October 19, 2021 - Stapleton

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.

