



# **CITY OF SALEM**

## **Meeting Agenda**

### **City Council**

555 Liberty St SE  
Salem, OR 97301

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**Monday, February 28, 2022**

**6:00 PM**

**Virtual Meeting**

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**\*\*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](mailto: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. [22-82](#)**

Proclamation recognizing the Salem Neighborhood Association Program's 50th anniversary.

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

**Recommendation:**

Information Only.

**Attachments:** [Proclamation - NA Program's 50th Anniversary](#)  
[Public Comment.pdf](#)

*Add - Written Testimony.*

## 1.4 PRESENTATIONS

1.4a. Human Rights Commission update from Chair Angelo Arredondo

**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. [22-93](#) February 14, 2022 Draft City Council Minutes

**Attachments:** [2-14-22 Draft Council Minutes.pdf](#)

3.1b. [22-94](#) February 22, 2022 Draft City Council Minutes

**Attachments:** [2-22-22 Draft Council Minutes.pdf](#)

### 3.2 RESOLUTIONS

3.2a. [22-59](#) Resolution urging Congress to lead the global effort to prevent nuclear war.

Ward(s): All Wards  
Councilor(s): All Councilors  
Neighborhood(s): All Neighborhoods  
Result Area(s): Natural Environment Stewardship; Safe Community; Welcoming and Livable Community.

**Recommendation:**

Adopt Resolution No. 2022-10 urging Congress to lead the global effort to prevent nuclear war.

**Summary:**

Resolution No. 2022-10 urges the United States Congress to take steps to lead the effort to prevent nuclear war, including; adopting legislation to provide a congressional check on the President's authority to use nuclear weapons, cancel plans to replace the United States' nuclear arsenal, urging the federal government to join the Treaty on Prohibition of Nuclear Weapons, and pursue international agreements to eliminate other country's nuclear weapons.

**Attachments:** [Nuclear War Prevention Resolution No 2022-10.docx](#)  
[Public Comments received by 5:00 p.m., 2-23-2022.pdf](#)  
[Public Comments received by 5:00 p.m., 2-28-22.pdf](#)

*Add - Written Testimony.*

**3.2b. [22-68](#)**

Acquisition of Property for the Commercial Street SE Buffered Bike Lanes Project.

Ward(s): 2, 3, and 7

Councilor(s): Andersen, Phillips, and Nordyke

Neighborhood(s): SCAN, SWAN, Faye Wright, and Morningside

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

**Recommendation:**

Adopt Resolution Nos. 2022-6 and 2022-7 declaring a public need to acquire; the City of Salem's intent to negotiate; and if necessary, authorizing the City Attorney to commence eminent domain proceedings for the acquisition of right-of-way and easements for the Commercial Street SE Buffered Bike Lanes Project.

**Summary:**

The Commercial Street SE Buffered Bike Lanes Project will construct buffered bike lanes on Commercial Street SE from Superior Street SE to Madrona Avenue SE, along with a new bicycle signal south of Alice Avenue SE, a pedestrian crossing with a Rectangular Rapid Flashing Beacon at Triangle Drive SE, and new streetlights in areas needing illumination improvements (Attachment 1, Project Location Map). Design has progressed to the point where it is now necessary to begin the right-of-way acquisition process.

**Attachments:** [Project Location Map](#)  
[Identified Properties](#)  
[Property Ownership Summary](#)  
[Resolution No. 2022-6](#)  
[Exhibits A1-A3 and B1-B3 to Resolution No. 2022-6](#)  
[Resolution No. 2022-7](#)  
[Exhibits A and B to Resolution No. 2022-7](#)

**3.2c. [22-73](#)**

Dedication of a Reserve Strip of Land on Doughton Street S as Public Right-of-Way.

Ward(s): 7

Councilor(s): Nordyke

Neighborhood(s): SWAN

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

**Recommendation:**

Adopt Resolution No. 2022-9 to dedicate the reserve strip of land identified as Tract "A", of Lathen Addition, as public right-of-way.

**Summary:**

Doughton Street S is being extended to Salem Heights Avenue S as part of the Wren Heights Subdivision, approved by Planning Case No. SUB 19-02 MOD1. It is necessary to dedicate the reserve strip as public right-of-way to allow public access across the proposed Doughton Street S extension.

**Attachments:** [Resolution 2022-9](#)

[Exhibit A](#)

**3.2d. [22-77](#)**

Amending the boundary of the North East Salem Community Association (NESCA).

Ward(s): 2

Councilor(s): Hoy and Stapleton

Neighborhood(s): None

Result Area(s): Welcoming and Livable Community

**Recommendation:**

Adopt Resolution No. 2022-11 to amend the boundary of the Northeast Salem Community Association (NESCA).

**Summary:**

The property bounded by D Street NE, Center Street NE, Park Avenue NE and 23rd Street NE (the former north campus of the Oregon State Hospital) is not currently located within the boundaries of a neighborhood association. Redevelopment of the property necessitates the need to place the property into the boundary of a neighborhood association.

**Attachments:** [Vicinity Map](#)

[Resolution No. 2022-11](#)

[Exhibit A - New NESCA Boundary Map](#)

[NESCA Letter](#)

[NEN Letter](#)

[Public Testimony](#)

[Public Comments received by 5:00 p.m., 2-28-22.pdf](#)

*Add - Written Testimony.*

**3.2e. [22-78](#)**

Amending Council Policy No. C-7, Investment Policy and Portfolio

Guidelines.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance; Natural Environment

Stewardship; Strong and Diverse Economy.

**Recommendation:**

Adopt Resolution No. 2022-12 amending Council Policy No. C-7, Investment Policy and Portfolio Guidelines.

**Summary:**

The City of Salem and Salem Urban Renewal Agency Finance Committee (Finance Committee) is recommending changes to the Policy including adding Environmental, Social and Governance (ESG) factors for investments.

**Attachments:** [Resolution No. 2022-12 Amending Council Policy C-7](#)

[Resolution No. 2022-12 Exhibit A, Council Policy C-7 with Amendments](#)

[Council Policy C-7 Revised – Redline Version](#)

[PFMAM ESG Investment Solution Overview](#)

[Local Government Investment Policy Review Process Overview](#)

### 3.3 ACTION ITEMS

**3.3a.** [22-69](#)

Intergovernmental Agreement with the Oregon Department of Transportation for Right-of-Way Services for the Commercial Street SE Buffered Bike Lanes Project.

Ward(s): 2, 3, and 7

Councilor(s): Andersen, Phillips, and Nordyke

Neighborhood(s): Faye Wright, Morningside, SCAN, and SWAN

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

**Recommendation:**

Authorize the City Manager to execute the attached Intergovernmental Agreement for Right-of-Way Services with the Oregon Department of Transportation for the Commercial Street SE Buffered Bike Lanes Project (Attachment 1).

**Summary:**

The Intergovernmental Agreement specifies City and Oregon Department of Transportation responsibilities to acquire right-of-way for the Commercial Street Buffered Bike Lanes project.

**Attachments:** [Intergovernmental Agreement for Right-of-Way Services \(IGA #34431\)](#)

[Project Location Map](#)

**3.3b.** [22-70](#)

Intergovernmental Agreement with Marion County for the Collection

of Survey Control Point Information for the Oregon Map (ORMAP) Project.

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 the attached Intergovernmental Agreement between the City of Salem and Marion County for the Oregon Map (ORMAP) Project.

**Summary:**

Execution of an intergovernmental agreement will allow the City to assist Marion County with the collection of survey data to update County map and tax lot information. The County has requested support from the City to recover and take measurements on as many as 300 property corners and public right-of-way monuments in the City.

**Attachments:** [Intergovernmental 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. [22-50](#) Deliberations for City Council review of subdivision approval (SUB21-09) located at 4540 Pringle Road SE.

Ward(s): 3

Councilor(s): Phillips

Neighborhood(s): Morningside Neighborhood Association

Result Area(s): Welcoming and Livable Community

**Recommendation:**

Affirm the Planning Administrator's decision approving phased subdivision tentative plan case number SUB21-09.

**Summary:**

The public hearing was closed on January 10, 2022 and the record for additional public comments closed on February 14, 2022. No public testimony will be taken at this meeting.

The Planning Administrator approved a phased subdivision tentative

plan to divide approximately 29.68 acres into 139 single family lots ranging in size from 4,000 square feet to 3.64 acres in two phases of development for property located at 4540 Pringle Road SE (Attachment 1). City Council will decide to affirm, modify, or reverse the Planning Administrator's decision for Phased Subdivision Tentative Plan Case No. SUB21-09 (Attachment 2).

**Attachments:** [Vicinity Map](#)

[SUB21-09 Decision](#)

[Additional Public Comments](#)

[Applicant's Updated Tree Plan dated February 2, 2022](#)

[Hilfiker Shifting memo from Applicant 2-1-2022](#)

[Applicant's Final Written Argument received 2-21-2022.pdf](#)

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

**6.a.** [22-5](#)

Planning Administrator Decision - A replat to consolidate three existing properties into two lots. - Approved.

Replat Case No. REP22-01 - Rich and Jannie Crossler-Laird, Laura Arntson - 1765, 1775, and 1785 John Muir Cr SE.

Ward(s): 3

Councilor(s): Phillips

Neighborhood(s): Morningside

**Recommendation:**

Information Only.

**Attachments:** [Land Use Decision REP22-01](#)

**6.b.** [22-57](#)

Purchases approved administratively from January 1, 2022 through January 31, 2022.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance

**Recommendation:**

Information only.

**Summary:**

Specific awards and the sources of funds for all contracts administratively awarded, renewed, or modified during the month of January. Included in the report are procurement contracts and public contracting activities with a current fiscal year impact and annual contracts.

**Attachments:** [Purchases approved administratively January 2022.pdf](#)

- 6.c. [22-71](#) Planning Administrator Decision - A modification to Affinity Estates subdivision, resulting in a change to the phasing boundaries, increase overall lots to 89-Lots, and amend conditions of approval to reflect changes to phasing. - Approved.

Modification of Phased Subdivision Case No. SUB21-01MOD1 - Brandie Dalton, Multi Tech Engineering, on behalf of Jim Swan, HSF Development LLC (Rodman Ward III, George A Massih III, Kelley Hamilton, Anthony R Kreitzberg, Chris Jundt) - 6719 Devon Ave SE.

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

**Recommendation:**

Information Only.

**Attachments:** [SUB21-01MOD1 Decision](#)

- 6.d. [22-80](#) Planning Administrator Decision - to divide one lot into three in the Willamette Town Center - Approved.

Partition Case No. PAR21-14 - Margaret Kushner - 945 Lancaster Dr NE.

Ward(s): 6  
Councilor(s): Hoy  
Neighborhood(s): NESCA

**Recommendation:**

Information Only.

**Attachments:** [Land Use Decision PAR21-14](#)

- 6.e. [22-84](#) Annual Historic Landmarks Commission Report

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

**Recommendation:**

Information Only

**Summary:**

The attached report contains the Salem Historic Landmarks Commission 2021 Accomplishments and 2022 Workplan.

**Attachments:** [Salem Historic Landmarks Commission 2021 Accomplishments and 2022 Workplan](#)



**6.f. [22-87](#)**

Planning Commission Decision - A Minor Comprehensive Plan Map Amendment and Zone Change from RA (Residential Agriculture) and NCMU (Neighborhood Center Mixed Use) to RM-II (Multiple Family Residential). - Approved.

Minor Comprehensive Map Amendment, Neighborhood Plan Change, and Zone Change Case No.: CPC-ZC21-06 - 2100 Block of Doaks Ferry Rd NW - John Eld and Mark Lowen, Bonaventure / Titan Properties

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

**Recommendation:**

Information Only.

**Attachments:** [Land Use Decision CPC-ZC21-06](#)

**7. ORDINANCES****7.1 FIRST READING:****7.2 SECOND READING:****7.2a. [22-79](#)**

2021 Unified Development Code Update - Fairview Mixed-Use Zone Amendments

Ward(s): All Wards  
Councilor(s): All Councilors  
Neighborhood(s): All Neighborhoods  
Result Area(s): Good Governance; Natural Environment  
Stewardship; Welcoming and Livable Community

**Recommendation:**

Pass Ordinance Bill No. 3-22.

**Summary:**

Amendments to Salem Revised Code Title X (Unified Development Code) updating the Fairview Mixed-Use (FMU) Zone (SRC Chapter 530).

**Attachments:** [1 - ORDINANCE BILL NO. 3-22](#)

[Ordinance Exhibit A](#)

[Ordinance Exhibit B](#)

**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.**

**UPCOMING PUBLIC HEARINGS, AND WORK SESSIONS**

- a. [22-85](#) 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:**

Appeal of the Planning Commission's Decision approving a Comprehensive Plan Map designation and zoning from "Single Family Residential" with RA (Residential Agriculture) zoning to "Commercial" with CR (Retail Commercial) zoning. The subject property is located at the southwest corner of the intersection of Kuebler Boulevard and I-5 - Case No. CPC-ZC21-04  
Monday, March 28, 2022 at 6:00 p.m.

2022 Community Development Block Grant/HOME Investment Partnership Grant Annual Action Plan and 2021 HOME Investment Partnership Grant (American Rescue Plan) Annual Action Plan Amendment  
Monday, April 25, 2022 at 6:00 p.m.

FY 2023 Recommended City of Salem Budget  
Monday, June 13, 2022 at 6:00 p.m.

State Revenue Sharing Funds  
Monday, June 13, 2022 at 6:00 p.m.

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

FY 2023 Recommended Urban Renewal Agency Budget  
Monday, June 13, 2022 At 6:00 p.m.

**WORK SESSIONS:**

City Council Work Session  
Community Feedback for Infrastructure Bond Priorities  
Monday, April 4, 2022 at 6:00 p.m.

**BUDGET COMMITTEE MEETINGS**

City Manager Presents Proposed FY 2023 Budget to Budget Committee

Wednesday, April 20, 2022 at 6:00 p.m.

Budget Committee Review

Wednesday, April 27, 2022 at 6:00 p.m.

Budget Committee Review

Wednesday, May 4, 2022 at 6:00 p.m.

Budget Committee Recommends FY 2023 Budget to City Council and  
Urban Renewal Agency

Wednesday, May 11, 2022 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

**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.

