



CITY OF SALEM

Meeting Agenda

City Council

555 Liberty St SE
Salem, OR 97301

Monday, April 11, 2022

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@cityofsaalem.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.cityofsaalem.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. [22-153](#) Proclamation recognizing National Public Safety Telecommunications Week.

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

Recommendation:

Information Only.

Attachments: [Proclamation - National Public Safety Telecommunications Week](#)

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. [22-133](#) March 28, 2022 Draft City Council Minutes

Attachments: [3-28-22 Draft Council Minutes.pdf](#)

3.2 RESOLUTIONS

3.2a. [22-158](#) Transfer of FY 2022 General Fund appropriations.

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Result Area(s): Good Governance, Natural Environmental Stewardship.

Recommendation:

Adopt Resolution No. 2022-23 authorizing a transfer of appropriations within the City's fiscal year 2022 budget for unanticipated changes.

Summary:

The Climate Action Plan (CAP) has been received by the City Council and staff is recommending transferring \$200,000 from General Fund contingency to fund initial steps in implementing the CAP.

Attachments: [Resolution No. 2022-23](#)
[Public Comment received by 2:00 p.m., 4-11-2022](#)
[Additional Public Comments received by 5:00 p.m., 4-11-2022](#)

Add- Written Testimony.

3.3 ACTION ITEMS

- 3.3a.** [22-126](#) Collective Bargaining Agreement between the City and Salem Professional Fire Fighters, International Association of Fire Fighters (IAFF), Local 314, AFL-CIO.

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

Recommendation:

Approve a one-year contract extension of the 2019-2022 collective bargaining agreement between the City and IAFF for a period from July 1, 2022, through June 30, 2023.

Summary:

The City began negotiations with Salem Professional Fire Fighters, International Association of Fire Fighters (IAFF), Local 314, AFL-CIO, on February 25, 2022, for a short-term successor collective bargaining agreement (CBA). A tentative agreement on a one-year contract extension to the 2019-2022 CBA was reached on March 10, 2022. The employees represented by IAFF are conducting their ratification process currently and it is anticipated to be completed prior to April 11, 2022.

- 3.3b.** [22-130](#) Collective Bargaining Agreement between the City and 911 Professional Communication Employees' Association.

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

Recommendation:

Approve a one-year contract extension of the 2019-2022 collective bargaining agreement between the City and PCEA for a period from July 1, 2022, through June 30, 2023.

Summary:

The City began negotiations with 911 Professional Communication Employees' Association (PCEA) on March 14, 2022, for a short-term successor collective bargaining agreement (CBA). A tentative agreement on a one-year contract extension to the 2019-2022 CBA was reached. The employees represented by PCEA ratified the agreement on March 28, 2022.

- 3.3c.** [22-136](#) Adoption of national standard for Fire Department emergency response time.

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Result Area(s): Safe Community

Recommendation:

Adopt the National Fire Protection Association's (NFPA) 1710 response time standard of 5 minutes 20 seconds from dispatch to arrival of the first unit 90% of the time for all emergency fire and special operations, and 5 minutes from dispatch to arrival of the first unit 90% of the time for all emergency calls other than fire and special operations.

Summary:

The Salem Fire Department is requesting City Council adopt the National Fire Protection Association's 1710 response time standard to better align reported call statistics based on national standards.

Deleted - This item was removed from the agenda.

3.3d. [22-154](#)

Addition of the federal and state holiday, Juneteenth Day, as a city-paid holiday benefit for eligible employees.

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

Recommendation:

Approve the addition of the federal and state holiday, Juneteenth Day, as an annual city-paid holiday benefit for eligible employees beginning June 19, 2022.

Summary:

City management has explored adding the federal and state recognized holiday, Juneteenth Day (June 19th), as a city-paid holiday benefit for employees. Juneteenth Day became a federal and state recognized holiday in 2021. Currently, the City provides twelve city-paid holidays to eligible employees (per the HR Rules or applicable collective bargaining agreement); 10 federal holidays and 2 "floating" holidays, in support of allowing employees to honor holidays of their personal choice. The addition of Juneteenth Day as a recognized holiday will continue the City's commitment to build upon the diversity, equity, and inclusion efforts and further promote the City of Salem as an employer of choice.

4. PUBLIC HEARINGS

4.a. [22-144](#)

Petitioner-Initiated Annexation of Territory Located at 4090 Milton Street NE (Annexation Case No. C-747)

Ward(s): 5
Councilor(s): Gonzalez
Neighborhood(s): Northgate
Result Area(s): Good Governance; Safe Community; Safe, Reliable and Efficient Infrastructure.

Recommendation:

Adopt Order No. 2022-4 determining that the proposal meets the applicable criteria, applying City zoning for the territory, and approving withdrawal of the territory from Marion County Fire District #1 and East Salem Sewer and Drainage District.

Summary:

This is a petitioner-initiated, voter-exempt annexation of a 0.91-acre territory located at 4090 Milton Street NE - 97305 (Marion County Assessor Map and Tax Lot 072W06CA01400). The annexation would include a concurrent application of City zoning of RS (Single Family Residential). A vicinity map is included as Attachment 1.

Attachments: [Vicinity Map](#)

[Order No. 2022-4 ANX Adopting the Final Decision and Findings of Compliance](#)

[Exhibit A - Petition](#)

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

[Exhibit C - Findings for Order No. 2022-4 ANX](#)

[Public Works Department Parks Comments](#)

[Fire Department Comments](#)

[Public Works Department Development Services Section Comments](#)

[Finance Department Comments](#)

[Salem-Keizer School District Comments](#)

4.b. [22-145](#)

Petitioner-Initiated Annexation of Territory Located at 4929 Auburn Road NE (Annexation Case No. C-748)

Ward(s): 6
Councilor(s): Hoy
Neighborhood(s): ELNA
Result Area(s): Good Governance; Safe Community; Safe, Reliable and Efficient Infrastructure.

Recommendation:

Adopt Order No. 2022-5 determining that the proposal meets the applicable criteria, applying City zoning for the territory, and approving withdrawal from Marion County Fire District #1.

Summary:

This is a petitioner-initiated, voter exempt annexation of a 0.31-acre territory located at 4929 Auburn Road NE - 97301 (Marion County

Assessor Map and Tax Lot 072W29BA02200). The annexation would include a concurrent application of City zoning of RA (Residential Agriculture). A vicinity map is included as Attachment 1.

Attachments: [Vicinity Map](#)

[Order No. 2022-5 ANX Adopting the Final Decision and Findings of Compliance](#)

[Exhibit A - Petition](#)

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

[Exhibit C - Findings for Order No. 2022-5 ANX](#)

[Public Works Department Parks Comments](#)

[Fire Department Comments](#)

[Public Works Department Development Services Section Comments](#)

[Finance Department Comments](#)

[Salem-Keizer School District Comments](#)

[Public Comments received from ELNA on 4-11-2022](#)

Add - Written Testimony.

4.c. [22-102](#)

Council Review of the Planning Commission's decision approving a Comprehensive Plan Map Amendment and Zone Change from RA (Residential Agriculture) and NCMU (Neighborhood Center Mixed Use) to RM-II (Multiple Family Residential), for approximately 24.84 acres of the northern portion of a 36.86-acre parcel, located at the 2100 Block of Doaks Ferry Rd NW (Polk County Assessor Map and Tax lot 073W17B / 00400).

Ward(s): Ward 8

Councilor(s): Varney

Neighborhood(s): West Salem Neighborhood Association

Result Area(s): Welcoming and Livable Community

Recommendation:

Affirm the Planning Commission's decision for Comprehensive Plan Map Designation and Zone Change, Case No. CPC-ZC21-06 and approve the applications.

Summary:

On February 18, 2022, the Planning Commission issued a decision approving a request from John Eld of Bonaventure, on behalf of Titan Hill Property LLC, to change 24.84 acres of the subject property from DR (Developing Residential) and a portion of MU (Mixed Use) to MF (Multiple Family Residential) designation, and to change the zoning of subject property from RA (Residential Agriculture) and a portion of NCMU (Neighborhood Center Mixed Use) to RM-II (Multiple Family Residential), subject to conditions of approval. (**Attachment 1**).

At the City Council meeting on February 28, 2022, a motion was passed that City Council call up Case No. CPC-ZC21-06 and conduct a public hearing.

Attachments: [Vicinity Maps and Site Plan](#)
[Planning Commission's Decision for CPC-ZC21-06](#)
[West Salem Neighborhood Association Comments](#)
[Applicant's Testimony](#)
[Public Comment received by 5:00 p.m., 4-6-2022](#)
[Public Comments received by 2:00 p.m., 4-11-2022pdf](#)
[Additional Public Comments received by 5:00 p.m., 4-11-2022](#)
[Appeal Letter from WSNA received by 5:00 p.m., 4-11-2022](#)

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)

- 5.a. [22-151](#) Consideration of fee waiver request by the Children's Educational Theater.

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

Recommendation:

None.

Summary:

Council Policy X-5 establishes guidelines for Council's consideration of fee waiver requests and stipulates the information that must be included in a request. A waiver or reduction can only be applied to a facility use fee. Fee waivers are not available for permit fees or other costs associated with the use of a facility. Children's Educational Theater has requested the City waive the entire facility use fee of \$876.00 for a reservable City-owned facility.

Attachments: [CET Fee Waiver Form](#)
[Fee Waiver Council Policy X-5](#)

- 5.b. [22-164](#) Motion from Councilor Vanessa Nordyke regarding directing staff to

explore the creation of a request for proposals to operate a mobile crisis unit.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Public Comments received by 2:00 p.m., 4-11-2022](#)

[Additional Public Comments received by 5:00 p.m., 4-11-2022](#)

Add - Written Testimony.

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

6.a. [22-161](#)

Planning Administrator Decision - A replat to consolidate six existing lots into one lot. - Approved.

Replat Case No. REP22-04 - Edgewater Opportunity Zone LLC (Terence Christian (Chris) Blackburn, Sean Adrian Blackburn) - 0 1st Street NW.

Ward(s): 1

Councilor(s): Stapleton

Neighborhood(s): West Salem NA

Recommendation:

Information Only.

Attachments: [Land Use Decision REP22-04](#)

6.b. [22-138](#)

Center 50+ Advisory Commission 2021 Annual 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 Center 50+ Advisory Commission 2021 Annual Report (Attachment 1) highlights activities, programs, services, and large volunteer efforts offered at Center 50+ during the COVID-19 pandemic.

Attachments: [Center 50+ Advisory Commission 2021 Annual Report](#)

[Age Friendly Salem Assessment Report 2018](#)

7. ORDINANCES

7.1 FIRST READING:**7.1a.** [22-148](#)

Petitioner-Initiated Annexation of Territory Located at 2490 Michigan City Lane NW - 97304 (Annexation Case No. C-743)

Ward(s): 8

Councilor(s): Varney

Neighborhood(s): West Salem

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

Recommendation:

Advance Ordinance Bill No. 4-22 approving annexation, applying City zoning, and approving withdrawal from the Spring Valley Rural Fire Protection District for a territory of approximately 9.53 acres located at 2490 Michigan City Lane NW to second reading for enactment.

Summary:

This is a petitioner-initiated, voter-exempt annexation of a 9.53-acre territory located at 2490 Michigan City Lane NW (Polk County Assessor Map and Tax Lot Number 073W08AB00200) for the purpose of future development. The annexation would include a concurrent application of City zoning of RS (Single Family Residential). A vicinity map is included as Attachment 1.

Attachments: [Vicinity Map](#)

[Ordinance Bill No. 4-22](#)

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

7.1b. [22-149](#)

Petitioner-Initiated Annexation of Territory Located at 4255 Cordon Road NE - 97305 (Annexation Case No. C-744)

Ward(s): 5

Councilor(s): Gonzalez

Neighborhood(s): Northgate

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

Recommendation:

Advance Ordinance Bill No. 5-22 approving annexation, applying City zoning, and approving withdrawal from Marion County Fire District #1 for a 4.00-acre territory located at 4255 Cordon Road NE to second reading for enactment.

Summary:

This is a petitioner-initiated, voter-exempt annexation of a 4.00-acre territory located at 4255 Cordon Road NE - 97305 (Marion County Map and Tax Lot 072W08AB / 01100 and 01200). The annexation

would include a concurrent application of City zoning of RA (Residential Agriculture). A vicinity map is included as Attachment 1.

Attachments: [Vicinity Map](#)

[Ordinance Bill No. 5-22](#)

[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. [22-150](#) 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:

2022 Community Development Block Grant/HOME Investment Partnership Grant Annual Action Plan
Monday, April 25, 2022 at 6:00 p.m.

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

Petitioner-Initiated Annexation of Territory located at 4314 Munkers Street SE and Lands Adjacent (Annexation Case No. C-745)
Monday, May 23, 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:

Joint City Council Work Session on Salem's Housing Needs with Marion County Board of Commissioners, Salem Area Mass Transit Board of Directors and Salem-Keizer School District Board
Monday, April 18, 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

Neighborhood - Annual Meeting Date - Councilor

Lansing - April 26, 2022 - Gonzalez

Grant - May 5, 2022 - Stapleton

SEMCA - April 12, 2022 - Andersen, Phillips, Leung (Note: The April
meeting begins at 12:30 p.m.)

Morningside - May 11, 2022 - 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: 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.

