



CITY OF SALEM

Meeting Agenda

City Council

555 Liberty St SE
Salem, OR 97301

Monday, June 27, 2022

6:00 PM

Virtual Meeting

This meeting is being conducted virtually, with remote attendance by the governing body. In-person attendance is not possible at this time. Interested persons may view the meeting in real-time on the City of Salem YouTube Channel, thanks to a partnership with CC:Media. Comcast Cable subscribers can watch on 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 using this link <https://bit.ly/COScomment>.

EXECUTIVE SESSION

5:30 p.m. - 5:40 p.m. - City Council
ORS 192.660(2)(h) - Current/Pending Litigation

5:40 p.m. - 5:50 p.m. - City Council
ORS 192.660(2)(h) - Current/Pending Litigation

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. [22-278](#) Proclamation of the Mayor and Canvass of Votes from the Primary Election on May 17, 2022

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

Summary:

A primary election was held on May 17, 2022, at which time the City of Salem had candidates for Mayor, Councilors 2, 4, 6, and 8 and Municipal Court Judge.

Attachments: [Proclamation of the Mayor](#)
[Canvass of Votes](#)

1.4 PRESENTATIONS

- 1.4a. The ACE (Achievement in Community Engagement) Award is being presented to the City for the "Our Salem" project.

Presented by: Sadie Carney and Leah Rausch with Oregon Department of Land Conservation and Development Commission-appointed City Involvement Advisory Committee.

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. [22-298](#) June 13, 2022 Draft Council Minutes

Attachments: [6-13-22 Draft Council Minutes](#)

3.2 RESOLUTIONS

- 3.2a. [22-272](#) Consideration of real property brokerage policy.

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

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

Recommendation:

Adopt Resolution No. 2022-35 to establish a policy for the compensation of real estate brokers.

Summary:

The proposed policy establishes a policy for the payment of compensation to Real Estate Brokers in transactions involving the sale or lease of real property.

Attachments: [Resolution No. 2022-35](#)

[Proposed Policy - Ex. A to Resolution 2022-35](#)

3.2b. [22-280](#)

State Shared Revenues

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Result Area(s): Good Governance; Natural Environment
Stewardship; Safe and Healthy Community; Safe, Reliable and
Efficient Infrastructure; Strong and Diverse Economy; Welcoming
and Livable Community.

Recommendation:

Adopt Resolution No. 2022-36, certifying that the City of Salem provides certain municipal services to receive state shared revenues in FY 2023.

Summary:

Each year the State of Oregon provides revenues to cities, including highway, cigarette, alcoholic beverages, and marijuana tax revenues. In order to receive these revenues, the City must provide certification of the services it provides.

Attachments: [Resolution No. 2022-36](#)

3.2c. [22-281](#)

Adoption of the FY 2023 City of Salem budget

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Result Area(s): Good Governance; Natural Environment
Stewardship; Safe and Healthy Community; Safe, Reliable and
Efficient Infrastructure; Strong and Diverse Economy; Welcoming
and Livable Community.

Recommendation:

Adopt Resolution No. 2022-37 adopting the FY 2023 City of Salem budget.

Summary:

The City of Salem budget for fiscal year (FY) 2023 is required to be adopted by the City Council prior to July 1, 2022. Adoption of this resolution will allow for authorized City spending as required by Oregon budget law in the new year.

Attachments: [Resolution No. 2022-37](#)
[Resolution No. 2022-37, Exhibit A](#)
[City of Salem FY 2023 City Council Amendments Summary](#)
[City of Salem FY 2022 Carryovers for the FY 2023 Budget, General Fund](#)
[City of Salem FY 2022 Carryovers for the FY 2023 Budget, All Other Funds.pdf](#)

3.2d. [22-292](#) Transfer of FY 2022 year-end budget appropriations.

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

Recommendation:

Adopt Resolution No. 2022-40 authorizing a transfer of appropriations within the City's fiscal year 2022 budget for unanticipated changes.

Summary:

Several year-end transfers are needed to maintain compliance with Oregon budget law.

Attachments: [Resolution No. 2022-40](#)

3.3 ACTION ITEMS

3.3a. [22-231](#) Capital Improvement Plan for FY 2023 through FY 2027.

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Result Area(s): Good Governance; Safe, Reliable and Efficient Infrastructure; Strong and Diverse Economy; Welcoming and Livable Community.

Recommendation:

Adopt the Capital Improvement Plan for FY 2023 through FY 2027 as recommended by the Budget Committee.

Summary:

The Capital Improvement Program (CIP), governed by Council Policy C-9 (Resolution 2008-142), includes the following goals: create a transparent CIP process; establish a risk-based priority list; match the priority list to limited resources in a thoughtful and responsible manner; and establish an internal CIP review committee

to oversee the process.

Attachments: [Recommended CIP FY 2023 through FY 2027.pdf](#)

3.3b. [22-282](#)

Application for project funding under the Oregon Department of Transportation Safe Routes to School Infrastructure Program.

Ward(s): 1, 3, 4, 5, 6, 7

Councilor(s): Stapleton, Phillips, Leung, Gonzalez, Hoy, Nordyke

Neighborhood(s): Grant, NEN, Northgate, Lansing, ELNA,

Morningside, Sunnyslope, South Gateway

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

Recommendation:

Authorize the City Manager to apply for funding to design and construct the following seven projects, listed in priority order, through the SRTS Infrastructure Program and, if successful, incorporate these projects into a future Capital Improvement Plan and authorize the City Manager to enter into an agreement with ODOT to accept the funds?

- Market Street NE at 15th Street NE Pedestrian Crossing (Englewood Elementary School)
- Market Street NE at Aguilas Court NE Pedestrian Crossing (Swegle Elementary School)
- Silverton Road NE at Sedona Avenue NE Pedestrian Crossing (Washington Elementary School and Waldo Middle School)
- State Street Sidewalk Infill, Oakmont Court SE to 49th Avenue SE, south side (Mary Eyre Elementary School)
- Liberty Road S Pedestrian Path, Davis Road S to Summit View Avenue SE, east side (Crossler Middle School)
- Pringle Road SE at Hillendale Drive SE Pedestrian Crossing and Sidewalk Infill (Morningside Elementary School)
- Winter Street NE at Gaines Street NE Raised Pedestrian Crossing (Grant Community School)

Summary:

The Oregon Department of Transportation (ODOT) is offering funding through the Safe Routes to School (SRTS) Infrastructure Program, which is designed to support improvements to pedestrian infrastructure within one mile of a public school. City Staff have identified seven suitable projects for this round of grant funding.

Attachments: [Safe Routes to School Construction Program Guidelines 2023-2024](#)
[SRTS 2023-2024 Project Applications Vicinity Map](#)

3.3c. [22-288](#)

Lease with Avis Budget Car Rental, LLC

Ward(s): 2
Councilor(s): Andersen
Neighborhood(s): SEMCA
Result Area(s): Good Governance; Strong and Diverse Economy;
Welcoming and Livable Community.

Recommendation:

Authorize the City Manager to execute the attached lease (Attachment 1) with Avis Budget Car Rental, LLC.

Summary:

Avis Budget Car Rental, LLC (Lessee) has been a long-standing tenant at the Salem Municipal Airport, offering car and truck rental services to residents and visitors to the Salem area. Their current lease for rental space in the terminal and parking areas expires July 31, 2022.

Attachments: [Lease](#)

3.3d. [22-297](#)

Compensation for the classifications of Assistant Director, City Engineer, City Librarian, Deputy City Attorney, and Division Manager.

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

Recommendation:

Approve a three percent (3%) pay grade adjustment for the job classifications of Assistant Director, City Engineer, City Librarian, and Deputy City Attorney, and a four percent (4%) pay grade adjustment for the Division Manager job classification, effective July 1, 2022.

Summary:

Human Resources completed a compensation review for the job classifications of Assistant Director, City Engineer, City Librarian, Deputy City Attorney, and Division Manager and found that pay compression issues exist between these classifications and their subordinate classifications. A pay grade adjustment is recommended to reduce the compression level between these classifications and their subordinate classifications following the guidance of the City's Compensation Philosophy.

ISSUE:

Shall City Council approve a three percent (3%) pay grade adjustment for the job classifications of Assistant Director, City Engineer, City Librarian, and Deputy City Attorney, and a four

percent (4%) pay grade adjustment for the Division Manager job classification, effective July 1, 2022?

RECOMMENDATION:

4. PUBLIC HEARINGS

4.a. [22-286](#)

Petitioner-Initiated Annexation of Territory Located at 3518-3598 Cherry Glen Place NE- 97305 (Annexation Case No. C-746)

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. 2022-12 ANX determining that the proposal meets the applicable criteria, applying City zoning for the territory, and approving withdrawal of the territory from the Marion County Fire District #1 and East Salem Sewer and Drainage District.

Summary:

This is a petitioner-initiated, voter-exempt annexation of a 6.87-acre territory located at 3518-3598 Cherry Glen Place NE - 97305 (Marion County Assessor Map and Tax Lot 073W12AA / 02502, 02600, and 02700, and 073W12AD / 00100 and 00201) for the purpose of future development. The annexation would include a concurrent application of City zoning of RM-II (Multiple Family Residential-II). A vicinity map is included as Attachment 1.

Attachments: [Vicinity Map](#)

[Order No. 2022-12 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. 2022-12 ANX](#)

[Public Works Department Parks Comments](#)

[Fire Department Comments](#)

[Public Works Department Development Services Comments](#)

[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. 22-276** Recommended revisions to the City Council Policy concerning fee waiver requests, Resolution No. 2022-39.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Recommendation:

Adopt Resolution No. 2022-39 modifying the Council Policy on consideration of fee waiver requests

Summary:

The recommended revisions to the City Council Policy concerning fee waiver requests acknowledges the 20% reduction in the Facility Use Fee for qualifying nonprofit organizations approved by Council in the Fiscal Year 22-23 Master Fee Schedule, and would allow an additional reduction or waiver to be approved by City Council upon a motion by a member of Council only if additional criteria are met.

Attachments: RESOLUTION NO 2022-39

Modified Fee Waiver Council Policy X-5

Delete - This item has been deleted from the agenda.

- 5.b. [22-287](#)** Consideration of projects for inclusion in the Community Improvement Bond and direction to staff to prepare a resolution to refer the measure to Salem voters at the November 2022 general election.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): All Result Areas - Good Governance; Natural Environment Stewardship; Safe Community; Safe, Reliable and Efficient Infrastructure; Strong and Diverse Economy; Welcoming and Livable Community.

Recommendation:

Adopt the list of projects for the Community Improvement Bond recommended by Steering Committee and direct staff to return to Council with a resolution to refer the measure to Salem voters at the

November 2022 general election.

Summary:

At their May 16 Work Session and May 23, 2022 meeting, Salem City Council considered an April 2022 Infrastructure Bond Engagement Steering Committee recommendation for the Community Improvement Bond proposal and took public comment. The \$300 million Community Improvement Bond is designed to address pressing needs for fire engines and equipment, for improvements to streets and sidewalks, for parks, for affordable housing with branch libraries at two sites, earthquake safety improvements for the Civic Center, and cybersecurity to protect residents and our services relying on technology. Without raising tax rates, bond-funded projects would take care of what we have, prepare us for the future, saving money currently spent on repairs and maintenance of outdated facilities and equipment.

Attachments: [Community Improvement Bond Public Opinion Research Report, June 2022](#)
[Community Improvement Bond Public Opinion Research Toplines, June 2022](#)
[Summary of Testimony Through June 10, 2022.pdf](#)
[Funding for each Community Improvement Bond category.pdf](#)
[June 10, 2022 Steering Committee Recommendation: Community Improvement Bond Public Comments](#)

- 5.c.** [22-303](#) Motion from Councilor Nordyke to reschedule the Monday, July 18, 2022 Council Policy Agenda Work Session to Thursday, July 28, 2022.

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

- 5.d.** [22-305](#) Presentation from Polk County Sheriff Mark Garton concerning Polk County's updated Intentional Use of Deadly Force Policy

Ward(s): Wards 1 and 8
 Councilor(s): Stapleton, Varney
 Neighborhood(s): WSNA

Recommendation:

Information Only.

Attachments: [SB111 Garton Presentation.pptx](#)

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

- 6.a.** [22-283](#) Planning Commission Decision - Comprehensive Plan Map Amendment and Zone Change from RS (Single Family Residential)

to RM-II (Multiple Family Residential) to allow the future conversion of the existing eight-room senior care facility, to an eight-unit multiple family development serving individuals with Intellectual/Developmental Disabilities. - Approved.

Minor Comprehensive Plan Map Amendment / Zone Change Case No. CPC-ZC22-02 - Brandie Dalton, Multi-Tech Engineering on behalf of Sunny Oaks Inc. - 4375 Rickey St SE.

Ward(s): 2
 Councilor(s): Andersen
 Neighborhood(s): SEMCA

Recommendation:

Information Only.

Attachments: [Land Use Decision CPC-ZC22-02](#)

- 6.b. [22-285](#) Purchases approved administratively from May 1, 2022 through May 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 May. Included in the report are procurement contracts and public contracting activities with a current fiscal year impact and annual contracts.

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

- 6.c. [22-289](#) Salem Police Department - Service Level and Program Updates

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

Recommendation:

Information Only

Summary:

The Salem Police Department is adjusting its response to certain lower-level calls for service categories; a newly formed task force maximizes limited resources to address violent crime through

federal level partnerships; community traffic safety and trust-building is the focus of a new department program.

6.d. [22-291](#)

Planning Administrator Decision - To allow a subdivision to divide 79 acres into 12 lots - Approved.

Phased Tentative Subdivision Case No. SUB22-04 - John Eld, Kelley Hamilton - 3600 Block of Boone Rd SE.

Ward(s): 3

Councilor(s): Phillips

Neighborhood(s): SEMCA

Recommendation:

Information Only.

Attachments: [Land Use Decision SUB22-04](#)

6.e. [22-302](#)

Planning Administrator Decision - To allow a four lot subdivision - Approved.

Subdivision / Tree Variance Case No. SUB-TRV22-05 - Heather Guthrie, John D. Miller - 5205 Battle Creek Rd SE.

Ward(s): 4

Councilor(s): Leung

Neighborhood(s): SGNA

Recommendation:

Information Only.

Attachments: [Land Use Decision SUB-TRV22-05](#)

6.f. [22-300](#)

Appointment to the Center 50+ Advisory Commission.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance

Summary:

Announcing appointment to the Center 50+ Advisory Commission.

Attachments: [Scott Harper Application Redacted](#)

7. ORDINANCES

7.1 FIRST READING:

7.2 SECOND READING:

7.2a. [22-261](#)

Petitioner-Initiated Annexation of Territory Located at 4314 Munkers Street SE and Land Adjacent (Annexation Case No. C-745)

Ward(s): 2

Councilor(s): Andersen

Neighborhood(s): SEMCA

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

Recommendation:

Pass Ordinance Bill No. 14-22 approving annexation, applying City zoning, and approving withdrawal from Marion County Fire District #1, East Salem Sewer and Drainage District, and Suburban East Salem Water District for a 0.597-acre territory located at 4314 Munkers Street SE and Lands Adjacent.

Summary:

This is a petitioner-initiated, voter-exempt annexation of a 0.597-acre territory located at 4314 Munkers Street SE and Lands Adjacent - 97317 (Marion County Assessor Map and Tax Lot 072W31DB / 01200, 01201, and 01202). 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. 14-22](#)

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

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@cityofsaalem.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. [22-290](#) 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:

Designation of the Eco Earth Globe at 230 Front Street SE as a Local Historic Resource
Monday, July 11, 2022 at 6:00 p.m.

Proposed Fees and Charges for Utility Service Rates (Water, Wastewater and Stormwater)
Monday, July 25, 2022 at 6:00 p.m.

Council Review of the Planning Administrator’s Decision, Case No. SUB-UGA22-03, approving a Tentative Subdivision Plan (Jackson Ridge) and Urban Growth Preliminary Declaration to divide approximately 14.5 acres into 46 lots. The property is located at 1374 Crowley Avenue SE
Monday, July 25, 2022 at 6:00 p.m.

SALEM HOUSING AUTHORITY PUBLIC HEARINGS:

URBAN RENEWAL AGENCY PUBLIC HEARINGS:

WORK SESSIONS:

City Council
Council Policy Agenda Update and Progress Report
Monday, July 18, 2022 at 6:00 p.m.

BUDGET COMMITTEE MEETINGS

SCHEDULE OF NEIGHBORHOOD ASSOCIATION ANNUAL MEETINGS

Neighborhood - Annual Meeting Date - Councilor

Faye Wright - Thursday, July 14, 2022 at 7:00 p.m.
Councilors Nordyke and 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.

