



CITY OF SALEM

Meeting Agenda

City Council

555 Liberty St SE
Salem, OR 97301

Monday, October 10, 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

WORK SESSION

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

1.3 a. [22-465](#) Proclamation recognizing Indigenous Peoples' Day.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Information Only.

Attachments: [Proclamation - Indigenous Peoples' Day](#)

- 1.3 b. [22-469](#) Proclamation recognizing National Community Planning Month.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Information Only.

Attachments: [Proclamation - National Community Planning Month](#)

- 1.3 c. [22-470](#) Proclamation recognizing White Cane Safety Day.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Information Only.

Attachments: [Proclamation - White Cane Safety Day](#)

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**

- 3.1 a. [22-463](#) September 26, 2022 Draft City Council Minutes

Attachments: [9-26-22 Draft Council Minutes.pdf](#)

3.2 RESOLUTIONS

- 3.2 a. [22-455](#) Transfer of FY 2023 appropriations for the Navigation Center renovation project.

Ward(s): Ward 2

Councilor(s): Councilor Nishioka

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

Recommendation:

Adopt Resolution No. 2022-51 authorizing a transfer of appropriations in the fiscal year 2023 budget for the Navigation Center renovation project.

Summary:

The successful bid for the Navigation Center renovation project and the proposal for the furniture package came in higher than anticipated in the FY 2023 budget. A transfer of appropriation is requested to increase contingency on the project to 12%. If needed, up to \$300,000 of the \$5M state grant to establish and operate the Navigation Center would be used to complete the project.

Attachments: [Resolution No. 2022-51](#)

3.3 ACTION ITEMS

3.3 a. [22-457](#) Petition-initiated vacation of Cross Street SE west of 20th Street SE.

Ward(s): 2
Councilor(s): Nishioka
Neighborhood(s): Southeast Salem Neighborhood Association
Result Area(s): Safe, Reliable, and Efficient Infrastructure

Recommendation:

Accept the petition to vacate Cross Street SE at 20th Street SE and direct the City Manager to set a public hearing to consider the request.

Summary:

The City of Salem received a petition from DEW Investments, LLC, to vacate an under-improved, 137-foot-long section of Cross Street SE west of 20th Street SE as shown in Attachments 1 and 2. Council may accept the petition and schedule a public hearing to consider the vacation, or Council may reject the petition if it determines the vacation is not in the best interest of the City.

Attachments: [Vicinity Map.pdf](#)
[Legal Description and Map.pdf](#)

4. PUBLIC HEARINGS

4. a. [22-456](#) Legislative Zone Change on Commercial Street SE.

Ward(s): Ward 2
Councilor(s): Councilor Nishioka
Neighborhood(s): SCAN

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

Recommendation:

Advance Ordinance Bill No. 18-22 for the purpose of rezoning specific properties on Commercial Street SE to MU-II to second reading

Summary:

The City of Salem is proposing to rezone properties on Commercial Street SE roughly between Superior Street S and McGilchrist Street SE to Mixed-Use II (MU-II) to encourage pedestrian-friendly, mixed-use development. The work responds to a motion from City Council during the Our Salem project public hearing process to rezone these properties to MU-II rather than Mixed Use III (MU-III).

Attachments: [Ordinance Bill No. 18-22.](#)

[Exhibit A to Ordinance Bill 18-22 - Map of Impacted Properties](#)

[Exhibit B to Ordinance Bill 18-22 Findings](#)

[2 - List of Properties Subject to Proposed Zone Change](#)

[3 - Comparison of MU-II and MU-III Zones](#)

[4 - Public Comments.pdf](#)

[Written Testimony](#)

Add - 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. [22-422](#) Salem Airport Commercial Air Service Infrastructure Project and Financing Update

Ward(s): 2

Councilor(s): Nishioka

Neighborhood(s): SEMCA

Result Area(s): Safe, Reliable and Efficient Infrastructure; Strong and Diverse Economy

Recommendation:

Information only.

Summary:

In response to Council direction to prepare a roadmap and funding strategy for needed improvements and staffing to support

commercial air service, Airport, Finance, and Public Works staff, along with the airport's aviation consultants, have refined the scope and cost estimates for the airport terminal infrastructure project, identified potential funding sources, and estimated a realistic timeline to complete required minimal improvements to accommodate commercial air service.

Attachments: [221004 SLE - Regional, 149, and 189 Terminal Capacity Studies - FULL.pdf](#)
[Written Testimony](#)

Add - Add Written Testimony

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

6. a. [22-459](#) Annual City Volunteer Recognition

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

Recommendation:

Information Only

Summary:

A report on the City's use of volunteers.

ISSUE:

Annual City Volunteer Recognition event.

RECOMMENDATION:

Attachments: [Volunteer Recognition Announcement](#)

6. b. [22-462](#) Planning Administrator Decision - A Tree Variance to perform construction within the critical root zone of a significant tree - Approved.

Tree Regulation Variance Case No. TRV22-04 - Kyle Mokhtarian - 2293 47th Ave NE.

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

Recommendation:

Information Only.

Attachments: [Land Use Decision TRV22-04](#)

6. c. [22-467](#) Appointments to the Salem Human Rights Commission.

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

Summary:

Announcing appointments to the Salem Human Rights Commission.

Attachments: [Gregory Azure Appointment Letter](#)

[Hope Straver Appointment Letter](#)

7. ORDINANCES

7.1 FIRST READING:

- 7.1 a. [22-439](#) Amendments to SRC chapter 97 - Human Rights, adding housing status as a protected class and other updates as recommended by the Salem Human Rights Commission - Ordinance Bill No. 21-22

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

Recommendation:

Advance Ordinance Bill No. 21-22 to second reading for enactment.

Summary:

At its January 10, 2022 meeting, City Council adopted recommendations from the Salem Human Rights Commission and directed staff to prepare amendments to SRC chapter 97, Human Rights, to add housing status as a protected class under the City Code, revise references to gender identity and sexual orientation in SRC 97.085. Ordinance Bill No. 21-22 adds housing status as a protected class under the chapter, amends some definitions, and makes other updates to the chapter.

Attachments: [ORDINANCE BILL 21-22.docx](#)

[Exhibit A - SRC chapter 97 amendments, Ordinance Bill No. 21-22.docx](#)

[Equity Lens Workgroup Recommendation.pdf](#)

[Written Testimony](#)

Add - Add Written Testimony

- 7.1 b. [22-330](#) Revision to the Salem Revised Code Section 2.825 related to the Multiple Unit Housing Tax Incentive Program

Ward(s): Wards 1 and 2
Councilor(s): Stapleton and Nishioka
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. 19-22 to amend SRC 2.825 related to Multiple-Unit Housing Tax Incentive Program amending the requirements of the Program.

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). In recent coordination with other taxing districts with which the City partners, there is a desire that future projects utilizing the Program include an affordable housing component. The proposed revisions will set requirements to which applicants must adhere to be considered for participation in the Program.

Attachments: [Ordinance Bill No. 19-22](#)
[Exhibit A to Ordinance 19-22](#)
[Core Area Map](#)

7.2 SECOND READING:

- 7.2 a. [22-461](#) Annexation of Territory Located at 4650 & 4680 Hazelgreen Road NE and land adjacent (Annexation Case No. C-749)

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

Recommendation:

Pass Ordinance Bill No. 20-22 approving annexation, changing the Salem Area Comprehensive Plan map designation for 1.8 acres of the territory, applying City zoning, and approving withdrawal from Marion County Fire District #1 for a 16.06-acre territory located at 4650 & 4680 Hazelgreen Road NE and land adjacent.

Summary:

An annexation of territory approximately 16.06 acres in size located at 4650 & 4680 Hazelgreen Road NE including a change in the Comprehensive Plan map designation to "Mixed Use" and concurrent change in zoning MU-I (Mixed Use-I) for 1.8 acres of the territory and the application of City of Salem RM-II (Multiple Family

Residential II) zoning for the remaining 13.7 acres.

Attachments: [Vicinity Map](#)

[Ordinance Bill No. 20-22](#)

[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@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. [22-460](#) 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:

SALEM HOUSING AUTHORITY PUBLIC HEARINGS:

URBAN RENEWAL AGENCY PUBLIC HEARINGS:

CITY COUNCIL WORK SESSIONS:

2022 Policy Agenda Progress Report
Monday, November 21, 2022 at 6:00 p.m.

BUDGET COMMITTEE MEETINGS

SCHEDULE OF NEIGHBORHOOD ASSOCIATION ANNUAL MEETINGS

Neighborhood - Annual Meeting Date - Councilor

NESCA October 18, 2022 7:00 p.m. Councilors Nishioka and Stapleton

CANDO October 18, 2022 6:00 p.m. Councilors Nishioka and 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: 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.

