



CITY OF SALEM

Meeting Agenda

City Council

555 Liberty St SE
Salem, OR 97301

Monday, November 28, 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

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

1.3 a. [22-527](#) Proclamation recognizing Giving Tuesday, November 29, 2022.

Ward(s): All Wards

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

Recommendation:

Information Only.

Attachments: [Proclamation - Giving Tuesday](#)

1.3 b. [22-529](#) Proclamation recognizing Human Rights Day, December 10, 2022.

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

Recommendation:

Information Only.

Attachments: [Human Rights Day Proclamation](#)

1.3 c. [22-541](#) Proclamation recognizing Patty Tipton Day, December 10, 2022.

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

Recommendation:

Information Only.

Attachments: [Proclamation - Patty Tipton day.pdf](#)

1.3 d. [22-546](#) Proclamation recognizing McKay High School Royal Scots Day, November 18, 2022.

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

Recommendation:

Information Only.

Attachments: [McKay Boys Soccer November 18 2022.pdf](#)

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. [22-545](#) November 14, 2022 Draft City Council Minutes

Attachments: [11-14-22 Draft Council Minutes.pdf](#)

- 3.1 b. [22-550](#) November 21, 2022 Draft City Council Work Session Minutes

Attachments: [11-21-22 Draft Council Work Session Minutes.pdf](#)

3.2 RESOLUTIONS

3.3 ACTION ITEMS

- 3.3 a. [22-536](#) 2022 Oregon Fire Service Capacity Program Grant with the Office of the State Fire Marshall.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Result Areas - Safe Community.

Recommendation:

Authorize the City Manager to apply for and accept, if awarded, the 2022 OFSCP Grant with the OSFM to provide three years of funding for a Program Manager II within the Salem Fire Department, with a gradual increase of matching funds required of the City over the three-year grant period.

Summary:

In 2021, the Oregon Legislature appropriated General Fund dollars to the Office of the State Fire Marshal (OSFM) for distribution to Oregon Fire Agencies to provide resources to augment firefighting and prevention staffing. Salem Fire protects the City of Salem and plays a pivotal role in preventing and suppressing wildfires. The Oregon Capacity Program Grant is intended for fire agencies to encourage an increase in permanent local firefighters and prevention staffing.

Attachments: [2022 Oregon Fire Service Capacity Program "OFSCP" Application Manual](#)

- 3.3 b. [22-537](#) Second Amendment to the Lease Agreement between the City of Salem and Capital Community Television.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Safe Community.

Recommendation:

Authorize the City Manager to execute the Second Amendment to the Lease Agreement with CC: Media (Attachment 1) to waive CC: Media's rent obligations through December 1, 2022, to allow CC: Media to satisfy their rent obligations through April 30, 2024, by providing the City radio content creation services and up to 8 hours of English and Spanish radio broadcasting time per month, and to update the notification information for CC: Media.

Summary:

Execution of the Second Amendment to the Lease Agreement with Capital Community Television (CC: Media) waives rent obligations through December 1, 2022, and allows CC: Media to satisfy their rent obligations through April 30, 2024, by providing the City radio content creation services and up to 8 hours of English and Spanish radio broadcasting time per month. The amendment also updates the notification information for CC: Media. In all other respects, the terms of the original lease and the first amendment thereto remain unchanged.

Attachments: [Amendment #2 to the Lease Agreement](#)
[CC: Media Request to Extend Lease Moratorium](#)
[Original Lease Agreement](#)
[CC: Media Lowen Lease Moratorium Request](#)
[Amendment #1 to the Lease Agreement](#)

4. PUBLIC HEARINGS

4. a. [22-466](#) Public Hearing - Exemption from Competitive Bidding Process and Authorization of an Alternative Contracting Method for an Audio Video (AV) Design, Install, and Maintenance contract for the City.

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

Recommendation:

Allow an exemption from the competitive bidding process and use of a Design Build (DB) contracting method for an Audio Video (AV) Design, Install, and Maintenance contract.

Summary:

The City of Salem has an ongoing need for a consistent contractor of record who may provide recommendations, designs, installation services, and maintenance for AV solutions across all City Departments. Currently the City does not have the in-house expertise on AV solutions, and each room is being assessed and

procured individually. Our increasing organizational dependence on technology for continued operations and community services emphasizes the need for an enterprise approach to AV solutions. Continuing to approach each room on a stand-alone basis would result in inconsistencies in meeting room setup across the City adversely impacting resources required to solicit solutions and maintain each.

Attachments: [Exhibit A - Facts and Findings Full Report](#)
[Written Testimony](#)

Add- Written Testimony
Add - Written Testimony

4. b. [22-481](#)

Annexation Territory located at 3821 Ibex Street NE for future expansion of Fisher Road Park (Annexation Case No. C-750)

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. 2022-18 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:

Annexation of an approximately 2-acre territory, application of PA (Public Amusement) zoning, and withdrawal from the Marion County Fire District #1 and East Salem Sewer and Drainage District for property located at 3821 Ibex Street NE (Marion County Assessor Map and Tax Lot Number 072W07BB02900).

Attachments: [Vicinity Map](#)
[Order No 2022-18 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. 2022-14 ANX](#)
[Public Works Development Services Section Comments](#)
[Finance Department Comments](#)
[Marion County Comments](#)

4. c. [22-509](#)

Annexation of Territory Located at 3880 Mahrt Avenue SE and Land Adjacent (Annexation Case No. C-751)

Ward(s): 2

Councilor(s): Nishioka

Neighborhood(s): SESNA

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

Recommendation:

Adopt Order No. 2022-17 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, Suburban East Salem Water District, and East Salem Sewer and Drainage District.

Summary:

An annexation of territory approximately 0.83 acres in size located at 3880 Mahrt Avenue SE and Land Adjacent including a change in the Comprehensive Plan map designation to "Commercial" and concurrent change in zoning to CR (Retail Commercial).

Attachments: [VicinityMap](#)

[Order No 2022-17 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. 2022-17 ANX](#)

[Public Works Department Parks Comments](#)

[Fire Department Comments](#)

[Public Works Department Development Services Section 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. [22-495](#)

Motion from Councilor Linda Nishioka regarding potential amendments to the City's public mural code.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Written Testimony](#)

Add - Written Testimony

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

6. a. [22-533](#) Salem Public Library Strategic Plan 2022-2027

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

Summary:

Presenting the Salem Library Strategic Plan.

Attachments: [Salem Public Library Strategic Plan 2022-2027](#)

[Written Testimony](#)

Add - Written Testimony

6. b. [22-540](#) Lansing Neighborhood Association merger with North Lancaster Neighborhood Association (NOLA).

Ward(s): Ward 5, 6
Councilor(s): Gonzalez, Hoy
Neighborhood(s): Lansing and North Lancaster Neighborhoods
Result Area(s): Result Areas -Welcoming and Livable Community.

Recommendation:

Information only.

Summary:

The City of Salem's Neighborhood Association program provides support for 18 Neighborhood Associations, including Lansing and the North Lancaster Neighborhood Association (NOLA). Chapter 64, Neighborhood Association Program, of the Salem Revised Code (SRC) provides for a process for two or more neighborhood associations to voluntarily merge. Lansing and NOLA have been discussing such a merger since summer 2022, and recently, the board of each Neighborhood Association approved the merger.

6. c. [22-542](#) Planning Administrator Decision - A consolidated application for a partition and adjustment to create three parcels. - Approved.

Tentative Partition / Class 2 Adjustment Case No. PAR-ADJ22-08 - Clutch Industries - 4741 Lancaster Drive NE.

Ward(s): 5
Councilor(s): Gonzalez
Neighborhood(s): Northgate

Recommendation:

Information Only.

Attachments: [Land Use Decision PAR-ADJ22-08](#)**6. d.** [22-543](#)

Planning Administrator Decision - An application for a tentative partition to create three parcels. - Approved.

Tentative Partition Case No. PAR22-07 - Crystal Perry - 2828 Doaks Ferry Road NW.

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

Recommendation:

Information Only.

Attachments: [Land Use Decision PAR22-07](#)**6. e.** [22-552](#)

Planning Administrator Decision - A tentative phased subdivision plan to divide approximately 0.75 acre into nine lots. - Approved.

Tentative Subdivision Plan Case No. SUB22-10 - Gerald Horner, Willamette Engineering Inc. - 1440 Boone Rd SE.

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

Recommendation:

Information Only.

Attachments: [Land Use Decision SUB22-10](#)**7. ORDINANCES****7.1 FIRST READING:****7.1 a.** [22-539](#)

Annexation of Territory Located at 5536 Skyline Road S (Annexation Case No. C-752)

Ward(s): 7
Councilor(s): Nordyke
Neighborhood(s): Sunnyslope
Result Area(s): Good Governance; Safe Community; Safe, Reliable and Efficient Infrastructure

Recommendation:

Advance Ordinance Bill No. 24-22 approving annexation, changing

the Salem Area Comprehensive Plan map designation, applying City zoning, and approving withdrawal from the Salem Suburban Rural Fire Protection District for a 1.95-acre territory located at 5536 Skyline Road S to second reading for enactment.

Summary:

An annexation of territory approximately 1.95 acres in size located at 5536 Skyline Road S including a change in the Comprehensive Plan map designation to "Multi-Family Residential" and concurrent change in zoning to RM-I (Multiple Family Residential).

Attachments: [Vicinity Map](#)

[Ordinance Bill No. 24-22](#)

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

7.2 SECOND READING:

- 7.2 a. [22-532](#) Naming an unnamed connection between Rosewood Drive NW and Manorview Lane NW as Westside Circle NW (Street Name Change Case No. SNC22-01).

Ward(s): Ward 8

Councilor(s): Councilor Varney

Neighborhood(s): West Salem Neighborhood Association

Result Area(s): Safe Community

Recommendation:

Approve naming an unnamed connection between Rosewood Drive NW and Manorview Lane NW as Westside Circle NW and proceed to second reading of Ordinance Bill No. 23-22 (Attachment 1) for enactment.

Summary:

Capital Manor, a retirement community in west Salem, expanded its facilities to include new multi-family units. The units opened in 2020 and are referred to as the Westside Villas. The Westside Villas are currently addressed off Salem-Dallas Highway NW, which has caused confusion for first responders. Naming this connection between Rosewood Drive NW and Manorview Lane NW as Westside Circle NW will facilitate improved emergency response.

Attachments: [Ordinance Bill No. 23-22](#)

[Resolution No. 2022-50](#)

- 7.2 b. [22-538](#) 2022 Unified Development Code Update

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): or All Neighborhoods

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

Recommendation:

Pass Engrossed Ordinance No. 22-22 for the purpose of amending the Unified Development Code to respond to a Land Use Board of Appeals decision, implement changes in State law and rules, add new temporary uses, and address other issues

Summary:

This proposed code amendment updates the Unified Development Code to respond to a Land Use Board of Appeals decision, implement changes in State law and rules, add new temporary uses, and address other issues that have recently arisen.

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

[Exhibit A to Engrossed Ordinance Bill No. 22-22 - Code Amendment](#)

[Exhibit B to Engrossed Ordinance Bill No. 22-22 - Findings](#)

[Written Testimony](#)

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. [22-534](#) 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:

FY 2024 Recommended Budget
Monday, June 12, 2023 at 6:00 p.m.

State Revenue Sharing
Monday, June 12, 2023 at 6:00 p.m.

SALEM HOUSING AUTHORITY PUBLIC HEARINGS:

URBAN RENEWAL AGENCY PUBLIC HEARINGS:

FY 2024 Recommended Budget
Monday, June 12, 2023 at 6:00 p.m.

CITY COUNCIL WORK SESSIONS:

2023 Council Policy Agenda
Tuesday, January 17, 2023 at 6:00 p.m.

BUDGET COMMITTEE MEETINGS

Presentation of the FY 2024-2028 Five-Year Forecast
Wednesday, January 11, 2023 at 6:00 p.m.

City Manager Presents Proposed FY 2024 Budget to Budget Committee
Result Areas Reviewed: Welcoming and Livable Community, Natural Environment Stewardship
Wednesday, April 19, 2023 at 6:00 p.m.

Budget Committee Review - Result Areas Reviewed: Strong and Diverse Economy, Urban Renewal Agency, Safe Reliable and Efficient Infrastructure, and CIP Public Hearing
Wednesday, April 26, 2023 at 6:00 p.m.

Budget Committee Review - Result Areas Reviewed: Safe Community,

Good Governance
Wednesday, May 3, 2023 at 6:00 p.m.

Budget Committee Recommends FY 2024 Budget to City Council /
Urban Renewal Agency
Wednesday, May 10, 2023 at 6:00 p.m.

SCHEDULE OF NEIGHBORHOOD ASSOCIATION ANNUAL MEETINGS

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.cityofsaalem.net/Pages/council rules.aspx](http://www.cityofsaalem.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.cityofsaalem.net/Pages/council rules.aspx](https://www.cityofsaalem.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.

