



CITY OF SALEM

555 Liberty St SE
Salem, OR 97301

Meeting Agenda

City Council

Monday, November 25, 2024

6:00 PM

**Council Chambers /
Hybrid Meeting**

This meeting is being conducted both in-person and remotely and allows remote attendance by the governing body, when requested. Interested persons may attend the meeting in Council Chambers or 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. If attending the meeting remotely, public comment and testimony may be provided during the meeting via Zoom. Remote attendees must pre-register between 8:00 a.m. and 4:00 p.m. on the day of the meeting using this link: <https://www.cityofsalem.net/comment-at-council>

EXECUTIVE SESSIONS

City Council

5:00 p.m. - City Manager's Conference Room

ORS 192.660(2)(e) - Real Property Transactions

Salem Housing Authority Commission and City Council

5:30 p.m. - City Manager's Conference Room

ORS 192.660(2)(e) - Real Property Transactions

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

1.4 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. [24-442](#) November 12, 2024 Draft City Council Minutes

Attachments: [11-12-24 Draft Council Minutes.pdf](#)

3.1b. [24-480](#) November 18, 2024 Draft City Council Work Session Minutes

Attachments: [11-18-24 Draft Council Work Session Minutes.pdf](#)

3.2 RESOLUTIONS

3.3 ACTION ITEMS

3.3a. [24-471](#) Adoption of Final Order No. 2024-4 CU24-05 modifying the Hearing Officer's decision approving Conditional Use Permit Case No. CU24-05 for property located at 3393 Silverton Road NE.

Ward(s): Ward 5

Councilor(s): Gonzalez

Neighborhood(s): Northgate Neighborhood Association

Result Area(s): Welcoming and Livable Community

Recommendation:

Adopt the Final Order to modify the Hearing Officer's decision approving Conditional Use Permit Case No. CU24-05.

Summary:

On November 12, 2024, the City Council held a public hearing to consider modifying the Hearing Officer's decision approving Conditional Use Permit (CU24-05) to allow a motor vehicle service use in an existing building on property zoned MU-III, and located at 3393 Silverton Road NE (**Attachment 1**). Subsequent to receiving testimony, the Council closed the public hearing, deliberated, and voted to modify the Hearing Officer's decision by amending the

hours of operation where the business is open to the public to be between 6 AM to 8 PM for Condition of Approval No. 4, and amending Condition of Approval No. 2 to allow diagnostic service outside of the building within normal business hours.

Attachments: [Vicinity Map](#)

[Final Order No. 2024-4 CU24-05](#)

[Exhibit 1 - Decision of the Hearings Officer Case No. CU24-05](#)

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. [24-472](#) Commercial Air Service Update and Look Ahead

Ward(s): 2

Councilor(s): Nishioka

Neighborhood(s): SEMCA, SESNA

Result Area(s): Strong and Diverse Economy

Recommendation:

Information Only

Summary:

A look back at the first full year of commercial air service in Salem, current progress, and air service development strategies going forward. A presentation by Jack Penning, Managing Partner for Volaire Aviation Consulting will accompany this brief report.

5.b. [24-445](#) Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) - Endangered Species Act (ESA) Integration in Oregon

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Natural Environment Stewardship; Safe and Healthy Community

Recommendation:

Direct staff to notify FEMA that City of Salem is proceeding with NFIP Pre-Implementation Measure Option 3, Permit-by-Permit approach.

Summary:

City Council is asked to authorize staff to notify FEMA that Salem will proceed with NFIP Pre-Implementation Measure Option 3, which involves a permit-by-permit approach for floodplain development. This option requires developers to complete habitat assessments for floodplain projects, ensuring "no net loss" of flood storage, water quality, or vegetation. By selecting Option 3, Salem will comply with NFIP and ESA mandates while maintaining flexibility in regulating floodplain development. Adopting this option prevents potential FEMA audits or NFIP suspension, thus preserving eligibility for federally-backed flood insurance in Salem and federal disaster relief.

Attachments: [NFIP Oregon Model Floodplain Management Ordinance](#)

Revised - Revised Staff Report.

The summary and staff recommendation states NFIP PICM Option 2, but on page 3 of the report it says PICM Option 3 is the staff recommendation. We were asked to clarify this.

This is an error. The staff report should say NFIP PICM Option 3 (permit by permit) as defined in the staff report. FEMA and DLCD documents inconsistently number the PICM options, which has caused confusion. However, the staff report summary and recommendation should be consistent with Facts and Findings section which describe Option 3 as the permit by permit approach.

In addition, clarification was added to the last sentence in the first paragraph under "Pre-implementation compliance measure timeline" section and the first sentence in the "Fiscal Impact" section.

5.c. [24-447](#)

Presentation of proposed solid waste transfer station in Polk County by Salem City staff, Polk County staff, and Apple Tree Holdings, LLC

Ward(s): Ward 1, 8

Councilor(s): Stapleton, Varney

Neighborhood(s): West Salem

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:

Information Only

Summary:

Polk County received an unsolicited proposal from Apple Tree Holdings, LLC (Apple Tree) to site, build, and operate a solid waste transfer station in Rickreall, OR with an estimated operational start date in 2027. City staff are actively working with both Polk County staff and Apple Tree to understand the benefits and impacts of this proposal to solid waste services and rates in Salem, particularly in West Salem.

Attachments: [Presentation by Apple Tree Holdings, LLC](#)

- 5.d. [24-474](#) Consideration of a five-year operating levy to fund the Library, Parks, and Center 50+.

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:

Authorize staff to prepare a scenario for the May 2025 election to fund the Salem Public Library, Parks, and the Center 50+ with a five-year operating levy for consideration at a January City Council work session?

Summary:

The Salem Budget Committee approved a motion directing city staff to bring information to the City Council regarding a five-year operating levy to fund the Library, Parks, and Center 50+ for the May 2025 ballot.

Attachments: [11-25-24 Public Comments received by 1:00 p.m., November 25, 2024.pdf](#)
[11-25-24 Additional Public Comments received by 5:00 p.m., November 25, 2024](#)

Add - Written Testimony.

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

7. ORDINANCES

7.1 FIRST READING:

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. [24-469](#) Unless otherwise noted, all meetings and public hearings will be conducted in Council Chambers, located at City Hall, 555 Liberty Street SE, Room 240, with the option for remote attendance. Please see the meeting agenda header for more details on remote attendance. The meetings are also available to watch in real-time online at CC:Media YouTube Channel, as well as Comcast Cable CC:Media Channel 21.

CITY COUNCIL PUBLIC HEARINGS:

Tourism Promotion Area
Monday, December 9, 2024 at 6:00 p.m.

SALEM HOUSING AUTHORITY PUBLIC HEARINGS:

URBAN RENEWAL AGENCY PUBLIC HEARINGS:

CITY COUNCIL WORK SESSIONS: (Unless otherwise noted, work sessions are held in the Council Chambers, 555 Liberty Street SE.

Joint City Council and Planning Commission - Housing Production Strategy
Monday, March 17, 2025 at 6:00 p.m.

BUDGET COMMITTEE MEETINGS: (Budget Committee meetings are held in Council Chambers, 555 Liberty Street SE, Room 240)

Budget Committee - Five Year Forecast
Wednesday, January 15, 2025 at 6:00 p.m.

Budget Committee - City Manager Presents Proposed FY 2026 Budget to the Budget Committee - Result Areas Reviewed: Welcoming and Livable Community, Natural Environment Stewardship
Wednesday, April 16, 2025 at 6:00 p.m.

Budget Committee Review Meeting - Result Areas Reviewed: Strong and Diverse Economy, Urban Renewal Agency, Safe Reliable and Efficient Infrastructure, and CIP Public Hearing
Wednesday, April 23, 2025 at 6:00 p.m.

Budget Committee Review Meeting - Results Areas Reviewed: Safe

Community, Good Governance
Wednesday, April 30, 2025 at 6:00 p.m.

Budget Committee Recommends FY 2026 Budget to the City Council /
Urban Renewal Agency
Wednesday, May 7, 2025 at 6:00 p.m.

2024 NEIGHBORHOOD ASSOCIATION ANNUAL MEETING DATES:

Neighborhood - Annual Meeting Date - Time - 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.

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

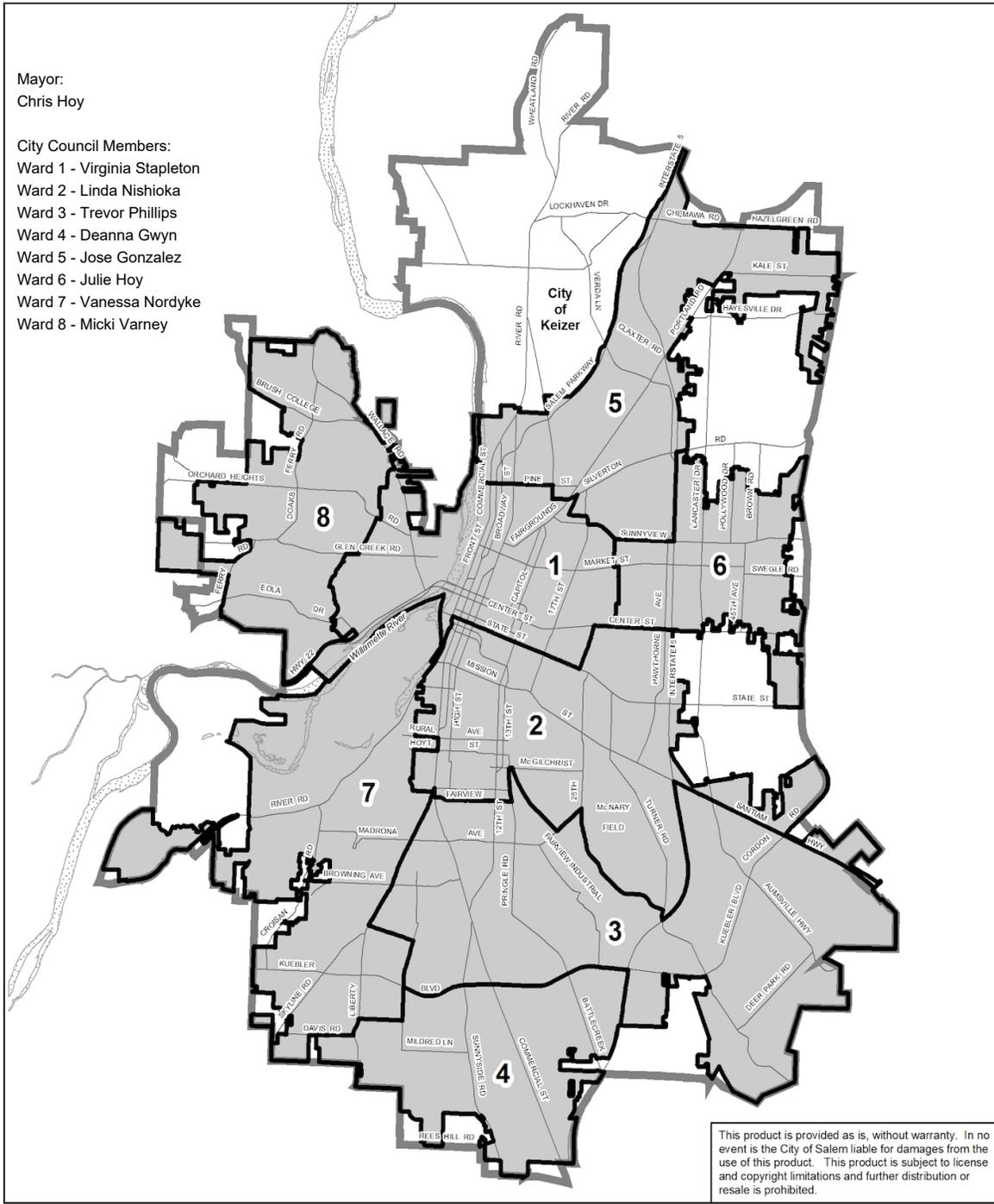
Time limits for quasi judicial land use hearings are governed by Rule 19 of the Council Rules. Parties to land use cases are encouraged to review that rule as time limits vary depending on the nature of the hearing. Further information can be obtained by contacting the Planning Administrator at 503 588 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.

City of Salem Wards

Mayor:
Chris Hoy

- City Council Members:
 Ward 1 - Virginia Stapleton
 Ward 2 - Linda Nishioka
 Ward 3 - Trevor Phillips
 Ward 4 - Deanna Gwyn
 Ward 5 - Jose Gonzalez
 Ward 6 - Julie Hoy
 Ward 7 - Vanessa Nordyke
 Ward 8 - Micki Varney



LEGEND

- Ward Boundary
- Urban Growth Boundary
- Salem City Limits
- Major Streets



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