

*555 Liberty St SE
Salem, OR 97301*



Final Action Agenda - Minutes - Final

Monday, October 28, 2024

6:00 PM

Council Chambers / Hybrid Meeting

City Council

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 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

6:08 p.m.

Roll Call

Present: 9 - Councilor Hoy, Councilor Nordyke, Councilor Phillips, Councilor Stapleton, Councilor Gonzalez, Councilor Varney, Councilor Nishioka, Mayor Hoy, and Councilor Gwyn

1.1 APPROVAL OF ADDITIONS AND DELETIONS TO THE AGENDA

None.

1.2 COUNCIL AND CITY MANAGER COMMENT

Comments by: Councilors Nordyke, Varney, Stapleton, and Phillips, City Manager Keith Stahley, and Councilor Hoy.

1.3 PROCLAMATIONS

None.

1.4 PRESENTATIONS

None.

2. PUBLIC COMMENT: (Comment on agenda items other than public hearings and deliberations)

The following individuals provided comments:

- Tom Hoffert, CEO, Salem Area Chamber of Commerce, Ward 1, item 5.a, file 24-431
- Laurie Dougherty, Ward 1, 350 Salem Oregon, item 3.3d, file 24-406
- Chris McGee, Western States Carpenters Union, item 5.a, file 24-431
- Ray Quisenberry, Ward 1, item 3.3d, file 24-406
- John Snider, Western States Carpenters Union, item 5.a, file 24-431
- Eric Morgan, Western States Carpenters Union, 300 Market Street, item 5.a, file 24-431

3. CONSENT CALENDAR: (Includes approval of minutes, adoption of routine resolutions, and items of business requiring Council action)

A motion was made by Councilor Nishioka to approve the consent calendar with the pulls of item 3.3d by Councilor Phillips and item 3.3f by Councilor Nishioka. The motion was seconded by Councilor Phillips.

Questions or Comments by: Councilors Nishioka, Stapleton, and Hoy, and City Attorney Dan Atchison.

Regarding item 3.3b, Councilor Stapleton commented that she received a sizeable campaign donation and endorsement from AFSCME for her current House District 21 race.

The motion CARRIED by the following vote:

Aye: 9 - Hoy, Nordyke, Phillips, Stapleton, Gonzalez, Varney, Nishioka, Hoy, and Gwyn

Nay: 0

Abstain: 0

3.1 MINUTES

3.1a. [24-408](#) October 14, 2024 Draft City Council Minutes
Action: Approved.

3.1b. [24-443](#) October 21, 2024 Draft City Council Work Session Minutes
Action: Approved.

3.2 RESOLUTIONS

3.2a. [24-400](#) Re-designation of the City of Salem Electronic Commerce Zone.

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Result Area(s): Strong and Diverse Economy

Adopted Resolution No. 2024-43, to re-designate the E-commerce Zone.

3.3 ACTION ITEMS

3.3a. [24-411](#) Collective bargaining agreement between the City of Salem and the Salem Police Employees' Union - Sergeants.

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

Approved a new three-year collective bargaining agreement between the City and Salem Police Employees' Union - Sergeants (SPEU-S), for a period from July 1, 2024, through June 30, 2027.

3.3b. [24-429](#) Collective bargaining agreement between the City of Salem and the American Federation of State, County and Municipal Employees.

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

Approved a three-year collective bargaining agreement between the City and American Federation of State, County and Municipal Employees (AFSCME), for a period from July 1, 2024, through June 30, 2027.

3.3c. [24-435](#) Compensation adjustments for represented and non-represented classifications, and creation of new classifications and pay grades.

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

Approved the compensation adjustments for the select represented and non-represented job classifications retroactive to July 1, 2024.

3.3d. [24-406](#)

Application for funding under the Environmental and Climate Justice Community Change Grants Program issued by the U.S. Environmental Protection Agency.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Pulled by Councilor Phillips - See item 5.b.

3.3e. [24-416](#)

Correcting the terms of Planning Commission positions.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance.

Amended the terms of Commissioner Lara Midkiff to expire in 2024 (instead of 2025) and Commissioner Fryback to expire in 2026 (instead of 2027).

3.3f. [24-422](#)

Request to Remove Circular Brick Structure from Salem-Keizer Together Entranceway

Ward(s): Ward 5

Councilor(s): Jose Gonzalez

Neighborhood(s): Highland Neighborhood Association

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

Pulled by Councilor Nishioka - See item 5.c.

3.3g. [24-427](#)

Adoption of Final Order No. 2024-3 PUD-SUB-PAR-UGA-ADJ24-01 modifying the Planning Commission’s decision approving Planned Unit Development-Subdivision Tentative Plan, Partition Tentative Plan, Urban Growth Preliminary Declaration, and Class 2 Adjustment Case No. PUD-SUB-PAR-UGA-ADJ24-01 for property located in the 700 to 800 Blocks of Creekside Drive SE.

Ward(s): 4

Councilor(s): Gwyn

Neighborhood(s): South Gateway Neighborhood Association

Result Area(s): Welcoming and Livable Community

Adopted the Final Order to modify the Planning Commission's decision approving Planned Unit Development-Subdivision Tentative Plan, Partition Tentative Plan, Urban Growth Preliminary Declaration, and Class 2 Adjustment Case No. PUD-SUB-PAR-UGA-ADJ24-01.

3.3h. [24-438](#)

Appointments to the Citizen Budget Committee

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance

Reappointed the following applicant:

Citizen Budget Committee: Reappointed Dr. Irvin Brown to a second term, expiring on June 30, 2027.

4. PUBLIC HEARINGS

None.

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. [24-431](#)

Motion from Councilor Virginia Stapleton regarding a regulatory business license ordinance.

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

A motion was made by Councilor Stapleton that City Council direct staff to provide a report to Council identifying the necessary steps and analysis of the relevant issues to create a business license requirement in the city. The motion was seconded by Councilor Phillips.

Questions or Comments by: Mayor Hoy, Councilors Nordkye, Phillips, Gonzalez, Varney, Nishioka, Gwyn, and Hoy, and City Manager Keith Stahley.

The motion CARRIED by the following vote:

- Aye:** 6 - Nordyke, Phillips, Stapleton, Varney, Nishioka, and Hoy
- Nay:** 3 - Hoy, Gonzalez, and Gwyn
- Abstain:** 0

5.b. [24-406](#)
(3.3d)

Application for funding under the Environmental and Climate Justice Community Change Grants Program issued by the U.S. Environmental Protection Agency.

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

A motion was made by Councilor Phillips to authorize the City Manager to submit a grant application for the Environmental and Climate Justice Community Change Grant Program in partnership with the Mid-Willamette Valley Community Action Agency as statutory partner and, if successful, enter into an agreement with U.S. Environmental Protection Agency to accept the funds. The motion was seconded by Councilor Stapleton.

Comments by: Councilors Phillips and Nordyke.

The motion CARRIED by the following vote:

- Aye:** 9 - Hoy, Nordyke, Phillips, Stapleton, Gonzalez, Varney, Nishioka, Hoy, and Gwyn
- Nay:** 0
- Abstain:** 0

5.c. [24-422](#)
(3.3f.)

Request to Remove Circular Brick Structure from Salem-Keizer
Together Entranceway

Ward(s): Ward 5
Councilor(s): Jose Gonzalez
Neighborhood(s): Highland Neighborhood Association
Result Area(s): Safe, Reliable and Efficient Infrastructure; Welcoming
and Livable Community.

A motion was made by Councilor Nishioka to authorize the removal of the existing brick structure and replace with entranceway welcome signs that are easier to repair or replace when damaged with design collaboration with the Salem Public Art Commission. The motion was seconded by Councilor Phillips.

Questions or Comments by: Councilors Nishioka and Varney and Mayor Hoy.

The motion CARRIED by the following vote:

Aye: 9 - Hoy, Nordyke, Phillips, Stapleton, Gonzalez, Varney, Nishioka, Hoy, and Gwyn

Nay: 0

Abstain: 0

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

6.a. [24-426](#)

Purchases approved administratively from September 1, 2024 through September 30, 2024.

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

Questions or Comments by: Councilors Varney, Nishioka, and Phillips.

This Informational Report was received and filed.

6.b. [24-409](#)

City Council quarterly information report on economic development.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Questions or Comments by: Councilor Gwyn, Kristin Retherford, Director of Community Planning and Development, and Councilor Nishioka.

This Informational Report was received and filed.

6.c. [24-423](#)

Planning Administrator Decision- A Tree Variance to remove one significant tree that will be impacted by required sidewalk construction for a four-family development - Approved.

Tree Regulation Variance TRV24-03 - Ron Jackson - 2605 Laurel Ave NE.

Ward(s): 5

Councilor(s): Gonzalez

Neighborhood(s): Highland

Comments by Councilor Phillips.

This Informational Report was received and filed.

6.d. [24-434](#)

Planning Administrator Decision - A Tree Variance to remove two significant trees - Approved.

Tree Regulation Variance Case No. TRV24-04 - Celtic Homes, LLC - 1390 Overlook Ave NW.

Ward(s): 1

Councilor(s): Stapleton

Neighborhood(s): West Salem Neighborhood Association

This Informational Report was received and filed.

7. ORDINANCES

7.1 FIRST READING:

None.

7.2 SECOND READING:

7.2a. [24-432](#) Second Reading of Ordinance Bill No. 13-24 to amend SRC chapter 38 to modify the definition of “transient lodging” to exclude short term rentals and accessory short term rentals from the Tourism Promotion Area fee.

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Result Area(s): Strong and Diverse Economy.

Second reading was conducted and Ordinance Bill No. 13-24, amending SRC chapter 38 to modify the definition of “transient lodging” to exclude short term rentals and accessory short term rentals from the Tourism Promotion Area fee, PASSED by the following vote:

Aye: 9 - Hoy, Nordyke, Phillips, Stapleton, Gonzalez, Varney, Nishioka, Hoy, and Gwyn
Nay: 0
Abstain: 0

8. PUBLIC COMMENT: (Other than agenda items)

The following individual provided comments remotely:

Evan Manvel, Ward 2, South Commercial Street bike lanes

Comments by: Mayor Hoy and City Attorney Dan Atchison.

Mr. Z, no address provided, Domestic violence police issue

Comments by Mayor Hoy.

Tammy Kunz, no address provided, December 10, 2024, Safety awareness gathering in City of Keizer

Comments by Mayor Hoy.

Tuesday Garrison, Ward 2, Pedestrian crosswalk or sign at Hoyt and Cottage Streets

Questions or Comments by: Mayor Hoy, and Councilors Gwyn, Stapleton, Nishioka, and Phillips.

9. ADJOURNMENT

7:58 p.m.