



CITY OF SALEM

Meeting Agenda

City Council

555 Liberty St SE
Salem, OR 97301

Monday, July 8, 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 SESSION

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. [24-265](#) June 17, 2024 Draft Joint City Council and Planning Commission Work Session Minutes

Attachments: [6-17-24 Draft Joint Council and Planning Commission Work Session Minutes.pdf](#)

- 3.1b. [24-275](#) June 24, 2024 Draft City Council Minutes

Attachments: [6-24-24 Draft Council Minutes.pdf](#)

3.2 RESOLUTIONS

- 3.2a. [24-92](#) Resolutions adopting Council Policies C-19 (Transportation Services Fund Financial Policy), C-20 (Streetlight Fund Financial Policy), C-21 (City Services Fund - Radio Communications Division Financial Policy), C-22 (Willamette Valley Communications Fund Financial Policy), C-23 (City Services Fund - Document Services Division Financial Policy) and C-24 (City Services Fund - Fleet Services Division Financial Policy); updating Council Policies C-9 (Capital Improvement Program Policy) and C-14 (Utility Fund Financial Policy).

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Recommendation:

Adopt Resolution Nos. 2024-10, 2024-11, 2024-12, 2024-13, 2024-34, 2024-35, 2024-36 and 2024-37 updating Council policies C-9 (Capital Improvement Program Policy) and C-14 (Utility Fund Financial Policy) and adopting new Council policies C-19 (Transportation Services Fund Financial Policy), C-20 (Streetlight Fund Financial Policy), C-21 (City Services Fund - Radio

Communications Division Financial Policy), C-22 (Willamette Valley Communications Fund Financial Policy), C-23 (City Services Fund - Document Services Division Financial Policy), and C-24 (City Services Fund - Fleet Services Division Financial Policy)?

Summary:

At the March 25, 2024, City Council meeting, the Council voted to postpone consideration of Finance Committee recommended Council policies C-9 (Capital Improvement Program Policy), C-14 (Utility Fund Financial Policy), C-19 (Transportation Services Fund Financial Policy) and C-20 (Streetlight Fund Financial Policy) until after the FY 2025 Budget was adopted. Existing Council policies C-9 and C-14 have recommended updates while adoption of C-19 and C-20 would establish new Council policies.

Since that time, the Finance Committee has reviewed and forwarded to City Council four additional new policies: C-21 (City Services Fund - Radio Communications Division Financial Policy), C-22 (Willamette Valley Communications Fund Financial Policy), C-23 (City Services Fund - Document Services Division Financial Policy) and C-24 (City Services Fund - Fleet Services Division Financial Policy). These policies are also attached to this report for adoption.

Attachments: [Resolution No. 2024-10](#)
[Resolution No. 2024-10, Exhibit A - Revised Council Policy C-9 \(Capital Improvement F](#)
[Resolution No. 2024-10, Exhibit B - Redline Council Policy C-9 \(Capital Improvement P](#)
[Resolution No. 2024-11](#)
[Resolution No. 2024-11, Exhibit A - Revised Council Policy C-14 \(Utility Fund Financial](#)
[Resolution No. 2024-11, Exhibit B - Redline Council Policy C-14 \(Utility Fund Financial](#)
[Resolution No. 2024-12](#)
[Resolution No. 2024-12, Exhibit A - Council Policy C-19 \(Transportation Services Fund](#)
[Resolution No. 2024-13](#)
[Resolution No. 2024-13, Exhibit A - Council Policy C-20 \(Streetlight Fund Financial Poli](#)
[Resolution 2024-34](#)
[Resolution No. 2024-34, Exhibit A - Council Policy C-21 \(City Services Fund - Radio Co](#)
[Resolution 2024-35](#)
[Resolution No. 2024-35, Exhibit A - Council Policy C-22 \(Willamette Valley Communica](#)
[Resolution 2024-36](#)
[Resolution No. 2024 - 36, Exhibit A - Council Policy C-23 \(City Services Fund - Docume](#)
[Resolution 2024-37](#)
[Resolution No. 2024 - 37, Exhibit A - Council Policy C-24 \(City Services Fund - Fleet Se](#)

3.3 ACTION ITEMS

3.3a. [24-270](#)

Amendments to the purchase and sale agreements between the City and Salem Health and between the City and Green Light-Home First, LLC for the sale of the former Salem General Hospital site.

Ward(s): Ward 1

Councilor(s): Councilor Nishioka

Neighborhood(s): Northeast Neighbors Neighborhood Association

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

Recommendation:

Direct staff to:

1. Execute an amendment to the Salem Health purchase and sale agreement to reduce the purchase price by \$400,000, and agree to develop a park/memorial on the Conservation Area;
2. Execute an amendment to the Green Light purchase and sale agreement to reduce the purchase price by \$200,000 and for the City to retain ownership of the Conservation Area;
3. Use approximately \$3,400,000 in affordable housing bond funds to pay the purchase price for the property to Salem Health (to be reimbursed when Green Light pays the City); and
4. Use approximately \$400,000 in affordable housing bond funds to construct pedestrian improvements at D Street adjacent to the development.

Summary:

As explained in the facts and findings for this report, the recommended action would authorize amendments to two purchase and sale agreements regarding the City-owned property at the site of the former Salem General Hospital to:

1. Allow the City to retain ownership of a 50,000 square foot Conservation Area and develop a park/memorial on the site within the 10-acre property;
2. Reduce the purchase price Green Light-HomeFirst, LLC (Green Light) would pay the City by \$200,000;
3. Reduce the purchase price the City would pay Salem Health by \$400,000;
4. Temporarily use \$3,400,000 in affordable housing bond funds for the City to pay Salem Health for the property (with the City to be reimbursed by Green Light later this year when Green Light closes on the sale), and;
5. Use an additional \$400,000 in bond funds to construct pedestrian improvements on D Street adjacent to the

property.

Attachments: [Site Map - Attachment 1.docx](#)

[Site Plan.pdf](#)

3.3b. [24-271](#)

First amendment to the Water Supply Agreement with Orchard Heights Water Association

Ward(s): Ward 8

Councilor(s): Varney

Neighborhood(s): West Salem Neighborhood Association

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

Recommendation:

Authorize the City Manager to execute the first amendment to the Water Supply Agreement with Orchard Heights.

Summary:

Proposed first amendment to the Orchard Heights Water Association (Orchard Heights) Water Supply Agreement allowing Orchard Heights to add new legally created lots to its water service area.

Attachments: [First Amendment to the Orchard Heights Water Supply Agreement.pdf](#)

[Orchard Heights Water Supply Agreement 2023.pdf](#)

3.3c. [24-280](#)

Request for an allocation of \$3 million of the \$10 million included in the City's Safety and Livability Bond for affordable housing to fund off-site improvements in support of new, affordable housing units to be constructed at the intersection of Joseph Street SE and Aumsville Highway.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Welcoming and Livable Community

Recommendation:

Approve an allocation of \$3 million from the Safety and Livability Bond to pay for offsite improvements necessary to construct new, affordable housing units to be developed by Neighborly Development at the intersection of Joseph Street SE and Aumsville Highway.

Summary:

On June 20, 2024, Neighborly Development contacted staff with a requested allocation of \$3 million of the \$10 million included in the City's Safety and Livability Bond for affordable housing to fund off-site improvements in support of 183 new, affordable housing units to be constructed at the intersection of Joseph Street SE and Aumsville Highway. Due to bond requirements, these funds can only

be expended on improvements that will stay in City ownership for the life of the bond. The necessary offsite improvements will include street, water, and sewer infrastructure. As the City does not yet have a program or criteria in place to guide allocation of these funds, the request was presented by staff at the June 27, 2024, Bond Steering Committee, where it was supported with the direction to bring the request before Council for consideration.

Attachments: [Vicinity Map.pdf](#)
[Site Plan.pdf](#)

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. [24-283](#) Resignation as Council President from Virginia Stapleton and Election of New Council President

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

Recommendation:

Accept resignation as Council President from Virginia Stapleton effective July 8, 2024, and nominate and vote for a new Council President.

Attachments: [Resignation as Council President from Councilor Stapleton.pdf](#)

- 5.b. [24-284](#) Motion from Mayor Chris Hoy regarding modifications to the Multiple Unit Housing Tax Incentive Program (MUHTIP) to require disclosure of information regarding entities providing work on MUHTIP funded projects.

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

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

- 6.a. [24-207](#) National Legal Aid and Defender Association Report Dated April 18, 2024, for Salem Municipal Court Indigent Defense Services

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

Recommendation:

Information only.

Summary:

The City of Salem Municipal Court under the direction of the former elected judge, contacted the National Legal Aid and Defender Association (NLADA) in May 2021, to conduct a study of the current indigent defense services for the Salem Municipal Court (SMC). The study was conducted as part of a grant for the NLADA services, which included a scope of work and final report to be published by the Department of Justice at no cost to the Municipal Court.

Attachments: [NLADA Salem Report.pdf](#)

- 6.b. [24-264](#) Proclamation of the Mayor and Canvass of Votes from the May 21, 2024 Primary Election

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

Summary:

The primary election was held on May 21, 2024, at which time the City of Salem had candidates for Mayor and Councilors for Wards 1, 3, 5, and 7.

Attachments: [Proclamation.pdf](#)
[May 21, 2024 Primary Election Canvass of Votes.pdf](#)

- 6.c. [24-272](#) Planning Administrator Decision - A proposal for a new 26-unit multi-family housing development - Approved.

Urban Growth Preliminary Declaration / Class 3 Site Plan Review / Class 2 Adjustment / Tree Regulation Variance / Class 2 Driveway Approach Permit Case No. UGA-SPR-ADJ-TRV-DAP24-04 - Gretchen Stone - 2345 Brush College Rd NW.

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

Recommendation:

Information Only.

Attachments: [Land Use Decision UGA-SPR-ADJ-TRV-DAP24-04](#)

7. ORDINANCES**7.1 FIRST READING:**

- 7.1a.** [24-234](#) Amending Salem Revised Codes Chapter 70 (Utilities) and Chapter 71 (Stormwater).

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Recommendation:

Initiate the amendments of *Salem Revised Code* Chapter 70 (Utilities) and SRC Chapter 71 (Stormwater) by conducting first reading of Ordinance Bill No. 9-24, schedule a public hearing for August 26, 2024, and after conducting the public hearing advance the ordinance to second reading.

Summary:

In 2021, the Oregon Department of Environmental Quality (DEQ) issued to the City of Salem a permit authorizing discharges of stormwater from the City's municipal stormwater system into waters of the state. This permit, issued under the authority of the federal Clean Water Act, follows an earlier permit issued to the City in 2010. The new permit contains updated requirements related to stormwater discharges from new development and redevelopment projects. To comply with the requirements of the new permit, the City must amend *Salem Revised Code* (SRC) Chapter 70 (Utilities) and SRC Chapter 71 (Stormwater) with an effective date of November 1, 2024. A summary of the changes to SRC Chapters 70 and 71 is included in Attachment 1.

Attachments: [2024-06-19 Attachment 1 - Summary of proposed Amendments.docx](#)

[2024-06-19 Attachment 2 - Ordinance 09-24.docx](#)

[2024-06-19 Attachment 3 - Exhibit A to Ord 09-24.docx](#)

- 7.1b.** [24-261](#) Proposed code amendment related to housing and other issues.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Welcoming and Livable Community

Recommendation:

Conduct a public hearing on Ordinance Bill No. 8-24 and advance to second reading.

Summary:

The proposed code amendment (CA24-01), Ordinance Bill No. 8-24, updates the Unified Development Code (UDC) to promote housing development, comply with State rules and laws, and update other provisions of the code.

Attachments:

[Historic Landmarks Commission Notice of Recommendation](#)

[Planning Commission Notice of Recommendation](#)

[Ordinance Bill No. 8-24](#)

[Exhibit A of Ordinance No. 9-24 Proposed code amendment](#)

[Public Comments for Planning Commission and Historic Landmarks Commission Joint f](#)

[Exhibit B of Ordinance No. 8-24 Findings](#)

7.2 SECOND READING:

7.2a. [24-274](#)

Vacation of a public sanitary sewer easement located near Orchard Heights Road NW and Linwood Street NW.

Ward(s): Ward 8

Councilor(s): Councilor Varney

Neighborhood(s): West Salem Neighborhood Association

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

Recommendation:

Conduct second reading of Ordinance Bill No. 7-24 (Attachment 1), which vacates a public sanitary sewer easement located near Orchard Heights Road NW and Linwood Street NW.

Summary:

The City of Salem received a petition from Bonaventure Development to vacate a public sanitary sewer easement located north of Orchard Heights Road NW and west of Linwood Street NW. The Petitioner is seeking to relocate the existing sanitary sewer away from the building foundations to create more efficiency in the overall building layout for a new multi-family development.

Attachments:

[Attachment 1 - Ordinance Bill No. 7-24](#)

[Attachment 2 - 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. [24-273](#) 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:

Proposed Amendments to SRC Chapter 70 (Utilities) and SRC Chapter 71 (Stormwater)
Monday, August 26, 2024 at 6:00 p.m.

Proposed Code Amendments related to Housing and Land Use - Case No. CA 24-01
Monday, September 9, 2024 at 6:00 p.m.

Proposed Fees and Charges for Utility Service Rates (Water, Wastewater, and Stormwater)
Tuesday, November 12, 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.

Presentation of the 2024 Revenue Task Force Recommendations
Monday, July 15, 2024 at 6:00 p.m.

2024 NEIGHBORHOOD ASSOCIATION ANNUAL MEETING DATES:

Neighborhood - Annual Meeting Date - Time - Councilor
Faye Wright-----September 10---6:30 p.m.-----Nordyke, Phillips
Northgate-----September 19---6:00 p.m.-----Gonzalez
NOLA-----October 2-----6:30 p.m.-----Hoy, Gonzalez
West Salem-----October 3-----6:30 p.m.-----Stapleton, Varney
NESCA -----October 15-----7:00 p.m.-----Hoy, Nishioka, Stapleton
CANDO-----October 15-----6:00 p.m.-----Nishioka, Stapleton
Sunnyslope-----October 17-----7:00 p.m.-----Nordyke, Gwyn

SWAN-----November 5-----6:30 p.m.-----Nishioka, Nordyke
NEN-----November 12----- 6:30 p.m.-----Nishioka, Stapleton
SESNA -----November 26-----7:00 p.m.-----Nishioka

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

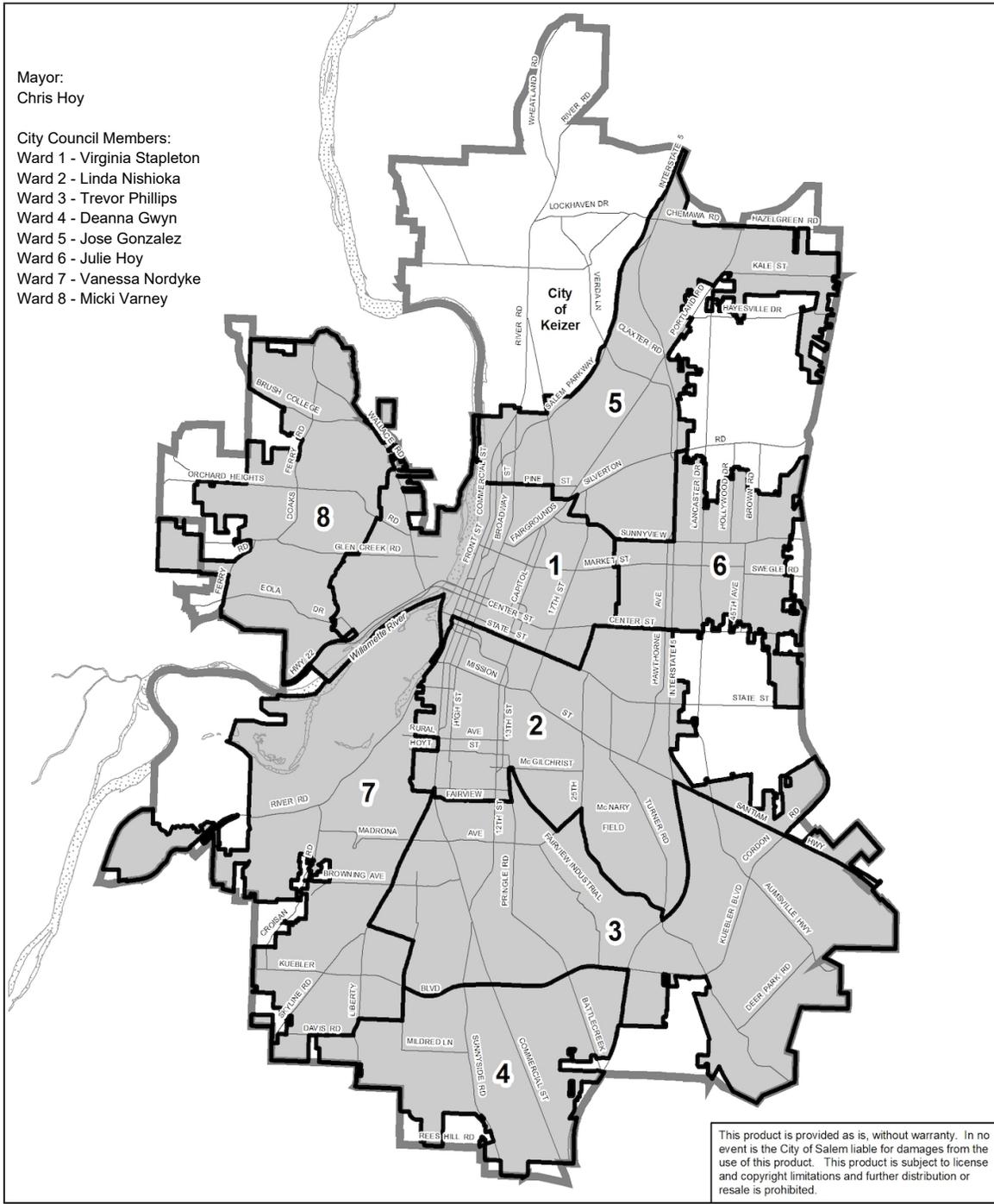
Time limits for quasi judicial land use hearings are governed by Rule 19 of the Council Rules. Parties to land use cases are encouraged to review that rule as time limits vary depending on the nature of the hearing. Further information can be obtained by contacting the Planning Administrator at 503 588 6173 or email at: 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



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LEGEND

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



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