

*555 Liberty St SE
Salem, OR 97301*



Final Action Agenda - Minutes - Draft

Monday, June 26, 2023

6:00 PM

Hybrid Meeting / Council Chambers

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 2:00 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**

6:18 p.m.

Roll Call

Councilor Phillips attended the meeting remotely.

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

A motion was made by Councilor Stapleton, seconded by Councilor Nishioka to approve the additions to the agenda.

The additions consisted of:

A new report was added, item 3.3j., file 23-251, Collective Bargaining Agreement between the City and Salem Professional Fire Fighters International Association of Fire Fighters (IAFF), and

A revised Exhibit A was added to item 7.1b., file 23-248, Ordinance Bill No. 12-23, First reading of Ordinance Bill No. 12-23, creating the Safe Salem employee-paid tax on wages earned within the City of Salem.

Comments by: Councilor Stapleton 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

1.2 COUNCIL AND CITY MANAGER COMMENT

City Manager Keith Stahley recognized the City of Salem's Fleet Services on being the recipients of the National Automotive Fleet Administrators Award for being in the top 100 best Fleet teams in the country (Salem is ranked #15).

Comments by: Fleet Services Manager Jim Schmidt and Mayor Hoy.

Council Comments: Councilors Stapleton, Varney, Nordyke, Phillips, Hoy, and Gonzalez, Mayor Hoy, and Councilor Nishioka.

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:

Beth Schmidt, Safe Routes to School Program Manager, Mid-Willamette Valley Council of Governments, 100 High Street, Item 3.3c., file 23-242

Abisha Stone, Ward 7, Item 7.1b., file 23-248

Roger Bell, Ward 4, Item 7.1b., file 23-248

Phil Carver, Co-Creator, 350 Salem, 1007 Newport Road SE, 3.3a., file 23-235

Questions or Comments by: Councilor Stapleton.

Nick Fortey, 2165 Turnage Street NW, Item 5.a., file 23-249

Questions or Comments by: Mayor Hoy.

Clifford Eiffler-Rodriguez, Ward 7, Item 7.1b., file 23-248

Ronnie Daniels, No address provided, Item 7.1b., file 23-248

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

A motion was made by Councilor Stapleton, seconded by Councilor Nishioka to approve the consent calendar with the pulls of item 3.2a by Councilor Stapleton and items 3.2b and 3.3c by Councilor Hoy.

Comments by: Councilor Stapleton and Mayor Hoy.

Councilor Nordyke declared a potential conflict of interest regarding item 3.3a, Capital Improvement Plan for FY 2024 through FY 2028.

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. [23-264](#)

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Action: Approved.

3.2 RESOLUTIONS

3.2a. [23-223](#)

Adopting the Fiscal Year 2024 (FY2024) Parking District budget and setting the Parking Tax rate for the Downtown Parking District.

Ward(s): Ward 1

Councilor(s): Stapleton

Neighborhood(s): CANDO

Result Area(s): Strong and Diverse Economy, Welcoming and Livable Community

Pulled by Councilor Stapleton - See item 5.b.

3.2b. [23-250](#)

Adoption of the FY 2024 City of Salem budget

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.

Pulled by Councilor Hoy - See item 5.c.

3.2c. [23-261](#)

Transfer of fiscal year 2023 budget appropriations in the General Fund and the Police Regional Records Fund

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance

Adopted Resolution No. 2023-23, authorizing a transfer of appropriations within the City's fiscal year 2023 budget.

3.3 ACTION ITEMS

3.3a. [23-235](#)

Capital Improvement Plan for FY 2024 through FY 2028

Ward(s): All Wards

Councilor(s): Councilors

Neighborhood(s): All Neighborhoods

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

Adopted the Capital Improvement Plan for FY 2024 through FY 2028 as recommended by the Budget Committee.

3.3b. [23-237](#)

Intergovernmental Agreement with Marion County for
Communication and Dispatch Services for the 2023 St. Paul Rodeo.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Safe Community

Authorized the City Manager to execute an Intergovernmental Agreement (IGA) with Marion County for communication and dispatch services for the 2023 St. Paul Rodeo.

3.3c. [23-242](#)

Application for federal grant funding to develop a Salem Vision Zero
Plan and implement a 20-is-Plenty Program through the United
States Department of Transportation Safe Streets and Roads for All
Program.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Pulled by Councilor Hoy - See item 5.d.

3.3d. [23-246](#)

Collective bargaining agreement between the City and 911
Communications Employees' Association (PCEA).

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance.

Approved a three-year successor collective bargaining agreement between the City and 911 Professional Communications Employees' Association (PCEA) effective July 1, 2023, through June 30, 2026.

3.3e. [23-247](#)

Collective bargaining agreement between the City and Salem City Attorneys Bargaining Unit (SCABU).

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance.

Approved a three-year successor collective bargaining agreement between the City and Salem City Attorneys Collective Bargaining Unit (SCABU) effective July 1, 2023, through June 30, 2026.

3.3f. [23-252](#)

Compensation adjustments for the classifications of Crime Analyst, Environmental Compliance Tech, and 911 Communications Shift Supervisor.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance.

Approved the pay grade adjustments for the job classification of Crime Analyst and Environmental Compliance Tech, and a pay range adjustment for the 911 Communications Shift Supervisor effective July 1, 2023.

3.3g. [23-259](#)

Cooperative agreement with the Siletz Tribe to provide municipal services to the Tribe's planned affordable housing development located 3390 Blossom Drive, NE in Salem.

Ward(s): 5

Councilor(s): Councilor Gonzales

Neighborhood(s): Northgate Neighborhood Association

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

Authorized the City Manager to execute the cooperative agreement with the Siletz Tribe to provide municipal services to the Tribe's planned affordable housing project located at 3390 Blossom Dr., NE, Salem.

3.3h. [23-262](#)

Intergovernmental Agreement with the State of Oregon, Office of the Fire Marshal for Regional Hazardous Materials Emergency Response.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Authorized the City Manager to execute an Intergovernmental Agreement (IGA) with the State of Oregon, Office of the Fire Marshal, to provide regional hazardous materials emergency response for the State of Oregon 2023-2025 biennium.

3.3i. [23-258](#)

Regional Traffic Control Center Intergovernmental Agreement with the Oregon Department of Transportation (ODOT).

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Authorized the City Manager to execute the Intergovernmental Agreement with ODOT for the purposes of receiving federal funds and providing local matching funds to operate the Salem Regional Traffic Control Center, and further authorize the City Manager to administer and modify the agreement as needed in the best interest of the City.

3.3j. [23-251](#)

Collective Bargaining Agreement between the City and Salem Professional Fire Fighters, International Association of Fire Fighters (IAFF), Local 314, AFL-CIO.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance.

Approved a three-year successor collective bargaining agreement between the City and Salem Professional Fire Fighters, International Association of Fire Fighters (IAFF) effective July 1, 2023, through June 30, 2026.

4. PUBLIC HEARINGS

4.a. [23-128](#)

Public Hearing for a Legislative Zone Change and Code Amendment to Repeal Overlay Zones in the SCAN Neighborhood.

Ward(s): 2

Councilor(s): Nishioka

Neighborhood(s): SCAN

Result Area(s): Welcoming and Livable Community.

Staff presentation by Austin Ross, Planner, Community Development Planning Services.

Individuals testifying:

Evan West , Ward 7

Questions or Comments: Councilor Stapleton, Evan West, Mayor Hoy, and Councilor Hoy.

Matthew Stutheit, 2450 W. Nob Hill Street SE

Questions or Comments: Mayor Hoy and Matthew Stutheit.

Roz Shirack, Land Use Chair, South Central Association of Neighbors (SCAN) Neighborhood Association, No address provided

Questions or Comments: Councilor Nishioka, Roz Shirack, Councilors Hoy and Stapleton, and Mayor Hoy.

Donna Cowan, 2380 W. Nob Hill Street SE

Carol Mitchell, Ward 2

Peter Bergel, 1850 Saginaw

Questions or Comments: Mayor Hoy and Peter Bergel.

Lorrie Walker, No address provided.

Questions or Comments by: Councilor Stapleton and Lorrie Walker.

David Friday, 2480 W. Nob Hill Street

Clifford Eiffler-Rodriguez, Ward 7

Deb Maloney, No address provided.

Ken Adams, 1695 Chemeketa Street

Questions for staff: Mayor Hoy, Councilor Stapleton, Austin Ross, Councilors Hoy, Nishioka, and Phillips, Deputy Community Development Director and Planning Administrator Lisa Anderson-Ogilvie, City Attorney Dan Atchison, Community and Urban Development Director Kristin Retherford.

A motion was made by Councilor Stapleton, seconded by Councilor Gwyn to advance Ordinance Bill No. 5-23 for the purpose of eliminating the Saginaw Street, Superior Rural, Oxford West Nob Hill, Oxford Hoyt, and Hoyt McGilchrist Overlay Zones to second reading.

A substitute motion was made by Councilor Nishioka, seconded by Councilor Nordyke to amend the motion to retain the subject overlay zones, increase the maximum height within the overlay zones to 45 feet, and remove use and development standards not related to building height, and advance the ordinance to second reading as amended.

Questions or Comments by: Councilor Nishioka, Mayor Hoy, Councilors Nordkye, Stapleton, Phillips, Gonzalez, Hoy, Gwyn, and Varney.

The substitute motion **FAILED** by the following vote:

Aye: 4 - Nordyke, Nishioka, Phillips, and Hoy
Nay: 5 - Hoy, Varney, Stapleton, Gwyn, and Gonzalez
Abstain: 0

Comments by: Mayor Hoy and Councilors Hoy and Phillips.

The main motion **FAILED** by the following vote:

Aye: 4 - Stapleton, Gonzalez, Varney, and Gwyn
Nay: 5 - Hoy, Nordyke, Phillips, Nishioka, and Hoy
Abstain: 0

4.b. [23-263](#)

Supplemental Budget 2 for unanticipated City expenses in the Emergency Medical Services Fund, Police Regional Records Fund, and the City Services Fund.

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.

At 9:01 p.m., Mayor Hoy called for a recess. The meeting resumed at 9:12 p.m.

Mayor Hoy reordered the agenda to move item 8, Public comment, to be heard prior to Item 4.b.

A motion was made by Councilor Stapleton, seconded by Councilor Nishioka to extend the meeting time to 10:30 p.m.

Comments by: Mayor Hoy and Councilor Nordyke.

The motion to extend the meeting time CARRIED by the following vote:

Aye: 8 - Varney, Stapleton, Nishioka, Phillips Gwyn, Gonzalez, Hoy, and Hoy

Nay: 1 - Nordyke

Abstain: 0

Item 4b, Supplemental Budget 2 Public Hearing:

Staff presentation by Kali Leinenbach, Budget Manager.

Persons testifying: None.

A motion was made by Councilor Stapleton, seconded by Councilor Nishioka to adopt Resolution No. 2023-22, Fiscal Year Supplemental Budget (2), increasing resource and expenditure appropriation authority in the Emergency Medical Services Fund, Police Regional Records Fund, and City Services Fund.

The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 0

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. [23-249](#) Adoption of the 2023 Neighborhood Traffic Management Plan.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Staff presentation by Anthony Gamallo, Planner, Public Works Traffic and Engineering.

Questions or Comments by: Mayor Hoy, Councilors Nordyke, Stapleton, Gwyn, Gonzalez, and Varney.

A motion was made by Councilor Stapleton, seconded by Councilor Varney to adopt the NTMP as the City's primary tool for addressing neighborhood traffic concerns.

Comments by: Councilor Stapleton.

The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 0

**5.b. [23-223](#)
(3.2.a)**

Adopting the Fiscal Year 2024 (FY2024) Parking District budget and setting the Parking Tax rate for the Downtown Parking District.

Ward(s): Ward 1

Councilor(s): Stapleton

Neighborhood(s): CANDO

Result Area(s): Strong and Diverse Economy, Welcoming and Livable Community

A motion was made by Councilor Stapleton, seconded by Councilor Nishioka to adopt Resolution No. 2023-17 adopting the FY 2024 Downtown Parking budget and setting the business-paid parking tax for the Downtown Parking District.

Questions or Comments by: Councilor Stapleton, Community and Urban Development Director Kristin Retherford, and Councilor Nishioka.

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. [23-250](#)
(3.2.b)**

Adoption of the FY 2024 City of Salem budget

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.

Comments by: Councilor Hoy, Mayor Hoy, and City Attorney Dan Atchison.

A motion was made by Councilor Stapleton, seconded by Mayor Hoy to adopt Resolution No. 2023-21, to adopt the FY 2024 City of Salem budget.

Comments by: Councilors Hoy and Gwyn, and Mayor Hoy.

The motion CARRIED by the following vote:

Aye: 7 - Nordyke, Phillips, Stapleton, Gonzalez, Varney, Nishioka, and Hoy

Nay: 2 - Hoy, and Gwyn

Abstain: 0

**5.d. [23-242](#)
(3.3c.)**

Application for federal grant funding to develop a Salem Vision Zero Plan and implement a 20-is-Plenty Program through the United States Department of Transportation Safe Streets and Roads for All Program.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Comments by Councilor Hoy.

A motion was made by Councilor Stapleton, seconded Councilor Nordyke to authorize the City Manager to apply for funding through the Safe Streets 4A Program to develop a Salem Vision Zero Plan and implement a "20-is-Plenty" Program and further authorize the City Manager to enter into an agreement with US DOT to accept the funds.

Questions or Comments by: Councilor Stapleton, Mayor Hoy, Councilors Hoy and Varney, Public Works Director Brian Martin, and Councilors Phillips and Gwyn.

The motion CARRIED by the following vote:

Aye: 7 - Nordyke, Phillips, Stapleton, Gonzalez, Varney, Nishioka, and Hoy

Nay: 2 - Hoy, and Gwyn

Abstain: 0

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

6.a. [23-195](#)

Work program for regional scenario planning as required by the new State Climate Friendly and Equitable Community rules.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Information only.

6.b. [23-225](#)

Planning Administrator Decision - A new 16-unit multi-family housing development - Approved.

Urban Growth Preliminary Declaration / Class 3 Site Plan Review / Class 2 Adjustment / Class 2 Driveway Approach Permit / Class 1 Design Review Case No. UGA-SPR-ADJ-DAP-DR23-02 - Caleb Remington, Matthew Holstage, Sheila Dang, Marc Karam - 5534 Skyline Rd SE.

Ward(s): 7
Councilor(s): Nordyke
Neighborhood(s): Sunnyslope

Information Only.

6.c. [23-241](#)

Downtown On-Street Paid Parking Implementation Plan

Ward(s): Ward 1
Councilor(s): Councilors - Stapleton
Neighborhood(s): CANDO
Result Area(s): Strong and Diverse Economy; Welcoming and Livable Community.

This Informational Report was received and filed.

6.d. [23-266](#)

The City of Salem is partnering with the University of Oregon's Sustainable City Year Program for the 2023 - 2024 academic year to advance City Council and community priorities.

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Result Area(s): Result Areas - Good Governance; Natural Environment Stewardship; Safe Community; Safe, Reliable and Efficient Infrastructure; Strong and Diverse Economy; Welcoming and Livable Community.

Comments by: Councilor Stapleton and Mayor Hoy.

This Informational Report was received and filed.

7. ORDINANCES

7.1 FIRST READING:

7.1a. [23-243](#)

An Annexation of an approximately 4.21-acre territory located in the 4800 Block of Macleay Rd SE and Lands Adjacent.

Ward(s): 2

Councilor(s): Nishioka

Neighborhood(s): SEMCA

Result Area(s): Welcoming and Livable Community

A motion was made by Councilor Nishioka, seconded Councilor Stapleton to advance Ordinance Bill No. 11-23, approving annexation, applying City zoning, and approving withdrawal from the Marion County Fire District #1 for a territory, in the 4800 Block of Macleay Rd SE and Lands Adjacent, to second reading for enactment.

The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 0

7.1b. [23-248](#)

First reading of Ordinance Bill No. 12-23, creating the Safe Salem employee-paid tax on wages earned within the City of Salem.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

A motion was made by Councilor Stapleton, seconded by Mayor Hoy to conduct a public hearing on July 10, 2023 concerning Ordinance Bill 12-23 creating an employee-paid payroll tax, and after the public hearing advance to second reading for enactment.

Comments by: Councilor Stapleton.

The motion CARRIED by the following vote:

Aye: 7 - Hoy, Phillips, Stapleton, Varney, Nishioka, Hoy, and Gwyn

Nay: 2 - Nordyke, and Gonzalez

Abstain: 0

7.2 SECOND READING:

7.2a. [23-254](#)

Revision to the Salem Revised Code Section 2.825 related to the Multiple Unit Housing Tax Incentive Program

Ward(s): Wards 1 & 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

Second reading was conducted and Ordinance Bill No. 10-23, to amend SRC 2.825 related to Multiple-Unit Housing Tax Incentive Program amending the requirements of the Program, 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)

This item (Item 8, Public Comment) was heard prior to Item 4.b.

The following individuals provided comments:

Steven King, Vancouver, WA, Bush Pasture Park Soap Box permitting for slalom skateboards

Questions or Comments by Mayor Hoy, Steven King, and City Manager Stahley.

Gary Ferguson, Ward 3, Tree Fees (Fines)

Questions or Comments by: Councilor Gwyn and Gary Ferguson.

Jorge Cardenas, Ward 3, Tree Fees (Fines)

Victor Sigala, Ward 3, Tree Fees (Fines)

Jesus Cardenas, Ward 3, Tree Fees (Fines)

Questions or Comments by: Councilor Phillips, Mayor Hoy, Public Works Director Brian Martin, City Attorney Dan Atchison, and Councilor Nishioka.

9. ADJOURNMENT

10:28 p.m.