

*555 Liberty St SE
Salem, OR 97301*



Final Action Agenda - Minutes - Final

Monday, December 4, 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 4:00 p.m. on the day of the meeting using this link <https://www.cityofsalem.net/comment-at-council>.

EXECUTIVE SESSION

City Council

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

Current Litigation - ORS 192.660(2)(h)

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

6:00 p.m.

Roll Call

Present: 7 - Councilor Hoy, Councilor Nordyke, Councilor Phillips, Councilor Varney, Councilor Nishioka, Mayor Hoy, and Councilor Gwyn

Absent: 2 - Councilor Stapleton, and Councilor Gonzalez

Pledge of Allegiance

Led by Mayor Hoy

1.1 APPROVAL OF ADDITIONS AND DELETIONS TO THE AGENDA

A motion was made by Councilor Phillips, seconded by Councilor Nishioka to approve the additions and deletions to the agenda.

The motion carried by the following vote:

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

Nay: 0

Absent: 2 - Stapleton, and Gonzalez

Abstain: 0

1.2 COUNCIL AND CITY MANAGER COMMENT

Comments by: Councilors Nordyke, Hoy and Mayor Hoy

1.3 PROCLAMATIONS

1.3a. [23-461](#) Proclamation - Pearl Harbor Day
Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods

Councilor Nishioka read the proclamation

1.3b. [23-463](#) Proclamation - Human Rights Day
Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods

Councilor Varney read the proclamation. It was received by Hamadi Jackson and Lisa Novak of the Human Rights and Relation Commission.

1.4 PRESENTATIONS

None

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

Appearances by:

Tim Lawler Portland, Agenda Item 5b (23-472)
Lynn Takata 1056 18th Street NE Agenda Item 5.b (23-472)

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

A motion was made by Councilor Phillips, seconded by Councilor Varney to approve the consent calendar with the pull of agenda item 3.2e by Councilor Nishioka.

The motion carried by the following vote:

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

Nay: 0

Absent: 2 - Stapleton, and Gonzalez

Abstain: 0

3.1 MINUTES

3.2 RESOLUTIONS

3.2a. [23-440](#)

Dedication of Reserve Strip Tract "A" Of Battle Creek Heights No. 2 as Public Right-Of-Way

Ward(s): Ward 4

Councilor(s): Deanna Gwyn

Neighborhood(s): South Gateway

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

Adopted Resolution No. 2023-37 to dedicate the reserve strip identified as Tract "A" of Battle Creek Heights No. 2 as public right-of-way.

3.2b. [23-441](#)

Dedication of Block "B" of Battlecreek Estates No. 4 as Public Right-Of-Way.

Ward(s): Ward 4

Councilor(s): Deanna Gwyn

Neighborhood(s): South Gateway

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

Adopted Resolution No. 2023-38 to dedicate the reserve strip identified as Block "B" of Battlecreek Estates No. 4 as public right-of-way.

3.2c. [23-442](#)

Dedication of City Property as Public Right-of-Way to be Known as Simpson Street SE

Ward(s): Ward 2

Councilor(s): Linda Nishioka

Neighborhood(s): Southeast Salem

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

Adopted Resolution No. 2023-39 dedicating a remnant piece of City owned property as public right-of-way to be known as Simpson Street SE.

3.2d. [23-443](#)

Dedication of City Property as Public Right-of-Way for Fisher Road NE

Ward(s): Ward 6

Councilor(s): Julie Hoy

Neighborhood(s): Northeast Salem Community

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

Adopted Resolution No. 2023-40 dedicating City property as public right-of-way for Fisher Road NE.

3.2e. [23-447](#)

Update to the City of Salem Floodplain Management Plan.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Agenda item 3.2e was pulled by Councilor Nishioka. See Agenda Item 5.c.

3.3 ACTION ITEMS

3.3a. [23-385](#)

Grant agreements to pass state grant funds through to Mid-Willamette Valley Community Action Agency (MWVCAA).

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Authorized the City Manager to execute two grant agreements, the first to receive \$1.85M in grant funds from the State of Oregon and the second to pass the funds through to MWVCAA.

3.3b. [23-453](#)

NOAA Grant Application Cooperative Agreement

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Ratified the City Manager's execution of the attached NOAA Grant Application Cooperative Agreement.

4. PUBLIC HEARINGS

4.a. [23-433](#)

An annexation of an approximate 0.78-acre territory located at 572 Hile Lane NE with a Minor Comprehensive Plan Map Amendment to Multi-Family Residential and Zone Change to RM-II (Multiple Family Residential).

Ward(s): Ward 6

Councilor(s): Hoy

Neighborhood(s): East Lancaster Neighborhood Association

Result Area(s): Welcoming and Livable Community

Presentation by Bryce Bishop, Planner

Persons testifying:

**Garrett Stephenson representing applicant 1211 SW 5th Avenue #1900
Portland, Oregon**

Questions and Comments by: Councilor Gwyn

A motion was made by Councilor Hoy, seconded by Councilor Nordyke to Approve the annexation of the territory located at 572 Hile Lane NE, including a Minor Comprehensive Plan Map Amendment to Multi-Family Residential and Zone Change to RM-II (Multiple Family Residential) and withdrawal of the territory from the Marion County Fire District #1 and East Salem Sewer and Drainage District, and advance to first reading.

The motion carried by the following vote:

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

Nay: 0

Absent: 2 - Stapleton, and Gonzalez

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. [23-475](#) Revenue Task Force discussion and information

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance.

Presentation by Colleen Rozillis, Moss Adams.**Questions and Comments by: Mayor Hoy and Councilors Nishioka, Phillips, Nordyke, Gwyn, Varney and Hoy.****5.b.** [23-472](#) Acquisition and disposition of property located at the 2500 block of Center Street, NE (formerly the site of the Salem General Hospital).

Ward(s): Ward 1

Councilor(s): Virginia Stapleton

Neighborhood(s): NEN

Result Area(s): Safe and Healthy Community; Strong and Diverse Economy; Welcoming and Livable Community.

Presentation by Dan Atchison, City Attorney**Questions and comments by: Councilors Nordyke, Phillips, Nishoka, Gwyn and Mayor Hoy.****A motion was made by Councilor Phillips, seconded by Councilor Hoy to Authorize the City Manager to:**

- 1. Execute an Assignment and Assumption of Purchase and Sale Agreement to acquire property located at the 2500 block of Center Street, NE from Salem Health, and**
- 2. Execute a Purchase and Sale Agreement to convey the property to Green Light-HomeFirst, LLC, and**
- 3. Upon acquisition of the Property by City, execute a lease of the Property to Green Light in a form of lease mutually agreed to by the parties?**

The motion carried by the following vote:**Aye:** 7 - Hoy, Nordyke, Phillips, Varney, Nishioka, Hoy, and Gwyn**Nay:** 0**Absent:** 2 - Stapleton, and Gonzalez**Abstain:** 0

5.c [23-447](#)

Update to the City of Salem Floodplain Management Plan.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Questions and comments by Councilors Hoy and Nishioka.

A motion was made by Councilor Nishioka, seconded by Councilor Phillips to Adopt Resolution No. 2023-42 updating the City of Salem Floodplain Management Plan.

The motion carried by the following vote:

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

Nay: 0

Absent: 2 - Stapleton, and Gonzalez

Abstain: 0

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

None.

7. ORDINANCES

7.1 FIRST READING:

None.

7.2 SECOND READING:

7.2a. [23-474](#)

Salem Transportation System Plan amendment relating to Colorado Drive NW and Landaggard Drive NW.

Ward(s): 8

Councilor(s): Varney

Neighborhood(s): West Salem Neighborhood Association

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

Conducted Second Reading of Engrossed Ordinance Bill No. 15-23.

Engrossed Ordinance Bill 15-23 was adopted by the following vote:

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

Nay: 0

Absent: 2 - Stapleton, and Gonzalez

Abstain: 0

7.2b. [23-460](#)

Second Reading of a Code Amendment (Case No. CA23-03) to Salem Revised Code Chapter 900 (Sign Code) and Chapter 300 (Procedures for Land Use Applications and Legislative Land Use Proposals).

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

Conducted Second Reading of Ordinance Bill No. 16-23.

Ordinance Bill 16-23 was adopted by the following vote:

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

Nay: 0

Absent: 2 - Stapleton, and Gonzalez

Abstain: 0

7.2c. [23-446](#)

An Annexation of an approximately 48-acre territory located at 7006 Sunnyside Road SE and 7102 Cains Place SE.

Ward(s): 4

Councilor(s): Gwyn

Neighborhood(s): South Gateway

Result Area(s): Welcoming and Livable Community

Conducted Second Reading of Ordinance Bill No. 18-23.

Ordinance Bill 18-23 was adopted by the following vote:

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

Nay: 0

Absent: 2 - Stapleton, and Gonzalez

Abstain: 0

8. PUBLIC COMMENT: (Other than agenda items)

Apperances by:

Ron Sturba 500 20th Street NE Person Hit

Questions and Comments by: Councilors Hoy and Phillips and Mayor Hoy

9. ADJOURNMENT

7:48 p.m.