



# CITY OF SALEM

555 Liberty St SE  
Salem, OR 97301

## Meeting Agenda

### City Council

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**Monday, September 11, 2023    6:00 PM    Hybrid Meeting / Council Chambers**

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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](mailto: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**

**Roll Call**

**Pledge of Allegiance**

**1.1 APPROVAL OF ADDITIONS AND DELETIONS TO THE AGENDA**

**1.2 COUNCIL AND CITY MANAGER COMMENT**

### 1.3 PROCLAMATIONS

- 1.3a. [23-307](#) Proclamation 9-11 Day of Remembrance

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

**Recommendation:**

Information Only.

**Attachments:** [Proclamation 9-11 Day of Remembrance](#)

- 1.3b. [23-337](#) Proclamation - National Diaper Need Awareness Week

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

**Recommendation:**

Information Only.

**Attachments:** [Proclamation - National Diaper Need Awareness Week](#)

### 1.4 PRESENTATIONS

- 1.4a. [23-293](#) Human Rights Commission Update

Ward(s): All Wards  
Councilor(s): All Councilors  
Neighborhood(s): All Neighborhoods  
Result Area(s): Good Governance; Safe Community; Welcoming and Livable Community.

**Recommendation:**

Information only

**Summary:**

Over 500 community members responded to the 2023 Community Belonging Survey conducted in partnership with Western Oregon University. The Human Rights Commission advises City Council on human rights issues. A summary of 2023 activity and a preview of upcoming issues is provided.

**Attachments:** [Community Belonging Survey Executive Summary.pdf](#)

[Community Belonging Survey Presentation.pptx](#)

[Community Belonging Survey Questions.pdf](#)

[Open Comments to Survey.pdf](#)

[Women's Equality Day educational piece.pdf](#)

**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.** [23-345](#) August 28, 2023 Draft City Council Minutes

***Attachments:*** [8-28-23 Draft Council Minutes.pdf](#)

### **3.2 RESOLUTIONS**

### **3.3 ACTION ITEMS**

**3.3a.** [23-340](#) Request to create a mid-year project for sanitary sewer rehabilitation on Silverton Road NE between Lana Avenue NE and Evergreen Avenue NE

Ward(s): 5

Councilor(s): Gonzalez

Neighborhood(s): NOLA and Northgate

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

***Recommendation:***

Authorize the creation of a mid-year sanitary sewer project - "Silverton Road NE Sanitary Sewer Rehabilitation Project" in the FY 2024 Wastewater Non-Assessed Construction Fund 255, funded with Utility Rates.

***Summary:***

The 2025 Pavement Rehabilitation project on Silverton Road NE funded from the 2022 Safety and Livability Bond is currently under design. Staff recently discovered a sanitary sewer main that is suffering from severe hydrogen sulfide corrosion within the Bond project limits. Council approval to create a mid-year wastewater project in the FY 2024 construction budget will allow design activities to begin immediately so that the sanitary sewer line can be rehabilitated prior to the Bond project in 2025.

***Attachments:*** [Project Location Map.pdf](#)

### **4. PUBLIC HEARINGS**

**4.a.** [23-323](#) Substantial Amendment #3 to the 2021 Annual Action Plan (AAP)

for CDBG  
Substantial Amendment #2 to the 2022 Annual Action Plan (AAP)  
for CDBG  
Substantial Amendment #1 to the 2023 Annual Action Plan (AAP)  
for CDBG

Ward(s): All Wards  
Councilor(s): All Councilors  
Neighborhood(s): All Neighborhoods  
Result Area(s): Good Governance; Safe and Healthy Community;  
Welcoming and Livable Community

**Recommendation:**

Adopt Substantial Amendment #3 of the 2021 Annual Action Plan (AAP), Substantial Amendment #2 of the 2022 Annual Action Plan (AAP), and Substantial Amendment #1 of the 2023 Annual Action Plan (AAP), and direct staff to submit the required forms to the U.S. Department of Housing and Urban Development.

**Summary:**

The City of Salem annually receives HOME Investment Partnership Program (HOME) and Community Development Block Grant (CDBG) program funds from the Department of Housing and Urban Development (HUD). The Annual Action Plan (AAP) is a component of a five-year Consolidated Plan that specifically describes how Salem will spend these federal resources for activities serving low-and moderate-income households, the houseless, and persons with special needs. The Consolidated Plan <https://www.cityofsalem.net/citydocuments/federal-programs-consolidated-plan-2020-2024.pdf> was adopted June 2020 and spans the years 2020-2024. Whenever there is a proposed change of \$50,000 or more, the Citizen Participation Plan requires a substantial amendment process, and a public hearing is required.

**Attachments:** [Draft Annual Action Plan-AAP](#)

**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)**

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

**6.a.** [23-348](#) Planning Administrator - Development of a heavy vehicle storage lot - Approved.

Replat Tentative Plan / Class 3 Site Plan Review / Class 2 Driveway Approach Permit Case No. REP-SPR-DAP23-04 - Richard Plackter, Phelan Family Trust, Jeffrey Phelan, Michael Dearnemey, Katrina Dearnemey - 1920-1940 Hyacinth St NE.

Ward(s): 5  
Councilor(s): Gonzalez  
Neighborhood(s): Northgate

**Recommendation:**

Information Only.

**Attachments:** [Land Use Decision REP-SPR-DAP23-04](#)

## 7. ORDINANCES

### 7.1 FIRST READING:

### 7.2 SECOND READING:

- 7.2a. [23-346](#) Revisions to the Salem Revised Code 58.001, 58.003, 58.004, 58.185, 58.190, 58.325, and 58.334 related to the Fire Prevention Code.

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

**Recommendation:**

Pass Ordinance Bill No. 13-23 for the purpose of amending the City of Salem Fire Code.

**Summary:**

Fire Prevention Code currently adopted is from the 2014 edition of the Oregon Fire Code. The State has adopted a new code, the 2021 edition of the International Fire Code, with Oregon amendments. Revisions to the City's Fire Prevention Code will align it with the code adopted by the State of Oregon with local modifications.

**Attachments:** [Ordinance Bill No. 13-23](#)  
[Exhibit A to Ordinance No. 13-23](#)

## 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](mailto: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. [23-343](#) 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:

Sign Code Update  
Monday, October 23, 2023 at 6:00 p.m.

Community Development Block Grant and HOME Investment Partnership Programs Consolidated Annual Performance Evaluation Report (CAPER)  
Monday, October 23, 2023 at 6:00 p.m.

Transportation System Plan Amendment relating to Colorado Drive NW and Landaggard Drive NW (Ordinance Bill No. 15-23)  
Monday, November 13, 2023 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 Anderson Rooms at Salem Public Library, 585 Liberty St SE)

Revised FY 2024 Budget  
Monday, September 18, 2023 at 6:00 p.m.

2024 City Council Policy Agenda - Kick Off  
Monday, November 20, 2023 at 6:00 p.m.

BUDGET COMMITTEE MEETINGS:

SCHEDULE OF NEIGHBORHOOD ASSOCIATION ANNUAL MEETINGS:

Neighborhood - Annual Meeting Date - Time - Councilor  
Northgate September 21, 2023 6:00 p.m. - Councilor Gonzalez  
West Salem October 4, 2023 7:00 p.m. - Councilors Stapleton,

Varney

NOLA October 4, 2023 6:30 p.m. - Councilors Hoy, Gonzalez

NESCA October 17, 2023 7:00 p.m. - Councilors Hoy, Nishioka,

Stapleton

CANDO October 17, 2023 6:00 p.m. - Councilors Nishioka,

Stapleton

Sunnyslope October 19, 2023 7:00 p.m. - Councilors Nordyke,

Gwyn

SWAN November 7, 2023 6:30 p.m. - Councilors Nishioka, Nordyke

NEN November 14, 2023 6:30 p.m. - Councilors Nishioka,

Stapleton

SESNA November 28, 2023 7:00 p.m. - Councilor 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.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](mailto: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](mailto: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.

