



CITY OF SALEM

555 Liberty St SE
Salem, OR 97301

Meeting Agenda

City Council

Monday, September 25, 2023 6:00 PM Hybrid Meeting / Council Chambers

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 or Pending 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

Roll Call

1.1 APPROVAL OF ADDITIONS AND DELETIONS TO THE AGENDA

1.2 COUNCIL AND CITY MANAGER COMMENT

1.3 PROCLAMATIONS

1.3a. [23-358](#)

Proclamation - National Community Planning Month

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

Recommendation:

Information Only.

Attachments: [Proclamation - National Community Planning Month](#)

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. [23-335](#) September 11, 2023 Draft Council MInutes

Attachments: [9-11-23 Draft Council Minutes](#)

3.1b. [23-347](#) September 18, 2023 Draft City Council Work Session Minutes

Attachments: [9-18-23 Draft Council Work Session Minutes.pdf](#)

3.2 RESOLUTIONS

3.3 ACTION ITEMS

3.3a. [23-356](#) Continue partnership with Willamette Riverkeeper and approve allocation of in-kind match for grant application to reduce aquatic invasive weeds in Oxbow Slough.

Ward(s): Ward 7
Councilor(s): Nordyke
Neighborhood(s): All Neighborhoods
Result Area(s): Natural Environment Stewardship

Recommendation:

Authorize the Mayor to provide a letter of support for Willamette Riverkeeper's grant application to the Oregon Watershed Enhancement Board and commit an in-kind match of approximately \$70,000 over five years in support of the grant-funded project.

Summary:

Over the past four years, the City has been a partner with Willamette Riverkeeper, working together to restore habitat and reduce the invasive species *ludwigia* to help open the water in Willamette Slough in Minto Brown Island Park. This project is now coming to a close. In October 2023, with the City's support, Willamette Riverkeeper will apply to the Oregon Watershed Enhancement Board (OWEB) for funding to conduct a similar project upstream of the original area, this time at Oxbow Slough. Willamette Riverkeeper has requested the City support the project by providing a letter of support and approximately \$70,000 of in-kind match in the form of technical advice, environmental monitoring, logistics assistance, disposal of any collected debris, and public outreach over the five year period of the project.

Attachments: [Map of Oxbow Slough at Minto-Brown Island Park](#)

[Public Comments received by 10:00 a.m., September 25, 2023](#)

Add - Written Testimony.

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.** [23-321](#) Deliberation of 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.

Recommendation:

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.

Summary:

Proposal to eliminate five overlay zones (Planning Case No. CA23-02): The Saginaw Street, Superior-Rural, Oxford-West Nob Hill, Oxford-Hoyt, and Hoyt-McGilchrist Overlay Zones. The proposal responds to a motion from City Council during their November 14, 2022 meeting.

Attachments: [Ordinance Bill No 5-23](#)[Exhibit A to Ordinance Bill 5-23 - Map of Overlays Proposed to be Eliminated](#)[Exhibit B to Ordinance Bill 5-23 - Proposed Code Changes](#)[Exhibit C to Ordinance Bill 5-23 - Findings](#)[Properties within Overlays](#)[Process for Designation of a Historic District](#)[Comments Received](#)[Additional Public Comments received by 12:00 p.m., June 21, 2023](#)[Additional Public Comments received by 11:00 a.m., June 26, 2023](#)[Additional Public Comments received by September 19, 2023.pdf](#)[Public Testimony received by 10:00 a.m., September 25, 2023.pdf](#)[Additional Public Comments received by 5:00 p.m., September 25, 2023](#)*Add - Written Testimony.***6. INFORMATION REPORTS: (Items that require no Council action)****6.a.** [23-344](#)

Study of Walkable, Mixed-Use Areas as required by the 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 and Healthy Community; Safe, Reliable and Efficient Infrastructure; Strong and Diverse Economy; Welcoming and Livable Community.

Recommendation:

Information only.

Summary:

The City is required by new State rules to conduct a study to identify and evaluate potential walkable, mixed-use areas and submit the study to the State. The City, working with the Mid-Willamette Valley Council of Governments, has completed the study in compliance with the Climate-Friendly and Equitable Communities rules.

Attachments: [Study of Walkable Mixed-Use Areas](#)[Map of Potential Walkable Mixed-Use Areas](#)[Your Guide to Planning for Our Future, June 2023](#)[Public Comments received by 5:00 p.m., September 25, 2023](#)*Add - Written Testimony.***6.b.** [23-353](#)

Purchases approved administratively from August 1, 2023 through

August 31, 2023.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance

Recommendation:

Information only.

Summary:

Specific awards and the sources of funds for all contracts administratively awarded, renewed, or modified during the month of August. Included in the report are procurement contracts and public contracting activities with a current fiscal year impact and annual contracts.

Attachments: [Purchases approved administratively August 2023.pdf](#)

6.c. [23-360](#)

Planning Administrator Decision - An application to divide 20.5 acres into 3 parcels - Approved.

Tentative Partition Plan / Class 2 Adjustment Case No.

PAR-ADJ23-04 - Tara Dugger, Sean Dugger - 5791 Skyline Rd S.

Ward(s): 7

Councilor(s): Nordyke

Neighborhood(s): Sunnyslope

Recommendation:

Information Only.

Attachments: [Land Use Decision PAR-ADJ23-04](#)

6.d. [23-361](#)

Hearings Officer Decision - To establish a child day care center within a church - Approved.

Conditional Use / Class 3 Site Plan Review Case No. CU-SPR23-06 -

Westminster Presbyterian Church - 3737 Liberty Rd S

Ward(s): 7

Councilor(s): Nordyke

Neighborhood(s): SWAN

Recommendation:

Information Only.

Attachments: [Land Use Decision CU-SPR23-06](#)

7. ORDINANCES

7.1 FIRST READING:**7.2 SECOND READING:****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. [23-359](#) 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)

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**

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.

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.

