



CITY OF SALEM

555 Liberty St SE
Salem, OR 97301

Meeting Agenda

City Council

Monday, February 12, 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

5:00 p.m. - 5:15 p.m. - City Manager's Conference Room

Real Property Transactions - ORS 192.660(2)(e)

Joint City Council and Salem Housing Authority Commission

5:15 p.m. - City Manager's Conference Room

Labor Negotiations - ORS 192.660(2)(d)

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. [24-61](#) Proclamation - Children's Dental Month

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Information Only.

Attachments: [Proclamation - Children's Dental 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. [24-36](#) January 22, 2024 Draft City Council Minutes

Attachments: [1-22-24 Draft Council Minutes.pdf](#)

3.2 RESOLUTIONS

3.3 ACTION ITEMS

3.3a. [24-40](#) City of Salem Intergovernmental Agreement with Marion County for Mobile Crisis Response Team Service

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Recommendation:

Authorize the City Manager to execute the attached IGA (Attachment 1) with Marion County, and any amendments to the IGA, in order to provide Mobile Crisis Response Team services during FY24 and FY25.

Summary:

The City has contracted with Marion County for nearly a decade to bring mobile crisis response services within the City of Salem and Marion County. An Intergovernmental Agreement to continue the services is presented for consideration.

Attachments: [Mobile Crisis Response Service IGA between Marion County and the City of Salem HE](#).

3.3b. [24-42](#)

Lease with Create A Memory Ceramic Studio, Inc. for retail space located in the Chemeketa Parkade.

Ward(s): 1

Councilor(s): Stapleton

Neighborhood(s): CANDO

Result Area(s): Good Governance; Strong and Diverse Economy;

Welcoming and Livable Community.

Recommendation:

Authorize the City Manager to execute the attached lease.

Summary:

Create A Memory Ceramic Studio, Inc. (Ann M. Tucker, President) (Lessee) has been a tenant of the space located at 270 Commercial Street NE in the Chemeketa Parkade since July 2010. Lessee's lease expired on October 31, 2023, and is currently in holdover status. Lessee desires to continue its occupancy with a new lease.

Attachments: [Attachment 1: Create A Memory Proposed Lease](#)

3.3c. [24-43](#)

Amendment to lease with Salem-Keizer School District 24J for retail space located in the Chemeketa Parkade.

Ward(s): 1

Councilor(s): Stapleton

Neighborhood(s): CANDO

Result Area(s): Good Governance; Strong and Diverse Economy;

Welcoming and Livable Community.

Recommendation:

Authorize the City Manager to execute the attached lease amendment.

Summary:

Salem-Keizer School District 24J (Lessee) has been a tenant of the space located at 360 Commercial Street NE in the Chemeketa

Parkade since 2008. Lessee's current lease is set to expire on June 30, 2024 (Lease) (Attachment 1). Lessee desires to continue its occupancy via an amendment to its current lease extending the lease term.

Attachments: [Attachment 1: SKSD Lease - Chemeketa Parkade](#)

[Attachment 2: Third Amendment to Lease - SKSD Chemeketa Parkade](#)

3.3d. [24-44](#)

Right-of-Way Use Agreement with New Cingular Wireless, PCS, LLC.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance; Safe, Reliable and Efficient Infrastructure; Strong and Diverse Economy.

Recommendation:

Authorize the City Manager to execute the Right-of-Way Use Agreement between the City of Salem and New Cingular Wireless, PCS, LLC for the placement of small wireless facilities in the City rights-of-way.

Summary:

The Right-of-Way-Use Agreement grants New Cingular Wireless, PCS, LLC (more commonly known as AT&T) the non-exclusive right to access City rights-of-way to install, construct, repair, replace, upgrade, maintain, and operate small wireless facilities. The agreement is effective July 1, 2023, through June 30, 2028, with one automatic five-year extension.

Attachments: [Right of Way Use Agreement between the City of Salem and New Cingular Wireless, P](#)

3.3e. [24-57](#)

Fire Marshal classification and compensation.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance.

Recommendation:

Approve the use of a represented Fire Marshal job classification and compensated at \$73.88 per hour effective February 12, 2024.

Summary:

The Fire Department has need for a supervisory classification to serve as the acting Fire Marshal on behalf of the City of Salem. This role had been previously assigned to the Assistant Fire Chief of Operations classification and position (now vacant) and previously as a Division Chief classification part of Fire Management. The department is already experiencing several management vacancies

in various sections and for operational needs, desires a daily supervisor to oversee the Deputy Fire Marshals in the Fire Prevention section which would then report to a Deputy Fire Chief. The Fire Marshal classification is anticipated to be similar in scope to oversee a crew, performing similar work functions, and provide the level of guidance as the IAFF represented Battalion Chief classification, which also reports to a Deputy Fire Chief. This recommendation is for a new classification and compensation rate only. A vacant position will be reclassified to the new Fire Marshal classification if approved.

4. PUBLIC HEARINGS

4.a. [24-49](#)

Supplemental Budget 2 to amend the Fiscal Year (FY) 2024 budget and eliminate vacant General Fund positions

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.

Recommendation:

Adopt Resolution No. 2024-6, Supplemental Budget (2), decreasing General Fund expenses and position authority, transferring Police Department Salary savings to fund a limited duration Program Manager position in the City Manager's Office to further DEI and the CVRI, and amending the Police Regional Records Fund budget to pay for unanticipated software costs.

Summary:

The City Council has held multiple work sessions on sustaining General Fund services. Without additional revenue, reductions in services are needed to maintain a fund balance within policy compliance over the next several years. This action reduces \$4,658,900 and 33.35 Full Time Equivalent (FTE) positions in the General Fund.

This action also:

- Moves \$72,000 Police Department salary savings to the City Manager's Office to fund a limited duration program manager to further the City's DEI (Diversity, Equity and Inclusion) and Community Violence Reduction Initiative (CVRI).
- Amends the Police Regional Records Fund budget to include \$190,000 to pay for unanticipated software costs related to

new agencies in the system. This action uses General Fund contingency to create the budget authority, but no General Fund dollars will be transferred.

Attachments: [Resolution No. 2024-6](#)
[Resolution No. 2024-6, Exhibit A](#)
[Resolution No. 2024-6, Exhibit B](#)
[Public Comments received by 3:15 p.m., February 12, 2024.pdf](#)

Add - Written Testimony.

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. [24-6](#) Salem Parks and Recreation Advisory Board Annual Report and Presentation.

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.

Recommendation:

Information only.

Summary:

The report highlights accomplishments of the Salem Parks and Recreation Advisory Board in 2023. In addition, the report highlights endorsements and support of programs and activities.

ISSUE:

Informational report to update the City Council on the work of the Salem Parks and Recreation Advisory Board.

RECOMMENDATION:

Attachments: [2023 SPRAB Report.pdf](#)
[2023 SPRAB Presentation.pdf](#)

5.b. [24-53](#)

Motion from Councilor Linda Nishioka concerning allowing the display of temporary public art in conjunction with the City's public art program.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Public Comment received by 3:15 p.m., February 12, 2024](#)

Add - Written Testimony.

5.c. [24-62](#)

Motion from Councilor Virginia Stapleton directing staff to provide a study concerning pedestrian and bicycle safety in the downtown core.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Public Comments received by 3:15 p.m., February 12, 2024](#)

[Additional Comment received by 5:00 p.m., February 12, 2024](#)

Add - Written Testimony.

5.d. [24-47](#)

Assessment of equity in City programs and services.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Recommendation:

Information only.

Summary:

Incorporating equity in the delivery of the City's programs and services is a priority in the City Council's Policy Agenda, or annual work plan. The City engaged Moss Adams, to perform an equity assessment of a sample of community-facing services and programs to assist the City in advancing its diversity, equity, and inclusion (DEI) efforts. This work included: (a) an assessment of the DEI maturity of community-facing services and programs; and development of (b) an equity assessment toolkit that could be used to assess DEI maturity of community-facing services and programs and identify opportunities for improvement to policies, practices, procedures, and/or outcomes; (c) a DEI planning tool for the

planning of new projects, programs, or services; and (d)
recommended DEI-related performance measures.

Attachments: [Equity Assessment - Moss Adams January 2024](#)
[Salem Equity Assessment Council Presentation 02.12.24](#)

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

6.a. [24-37](#)

Planning Administrator Decision - Proposed development of a new multi-family apartment complex containing 27 dwelling units -
APPEALED.

This decision has been appealed by the Neighborhood Association. The appeal will be heard by the City Council at a future date to be determined.

Urban Growth Preliminary Declaration / Class 3 Site Plan Review / Class 2 Adjustment / Class 2 Driveway Approach Permit / Class 1 Design Review / Tree Removal Permit Case No.
UGA-SPR-ADJ-DAP-DR-TRP23-04 - Brandie Dalton - 4963 Center St NE.

Ward(s): 6
Councilor(s): Hoy
Neighborhood(s): ELNA

Recommendation:

Information Only.

Attachments: [Land Use Revised Decision UGA-SPR-ADJ-DAP-DR-TRP23-04](#)
[ELNA Appeal](#)

6.b. [24-39](#)

Planning Administrator Decision - A tentative partition plan to create two parcels - Approved.

Partition Tentative Plan Case No. PAR23-09 - Brandon Fahlman -
1168 7th St NW

Ward(s): 1
Councilor(s): Stapleton
Neighborhood(s): WSNA

Recommendation:

Information Only.

Attachments: [Land Use Decision PAR23-09](#)

6.c. [24-46](#)

Planning Administrator Decision - To reconfigure seven existing

properties into three lots - Approved.

Tentative Replat Plan Case No. REP24-02 - Mark Lyman and Ben Fetherston - 2249-2255 Madrona Ave SE.

Ward(s): 2
Councilor(s): Nishioka
Neighborhood(s): SESNA

Recommendation:

Information Only.

Attachments: [Land Use Decision REP24-02](#)

7. ORDINANCES

7.1 FIRST READING:

7.1a. [24-41](#) Annexation of an approximately 0.96-acre territory located at 4370 Fisher Road NE (ANXC-753).

Ward(s): 5
Councilor(s): Gonzalez
Neighborhood(s): Northgate
Result Area(s): Welcoming and Livable Community

Recommendation:

Advance Ordinance Bill No. 3-24, approving annexation, applying City zoning, and approving withdrawal from the Marion County Fire District #1 and the East Salem Sewer and Drainage District, for a territory located at 4370 Fisher Road NE, and advance to second reading.

Summary:

Annexation of an approximately 0.96-acre territory located at 4370 Fisher Road NE (ANXC- 753).

Attachments: [Vicinity Map](#)
[Ordinance No. 3-24](#)
[Exhibit A - Territory Legal Description and Map](#)

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. [24-45](#)**

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:

Connecting Approximately 40 Homes in the Sleepy Hollow Neighborhood to the City's Public Water System (Ordinance Bill No. 2-24)

Monday, February 26, 2024 at 6:00 p.m.

FY 2025 Recommended Budget

Monday, June 10, 2024 at 6:00 p.m.

State Revenue Sharing

Monday, June 10, 2024 at 6:00 p.m.

SALEM HOUSING AUTHORITY PUBLIC HEARINGS:**URBAN RENEWAL AGENCY PUBLIC HEARINGS:**

FY 2025 Recommended Budget

Monday, June 10, 2024 at 6:00 p.m.

CITY COUNCIL WORK SESSIONS: (Unless otherwise noted, work sessions are held in the Anderson Rooms at Salem Public Library, 585 Liberty St SE)

Sheltering and Homelessness in Salem: Partnerships and Progress

Tuesday, February 20, 2024 at 6:00 p.m.

Options for Allocation of Opioid Settlement Funds

Monday, April 15, 2024 at 6:00 p.m.

Joint City Council and Salem Planning Commission - Housing Production Strategies

Monday, May 20, 2024 at 6:00 p.m.

BUDGET COMMITTEE MEETINGS: (Budget Committee meetings are

held in Council Chambers, 555 Liberty Street SE, Room 240)

City Manager Presents Proposed FY 2025 Budget to the Budget Committee - Result Areas Reviewed: Welcoming and Livable Community, Natural Environment Stewardship
Wednesday, April 17, 2024 at 6:00 p.m.

Budget Committee Review Meeting - Result Areas Reviewed: Strong and Diverse Economy, Urban Renewal Agency, Safe Reliable and Efficient Infrastructure, CIP Public Hearing
Wednesday, April 24, 2024 at 6:00 p.m.

Budget Committee Review Meeting - Results Areas Reviewed: Safe Community, Good Governance
Wednesday, May 1, 2024 at 6:00 p.m.

Budget Committee Recommends FY 2025 Budget to the City Council and Urban Renewal Agency
Wednesday, May 8, 2024 at 6:00 p.m.

2024 NEIGHBORHOOD ASSOCIATION ANNUAL MEETING DATES:

Neighborhood	Annual Meeting Date	Time	Councilor
SEMCA	April 9	10:00 a.m.	Nishioka, Phillips
Grant	May 2	6:15 p.m.	Stapleton
Highland	May 9	6:30 p.m.	Gonzalez, Stapleton
ELNA	June 6	7:00 p.m.	Hoy
Morningside	June 12	6:30 p.m.	Nishioka, Phillips
SCAN	June 12	6:30 p.m.	Nishioka, Nordyke
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

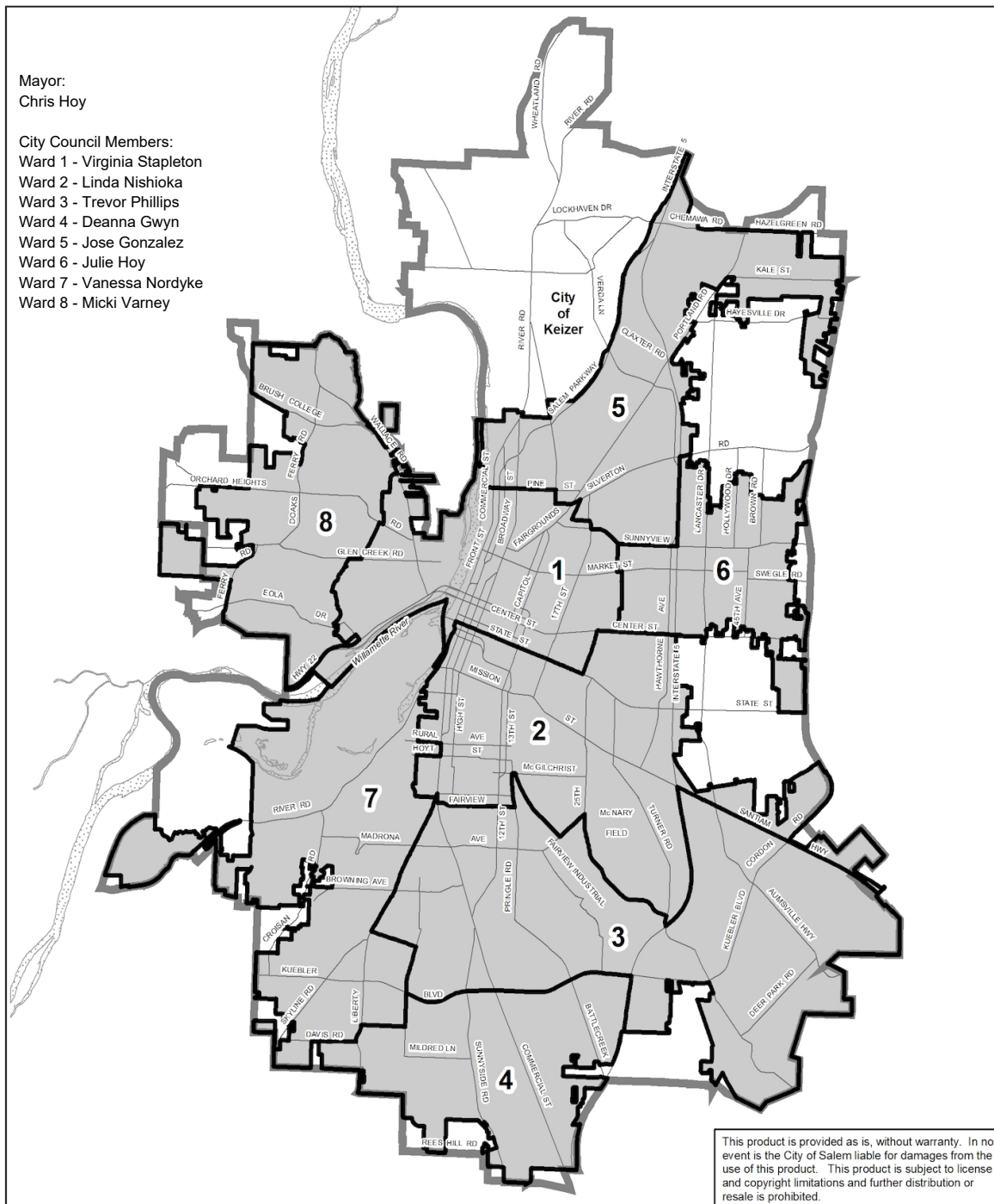
Time limits for quasi judicial land use hearings are governed by Rule 19 of the Council Rules. Parties to land use cases are encouraged to review that rule as time limits vary depending on the nature of the hearing. Further information can be obtained by contacting the Planning Administrator at 503 588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