



CITY OF SALEM

Meeting Agenda

City Council

555 Liberty St SE
Salem, OR 97301

Monday, February 26, 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

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

1.1 APPROVAL OF ADDITIONS AND DELETIONS TO THE AGENDA

1.2 COUNCIL AND CITY MANAGER COMMENT

1.3 PROCLAMATIONS

- 1.3a.** [23-462](#) Proclamation - Women in Construction
Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods

Recommendation:

Information Only.

Attachments: [Proclamation - Women in Construction](#)

- 1.3b.** [24-15](#) Proclamation - Women's History Month

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Recommendation:

Information Only.

Attachments: [Proclamation - Women's History 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.** [24-69](#) February 12, 2024 Draft City Council Minutes

Attachments: [2-12-24 Draft Council Minutes.pdf](#)

3.2 RESOLUTIONS

- 3.2a.** [24-71](#) Transfer of appropriations within the City's Fiscal Year (FY) 2024 Budget to fund Facilities Services and Utility portions of the Cityworks work order software and the expense of the November 2023 Special Election.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Recommendation:

Adopt Resolution No. 2024-8 authorizing a transfer of appropriations within the City's FY 2024 budget for unanticipated changes related to the Cityworks implementation and the Special

Election.

Summary:

A transfer from General Fund contingency in the amount of \$66,000 is needed to fund the Facilities Services portion of the Cityworks work order software. Additionally, a \$314,970 transfer from the Utility Fund material and services budget is needed for this same software. This software will be used by several work groups including Public Works and Facilities to automate and manage work orders as well as track and maintain assets and inventory. Additionally, a contingency transfer in the General Fund is needed in the amount of \$188,260 to pay for the expense of the recent special election.

Attachments: [Resolution No. 2024-8](#)

3.2b. [24-72](#)

Amendments to the Parks, and Stormwater System Development Charge Eligible Project Lists.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Recommendation:

Adopt Resolution No. 2024-07, amending the Parks and Stormwater System Development Charges Eligible Project Lists to establish eligibility of funding for infrastructure projects.

Summary:

System Development Charges (SDCs) are expended for construction of parks, transportation, water, wastewater, and stormwater infrastructure needed to serve developable land. Under *Oregon Revised Statutes* (ORS) 223.309, the City is required to prepare lists of projects (called "309 Lists") that are to be funded with SDCs. Resolution 2024-07 amends the Parks and Stormwater 309 Lists in response to a correction of noted numbering errors and changing development patterns.

Attachments: [Resolution 2024-7](#)

[Exhibit 1 - Proposed 309 Updates](#)

3.3 ACTION ITEMS

3.3a. [24-50](#)

Federal Aviation Administration Grant Applications for the Salem Municipal Airport.

Ward(s): 2

Councilor(s): Nishioka

Neighborhood(s): SEMCA, SESNA

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

Recommendation:

Authorize the City Manager to apply for and accept Federal Aviation Administration Airport Improvement Program (AIP) and Bipartisan Infrastructure Law (BIL) grant funds to be used for security and infrastructure improvements at the Salem Municipal Airport.

Summary:

The Salem Municipal Airport seeks to apply for and accept Federal Aviation Administration (FAA) Airport Improvement Program (AIP) and Bipartisan Infrastructure Law (BIL) grants for security and infrastructure improvements at the airport.

3.3b. [24-51](#)

Memorandum of Understanding between Salem Municipal Airport and U.S. Departments of Transportation and Homeland Security.

Ward(s): 2

Councilor(s): Nishioka

Neighborhood(s): SEMCA, SESNA

Result Area(s): Safe and Healthy Community, Strong and Diverse Economy

Recommendation:

Authorize the City Manager to sign a Memorandum of Understanding with the U.S. Departments of Transportation and Homeland Security.

Summary:

The U.S. Departments of Transportation and Homeland Security work in coordination with commercial service airports to raise awareness of and combat human trafficking and encourage the public to report suspected instances of human trafficking. A Memorandum of Understanding documents the roles and responsibilities of the participating agencies.

Attachments: [Attachment 1 - DRAFT BLI MOU 2024.docx](#)

3.3c. [24-52](#)

Amendment to lease with the James A. Eastridge Living Trust for use of real property located at the intersection of Front Street SE and Ferry Street SE.

Ward(s): 2

Councilor(s): Nishioka

Neighborhood(s): CANDO

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

Recommendation:

Authorize the City Manager to execute the attached lease amendment.

Summary:

The City property located at the intersection of Ferry Street SE and Front Street SE identified as tax lot 073W27BA02300 (Property) is currently used for off-street parking and is currently under lease with the James A. Eastridge Living Trust (Lessee) (Lease) (Attachment 1). Staff and Lessee desire to amend the Lease to modify the termination date and renewal option in preparation for City's construction of water infrastructure improvements on the Property.

Attachments: [Lease](#)
[Amendment](#)

3.3d. [24-59](#)

Application for grant funds to develop a transportation corridor plan for Front Street NE north of downtown.

Ward(s): 1
Councilor(s): Stapleton
Neighborhood(s): Central Area Neighborhood Development
Organization and Grant Neighborhood Association
Result Area(s): Safe, Reliable and Efficient Infrastructure

Recommendation:

Authorize the City Manager to apply for grant funding to develop a transportation corridor plan for Front Street NE, from the Front Street NE Bypass to South Street NE, through the USDOT RAISE program and, if successful, further authorize the City Manager to enter into an agreement with the USDOT to accept and expend the funds.

Summary:

The United States Department of Transportation (USDOT) is soliciting applications for grant funding of projects through the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) program. This proposed grant application seeks funding through the RAISE program to conduct an alternatives analysis and complete preliminary engineering study to develop a plan for transportation improvements on Front Street NE between South Street NE and the Front Street NE Bypass. These improvements are needed due to safety issues resulting from the railroad alignment that is in the middle of Front Street NE (Attachment 1). The estimated cost for the study is \$2.5 to \$5.0 million. If awarded funding for this study, the City will be eligible to receive 100% grant funding because the project is in an area classified by the federal government as being of persistent poverty. This work should also position the city of Salem for future federal funding opportunities as they come available.

Attachments: [Attachment 1 - Vicinity Map](#)

3.3e. [24-74](#)

Intergovernmental Agreement with Polk County for Street and Utility Improvements Associated with an Early Construction Phase of Marine Drive NW south of Harritt Drive NW.

Ward(s): Ward 1

Councilor(s): Stapleton

Neighborhood(s): West Salem Neighborhood Association

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

Recommendation:

Authorize the City Manager to execute an IGA with Polk County to establish terms and conditions under which the City will maintain street and utility improvements within the limits of an early phase of construction of Marine Drive NW outside the Salem City Limits.

Summary:

The Intergovernmental Agreement (IGA) with Polk County establishes that the City is responsible for constructing and maintaining the street and utility improvements within the limits of an early construction phase of Marine Drive NW outside the Salem City Limits (Attachment 1).

Attachments: [Attachment 1 - Project Location Map.pdf](#)

[Attachment 2 - IGA.pdf](#)

4. PUBLIC HEARINGS

4.a. [24-79](#)

Public hearing for the assessment of project costs for the conversion of the private Sleepy Hollow Phase I water system to the City's public water system and advance Ordinance Bill No. 2-24 levying the assessments to first reading.

Ward(s): Ward 6

Councilor(s): Councilor Hoy

Neighborhood(s): East Lancaster Neighborhood Association

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

Recommendation:

Advance Ordinance Bill No. 2-24 for first reading.

Summary:

The private water system supplying the residents of the Sleepy Hollow community had contained elevated levels of arsenic since at least 2012. Working with the homeowners, an agreement was reached with the City for the residents to be disconnected from the existing private Sleepy Hollow Phase I Water System and be connected to City water. In the agreement, a portion of the cost of the new infrastructure was to be paid by each property owner, who will be assessed under the procedures of *Salem Revised Code* (SRC)

Chapter 21 (General Assessment Procedures). The assessment amount is \$5,000 per property, which will go toward the total cost of the project. The project is now complete at a total project cost of \$768,108

Attachments: [Attachment 1 - Ordinance Bill No. 2-24 - Sleepy Hollow Waterline Assessment.docx](#)
[Attachment 2 - Exhibit A - Legal Description of Properties to be Assessed.pdf](#)

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. [24-89](#) Revenue Task Force status update.

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Result Area(s): Good Governance.

Recommendation:

Information only.

Summary:

On January 22, 2024, the Salem City Council approved the slate of candidates 25 candidates and two alternates for the Revenue Task Force, as recommended by the Board and Commission Committee. The Task Force will meet seven times; consider feedback from eight focus groups, three town halls, and a statistically valid poll; and deliberate on recommendations to the City Council concerning revenue options to support City services supported by the General Fund. Recommendations will be presented to the City Council in a Work Session on July 15, 2024.

5.b. [24-82](#) Gerry Frank | Salem Rotary Amphitheater Information and Strategic Planning

Since the construction of the Gerry Frank | Salem Rotary Amphitheater in late 2021, two seasons of activity have transpired. The Information and Strategic Plan for the amphitheater is provided to encapsulate current and future use of this venue.

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

Recommendation:

Information Only.

Attachments: [Gerry Frank | Salem Rotary Amphitheater Information and Strategic Plan](#)

5.c. [24-55](#)

Salem Airport Commercial Air Service - October through December 2023

Ward(s): Ward 2

Councilor(s): Nishioka

Neighborhood(s): SEMCA, SESNA

Result Area(s): Good Governance; Safe and Healthy Community;
Strong and Diverse Economy.

Recommendation:

Information Only.

Summary:

Avelo Airlines began commercial air service at Salem Airport on October 5, 2023, with flights to and from Las Vegas, Nevada and Hollywood/Burbank, California.

Attachments: [Attachment 1 – Salem Airport Revenue and Expenditures Related to Commercial Air Service](#)

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

6.a. [24-58](#)

Results of the Americans for the Arts and Oregon Arts Commission's Economic & Social Impact Study (AEP6) of Nonprofit Arts & Cultural Organizations and Their Audiences for the Salem Area.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [City of Salem AEP6 Customized Final Report 2023.pdf](#)

[City of Salem AEP6 Survey Summary 2023.pdf](#)

[Nationwide AEP6 Final Report 2023.pdf](#)

[Nationwide AEP6 Survey Summary Highlights 2023.pdf](#)

6.b. [24-76](#)

Economic development quarterly report.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Strong and Diverse Economy.

Recommendation:

Information only.

Summary:

City Council requested economic development reports from the Urban Development Department, now the Community Planning and Development Department - Urban Development Division. This report includes activity for quarter four of calendar year 2023.

6.c. [24-80](#)

Purchases approved administratively from January 1, 2024 through January 31, 2024.

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 January. Included in the report are procurement contracts and public contracting activities with a current fiscal year impact and annual contracts.

Attachments: [Purchases approved administratively January 2024.pdf](#)

6.d. [24-75](#)

Hearings Officer Decision - To allow a short term rental in a single-family dwelling - Approved.

Conditional Use Case No. CU23-07 - Doug Vogel - 310 23rd St SE

Ward(s): 2

Councilor(s): Nishioka

Neighborhood(s): SESNA

Recommendation:

Information Only.

Attachments: [Land Use Decision CU23-07](#)

6.e. [24-77](#)

Planning Administrator Decision - A replat to eliminate a stormwater easement - Approved.

Replat Tentative Plan Case No. REP24-03 - John Miller - 2207 Wildwood Dr SE.

Ward(s): 4

Councilor(s): Gwyn

Neighborhood(s): SGNA

Recommendation:

Information Only.

Attachments: [Land Use Decision REP24-03](#)**6.f. [24-83](#)**

Planning Administrator Decision - A replat to consolidate two existing properties into one lot - Approved.

Tentative Replat Case No. REP24-01 - Karina Rodriguez - 3560 Portland Rd NE

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

Recommendation:

Information Only.

Attachments: [Land Use Decision REP24-01](#)**7. ORDINANCES****7.1 FIRST READING:****7.2 SECOND READING:****7.2a. [24-48](#)**

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:

Pass 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.

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](#)

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. [24-86](#)**

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:

Council review of the Planning Administrator's Decision (Case No. UGA-SPR-ADJ-DAP-DR-TRP23-04) approving the development of a new multi-family apartment complex of three buildings containing 27 dwelling units located at 4963 Center Street NE
Monday, April 8, 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 Council Chambers, 555 Liberty Street SE.

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)

Budget Committee - Follow-Up Discussion and Q & A Meeting #1
Thursday, March 14, 2024 at 6:00 p.m.

Budget Committee - Follow-Up Discussion and Q & A Meeting #2
Thursday, March 21, 2024 at 6:00 p.m.

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.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

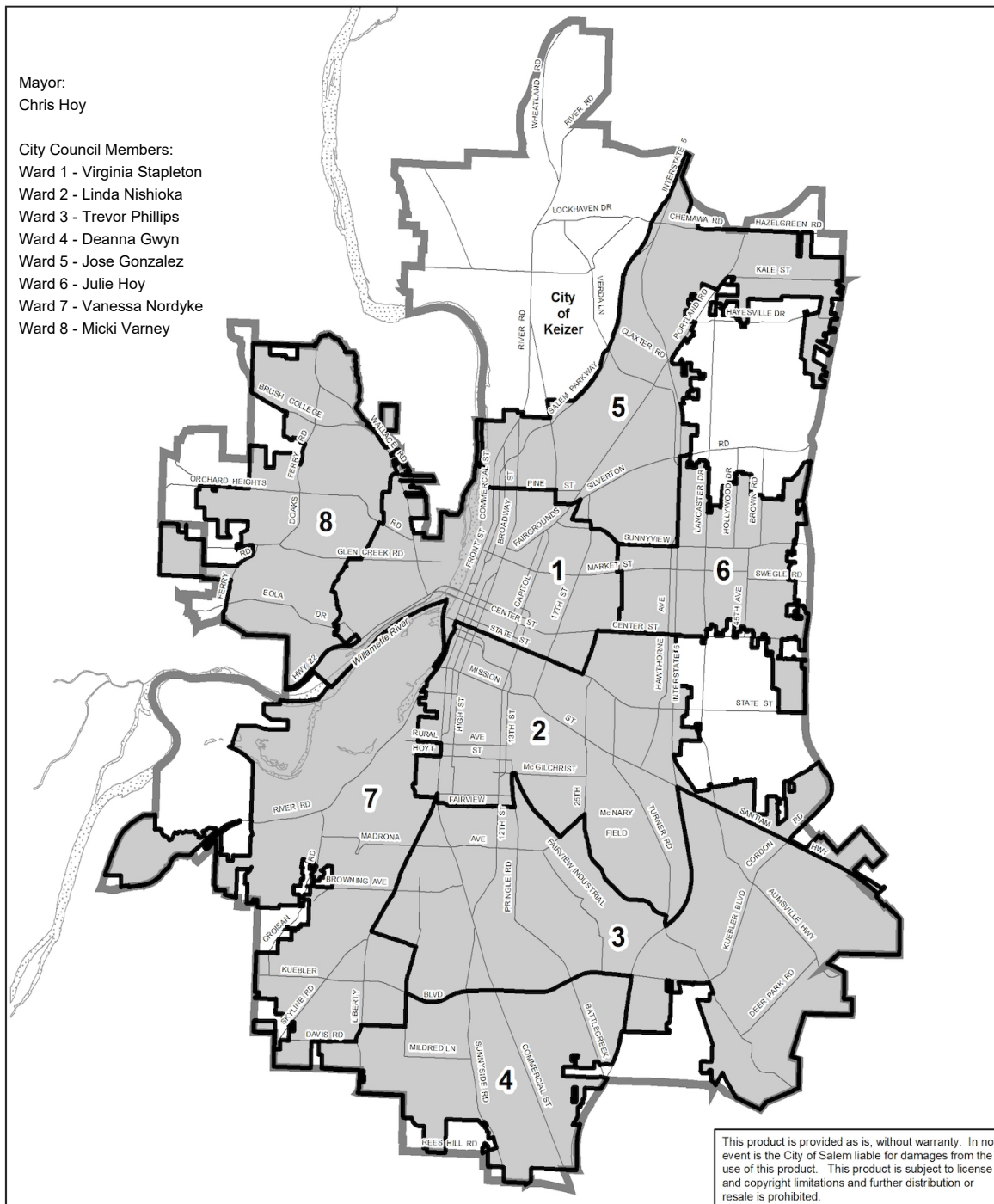
Time limits for quasi judicial land use hearings are governed by Rule 19 of the Council Rules. Parties to land use cases are encouraged to review that rule as time limits vary depending on the nature of the hearing. Further information can be obtained by contacting the Planning Administrator at 503 588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



LEGEND

Ward Boundary

Urban Growth Boundary

Salem City Limits

Major Streets

0 0.5 1
Miles



CITY OF *Salem*
AT YOUR SERVICE
Community Planning and Development

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