



CITY OF SALEM

555 Liberty St SE
Salem, OR 97301

Meeting Agenda

City Council

Tuesday, November 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. - City Manager's Conference Room
ORS 192.660(2)(h) - Current / Pending Litigation

CANCELED - Salem Housing Authority Commission
5:40 p.m. - City Manager's Conference Room
ORS 192.660(2)(e) - Real Property Transactions

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. [24-439](#) Proclamation - Youth HOPE Month 2024

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

Recommendation:

Information Only.

Attachments: [Proclamation - Youth HOPE Month 2024.pdf](#)

- 1.3b. [24-441](#) Proclamation - Ruby Bridges Day 2024

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

Recommendation:

Information Only.

Attachments: [Proclamation - Ruby Bridges Day 2024.pdf](#)

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. [24-456](#) October 28, 2024 Draft City Council Minutes

Attachments: [10-28-24 Draft Council Minutes.pdf](#)

3.2 RESOLUTIONS

3.3 ACTION ITEMS

- 3.3a. [24-450](#) Facility Space Intergovernmental Agreement between the City of Salem and City of Keizer.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Safe and Healthy Community

Recommendation:

Authorize the City Manager to execute a Facility Space IGA with the City of Keizer to establish a formal agreement for the exclusive use of an existing Lessee owned structure containing radio and data telecommunications equipment, on land owned by Lessor, and the transfer of ownership of an existing generator from Lessor to Lessee.

Summary:

The Facility Space Intergovernmental Agreement (IGA) with the City of Keizer ("Lessor") establishes a formal agreement with the City of Salem ("Lessee") for the exclusive use of an existing Lessee owned structure containing radio and data telecommunications equipment, on land owned by Lessor. The agreement also includes the transfer of ownership of the existing on-site generator responsible for providing back-up power to maintain system readiness from the Lessor to the Lessee.

Attachments: [Facility Use Intergovernmental Agreement.pdf](#)

3.3b. [24-460](#)

Third amendment to the purchase and sale agreement between the City and GreenLight-HomeFirst, LLC for the sale of the former Salem General Hospital site.

Ward(s): Ward 1

Councilor(s): Councilor Stapleton

Neighborhood(s): Northeast Neighbors Neighborhood Association

Result Area(s): Safe and Healthy Community; Safe, Reliable and

Efficient Infrastructure; Welcoming and Livable Community.

Recommendation:

Authorize a third amendment to the purchase and sale agreement to allow Buyer to take ownership of the subject property prior to recording of the final plat

Summary:

GreenLight-HomeFirst, LLC ("Buyer" or "GreenLight") needs to close on purchase of Phase I of the property by early December or it risks losing state funding for the affordable housing project. The parties agreed to pursue a partition of the property to create separate parcels for Phase I, Phase II and the Conservation Area that will be retained by the City. However, the final plat for the partition will not be ready for recording in time for closing. The proposed third amendment would allow Buyer to take ownership of the property

prior to recording the final partition plat, and will convey the Conservation Area back to the City once the partition plat is recorded.

4. PUBLIC HEARINGS

4.a. [24-452](#)

Council Review of the Hearing Officer's decision approving Conditional Use Permit, Case No. CU24-05, to allow a motor vehicle service use in the MU-III Zone, for property located at 3393 Silverton Road NE.

Ward(s): Ward 5

Councilor(s): Gonzalez

Neighborhood(s): Northgate Neighborhood Association

Result Area(s): Welcoming and Livable Community

Recommendation:

Modify the Hearing Officer's decision, approving Conditional Use Permit Case No. CU24-05, with a modified condition related to the hours of operation. The modified condition would read, "Normal hours of operation where the business is open to the public shall be between 7 AM and 8 PM. All repairs and work done on vehicles may only be conducted between the hours of 7 AM and 10 PM."

Summary:

On September 20, 2024, the Hearing Officer approved a request for a Conditional Use Permit (CU24-05) to allow a new motor vehicle service use (Adan's Automotive) in an existing building on property zoned MU-III (Mixed Use-III), and located at 3393 Silverton Road NE (**Attachment 1**). At the City Council meeting on October 14, 2024, a motion was passed that City Council call up Case No. CU24-05 and conduct a public hearing.

Attachments: [Vicinity Map and Site Plan](#)

[Hearing Officer's Decision for Case No. CU24-05](#)

4.b. [24-436](#)

Proposed Fees and Charges for Utility Service Rates (Water, Wastewater, and Stormwater).

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance; Natural Environment

Stewardship: Safe, Reliable and Efficient Infrastructure.

Recommendation:

Adopt Resolution No. 2024-46 establishing fees and charges for utility service rates (water, wastewater, and stormwater) effective

January 1, 2025, and January 1, 2026, and approve the allocation of up to \$400,000 of utility revenue annually for 2025 for the Emergency Utility Assistance Program.

Summary:

City Council has had a long-standing commitment to providing adequate funding for the City's water, wastewater, and stormwater systems (the Utility). The Utility Fund is separate from the General Fund and provides funding for basic utility system necessities. Utility services include provision of clean drinking water on demand, treatment of wastewater, flood mitigation, and maintaining sufficient pressure and water storage for fire protection. Adequate Utility funding is essential to meet the current and future needs of our community and to comply with state and federal regulations. Because of this commitment, Council has consistently adopted the rate increases necessary to operate and maintain the systems, provide the services, complete important capital projects, and preserve the financial health and stability of the Utility.

A Water/Wastewater Task Force (Task Force) is commissioned every two years to advise the Public Works Director on the utility rate setting process. The 2024 Task Force members included four Salem City Councilors, a Marion County Commissioner, representatives from City of Keizer and City of Turner, a representative of Suburban East Salem Water District, representatives from Salem Chamber of Commerce and the Strategic Economic Development Corporation (SEDCOR), and two community members at-large. The Task Force reviewed a range of utility rate proposal scenarios and is recommending 4.5 percent rate increases for water, wastewater, and stormwater in 2025 and 2026. Resolution No. 2024-46 (Attachment 1) contains this recommendation. In addition to water, wastewater, and stormwater rates, the exhibit to Resolution No. 2024-46 (Attachment 2) includes fee adjustments for septic waste and leachate.

Consistent with the recommendation of the Task Force, the staff recommendation also includes utility funding for the Emergency Utility Assistance Program of up to \$400,000 in 2025 and anticipate that same level of funding in 2026. Restatement and extension through December 31, 2026 of the Emergency Utility Assistance Program is the subject of Agenda Item 24-437 and Resolution No. 2024-47 on this Council meeting agenda.

Attachments: [Resolution 2024-46](#)[Exhibit 1 to Resolution 2024-46](#)[Sample Bills](#)[Utility Assistance Programs](#)[Cost of Service Analysis - 2022 Technical Update](#)[Comments on Proposed Water Rates received through October 22, 2024](#)[Additional Public Comments received by November 5, 2024.pdf](#)[Additional Public Comments received by 10:00 a.m., November 12, 2024](#)[Additional Public Comments received by 3:30 p.m., November 12, 2024](#)*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. [24-437](#)** Resolution to Extend Emergency Utility Assistance Program

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Recommendation:

Adopt Resolution 2024-47 (Attachment 1) restating the terms of the Emergency Utility Assistance Program, extending the program to December 31, 2026.

Summary:

Since 2020, City Council broadened qualification criteria, increased Utility funding, and extended the Emergency Utility Assistance Program. This resolution further extends the program through December 31, 2026, and authorizes up to \$400,000 of Utility revenue annually for assistance to qualified customers beginning in 2025.

Attachments: [Resolution 2024-47](#)[Resolution 2024-47 Exhibit A - Emergency Utility Assistance Program.pdf](#)**5.b. [24-424](#)** Resolution No. 2024-45 adopting Solid Waste Management Policy C-25.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Recommendation:

Adopt Resolution No. 2024-45 to adopt Council Policy C-25 (Solid Waste Management) as recommended by the Solid Waste Committee.

Summary:

The Solid Waste Committee has been working with staff on the creation of a council policy for solid waste management. The proposed policy is the result of a collaborative effort to solidify practices related to the rate setting process for solid waste services. The policy also recognizes the need for future discussion, consideration, and modification to include policy statements related to implementation of the City's Climate Action Plan and other impactful initiatives such as the Plastic Pollution and Recycling Modernization Act (SB 582) on solid waste management in Salem.

Attachments: [Resolution 2024-45](#)

[Resolution 2024-45, Exhibit A - Council Policy C-25](#)

[Public Comments received by 10:00 a.m., November 12, 2024](#)

Add - Written Testimony.

5.c. [24-462](#)

Motion from Mayor Chris Hoy regarding City Manager compensation

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Public Comments received by 10:00 a.m., November 12, 2024](#)

[Additional Public Comment received by 3:30 p.m., November 12, 2024](#)

Add - Written Testimony.

5.d. [24-461](#)

Motion from Mayor Chris Hoy regarding compliance with Section 62 of the Salem Charter.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Public Comments received by 10:00 a.m., November 12, 2024](#)

[Additional Public Comments received by 3:30 p.m., November 12, 2024](#)

Add - Written Testimony.

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

- 6.a. [24-444](#) Update on City of Salem's Cyanotoxin Preparedness and Results of Drinking Water Treatment Processes during the 2024 Algal Toxin Season.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Recommendation:

Information only.

Summary:

Water is the most valuable natural resource in the world today, and the City of Salem is fortunate to have an extremely high-quality, reliable, and abundant source. The Geren Island Water Treatment Facility continues to safeguard Salem's drinking water from cyanotoxins (microcystin and cylindrospermopsin) produced by cyanobacteria in the North Santiam River Watershed. Due to multiple investments in water treatment technologies including upgraded slow sand filters, ozone treatment, and chlorination/dechlorination processes, Salem's drinking water remains high quality for all water customers.

Attachments: [Attachment 1 - 2024 Summary Graph.docx](#)

[Attachment 3 - Cyanotoxin News Release_07162024.docx](#)

- 6.b. [24-446](#) City Quarter 1 Preliminary Financial Report for Fiscal Year (FY) 2025

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance

Recommendation:

Information only.

Summary:

During the adoption of the FY 2025 budget, City Council approved a motion for staff to return within 45 days of the end of each quarter with a financial report showing budget to actuals in the General Fund. The FY 2025 Quarter 1 Financial Summary reflects all activity posted through the closed months ending September 30, 2024.

Attachments: [City FY 2025 Preliminary Quarter 1 Financial Report](#)

- 6.c. [24-448](#) Appointments to the Airport Advisory Commission, Salem Human Rights Commission, Salem Cultural and Tourism Promotion

Advisory Board, Salem Public Art Commission, Historic Landmarks Commission.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance

Summary:

Announcing appointments to the Airport Advisory Commission, Salem Human Rights Commission, Salem Cultural and Tourism Promotion Advisory Board, Salem Public Art Commission, and Historic Landmarks Commission.

Attachments: [Kirstie Rudich Redacted Application.pdf](#)
[James Franklin Redacted Application.pdf](#)
[Anthony Pisicoli Redacted Application.pdf](#)
[Jefferey Evans Redacted Application.pdf](#)
[Richard Field Redacted Application.pdf](#)
[Judy Collins Redacted Application.pdf](#)
[Ben Wigton Application Redacted.pdf](#)

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. [24-451](#) 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:

Tourism Promotion Area
Monday, December 9, 2024 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 Council Chambers, 555 Liberty Street SE.

Community Violence Reduction Initiative Policy Agenda
Monday, November 18, 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 - Preliminary Five-Year Forecast #2
Wednesday, November 13, 2024 at 6:00 p.m.

Budget Committee - Five Year Forecast
Wednesday, January 15, 2025 at 6:00 p.m.

Budget Committee - City Manager Presents Proposed FY 2026 Budget to the Budget Committee - Result Areas Reviewed: Welcoming and Livable Community, Natural Environment Stewardship
Wednesday, April 16, 2025 at 6:00 p.m.

Budget Committee Review Meeting - Result Areas Reviewed: Strong and Diverse Economy, Urban Renewal Agency, Safe Reliable and Efficient Infrastructure, and CIP Public Hearing
Wednesday, April 23, 2025 at 6:00 p.m.

Budget Committee Review Meeting - Results Areas Reviewed: Safe
Community, Good Governance
Wednesday, April 30, 2025 at 6:00 p.m.

Budget Committee Recommends FY 2026 Budget to the City Council /
Urban Renewal Agency
Wednesday, May 7, 2025 at 6:00 p.m.

2024 NEIGHBORHOOD ASSOCIATION ANNUAL MEETING DATES:

Neighborhood - Annual Meeting Date - Time - Councilor
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

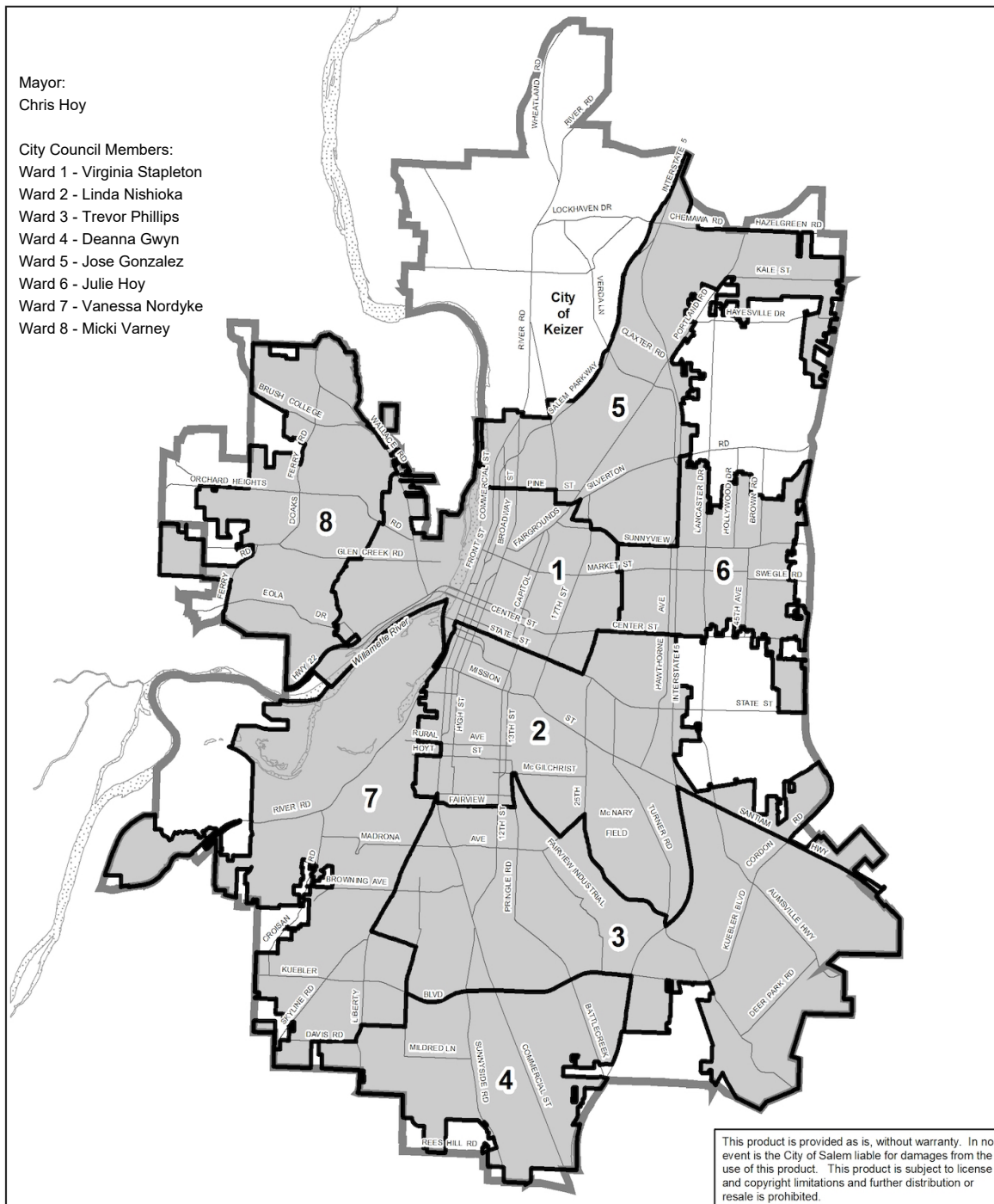
Time limits for quasi judicial land use hearings are governed by Rule 19 of the Council Rules. Parties to land use cases are encouraged to review that rule as time limits vary depending on the nature of the hearing. Further information can be obtained by contacting the Planning Administrator at 503 588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



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