

*555 Liberty St SE
Salem, OR 97301*



Final Action Agenda - Minutes - Draft

Monday, September 23, 2024

6:00 PM

Council Chambers / Hybrid Meeting

City Council

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

5:15 p.m. - 6:00 p.m. - City Manager's Conference Room

ORS 192.660(2)(h) - Current / Pending Litigation

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

6:25 p.m.

Roll Call

Present: 9 - Councilor Hoy, Councilor Nordyke, Councilor Phillips, Councilor Stapleton, Councilor Gonzalez, Councilor Varney, Councilor Nishioka, Mayor Hoy, and Councilor Gwyn

1.1 APPROVAL OF ADDITIONS AND DELETIONS TO THE AGENDA

None.

1.2 COUNCIL AND CITY MANAGER COMMENT

Comments by: Councilor Phillips, Mayor Hoy, and Councilors Nordyke, Stapleton, and Hoy.

1.3 SWEARING-IN / OATH OF OFFICE FOR NEW FIRE CHIEF DAVID GERBOTH

City Attorney Dan Atchison administered the oath of office for David Gerboth, the City of Salem's 43rd Fire Chief.

Comments by Fire Chief Gerboth.

1.4.a. PROCLAMATIONS

1.4.a. [24-375](#) Proclamation - National Community Planning Month 2024

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Mayor Hoy read the proclamation into the record. Lisa Anderson-Ogilvie, Deputy Director and Planning Administrator, Community Planning and Development, accepted the proclamation.

Comments by Lisa Anderson-Ogilvie.

1.4.b. PRESENTATIONS

Mayor Hoy presented Mark Becktel, Assistant Director, Public Works Operations Administration, with an award from SEDOR to the City of Salem for Outstanding Public/Private Partnership regarding the relaunching of commercial passenger air service at Salem-Willamette Valley Airport, in partnership with Fly Salem, Salem Area Chamber of Commerce, and Travel Salem.

Comments by: Assistant Director Becktel.

2. PUBLIC COMMENT: (Comment on agenda items other than public hearings and deliberations)

None.

3. CONSENT CALENDAR: (Includes approval of minutes, adoption of routine resolutions, and items of business requiring Council action)

A motion was made by Councilor Nishioka to approve the consent calendar. The motion was seconded by Councilor Phillips.

Comments by: Councilors Nishioka and Stapleton, Assistant Public Works Director Robert Chandler, Jeff Johnson, Natural Resources Planner for Public Works, and Councilor Nordyke.

The motion CARRIED by the following vote:

Aye: 9 - Hoy, Nordyke, Phillips, Stapleton, Gonzalez, Varney, Nishioka, Hoy, and Gwyn

Nay: 0

Abstain: 0

3.1 MINUTES

3.1a. [24-380](#) September 9, 2024 Draft City Council Minutes

Action: Approved.

3.1b. [24-386](#) September 16, 2024 Draft City Council Minutes

Action: Approved.

3.2 RESOLUTIONS

None.

3.3 ACTION ITEMS

3.3a. [24-355](#) Intergovernmental Agreement with Marion County for Construction of Mildred Lane SE.

Ward(s): Ward 7

Councilor(s): Nordyke

Neighborhood(s): Sunnyslope Neighborhood Association

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

Authorized the City Manager to execute an IGA with Marion County to establish terms and conditions under which the City will provide on-going maintenance and repair of a portion of street improvements and public utilities within the limits of an early construction phase of Mildred Lane SE outside the Salem City Limits.

3.3b. [24-374](#) Request approval to apply for a grant through the Oregon Department of Forestry Urban and Community Forestry Subaward Program to assist in dealing with the effects of Emerald Ash Borer in the City.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Natural Environment Stewardship.

Authorized the City Manager to submit an application for grant funding through the Oregon Department of Forestry Urban and Community Forestry Subaward Program to support Emerald Ash Borer readiness and response.

3.3c. [24-384](#)

Appointments to the Citizen Budget Committee and Citizens Advisory Traffic Commission.

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

The following appointments were made:

Citizen Budget Committee: Reappointed William Dixon to a second term, expiring on June 30, 2027, and reappointed Andrew Cohen to a second term, expiring June 30, 2027.

Citizens Advisory Traffic Commission: Appointed Beth Schmidt to a partial-term expiring December 31, 2026.

3.3d. [24-388](#)

Recommended policy statements and priorities to guide Salem’s Federal and State agenda, and Salem’s response to proposed legislation during the 2025 Oregon Legislative Session.

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.

Approved policy statements and priorities to guide Salem's Federal and State agenda, and Salem's response to proposed legislation during the 2025 Oregon Legislative Session.

3.3e. [24-389](#)

Recommended response to League of Oregon Cities (LOC) survey on priorities to inform the LOC’s legislative priorities during the 2025 Oregon Legislative Session.

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.

Approved the response to League of Oregon Cities (LOC) survey on priorities to inform the LOC's legislative priorities during the 2025 Oregon Legislative Session.

- 3.3f. [24-391](#) Second amendment to the purchase and sale agreement between the City and Green Light-Home First, 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.

Authorized a second amendment to the purchase and sale agreement between the City (Seller) and Green Light-HomeFirst, LLC (Buyer) to decrease the purchase price of one of the parcels and increase the purchase price of the other parcel to accommodate the financing requirements for Buyer.

4. PUBLIC HEARINGS

None.

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)

None.

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

- 6.a. [24-370](#) Purchases approved administratively from July 1, 2024 through July 31, 2024.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance

Questions or Comments by: Councilor Nishioka, Chief Financial Officer Josh Eggleston, Mayor Hoy, Councilors Stapleton and Phillips, Police Chief Trevor Womack, and Councilor Gwyn.

This Informational Report was received and filed.

6.b. [24-364](#)

Planning Commission Decision -Proposed two-parcel Partition and Planned Unit Development-Subdivision creating 11 residential lots along with common open space - Approved.

Planned Unit Development / Subdivision Tentative Plan / Partition Tentative Plan / Urban Growth Preliminary Declaration / Class 2 Adjustment Case No. PUD-SUB-PAR-UGA-ADJ24-01 - Larry Tokarski - 700 to 800 Block of Creekside Dr SE.

This case has been Appealed (Attachment 2) and will be heard by City Council.

Ward(s): 4
Councilor(s): Gwyn
Neighborhood(s): SGNA

This Informational Report was received and filed.

6.c. [24-376](#)

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

Tentative Partition Plan Case No. PAR24-10 - Brandie Dalton - 3243 12th St SE

Ward(s): 3
Councilor(s): Phillips
Neighborhood(s): Morningside

This Informational Report was received and filed.

7. ORDINANCES

7.1 FIRST READING:

7.1a. [24-385](#)

Annexation of a 4.1-acre territory for two properties located at 2355 Davis Road S and Land Adjacent (ANXC-758).

Ward(s): Ward 7

Councilor(s): Nordyke

Neighborhood(s): Sunnyslope

Result Area(s): Welcoming and Livable Community

First reading of Ordinance Bill No.12-24 was conducted.

A motion was made by Councilor Nordyke to advance Ordinance Bill No. 12-24, approving annexation, applying City Zoning, and approving withdrawal from the Salem Suburban Rural Fire Protection District, for a territory located at 2355 Davis Road S and Land Adjacent, to second reading for passage. The motion was seconded by Councilor Stapleton.

The motion CARRIED by the following vote:

Aye: 9 - Hoy, Nordyke, Phillips, Stapleton, Gonzalez, Varney, Nishioka, Hoy, and Gwyn

Nay: 0

Abstain: 0

7.2 SECOND READING:

7.2a. [24-378](#)

Engrossed Ordinance Bill No. 8-24 updates the Unified Development Code to promote housing development and address other issues.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Welcoming and Livable Community

Second reading was conducted, and Engrossed Ordinance Bill No. 8-24, PASSED by the following vote:

Aye: 9 - Hoy, Nordyke, Phillips, Stapleton, Gonzalez, Varney, Nishioka, Hoy, and Gwyn

Nay: 0

Abstain: 0

7.2b. [24-362](#)

Amending Salem Revised Code Chapter 70 (Utilities) and Chapter 71 (Stormwater).

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Natural Environment Stewardship; Reliable and Efficient Infrastructure.

Second reading was conducted, and Ordinance Bill No. 9-24, which amends Salem Revised Code Chapter 70 (Utilities) and Chapter 71 (Stormwater), PASSED by the following vote:

Aye: 9 - Hoy, Nordyke, Phillips, Stapleton, Gonzalez, Varney, Nishioka, Hoy, and Gwyn

Nay: 0

Abstain: 0

7.2c. [24-382](#)

Proposal to vacate a portion of right-of-way for 1st Street NW.

Ward(s): 1

Councilor(s): Stapleton

Neighborhood(s): West Salem NA

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

Second reading was conducted, and Ordinance Bill No. 10-24, which vacates a portion of the right-of-way for 1st Street NW, PASSED by the following vote:

Aye: 9 - Hoy, Nordyke, Phillips, Stapleton, Gonzalez, Varney, Nishioka, Hoy, and Gwyn

Nay: 0

Abstain: 0

7.2d. [24-372](#)

Amending Salem Revised Code Chapter 75 (Erosion Prevention and Sediment Control) Relating to Erosion Control Permit Exemptions

Second reading was conducted, and Ordinance Bill No. 11-24, amending Salem Revised Code Chapter 75 (Erosion Prevention and Sediment Control), PASSED by the following vote:

Aye: 9 - Hoy, Nordyke, Phillips, Stapleton, Gonzalez, Varney, Nishioka, Hoy, and Gwyn

Nay: 0

Abstain: 0

8. PUBLIC COMMENT: (Other than agenda items)

None.

9. ADJOURNMENT

7:07 p.m.