

*555 Liberty St SE
Salem, OR 97301*



Final Action Agenda - Minutes - Draft

Monday, August 14, 2023

6:00 PM

Hybrid Meeting / Council Chambers

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

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

Present: 8 - Councilor Hoy, Councilor Nordyke, Councilor Stapleton, Councilor Gonzalez, Councilor Varney, Councilor Nishioka, Mayor Hoy, and Councilor Gwyn
Absent: 1 - Councilor Phillips

Pledge of Allegiance

Led by Mayor Hoy.

1.1 APPROVAL OF ADDITIONS AND DELETIONS TO THE AGENDA

A motion was made by Councilor Stapleton, seconded by Councilor Hoy to approve the addition and deletion to the agenda. The addition was a corrected Attachment 2 for item 5.c., (file 23-317); item 5.a., (file 23-308) Motion from Councilor Linda Nishioka concerning open house event, was removed from the agenda.

Comments by: Councilors Stapleton and Nishioka.

The motion CARRIED by the following vote:

Aye: 8 - Hoy, Nordyke, Stapleton, Gonzalez, Varney, Nishioka, Hoy, and Gwyn

Nay: 0

Absent: 1 - Phillips

Abstain: 0

1.2 COUNCIL AND CITY MANAGER COMMENT

Comments by: Mayor Hoy, Acting City Manager Brian Martin, and Councilors Nishioka, Hoy, and Nordkye.

1.3 PROCLAMATIONS

None.

1.4 PRESENTATIONS

None.

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 Stapleton, seconded by Councilor Nishioka to approve the consent calendar.

Comments by Councilor Stapleton.

The motion **CARRIED** by the following vote:

Aye: 8 - Hoy, Nordyke, Stapleton, Gonzalez, Varney, Nishioka, Hoy, and Gwyn

Nay: 0

Absent: 1 - Phillips

Abstain: 0

3.1 MINUTES

3.1a. [23-305](#) July 17, 2023 Draft City Council Work Session Minutes

Action: Approved.

3.1b. [23-306](#) July 24, 2023 Draft City Council Minutes

Action: Approved.

3.2 RESOLUTIONS

3.2a. [23-302](#)

Acquisition of Property for the State Street at 25th Street SE
Intersection Improvement Project

Ward(s): Ward 2

Councilor(s): Councilor Nishioka

Neighborhood(s): NEN, SESNA

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

Adopted Resolution 2023-25, declaring a public need to acquire the easements and the City of Salem's intent to negotiate for the acquisition of easements for the State Street at 25th Street SE Intersection Improvement project.

3.3 ACTION ITEMS

None.

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)

5.a. (file 23-308) Deletion: Motion from Councilor Linda Nishioka concerning open house events was removed from the agenda.

5.b. [23-271](#)

Motion from Councilor Vanessa Nordyke regarding a south Salem townhall.

Ward(s): Ward 2, 3, 4, and 7

Councilor(s): Councilors Gwyn, Nishioka, Nordyke and Phillips

Neighborhood(s): Faye Wright, Morningside, SCAN, SEMCA, SGNA, SSNA, Sunnyslope, and SWAN

A motion was made by Councilor Nordyke, seconded by Councilor Gwyn to direct staff to provide staff support and City resources to host a south Salem Townhall for wards 2, 3, 4, and 7.

Questions or Comments by: Councilors Nordyke, Varney, Hoy, Stapleton, and Gonzalez, Mayor Hoy, and Councilors Gwyn and Nishioka.

The motion FAILED by the following vote:

Aye: 3 - Nordyke, Gonzalez, and Gwyn

Nay: 5 - Hoy, Stapleton, Varney, Nishioka, and Hoy

Absent: 1 - Phillips

Abstain: 0

5.c. [23-317](#)

Deliberations only for City Council review for the appeal of Subdivision Tentative Plan, Urban Growth Area Preliminary Declaration, Class 3 Site Plan Review, four Class 2 Adjustments, Tree Regulation Variance, and Class 1 Design Review approval (Case No. SUB-UGA-SPR-ADJ-TRV-DR23-02) located at the 2100 Block of Doaks Ferry Rd NW.

No written or oral public testimony or comment will be taken at this meeting.

Ward(s): Ward 8

Councilor(s): Varney

Neighborhood(s): West Salem Neighborhood Association

Result Area(s): Welcoming and Livable Community

Opening remarks by Mayor Hoy.

A motion was made by Councilor Stapleton, seconded by Councilor Nishioka to affirm the Planning Administrator's decision for Subdivision Tentative Plan, Urban Growth Area Preliminary Declaration, Class 3 Site Plan Review, four Class 2 Adjustments, Tree Regulation Variance, and Class 1 Design Review, Case No. SUB-UGA-SPR-ADJ-TRV-DR23-02 and approve the applications, except for the requested adjustment to increase maximum parking, with the recommended conditions of approval.

Council deliberations:

A brief overview was provided by Planning Administrator Lisa Anderson-Ogilvie.

Questions or Comments by: Mayor Hoy and Councilor Varney.

Councilor Gonzalez declared he is abstaining from the discussion and deliberations due to he did not participate in the public hearing.

Questions or Comments continued: Mayor Hoy, Councilors Stapleton, Varney, Hoy, and Nishioka, Planning Administrator Lisa Anderson-Ogilvie, City Attorney Dan Atchison, and Councilor Gwyn.

The motion CARRIED by the following vote:

Aye: 6 - Hoy, Nordyke, Stapleton, Nishioka, Hoy, and Gwyn

Nay: 1 - Varney

Absent: 1 - Phillips

Abstain: 1 - Gonzalez

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

- 6.a.** [23-289](#) Purchases approved administratively from June 1, 2023 through June 30, 2023.

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

Comments by Councilor Nordyke and Mayor Hoy.

This Informational Report was received and filed.

- 6.b.** [23-313](#) End of session report summarizing the City's legislative activities during the 2023 session of the Oregon State Legislature.

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.

This Informational Report was received and filed.

- 6.c.** [23-314](#) Referendum Petition for Ordinance No. 12-23, the Safe Salem Employee Payroll Tax

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

Questions or Comments by: Councilor Hoy and Chief Financial Officer Josh Eggleston.

This Informational Report was received and filed.

6.d. [23-315](#)

Planning Administrator Decision - A 24-unit multi-family development - APPEALED.

Class 3 Site Plan Review / Class 1 Design Review Case No. SPR-DR23-21 - Brandon Fahlman, Whitney Fahlman, Luke Glaze, Jocelyn Glaze - 1341 Waller St SE.

This case has been APPEALED by the applicant and will go before the Hearings Officer unless called up by City Council.

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

Comments by Councilor Nishioka.

This Informational Report was received and filed.

6.e. [23-316](#)

Summary of recent activity and progress on 2022 voter-approved Safety and Livability Bond measure.

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Result Area(s): Safe, Reliable and Efficient Infrastructure; Strong and Diverse Economy; Welcoming and Livable Community.

This Informational Report was received and filed.

6.f. [23-318](#)

Planning Administrator Decision - A new 75-unit multi-family housing development - Approved.

Urban Growth Preliminary Declaration / Class 3 Site Plan Review / Class 2 Adjustment / Class 2 Driveway Approach Permit / Class 1 Design Review Case No. UGA-SPR-ADJ-DAP-DR23-03 - James F Conser, Mary K Conser, Gregory J Conser, Matthew J Conser, Stuart T Conser, Weatherford Thompson, P.C. - 5080 MacLeay Rd SE

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

This Informational Report was received and filed.

6.g. [23-324](#)

Hearings Officer Decision - To increase the amount of wall signs allowed from two to three - Approved.

Sign Variance / Sign Permit Case No. VAR-SI23-01 - Walmart Real Estate Business Trust - 3025-3033 Lancaster Dr NE.

Ward(s): 6

Councilor(s): Hoy

Neighborhood(s): NOLA

This Informational Report was received and filed.

7. ORDINANCES

7.1 FIRST READING:

None.

7.2 SECOND READING:

None.

8. PUBLIC COMMENT: (Other than agenda items)

None.

9. ADJOURNMENT

7:09 p.m.