

*555 Liberty St SE
Salem, OR 97301*



Final Action Agenda - Minutes - Final

Monday, July 10, 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 2:00 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

6:32 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: City Manager Keith Stahley, Police Chief Trevor Womack, Mayor Hoy, Councilors Norydyke, Varney, Nishioka, Phillips, and Hoy.

1.3 PROCLAMATIONS

None.

1.4 PRESENTATIONS

None.

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

The following individuals provided comments:

Evan West, Ward 7, Item 5.a, File 23-279
Michael Slater, Ward 7, Item 6.a, File 23-244

Comments by: Mayor Hoy.

Donna Cowan, 2380 West Nob Hill, Item 5.a, File 23-279 (Ms. Cowan read comments on behalf of David Friday)

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 Phillips to approve the consent calendar.

Comments 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

3.1 MINUTES

3.1a. [23-277](#) June 26, 2023 Draft City Council Minutes

Action: Approved.

3.2 RESOLUTIONS

None.

3.3 ACTION ITEMS

3.3a. [23-267](#)

Letter of Support for Housing Production Strategy Grant Application

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Strong and Diverse Economy; Welcoming and Livable Community.

Authorized the Mayor to sign a letter of support for the Housing Production Strategy project on behalf of the City Council.

3.3b. [23-268](#)

Intergovernmental Agreement with City of Turner Police Department for vehicle maintenance

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Service Area(s): Good Governance;

Authorized the City Manager to execute an IGA between the City and the Agency for fleet shop services through June 30, 2024.

3.3c. [23-269](#)

Intergovernmental Agreement with City of Aumsville Police Department for vehicle maintenance

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Service Area(s): Good Governance;

Authorized the City Manager to execute an IGA between the City and the Agency for fleet shop services through June 30, 2024.

4. PUBLIC HEARINGS

4.a. [23-273](#)

Ordinance Bill No. 12-23, creating the Safe Salem employee-paid tax on wages earned within the City of Salem.

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.

Presentation by City Manager Keith Stahley and Chief Financial Officer Josh Eggleston.

Persons testifying:

Tom Roling, Marion County Tax Assessor, No address provided
Margaret May, 5064 Big Rock Court SE
Riley Haragan, 6817 Flicker Drive SE
Terenz McQuain, 1975 Center Street NE
Michael Junge, 2444 Sage Avenue SE
Mike Erdmann, Chief Executive Officer, Home Builders Association of Marion and Polk Counties, 2075 Madrona Avenue SE
Jessica Snook, 3827 McKenzie Pass Way NE, Apt. 2
John Miller, No address provided
Bill Riecke, Owns business in Ward 5
Brian Johnston, Ward 7
Susan Dunfee, Keizer resident
Maribel Saimiento, No address provided
Denyc Boles, Works in Ward 2
Amy Ryan Courser, No address provided
Ashleigh Fordham, No address provided
Corri Falardeau, Executive Director, Keizer Chamber of Commerce
Jeff Reynolds, No address provided

At 8:02 p.m., Mayor Hoy called for a recess; the meeting resumed at 8:09 p.m.

Public testimony continued:

Erik Andersson, President, SEDCOR, 626 High Street NE
Paul Tigan, Citizen Budget Committee Member, Ward 1
Deidre Mahoney Clark, No address provided
Anna Munson, No address provided
Jolene Koch, No address provided
Billy Dalto, Ward 2
Clifford Eiffler-Rodriguez, Ward 7
Tom Hoffert, Chief Executive Officer, Salem Area Chamber of Commerce, Ward 1
Mike Herron, VIPS Industries, Ward 2
Rich Duncan, Ward 2
Selina Barnes, Government Affairs Director, Mid-Valley Association of

Realtors, 2794 12th St SE
Ron Liedkie, Ward 8
D.J. Vincent, Pastor and Director, Church of the Park, Ward 3
Becky Beaman, Ward 7
Greg Sanberg, Ward 4
Evan West, Ward 7
Jordan Schweiger, 7675 State Street
Adam Kelley, 4138 Cascade Hwy NE, Silverton, OR
Tony Schacher, General Manager, Salem Electric, Ward 1
Josh Erickson, Chief Operations Officer, Church of the Park, Ward 1
Roger Bell, Ward 4
Matt Hale, Ward 4
Martey Heyen, Ward 5
Jeff Heyen, Ward 5
Tim Murphy, Chief Executive Officer, Bridgeway Recovery Services, No
address provided
Mike Pfenning, Ward 6
Mike Slagle, Ward 6
Jason Brandt, President and CEO, Oregon Restaurant and Lodging
Association, Ward 8
Marissa Theve, Ward 1
LanDonye Sloan, Ward 7
Pamela Lyons Nelson, Ward 1

The following individual provided comments remotely:
Remember Watts, 4207 Southeast Pardee Street, Portland, OR

In-person testimony continued with the following individuals:

Alan Rasmussen, President, Salem Area Chamber of Commerce, 4195
Aumsville Highway SE
Andrew Sagert, No address provided
Aaron Criswell, Ward 1
Tanner Elliot, 585 Winter Street NE

At 9:45 p.m., the Mayor called for a five minutes recess; the hearing
resumed at 9:50 p.m.

A motion was made by Councilor Stapleton, seconded by Councilor Phillips
to extend the meeting to 11:00 p.m.; the motion was unanimously
APPROVED.

Questions for staff: Councilor Gwyn, Mayor Hoy, Councilor Stapleton, Chief
Financial Officer Josh Eggleston, Councilors Hoy, Phillips, and Nishioka, City
Attorney Dan Atchison, City Manager Keith Stahley, Deputy City Manager
Krishna Namburi, Councilor Gonzalez, Police Chief Trevor Womack, Fire Chief
Mike Niblock, and Councilor Varney.

A motion was made by Councilor Stapleton, seconded by Councilor Phillips
to advance Ordinance Bill No. 12-23 to second reading for enactment.

Comments by: Mayor Hoy and Councilor Stapleton.

A motion was made by Councilor Stapleton, seconded by Councilor Phillips to extend the meeting to 11:45 p.m.; the motion was unanimously APPROVED.

A substitute motion was made by Councilor Hoy, seconded by Councilor Nordyke that Ordinance Bill No. 12-23 be referred to the voters at the next available election.

Comments by Councilor Hoy.

The motion FAILED by the following vote:

Aye: 4 - Hoy, Nordyke, Gonzalez, and Gwyn
Nay: 5 - Phillips, Stapleton, Varney, Nishioka, and Hoy
Abstain: 0

Questions or Comments by: Councilor Hoy and City Attorney Atchison

A substitute motion was made by Councilor Hoy, seconded by Councilor Gwyn that the public hearing be held open for written testimony for seven days.

Comments by Councilor Hoy.

The motion FAILED by the following vote:

Aye: 4 - Hoy, Nordyke, Gonzalez, and Gwyn
Nay: 5 - Phillips, Stapleton, Varney, Nishioka, and Hoy
Abstain: 0

Comments by: Councilors Phillips, Nordkye, Hoy, and Gwyn, Mayor Hoy, Councilors Stapleton and Varney.

The vote on the main motion, to advance Ordinance Bill No. 12-23 to second reading for enactment, CARRIED by the following vote:

Aye: 5 - Phillips, Stapleton, Varney, Nishioka, and Hoy

Nay: 4 - Hoy, Nordyke, Gonzalez, and Gwyn

Abstain: 0

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. [23-279](#)

Motion to Reconsider from Councilor Trevor Phillips concerning the legislative zone change and code amendment to repeal overlay zones in the SCAN neighborhood.

Ward(s): Ward 2

Councilor(s): Nishioka

Neighborhood(s): SCAN

A motion was made by Councilor Phillips, seconded by Councilor Stapleton to reconsider City Council's decision to reject the legislative zone change and code amendment to repeal overlay zones in the SCAN neighborhood.

Questions or Comments by: Councilors Hoy and Phillips, and Mayor Hoy.

The motion CARRIED by the following vote:

Aye: 6 - Phillips, Stapleton, Gonzalez, Varney, Hoy, and Gwyn

Nay: 3 - Nordyke, Nishioka, Hoy

Abstain: 0

A motion was made by Councilor Nishioka, seconded by Councilor Phillips to delay the Council deliberation on the proposed zone change and code amendment to repeal the overlay zones in the SCAN neighborhood to September 25, 2023.

Comments by: Councilor Nishioka and Mayor Hoy.

The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 0

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

6.a. [23-244](#)

Planning Commission requests City Council consider funding a feasibility study for renewable energy at the Salem Municipal Airport (McNary Field).

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

This Informational Report was received and filed.

6.b. [23-276](#) Hearings Officer Decision - Redevelopment of an existing automotive dealership - Approved.

Conditional Use / Class 3 Site Plan Review / Class 2 Adjustment / Class 2 Driveway Approach Permit / Property Line Adjustment Case No. CU-SPR-ADJ-DAP-PLA23-05PLA23-11 - Tim Moody, Mike Sims - 2908 Market St SE.

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

Comments by: Councilor Phillips and Mayor Hoy.

This Informational Report was received and filed.

6.c. [23-272](#) Purchases approved administratively from May 1, 2023 through May 31, 2023.

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

This Informational Report was read into the record.

7. ORDINANCES

7.1 FIRST READING:

None.

7.2 SECOND READING:

7.2a. [23-274](#) Ordinance Bill No. 12-23, creating the Safe Salem employee-paid tax on wages earned within the City of Salem.

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.

Second reading was conducted and Ordinance Bill No. 12-23, creating the Safe Salem employee-paid payroll tax, PASSED by the following vote:

Aye: 5 - Phillips, Stapleton, Varney, Nishioka, and Hoy

Nay: 4 - Hoy, Nordyke, Gonzalez, and Gwyn

Abstain: 0

7.2b. [23-255](#)

An Annexation of an approximately 4.21-acre territory located in the 4800 Block of Macleay Rd SE and Lands Adjacent.

Ward(s): 2

Councilor(s): Nishioka

Neighborhood(s): SEMCA

Result Area(s): Welcoming and Livable Community

Second reading was conducted and Ordinance Bill No. 11-23, approving annexation, applying City zoning, and approving withdrawal from the Marion County Fire District #1 for a territory, in the 4800 Block of Macleay Rd SE and Lands Adjacent, 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)

The following individual provided comments on non-agenda items:

Ron Sterba, Pedestrian bike path bridge over Highway 22

Comments by Mayor Hoy.

9. ADJOURNMENT

11:29 p.m.