

*555 Liberty St SE  
Salem, OR 97301*



## **Final Action Agenda - Minutes - Final**

**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](mailto: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.