

*555 Liberty St SE
Salem, OR 97301*



Final Action Agenda - Minutes - Draft

Monday, March 23, 2020

6:00 PM

Council Chambers

City Council

1. OPENING EXERCISES: (Includes call to order, roll call, pledge of allegiance, announcements, proclamations, ceremonial presentations, and Council comment)

Call to Order

6:00 p.m.

Roll Call

Present: 9 - Councilor Kaser, Councilor Andersen, Councilor Nanke, Councilor Ausec, Councilor Lewis, Councilor Hoy, Mayor Bennett, Councilor Leung, and Councilor Nordyke

Pledge of Allegiance

Led by Mayor Bennett

COVID-19 Update from Katrina Rothenberger, Public Health Director, Marion County Health and Human Services

1.1 APPROVAL OF ADDITIONS AND DELETIONS TO THE AGENDA

A motion was made by Councilor Hoy, seconded by Councilor Nanke to approve the additions and deletions to the agenda. The motion carried by the following vote:

Aye: 9 - Kaser, Andersen, Nanke, Ausec, Lewis, Hoy, Bennett, Leung, and Nordyke

Nay: 0

Abstain: 0

1.2 COUNCIL AND CITY MANAGER COMMENT

Comments by: Councilors Leung, Andersen, Kaser, Nordyke, Mayor Bennett and City Manager Powers.

1.3 PROCLAMATIONS

1.4 PRESENTATIONS

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

A motion was made by Councilor Hoy, seconded by Councilor Nanke to approve the consent calendar.

Comments and Questions by: Councilor Leung

The motion carried by the following vote:

Aye: 9 - Kaser, Andersen, Nanke, Ausec, Lewis, Hoy, Bennett, Leung, and Nordyke

Nay: 0

Abstain: 0

2.1 MINUTES

2.1 a. March 9, 2020 Draft City Council Minutes

Attachments: [3-9-20 Draft Council Minutes](#)

Action: approved.

2.1 b. March 17, 2020 Draft Minutes for the Joint Emergency Meeting of the City Council, Salem Housing Authority, and Urban Renewal Agency

Attachments: [3-17-20 Draft Joint Emergency Meeting Minutes](#)

Action: approved.

2.2 RESOLUTIONS

2.2 a. Transfer of FY 2020 General Fund budget appropriations.

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.

Attachments: [Resolution No. 2020-17](#)

Adopted Resolution No. 2020-17, authorizing transfer of appropriations within the City budget in order to address unforeseen changes.

2.3 ACTION ITEMS

2.3 a. Salem Municipal Airport ground lease with Valmont Industries, Inc.

Ward(s): 2

Councilor(s): Andersen

Neighborhood(s): SEMCA

Result Area(s): Good Governance; Strong and Diverse Economy

Attachments: [Proposed Lease](#)

Authorized the City Manager to execute the attached lease with Valmont Industries, Inc. for a ground lease at the Salem Municipal Airport.

- 2.3 b.** Subordination of Community Development Block Grant loans for Westcare Foundation, Inc.

Ward(s): 2

Councilor(s): Andersen

Neighborhood(s): NESCA

Result Area(s): Welcoming and Livable Community

Authorized the subordination of two Community Development Block Grant rehabilitation deferred payment forgivable loans for WestCare Foundation, Inc. for property located at 2933 Center Street NE.

- 2.3 c.** Domestic Violence Response Team (DVRT) Stop Violence against Women Act Grant

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Safe Community.

Attachments: [2020-'22 VAWA Competitive Grant Agreement.pdf](#)
[MOU with DVRT partners.pdf](#)

Authorized the City Manager to accept awarded grant funds from the federal STOP Violence Against Women grant program in an amount of \$331,629.00 to help support the City's DVRT.

3. PUBLIC HEARINGS

4. 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)

- 4 a.** Withdrawal of the employee payroll tax ballot measure from the May 19, 2020 election.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): All.

Attachments: [RESOLUTION 2020-19](#)
[Written Testimony](#)

A motion was made by Councilor Hoy, seconded by Councilor Nanke to Adopt Resolution No. 2020-19 withdrawing the referral of Ordinance Bill No. 11-19 (creating an employee-based payroll tax) to Salem voters at the May 19, 2020 election).

Comments and Questions by: Councilors Hoy, Nordyke, Nanke and Andersen

The motion carried by the following vote:

Aye: 9 - Kaser, Andersen, Nanke, Ausec, Lewis, Hoy, Bennett, Leung, and Nordyke

Nay: 0

Abstain: 0

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

5. a. Salem Revised Code Chapter 86 - Trees on City Owned Property.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Attachments: [Attachment 1 - Admin Rule-109-100 Public Works Enforcement](#)
[Attachment 2 - Violations+Civil Penalties+Appraised Values](#)
[Attachment 3 - Enforcement Order+Notice and Assessment of Civil Penalty](#)

This information report was received and filed.

Questions and Comments by: Councilors Andersen and Lewis.

5. b. Purchases approved administratively from February 1, 2020 through February 29, 2020.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance

Attachments: [Purchases approved administratively February 2020](#)

This information report was received and filed.

- 5. c.** Planning Administrator Decision - A tentative subdivision plan to divide approximately 5.7 acres into 45 lots. - Approved.

Subdivision / Class 2 Adjustment / Class 1 Adjustment Case No. SUB-ADJ20-01 - Mountain West Investment Corporation - 2575 Center St NE.

Ward(s): 2

Councilor(s): Andersen

Neighborhood(s): Boundary of NESCA and NEN

Attachments: [SUB-ADJ20-01 Decision](#)

This information report was received and filed.

Questions and Comments by: Councillor Andersen

- 5. d.** Planning Administrator Decision - An application to add a 6,535 square foot asphalt concrete storage pad. - Approved.

Modification of Conditional Use / Class 3 Site Plan Review Case No. CU-SPR14-05-MOD2 - Luke Gmazel, City of Salem Public Works Engineering, on behalf of City of Salem - 3121 Airway Dr SE.

Ward(s): 2

Councilor(s): Andersen

Neighborhood(s): SEMCA

Attachments: [Land Use Decision CU-SPR14-05MOD2](#)

This information report was received and filed.

- 5. e.** Planning Administrator Decision - Proposed replat to consolidate five lots, construct two warehousing buildings with new vehicle use areas and driveways. - Approved.

Class 3 Site Plan Review / Replat / Class 2 Adjustment / Class 2 Driveway Approach Permit Case No. SPR-REP-ADJ-DAP20-09-Andisheh Afghan, AAI Engineering, on behalf of PNWP, LLC #5 (Tom Stern) - 3992 Fairview Industrial Dr SE.

Ward(s): 3

Councilor(s): Nanke

Neighborhood(s): Morningside

Attachments: [Land Use Decision SPR-REP-ADJ-DAP20-09](#)

This information report was received and filed.

Questions and Comments by: Councilor Andersen.

5. f. Planning Administrator Decision - A proposal to construct a 22,600 square-foot building at an existing food processing facility, with associated site improvements. - Approved.

Class 3 Site Plan Review / Urban Growth Area Preliminary Declaration / Class 2 Adjustment Case No. SPR-UGA-ADJ20-06 - Gary Livermore, Livermore Architecture and Engineering - 1965 Claxter Rd NE.

Ward(s): 5
Councilor(s): Ausec
Neighborhood(s): Northgate

Attachments: [Land Use Decision SPR-UGA-ADJ20-06](#)

This information report was received and filed.

- 5.g. Protections against eviction for residential tenants.

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Result Area(s): Good Governance; Welcoming and Livable Community.

Attachments: [Eviction Moratorium Ordinance with Signatures eo 20-11](#)
[executive-rule-amending-emergency-declaration-addendum](#)
[HUD eviction and foreclosure action](#)
[Multifamily NW letter](#)

This information report was received and filed.

6. ORDINANCES

6.1 FIRST READING:

6.2 SECOND READING:

- 6.2 a. Second Reading of Ordinance Bill No. 6-20, Relating to Conduct on Sidewalks; Creating Salem Revised Code 95.715; and Declaring an Emergency

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Attachments: [ORDINANCE BILL NO 6-20](#)

[Exhibit A to ordinance bill 6-20 Proposed Text](#)

[Public Comments recieved by 5:00 p.m. on 3-4-20](#)

[Public Comments received by 3:30 p.m. 3-9-20](#)

[Written Testimony 1](#)

**Conducted second reading of Ordinance Bill No. 6-20, relating to conduct on
sidewalks; creating Salem Revised Code 95.715; and declaring an
emergency.**

Ordinance Bill No. 6-20 was adopted by the following vote:

Aye: 8 - Kaser, Andersen, Nanke, Ausec, Lewis, Hoy, Bennett, and Nordyke

Nay: 1 - Leung

Abstain: 0

7. ADJOURNMENT

6:58 p.m.