

*555 Liberty St SE
Salem, OR 97301*



Final Action Agenda - Minutes - Draft

Monday, October 12, 2020

6:00 PM

Virtual Meeting

City Council

****Due to the COVID-19 Pandemic, this meeting is being conducted virtually, with remote attendance by the governing body. No in-person attendance is possible. Interested persons may attend the meeting online at CC:Media YouTube Channel or watch on Comcast Cable 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. Public comment and testimony may also be provided during the meeting via Zoom at this link: <https://www.cityofsalem.net/Pages/Public-Comment-at-Salem-City-Council-Meeting.aspx>**

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

6:09 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

1.1 APPROVAL OF ADDITIONS AND DELETIONS TO THE AGENDA

A motion was made by Councilor Hoy, seconded by Councilor Andersen to approve the additions to the agenda.

The additions consisted of a revised staff report for item 1.4a, a new attachment (8/18/20 Salem Planning Commission Minutes) to the staff report for item 4.b, and the addition of a new report, item 5.c, Declaration of State of Emergency related to the Santiam canyon wildfires response.

Comments by Councilor Hoy.

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: Mayor Bennett, Councilors Hoy, Andersen, Nordyke, Nanke, Kaser, Lewis, and City Manager Powers.

1.3 PROCLAMATIONS

1.3a. [20-403](#) Proclamation recognizing Domestic Violence Awareness Month

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Information Only.

Mayor Bennett read the proclamation.

1.4 PRESENTATIONS

1.4a. [20-380](#) Revised Staff Report -2020 Community Satisfaction Survey

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Information only.

Opening remarks from City Manager Powers. John Horvick, DHM Research, provided an overview of the survey.

Questions or Comments by: Councilors Lewis, Andersen, Nordyke, Kaser, and Mayor Bennett.

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

**The following individual provided comments via remote video:
Steve Anderson, 3240 Gehlar Road NW, Item 5.b, file 20-383.**

3. 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 Kaser to approve the consent calendar with the pulls of item 3.3a by Councilor Leung and item 3.3b by Councilor Nordyke.

Comments by: Councilor Hoy.

The motion carried by the following vote:

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

Nay: 0

Abstain: 0

3.1 MINUTES

3.1a. [20-390](#) September 21, 2020 Draft Council Work Session Minutes

Action: Approved.

3.1b. [20-391](#) September 23, 2020 Draft Joint City Council and Salem Planning Commission Work Session Minutes

Action: Approved.

3.1c. [20-392](#) September 28, 2020 Draft City Council Minutes

Action: Approved.

3.2 RESOLUTIONS

None.

3.3 ACTION ITEMS

3.3a. [20-67](#) Expansion of Park Ranger responsibility.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Pulled by Councilor Leung - See item 5.d.

3.3b. [20-279](#)

Grant to Continuum of Care, Mid-Willamette Valley Homeless Alliance

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Welcoming and Livable Community.

Pulled by Councilor Nordyke - See item 5.e.

3.3c. [20-373](#)

Annual Evaluation of the City of Salem Floodplain Management Plan.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Information only.

3.3d. [20-374](#)

Intergovernmental Agreement with Western Oregon University for optical fiber network.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance

Authorized the City Manager to execute an Intergovernmental Agreement with WOU to allow WOU non-exclusive use of the City's optical fiber network to support WOU's Salem-Area telecommunication needs.

3.3e. [20-376](#)

Intergovernmental agreement with the Housing Authority of the City of Salem for administrative services

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance

Authorized the City Manager to execute an intergovernmental agreement (IGA) with the Housing Authority of the City of Salem that allows the City of Salem to provide administrative services to the Housing Authority and allows the Housing Authority to provide property inspection and wage interview services to the City of Salem for FY 2020-21.

3.3f. [20-387](#)

Ratification of the Intergovernmental Agreement with the State of Oregon Military Department, Office of Emergency Management.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance; Natural Environment Stewardship; Safe Community.

Ratified the City Manager's execution of the Intergovernmental Agreement with the State of Oregon Military Department, Office of Emergency Management regarding the activation of the Emergency Management Assistance Compact for the October 2020 California wildfires.

4. PUBLIC HEARINGS**4.a.** [20-358](#)

Proposed Fees and Charges for Utility Service Rates (Water, Wastewater, and Stormwater).

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance; Safe Community; Safe, Reliable, and Efficient Infrastructure

Staff presentation by Peter Fernandez, Public Works Director.

Persons Testifying via remote video:

E.M. Easterly, Ward 8.

Organizations Testifying: None.

Questions or Comments by: Councilors Hoy, Andersen, Nanke, Nordyke, Leung, Kaser, Mayor Bennett, Peter Fernandez, and Alicia Blalock, Manager, Public Works

A motion was made by Councilor Hoy, seconded by Councilor Nanke to adopt Resolution No. 2020-44 with exhibit, establishing fees and charges for utility service rates (water, wastewater, and stormwater) effective January 1, 2021, and January 1, 2022.

Comments by Councilors Hoy, Andersen, Leung, and Nanke.

The motion CARRIED by the following vote:

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

Nay: 1 - Leung

Abstain: 0

4.b. [20-379](#)

City Council review of the Planning Commission's decision approving Comprehensive Plan Change, Neighborhood Plan Change, and Zone Change Case No. CPC-NPC-ZC20-04 for property located in the 2400 Block of Commercial Street NE and Liberty Street NE.

Ward(s): Ward 5

Councilor(s): Ausec

Neighborhood(s): Highland Neighborhood Association

Result Area(s): Welcoming and Livable Community

Staff presentation by Bryce Bishop, Planner, Community Development Planning Services.

Persons Testifying via remote video:

Dan Fricke, Applicant, Senior Planner, Oregon Department of Transportation, 455 Airport Road SE

Matt Hastie, Applicant, Angelo Planning Group, 921 SW Washington Street, Suite 468, Portland, OR 97202

Organizations Testifying: None.

Questions or Comments by: Councilors Kaser, Hoy, Nanke, Andersen, Lewis, Bryce Bishop, Lisa Anderson-Ogilvie, Community Development Deputy Director and Planning Administrator, and Mayor Bennett.

Rebuttal by: Matt Hastie and Dan Fricke.

Comments by Mayor Bennett and City Attorney Atchison.

A motion was made by Councilor Ausec, seconded by Councilor Kaser that the City Council reverse the Planning Commission's August 25, 2020, decision and deny Comprehensive Plan Change, Neighborhood Plan Change, and Zone Change Case No. CPC-NPC-ZC20-04.

Additional Questions or Comments by: Councilors Ausec, Hoy, Nanke, Kaser, Andersen, and Nordyke.

The motion CARRIED by the following vote:

Aye: 6 - Kaser, Andersen, Nanke, Ausec, Bennett, and Nordyke

Nay: 3 - Lewis, Hoy, and Leung

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. [20-375](#)

Motion from Councilor Brad Nanke to waive Council Rule 21(a) to allow a councilor-nominee or councilor-elect to serve as a guest councilor at regular and special council meeting multiple times through December 31, 2020.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

A motion was made by Councilor Nanke, seconded by Councilor Andersen that City Council waive Council Rule 21(a) to permit a councilor-nominee or councilor-elect to serve as a guest councilor at regular and special council meetings multiple times through December 31, 2020 and that staff bring back a recommendation to permanently modify the rule to incorporate these changes.

Comments by: Councilors Nanke and Hoy and Mayor Bennett.

The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 0

5.b. [20-383](#)

Motion from Councilor Tom Andersen regarding adopting goals as part of the City's Climate Action Plan.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

A motion was made by Councilor Andersen, seconded by Councilor Hoy that City Council adopt the following goals as part of the City's Climate Action Plan (CAP): (1) By 2035, Salem's greenhouse gas emissions shall be reduced to 50% of the citywide greenhouse gas emissions for the baseline year of 2016, and (2) By 2050, Salem should be carbon neutral.

Questions or Comments by: Councilors Andersen, Lewis, Nordyke, Kaser, Nanke, Hoy, Mayor Bennett, and City Manager Powers.

The motion CARRIED by the following vote:

Aye: 7 - Kaser, Andersen, Ausec, Hoy, Bennett, Leung, and Nordyke

Nay: 2 - Nanke, and Lewis

Abstain: 0

5.c. [20-408](#)

Declaration of State of Emergency related to the Santiam canyon wildfires response.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Opening remarks by City Manager Powers.

Questions or Comments by: Mayor Bennett, Councilors Kaser, Hoy, Leung, Nanke, and Richard Franklin, On-Scene Coordinator, Environmental Protection Agency.

A motion was made by Councilor Hoy, seconded by Councilor Nanke to adopt Resolution No. 2020-48 declaring a state of emergency related to the Santiam canyon wildfire response.

Comments by: Councilor Leung.

The motion CARRIED by the following vote:

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

Nay: 1 - Leung

Abstain: 0

5.d. [20-67](#)

Expansion of Park Ranger responsibility.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

A motion was made by Councilor Leung, seconded by Councilor Hoy to approve the expansion of the Park Ranger's duties and service area to better serve the Community's needs.

Questions or Comments by: Councilor Leung and Suzanne Reynolds, Code Compliance Supervisor.

The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 0

5.e. [20-279](#)

Grant to Continuum of Care, Mid-Willamette Valley Homeless Alliance

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Welcoming and Livable Community.

A motion was made by Councilor Nordyke, seconded by Councilor Andersen to authorize the City Manager to execute the grant agreement for \$55,000 with the Continuum of Care, Mid-Willamette Valley Homeless Alliance (CoC) to fund costs associated with providing supportive services to Salem's chronically homeless population.

Questions or Comments by: Councilor Nordyke and Mayor Bennett.

The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 0

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

6.a. [20-366](#)

Purchases approved administratively from July 1, 2020 from July 31, 2020.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance

This Informational Report was received and filed.

6.b. [20-386](#)

Planning Administrator Decision - A proposal to validate a unit of land which was created through the recording of a deed in 1972, and divide the resultant lot into three parcels. - Approved.

Validation of Unit of Land / Partition Case No. VUL-PAR20-02 - Rock Land LLC (Zarosinski Hartwig P.C., Roger Jensen) - 3575 Blossom Drive NE.

Ward(s): 5

Councilor(s): Ausec

Neighborhood(s): Northgate

This Informational Report was received and filed.

6.c. [20-394](#)

Planning Administrator Decision - A tentative partition plan to split approximately 0.45 acres into two parcels and an adjustment to increase the maximum lot depth of Parcel 1. - Approved.

Tentative Partition Plan / Class 2 Adjustment Case No. PAR-ADJ20-11 - Brandie Dalton, Multi-Tech Engineering Services Inc., on behalf of Tim Groome, Gold Star Construction Inc. - 2469 Evergreen Avenue NE.

Ward(s): 5

Councilor(s): Ausec

Neighborhood(s): Lansing

This Informational Report was received and filed.

6.d. [20-397](#)

2020 Community Report

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

This Informational Report was received and filed.

7. ORDINANCES**7.1 FIRST READING:**

7.1a. [20-378](#)

Historic Preservation Plan Update and Historic Code Amendments

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Welcoming and Livable Community.

A motion was made by Councilor Hoy, seconded by Councilor Nordyke to conduct first reading of Ordinance Bill No. 12-20 amending the Salem Area Comprehensive Plan (SACP) to include an update of the City's Historic Preservation Plan and update SRC Chapter 230 (Historic Preservation) and other identified chapters of the City's Unified Development Code (UDC) addressing historic preservation, and advance the ordinance bill to second reading for enactment.

The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 0

7.2 SECOND READING:**7.2a.** [20-385](#)

Amendment to Salem's Stormwater Master Plan.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Ordinance Bill No. 11-20, which amends Salem's Stormwater Master Plan, was approved by the following vote:

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

Nay: 1 - Leung

Abstain: 0

8. PUBLIC COMMENT: (Other than agenda items)

None.

9. ADJOURNMENT

9:55 p.m.