

*555 Liberty St SE
Salem, OR 97301*



Final Action Agenda - Minutes - Draft

Monday, February 8, 2021

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 view 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. Please pre-register between 8:00 a.m. and 2:00 p.m. on the day of the meeting at the following 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

6:11 p.m.

Roll Call

Present: 9 - Councilor Andersen, Councilor Lewis, Councilor Hoy, Mayor Bennett, Councilor Leung, Councilor Nordyke, Councilor Phillips, Councilor Stapleton, and Councilor Gonzalez

1.1 APPROVAL OF ADDITIONS AND DELETIONS TO THE AGENDA

A motion was made by Councilor Hoy, seconded by Councilor Lewis to approve the additions and revisions to the agenda. A new report was added, item 3.3e, Priority Bills for 2021 Oregon Legislative Session, and a revised attachment entitled "Final Revised 2021 City Council Committee Assignments" was added to item 5.a, 2021 City Councilor Committee Appointments.

Comments by: Councilor Hoy.

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

Aye: 9 - Andersen, Lewis, Hoy, Bennett, Leung, Nordyke, Phillips, Stapleton, and Gonzalez

Nay: 0

Abstain: 0

1.2 COUNCIL AND CITY MANAGER COMMENT

Comments by: Councilors Phillips, Hoy, Leung, Nordyke, Andersen, Gonzalez, Stapleton, Mayor Bennett, City Manager Powers, and Public Works Director Fernandez.

1.3 PROCLAMATIONS

1.3a. [21-44](#) Proclamation recognizing Black History Month

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Mayor Bennett read and presented the proclamation to Dr. Reginald Richardson, President, Salem-Keizer Branch of the NAACP.

Comments by Dr. Richardson and Mayor Bennett.

1.4 PRESENTATIONS

None.

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

The following individual provided real-time comments via remote video:

Shelaswau Crier, Ward 3, Item 5.a, File 21-42.

Ms. Crier experienced technical difficulty during her comment period and she later rejoined the meeting at 6:56 p.m., to continue her comments.

Comments by: Mayor Bennett and Councilor Phillips.

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 Andersen to approve the consent calendar with the pull of item 3.3b by Councilor Gonzalez.

Comments by: Councilors Hoy and Phillips and Mayor Bennett.

The motion CARRIED by the following vote:

Aye: 9 - Andersen, Lewis, Hoy, Bennett, Leung, Nordyke, Phillips, Stapleton, and Gonzalez

Nay: 0

Abstain: 0

3.1 MINUTES

3.1a. [21-38](#) January 25, 2021 Draft City Council Minutes

Action: Approved.

3.2 RESOLUTIONS

None.

3.3 ACTION ITEMS

3.3a. [21-28](#) Request to create a mid-year project and enter into an intergovernmental agreement with Marion County to conduct a transportation planning study and develop a management plan for the Cordon/Kuebler Corridor.

Ward(s): 3, 4, 5, and 6.

Councilor(s): Phillips, Leung, Gonzalez, and Hoy

Neighborhood(s): SEMCA, ELNA, NOLA, Northgate

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

Authorized the creation of a new project, "Cordon/Kuebler Corridor Study," in the FY 2020-21 Extra Capacity Facilities Fund 260 and funded with Transportation System Development Charges; authorize the City Manager to execute the attached intergovernmental agreement with Marion County relating to the Cordon/Kuebler Corridor Study and Management Plan; and further authorize the City Manager to sign any additional supplements and amendments as needed to complete the Study.

3.3b. [21-29](#) Retail lease modifications due to impacts of Covid-19.

Ward(s): 1

Councilor(s): Stapleton

Neighborhood(s): CANDO

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

Pulled by Councilor Gonzalez - See Item 5.b.

3.3c. [21-30](#)

Ratification of the Purchase and Sale Agreement Amendment with HD Fowler Co., Inc.

Ward(s): Ward 3

Councilor(s): Phillips

Neighborhood(s): Southeast Mill Creek Association

Result Area(s): Strong and Diverse Economy

Ratified the City Manager's execution of the Purchase and Sale Agreement amendment with HD Fowler Co., Inc. (HD Fowler) for six acres of City owned land at the Salem Business Campus, extending the due diligence period and requiring that the City verify the requested use is allowed by the CC&Rs.

3.3d. [21-35](#)

Subordination of federal HOME loan for single family property

Ward(s): Ward 1

Councilor(s): Stapleton

Neighborhood(s): NEN

Result Area(s): Welcoming and Livable Community

Authorized the subordination of a federal HOME loan for Vernelle J. Judy, located at 930 Imperial Drive NE.

3.3e. [21-51](#)

Priority bills for 2021 Oregon Legislative Session

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Approved the City of Salem's position on House Bill 3103, relating to water uses, reviewed by the Legislative Committee on February 5, 2021.

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. [21-42](#) 2021 City Councilor Committee Assignments

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

This SOB - Mayor's Item was received and filed.**Comments by: Mayor Bennett and Councilor Leung.****5.b.** [21-29](#) Retail lease modifications due to impacts of Covid-19.

Ward(s): 1

Councilor(s): Stapleton

Neighborhood(s): CANDO

Result Area(s): Good Governance; Strong and Diverse Economy;
Welcoming and Livable Community.**A motion was made by Councilor Gonzalez, seconded by Councilor Hoy to authorize the City Manager, subject to approved criteria, to modify existing retail leases between the City and its lessees due to impacts of the Covid-19 pandemic.****Comments by: Councilor Gonzalez, City Manager Powers, City Attorney Atchison, and Mayor Bennett.****The motion CARRIED by the following vote:****Aye:** 9 - Andersen, Lewis, Hoy, Bennett, Leung, Nordyke, Phillips, Stapleton, and Gonzalez**Nay:** 0**Abstain:** 0**6. INFORMATION REPORTS: (Items that require no Council action)****6.a.** [21-32](#) Notice of proposed administrative rulemaking to establish interim flood hazard areas.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance; Natural Environment Stewardship;
Safe, Reliable and Efficient Infrastructure; Strong and Diverse
Economy; Welcoming and Livable Community.**This Informational Report was received and filed.**

6.b. [21-39](#)

Planning Commission Decision - A request for a Minor Comprehensive Plan Map Amendment and Zone Change for the City of Salem Shops Complex from IC (Industrial Commercial) and IG (General Industrial) to PS (Public Service). - Approved.

Minor Comprehensive Map Amendment / Neighborhood Plan Change / Zone Change Case No.: CPC-NPC-ZC20-10 - Luke Gmazel, City of Salem Public Works Engineering - 1410 20th Street SE, 1510 22nd Street SE, and 2035 Oxford Street SE.

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

This Informational Report was received and filed.

6.c. [21-41](#)

Hearings Officer Decision - To change a zone from Public Amusement to Public and Private Education Services - Approved.

Quasi-Judicial Zone Change Case No. ZC20-01 - Joel Smallwood on behalf of Salem Keizer School District 24J - 466 Richmond Ave SE

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

This Informational Report was received and filed.

6.d. [21-45](#)

Purchases approved administratively from December 1, 2020 through December 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.

7. ORDINANCES**7.1 FIRST READING:**

None.

7.2 SECOND READING:

None.

8. PUBLIC COMMENT: (Other than agenda items)

None.

9. ADJOURNMENT

7:06 p.m.