

*555 Liberty St SE
Salem, OR 97301*



Final Action Agenda - Minutes - Draft

Monday, April 12, 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**

6:00 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

Pledge of Allegiance

Led by Mayor Bennett.

1.1 APPROVAL OF ADDITIONS AND DELETIONS TO THE AGENDA

A motion was made by Councilor Hoy, seconded by Councilor Stapleton to approve the additions and deletions to the agenda.

The revision pertained to item 3.3e, Project Request for the Boone Road SE Sewer Extension, the neighborhood listed on the staff report, SEMCA, was replaced with Morningside. The addition was a new report, item 3.3h, Priority Bills for the 2021 Legislative Session.

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

Questions and Comments by: Councilors Hoy, Andersen, Leung, Mayor Bennett, City Manager Powers, Councilors Gonzalez, Nordyke, Phillips, Stapleton, Gretchen Bennett, Manager, City Manager's Office.

1.3 PROCLAMATIONS

1.3 a. [21-132](#) Proclamation recognizing Order of the Elks Day in Salem.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Mayor Bennett read the proclamation. Blake Whitson, Lecuring Knight, Salem Elks, accepted the proclamation on behalf of Salem Elks Lodge No. 336.

Comments by Blake Whitson and Mayor Bennett.

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 Hoy, seconded by Councilor Stapleton to approve the consent calendar with the pulls of items 3.3a by Councilor Andersen and 3.3h by Councilor Nordyke.

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

3.1 MINUTES

3.1 a. [21-135](#) March 22, 2021 Draft Council Minutes

Action: Approved.

3.2 RESOLUTIONS

None.

3.3 ACTION ITEMS

3.3 a. [21-50](#) Review of the Oregon Department of Transportation speed studies on 17th Street and on 45th Street NE.

Ward(s): 1, 2, 5, 6

Councilor(s): Stapleton, Andersen, Gonzalez, Hoy

Neighborhood(s): SESNA, NEN, Lansing, ELNA, NOLA

Result Area(s): Welcoming and Livable Community

Pulled by Councilor Andersen - See Item 5.b.

3.3 b. [21-128](#)

Acceptance of Donation of Van to Support Senior Outreach Services and Center 50+ Village Network.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Welcoming and Livable Community

Accepted donation of the van from Friends of Center 50+ for the purpose of expanding outreach services at Center 50+.

3.3 c. [21-137](#)

Project Request to Begin Design Activities on the City of Turner Water Pump Station.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Authorized the creation of a new water project - "Turner Water Pump Station" in the FY 2020-21 Water Non-Assessed Construction Fund 255, funded with utility rates.

3.3 d. [21-138](#)

Project Request to Begin Design Activities on Filter No. 2 Reconstruction at the Geren Island Water Treatment Facility

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Authorized the creation of a new water project - "Geren Island Filter No. 2 Reconstruction" in the FY 2020-21 Water Non-Assessed Construction Fund 255, funded with State of Oregon grant funds and utility rates.

3.3 e. [21-139](#)

Project Request to Begin Design Activities for the Boone Road SE Sewer Extension East of Stroh Lane SE.

Ward(s): Ward 3

Councilor(s): Councilor Phillips

Neighborhood(s): Morningside

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

Authorized the creation of a new wastewater project - "Boone Road SE Sewer Extension" in the FY 2020-21 Wastewater Non-Assessed Construction Fund 255, funded with utility rates.

3.3 f. [21-140](#)

Project Request to Begin Design Activities on the Sleepy Hollow Waterline Project in Northeast Salem.

Ward(s): Ward 6

Councilor(s): Councilor Hoy

Neighborhood(s): ELNA

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

Authorized the creation of a new water project - "Sleepy Hollow Waterline" in the FY 2020-21 Water Non-Assessed Construction Fund 255, funded with utility rates.

3.3 g. [21-145](#)

Police Sergeant Compensation.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance.

Approved a 5% salary range adjustment for the Police Sergeant classification retroactive to July 1, 2020, to a new monthly salary range of \$8,658.00 - \$9,744.80.

3.3h. [21-57](#)

Priority bills for 2021 Oregon Legislative Session

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Pulled by Councilor Nordyke - See Item 5.c.

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. [21-126](#)

Salem Center 50+ Advisory Commission 2020 Annual Report

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Welcoming and Livable Community.

Information only.

An overview of the annual report was provided by Rebekah Smith, President, Center 50+ Advisory Commission.

Comments by Mayor Bennett and Councilors Nordyke and Andersen.

5.b. [21-50](#)
(3.3a)

Review of the Oregon Department of Transportation speed studies on 17th Street and on 45th Street NE.

Ward(s): 1, 2, 5, 6

Councilor(s): Stapleton, Andersen, Gonzalez, Hoy

Neighborhood(s): SESNA, NEN, Lansing, ELNA, NOLA

Result Area(s): Welcoming and Livable Community

A motion was made by Councilor Nordyke requesting permission from the Council to be excused from voting on item 5.b, Review of the Oregon Department of Transportation speed studies on 17th Street and on 45th Street. No objections were raised and the Mayor declared unanimous consent to approve the motion.

A motion was made by Councilor Andersen, seconded by Councilor Hoy that Council:

1. Reject the ODOT recommendation to increase the speed limit on 17th Street SE between Mission Street SE and State Street NE from 25 mph to 30 mph and take no further action,

2. Direct staff to request a hearing before the Oregon Speed Zone Review Panel to appeal ODOT's recommendation to maintain the 30 mph speed limit on 17th Street NE between State Street NE and Silverton Road NE, with the City recommending instead that the speed limit be lowered to 25 mph, and

3. Concur with the ODOT recommendation to reduce the speed limit on 45th Street NE between Center Street NE and Sunnyview Road NE from 35 mph to 30 mph.

Comments by: Councilors Andersen, Phillips and Hoy.

The motion CARRIED by the following vote:

Aye: 8 - Andersen, Lewis, Hoy, Bennett, Leung, Phillips, Stapleton, and Gonzalez

Nay: 0

Excused: 1 - Nordyke

Abstain: 0

**5.c. [21-57](#)
(3.3h)**

Priority bills for 2021 Oregon Legislative Session

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

A motion was made by Councilor Hoy, seconded by Mayor Bennett to approve the City of Salem's positions on legislative bills in the 2021 Oregon Legislative Session (reviewed by the Legislative Committee April, 9, 2021).

Comments by: Councilors Hoy and Nordyke, Mayor Bennett and Councilor Andersen.

Councilor Andersen registered a "no" vote on HB 3357, Relating to traffic offenses.

The motion CARRIED by the following vote:

Aye: 7 - Andersen, Lewis, Hoy, Bennett, Phillips, Stapleton, and Gonzalez

Nay: 2 - Leung, and Nordyke

Abstain: 0

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

6. a. [21-79](#)

Notice of Proposed Administrative Rule for Wastewater Pretreatment and Monitoring Systems.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

This Informational Report was received and filed.

6. b. [21-125](#)

Planning Administrator Decision - A Tentative Phased Subdivision plan and Urban Growth Area Preliminary Declaration to divide approximately 16 acres into 45 lots. - Approved.

Phased Subdivision / Urban Growth Preliminary Declaration / Class 2 Adjustment Case No. SUB-UGA-ADJ20-05 - Multi-Tech Engineering on behalf of Kevin Harrison - 5871 Liberty Road S.

Ward(s): 4

Councilor(s): Leung

Neighborhood(s): Sunnyslope

This Informational Report was received and filed.

Questions or Comments (regarding items 6.b, 6.c, and 6.e) by: Councilor Andersen, Mayor Bennett, Norman Wright, Community Development Director, Lisa Anderson-Ogilvie, Planning Administrator, Community Development, and Councilors Nordyke and Leung.

6. c. [21-129](#)

Hearings Officer Decision - Development of new apartment complex - Approved.

Conditional Use / Class 3 Site Plan Review / Class 2 Adjustment / Class 2 Driveway Approach Permit / Class 1 Design Review Case No. CU-SPR-ADJ-DAP-DR21-02 - Chris Jundt, Kelley Hamilton, Pam Gray - 3230 Boone Rd SE.

Ward(s): 4

Councilor(s): Leung

Neighborhood(s): SEMCA

This Informational Report was received and filed.

6. d. [21-130](#)

Hearings Officer Decision - To add a sixth unit to a homeless shelter - Approved.

Conditional Use Case No. CU21-03 - City of Salem Housing Authority - 4107 Fisher Rd NE.

Ward(s): 5

Councilor(s): Gonzalez

Neighborhood(s): Northgate

This Informational Report was received and filed.

6. e. [21-144](#)

Planning Administrator Decision - A tentative phased subdivision plan to divide approximately 19.89 acres into 88 lots - Approved.

Phased Subdivision Case No. SUB21-01 - Jim Swan, HSF Development LLC (Chris Jundt, Kelley Hamilton, Anthony Kreitzberg) - 6719 Devon Ave SE.

Ward(s): 4
Councilor(s): Leung
Neighborhood(s): SGNA

This Informational Report was received and filed.

6. f. [21-146](#)

Hearings Officer Decision - To allow the expansion of an existing religious assembly - Approved.

Conditional Use / Class 3 Site Plan Review Case No. CU-SPR20-09 - Capital Baptist Church - 2960, 300, and 3010 Lansing Ave NE.

Ward(s): 5
Councilor(s): Gonzalez
Neighborhood(s): Lansing

This Informational Report was received and filed.

6. g. [21-148](#)

American Rescue Plan Act

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

This Informational Report was received and filed.

Questions or Comments by: Mayor Bennett, City Manager Powers and Councilor Stapleton.

7. ORDINANCES**7.1 FIRST READING:**

None.

7.2 SECOND READING:

7.2 a. [21-87](#)

Amending Wastewater Pretreatment Provisions, Salem Revised Code Chapter 74

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Conducted second reading and Ordinance Bill No. 2-21, AN ORDINANCE RELATING TO CHAPTER 74—PRETREATMENT PROVISIONS; AMENDING SRC 74.030, 74.050, 74.410, 74.455, and 74.500, was APPROVED by the following vote:

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

Nay: 0

Abstain: 0

8. PUBLIC COMMENT: (Other than agenda items)

The following individuals provided public comment via remote video:

Cory Poole, Chair, SEMCA Neighborhood Association, 3100 Turner Road SE, Cascades Gateway Park camping

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

Daniel Schoonover, President, Capital City Disk Golf, 328 Hosanna Ct NW, Cascades Gateway Park camping

Questions or Comments by: Mayor Bennett.

9. ADJOURNMENT

7:21 p.m.