

*555 Liberty St SE
Salem, OR 97301*



Final Action Agenda - Minutes - Final

Tuesday, May 26, 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 City of Salem Facebook, CCTVSalem You Tube Channel, or watch on Comcast Cable CCTV 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.**

EXECUTIVE SESSION

City Council

5:30 p.m. – Virtual Meeting

ORS 192.660(2)(e) Real Property Transactions

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

6:18 p.m.

Roll Call

Trevor Phillips served as Guest Councilor for Councilor Nanke.

Present: 8 - Councilor Kaser, Councilor Andersen, Councilor Ausec, Councilor Lewis, Councilor Hoy, Mayor Bennett, Councilor Leung, and Councilor Nordyke

Absent: 1 - Councilor Nanke

1.1 APPROVAL OF ADDITIONS AND DELETIONS TO THE AGENDA

A motion was made by Councilor Hoy, seconded by Councilor Kaser to approve the addition to the agenda, a supplemental report for item 3.a.

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

Nay: 0

Absent: 1 - Nanke

Abstain: 0

1.2 COUNCIL AND CITY MANAGER COMMENT

Comments by: Guest Councilor Phillips, Councilor Andersen, Mayor Bennett, and City Manager Powers.

1.3 PROCLAMATIONS

- 1.3a.** [20-196](#) Proclamation recognizing Asian/Pacific American Heritage Month

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Mayor Bennett read the proclamation.

Comments by Mayor Bennett and Councilor Leung.

- 1.3b.** [20-198](#) Proclamation Recognizing Community Action Month

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Mayor Bennett read the proclamation.

Comments by Mayor Bennett.

1.4 PRESENTATIONS

None.

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 Kaser to approve the consent calendar with the pulls of items 2.3a and 2.3b by Councilor Kaser, item 2.3c by Councilors Kaser, Lewis, and Andersen, and the pulls of items 2.3e, 2.3h, and 2.3j by Councilor Andersen.

Comments by: Councilor Hoy, Mayor Bennett, and City Attorney Atchison.

The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Nanke

Abstain: 0

2.1 MINUTES

2.1a. [20-188](#) May 11, 2020 Draft City Council Minutes

Action: Approved.

2.1b. [20-189](#) May 11, 2020 Draft City Council Work Session Minutes

Action: Approved.

2.2 RESOLUTIONS

2.2a. [20-109](#) Public Records Policy
Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Result Area(s): Good Governance

Adopted Resolution No. 2020-21, amending Resolution No. 2017-50, to update the City's Public Records Policy.

2.2b. [20-180](#) Dedication of Public Right-of-Way on Four Point Street NE.

Ward(s): Ward 5
Councilor(s): Ausec
Neighborhood(s): Northgate
Result Area(s): Safe, Reliable, and Efficient Infrastructure

Adopted Resolution No. 2020-23, dedicating City property as public right-of-way on Four Point Street NE.

2.2c. [20-185](#) 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.

Adopted Resolution No. 2020-24, authorizing a transfer of appropriations within the City budget in order to address unforeseen changes.

2.3 ACTION ITEMS

2.3a. [20-130](#)

Purchase and Sale Agreement with Donald E. and Mary L. Clark for acquisition of real property

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): WSNA

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

Pulled by Councilor Kaser - See item 4.b.

2.3b. [20-160](#)

Purchase and Sale Agreement with Barfknecht Revocable Living Trust for acquisition of real property

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): WSNA

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

Pulled by Councilor Kaser - See item 4.c.

2.3c. [20-183](#)

Purchase and Sale Agreement with Kurt and Janet Spingath for acquisition of real property

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): WSNA

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

Pulled by Councilors Kaser, Lewis, Andersen - See item 4.d.

2.3d. [20-175](#)

Amendment to Purchase and Sale Agreement with Westwood Homes LLC

Ward(s): 3

Councilor(s): Nanke

Neighborhood(s): Morningside

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

Authorized the City Manager to execute the attached amendment to the Purchase and Sale Agreement with Westwood Homes LLC.

2.3e. [20-176](#)

Donation Agreement for real property located at the former Boise Cascade site

Ward(s): 1

Councilor(s): Kaser

Neighborhood(s): CANDO

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

Pulled by Councilor Andersen - See item 4.e.

2.3f. [20-177](#)

Intergovernmental Agreement with Marion County for grant funding for economic development activities

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Authorized the City Manager to execute an Intergovernmental Agreement (IGA) with Marion County, and extensions and certain amendments, for up to \$45,000 in grant funding for City economic development activities, including \$15,000 in FY 19-20 to support creation of a City Coronavirus Business Grant Program.

2.3g. [20-178](#)

Amendment to lease with Rudy's Steakhouse LLC

Ward(s): 1

Councilor(s): Kaser

Neighborhood(s): CANDO

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

Authorized the City Manager to execute the attached lease amendment with Rudy's Steakhouse LLC.

2.3h. [20-179](#)

Small Business Grant Program for businesses impacted by COVID-19

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Pulled by Councilor Andersen - See item 4.f.

2.3i. [20-186](#)

Fire and Police Management Compensation.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Approved the following recommended compensation salary range adjustments effective July 1, 2020:**1. Increase the salary range for the Police Lieutenant classification by 5% to a new monthly salary range of \$9,742.46 - \$10,963.68. The increase will assist in maintaining internal equity and labor market competitiveness.****2. Maintain the current salary range alignment for the classifications of Police Lieutenants, with the Deputy Police Chief, Deputy Fire Chief and Assistant Fire Chief classifications.****3. Increase the salary range for the Deputy Fire Chief and Deputy Police Chief classifications by 5% to a new monthly salary range of \$11,103.82 - \$12,497.94. Increase the salary range for the Assistant Fire Chief of Operations classification by 5% to a new monthly range of \$11,764.48 - \$13,242.32.****2.3j.** [20-191](#)

Grant agreement with Willamette Workforce Partnership for administration of Salem's COVID Small Business Grant Program

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

Pulled by Councilor Andersen - See item 4.g.**3. PUBLIC HEARINGS**

3.a. [20-187](#)

Amendments to the 2015-2019 Consolidated Plan, Federal Programs
Citizens Participation Plan, 2018 Annual Action Plan and 2019
Annual Action Plan

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

**Staff presentation by Shelly Ehenger, Federal Programs Manager, Urban
Development.**

Persons Testifying: None.

Written comments received from Paul Tigan.

**Questions or Comments by: Councilor Leung, Shelly Ehenger, Mayor
Bennett, and Kristin Retherford, Urban Development Director.**

**A motion was made by Councilor Hoy, seconded by Councilor Andersen to
adopt the amendments to the 2015-2019 Consolidated Plan (ConPlan),
Citizens Participation Plan, 2018 Annual Action Plan and 2019 Annual
Action Plan (AAP), including CDBG-Covid 19 (CDBG-CV) and direct staff to
submit the AAP, amendments, and required forms to the U.S. Department
of Housing and Urban Development (HUD).**

The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Nanke

Abstain: 0

**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. [20-182](#)

Motion from Councilor Tom Andersen to proclaim the first Friday in June as National Gun Violence Awareness Day

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

A motion was made by Councilor Andersen, seconded by Councilor Hoy that Council approve a proclamation declaring the first Friday in June to be National Gun Violence Awareness Day.

Comments by Councilor Andersen.

The motion CARRIED by the following vote:

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

Nay: 1 - Bennett

Absent: 1 - Nanke

Abstain: 0

4.b [20-130](#)

Purchase and Sale Agreement with Donald E. and Mary L. Clark for acquisition of real property

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): WSNA

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

A motion was made by Councilor Kaser, seconded by Councilor Lewis to authorize the City Manager to execute the Purchase and Sale Agreement for the acquisition of real property located at 1990 Wallace Road NW.

Questions or Comments by: Councilors Kaser, Andersen, Lewis, City Manager Powers, Clint Dameron, Urban Development Manager, Mayor Bennett, City Attorney Atchison, and Kristin Retherford, Urban Development Director.

The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Nanke

Abstain: 0

4.c. [20-160](#)

Purchase and Sale Agreement with Barfknecht Revocable Living Trust for acquisition of real property

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): WSNA

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

A motion was made by Councilor Kaser, seconded by Councilor Hoy to authorize the City Manager to execute the Purchase and Sale Agreement for the acquisition of real property located at 1508 Wallace Road NW.

Overflow Questions or Comments about item 4.c made during discussion of item 4.b by: Clint Dameron, Urban Development Manager, Mayor Bennett, and Councilor Nordyke.

The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Nanke

Abstain: 0

4.d. [20-183](#)

Purchase and Sale Agreement with Kurt and Janet Spingath for acquisition of real property

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): WSNA

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

A motion was made by Councilor Kaser, seconded by Councilor Andersen to authorize the City Manager to execute the Purchase and Sale Agreement for the acquisition of real property located at 1460 Wallace Road NW.

Questions or Comments by Councilor Kaser.

The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Nanke

Abstain: 0

4.e. [20-176](#)

Donation Agreement for real property located at the former Boise Cascade site

Ward(s): 1

Councilor(s): Kaser

Neighborhood(s): CANDO

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

A motion was made by Councilor Andersen, seconded by Councilor Hoy to authorize the City Manager to execute the agreement for acceptance of real property located at the former Boise Cascade site.

Questions or Comments by: Councilor Andersen and Mayor Bennett.

The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Nanke

Abstain: 0

4.f. [20-179](#)

Small Business Grant Program for businesses impacted by COVID-19

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

A motion was made by Councilor Andersen, seconded by Councilor Hoy to authorize creation of a Small Business Grant Program (Grant Program) for businesses impacted by COVID-19.

Questions or Comments by Councilor Andersen and Mayor Bennett.

The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Nanke

Abstain: 0

4.g. [20-191](#)

Grant agreement with Willamette Workforce Partnership for administration of Salem's COVID Small Business Grant Program

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

A motion was made by Councilor Andersen, seconded by Councilor Hoy to authorize the City Manager to execute the attached grant agreement (Attachment 1) with Willamette Workforce Partnership in the amount of \$198,000 for Phase I of Salem's COVID Small Business Grant Program.

Comments by Councilor Andersen.

The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Nanke

Abstain: 0

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

5.a. [20-163](#)

Economic Development Quarterly

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Strong and Diverse Economy

This Informational Report was received and filed.

5.b. [20-174](#)

Planning Administrator Decision - A third request for a two-year extension of the approval for PAR14-03. - Approved.

Time Extension Case No. PAR14-03EXT3 - Joshua H. Clark - 780 Idylwood Dr SE.

Ward(s): 3
Councilor(s): Nanke
Neighborhood(s): Faye Wright

This Informational Report was received and filed.

Questions or Comments by: Councilor Andersen, Norman Wright, Community Development Director, and Mayor Bennett.

5.c. [20-190](#)

Planning Administrator Decision - A proposal to validate a unit of land that was created through the recording of a deed in 2004. - Approved.

Validation of Units of Land Case No. VUL20-01 - Brandie Dalton, MultiTech Engineering, on behalf of East Park, LLC (Kiril Ivanov and Randy Meyers) - 255 Cordon Rd NE.

Ward(s): 6
Councilor(s): Hoy
Neighborhood(s): ELNA

This Informational Report was received and filed.

6. ORDINANCES**6.1 FIRST READING:**

None.

6.2 SECOND READING:

None.

7. ADJOURNMENT

7:28 p.m.