

*555 Liberty St SE  
Salem, OR 97301*



## **Final Action Agenda - Minutes - Final**

**Monday, July 27, 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](mailto: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**

6:27 p.m.

**Roll Call**

- Present:** 8 - Councilor Andersen, Councilor Nanke, Councilor Ausec, Councilor Lewis, Councilor Hoy, Mayor Bennett, Councilor Leung, and Councilor Nordyke
- Absent:** 1 - Councilor Kaser

**1.1 APPROVAL OF ADDITIONS AND DELETIONS TO THE AGENDA**

**A motion was made by Councilor Hoy, seconded by Councilor Andersen to approve the addition of item 6.d, Planning Administrator's Decision / Case No. PAR-ADJ20-10.**

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

- Aye:** 8 - Andersen, Nanke, Ausec, Lewis, Hoy, Bennett, Leung, and Nordyke
- Nay:** 0
- Absent:** 1 - Kaser
- Abstain:** 0

## 1.2 COUNCIL AND CITY MANAGER COMMENT

Item 1.2, Council and City Manager Comment, was heard after item 1.3, Proclamations.

Comments by: Mayor Bennett, Councilors Andersen, Nordyke, City Attorney Atchison, City Manager Powers, and Police Chief Moore.

## 1.3 PROCLAMATIONS

- 1.3a. [20-292](#) Proclamation recognizing Wyland Mayor's Water Conservation Challenge Month

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Mayor Bennett read the proclamation.**

Comments by Jenny Ammon, Natural Resource Officer with Marion Soil and Water Conservation District, and Mayor Bennett.

## 1.4 PRESENTATIONS

None.

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

The following individuals provided public comment via remote video:

Steve Anderson, 3240 Gehlar Road NW, Items 3.3b and 3.3g

Questions or Comments by: Councilors Andersen and Nanke.

Public Comment, item 8, was also heard at item 2.  
Steven Van Pelt, Ward 8, West Salem Neighborhood Association ethics violation.

Questions or Comments by: Councilors Lewis, Hoy, Nordyke, Andersen, Nanke, City Attorney Atchison, and Mayor Bennett.

Jason Staats, Ward 1, West Salem Neighborhood Association.

Questions or Comments by: Councilors Andersen, Lewis, Nordyke, Leung, City Attorney Atchison, Mayor Bennett, and Norman Wright, Community Development Director.

Danielle Howden, Ward 1, Council’s work on racism.

Questions or Comments by: Mayor Bennett and Councilor Leung.

Cory Poole, Chair, SEMCA Neighborhood Association, Ward 2, Cascades Gateway Park Homeless Camp.

Questions or Comments by: Councilors Nanke and Andersen.

**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 Nanke to approve the consent calendar.

Councilor Leung registered a "Nay" vote on item 3.3g.

Comments by: Councilors Hoy and Andersen and Mayor Bennett.

The motion CARRIED by the following vote:

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

**Nay:** 0

**Absent:** 1 - Kaser

**Abstain:** 0

### 3.1 MINUTES

3.1a. [20-293](#) July 13, 2020 Draft City Council Minutes

**Action: Approved.**

### 3.2 RESOLUTIONS

3.2a. [20-290](#) Transfer of FY 2021 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. 2020-35, authorizing a transfer of appropriations  
within the City budget in order to address unforeseen changes.**

**Comments by Councilor Andersen.**

### 3.3 ACTION ITEMS

3.3a. [20-259](#) Memorandum of Understanding with Salem Area Mass Transit  
District.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

**Authorized the City Manager to sign the attached Memorandum of  
Understanding (MOU) with the Salem Area Mass Transit District.**

3.3b. [20-263](#)

Purchase and Sale Agreement with Robert and Suzan Creamer 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

**Authorized the City Manager to execute the attached Purchase and Sale Agreement for the acquisition of real property located at 1440 Wallace Road NW.**

**Comments by Councilor Andersen.**

3.3c. [20-269](#)

2020 Transportation and Growth Management Grant Program, Application for Urban Trails Implementation Plan.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

**Authorized the City Manager to apply for and, if successful, accept funds from the 2020 Transportation and Growth Management Grant Program to develop an Urban Trails Implementation Plan. Additionally, authorize the Mayor to sign a letter supporting this grant application.**

**Comments by Councilor Andersen.**

3.3d. [20-270](#)

Inter-Governmental Agreement with Marion County.

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 Marion County to allow Marion County non-exclusive use of the City's optical fiber network for the purpose of connecting Marion County business offices to the Marion County network.**

3.3e. [20-275](#)

Eagle’s View Park Master Plan

Ward(s): Ward 8

Councilor(s): Councilor Jim Lewis

Neighborhood(s): West Salem Neighborhood Association

Result Area(s): Welcoming and Livable Community

**Adopted the proposed 2020 Eagle’s View Park Master Plan.**

3.3f. [20-278](#)

Lease amendment for property located at 960 Liberty Street SE to expand City of Salem employee health clinic

Ward(s): 2

Councilor(s): Andersen

Neighborhood(s): SCAN

Result Area(s): Good Governance

**Authorized the City Manager to execute the attached lease amendment to increase the square footage of the City’s existing lease.**

3.3g. [20-300](#)

Order for City Council Review of an Appeal of System Development Charge Expenditure.

Ward(s): 1

Councilor(s): Kaser

Neighborhood(s): West Salem Neighborhood Association

Result Area(s): Reliable and Efficient Infrastructure

**Adopted the order denying the appeal brought pursuant to SRC 41.180(c) regarding the use of Stormwater System Development Charge (SDC) funds for the purchase of real property at 298 Taybin Road NW.**

#### 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)

None.

**6. INFORMATION REPORTS: (Items that require no Council action)****6.a.**     [20-280](#)

Planning Administrator Decision - A proposed partition to divide a property into three parcels - Approved.

Partition Case No. PAR20-07 - Brandie Dalton of Multi/Tech Engineering Services on behalf of the applicant Ken Rasmussen and property owner Cascade Legacy Properties LLC (James L. Rasmussen, Trustee, James L. Rasmussen Revocable Living Trust; Kenneth A. Rasmussen, Trustee, Kenneth Rasmussen Revocable Living Trust; Alan D. Rasmussen, Trustee, Alan and Angela Rasmussen Trust; Ryan Rasmussen) - 4195 Aumsville Highway SE

Ward(s): 3  
Councilor(s): Nanke  
Neighborhood(s): SEMCA

**This Informational Report was received and filed.**

**6.b.**     [20-294](#)

Hearings Officer Decision - A proposal to construct four tennis courts and associated parking - Approved.

Conditional Use / Class 3 Site Plan Review / Class 2 Zoning Adjustment / Class 2 Driveway Approach Permit Case No. CU-SPR-ADJ-DAP20-04 - Mark Shipman, Saalfeld Griggs Lawyers, on behalf of Salem Keizer School District 24J - 1163 D Street NE.

Ward(s): 1  
Councilor(s): Kaser  
Neighborhood(s): Grant

**This Informational Report was received and filed.**

**6.c.**     [20-298](#)

Planning Administrator Decision - A tentative partition to divide 0.65 acres into three parcels - Approved.

Partition Case No. PAR20-08 - Michael Barnes, MRB Enterprises Inc., on behalf of JDV Investments LLC (James Vick) - 655 Boone Road SE

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

**This Informational Report was received and filed.**



6.d. [20-304](#) Planning Administrator Decision - A tentative partition to divide 0.45 acres into 3 parcels. - Approved.

Partition Case No. PAR-ADJ20-10 - AKS Engineering & Forestry, on behalf of Eric Peterson, GP Equity Holdings, LLC (Michael Paluska, David Gollersrud, Eric Peterson) - 1331 6th St NW

Ward(s): 8  
Councilor(s): Lewis  
Neighborhood(s): West Salem

**This Informational Report was received and filed.**

**7. ORDINANCES**

**7.1 FIRST READING:**

None.

**7.2 SECOND READING:**

7.2a. [20-287](#) Amending Salem Revised Code Chapter 41, Development Fee.

Ward(s): All Wards  
Councilor(s): All Councilors  
Neighborhood(s): All Neighborhoods  
Result Area(s): Safe, Reliable, and Efficient Infrastructure

**Conducted second reading of Ordinance Bill No. 9-20, amending Salem Revised Code Chapter 41.**

**Ordinance Bill No. 9-20 PASSED by the following vote:**

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

**Nay:** 0

**Absent:** 1 - Kaser

**Abstain:** 0

**7.2b.** [20-291](#)

Ratification of the creation of an intergovernmental entity to support the Mid-Willamette Valley Homeless Alliance, and announcing Mayoral appointments to the intergovernmental entity Board of Directors.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

**Conducted second reading of Ordinance Bill No. 10-20 to ratify the creation of an intergovernmental entity to support the Mid-Willamette Valley Homeless Alliance.**

**Ordinance Bill No. 10-20 PASSED by the following vote:**

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

**Nay:** 0

**Absent:** 1 - Kaser

**Abstain:** 0

**8. PUBLIC COMMENT: (Other than agenda items)**

See item 2, Public Comment.

**9. ADJOURNMENT**

7:31 p.m.