

*555 Liberty St SE  
Salem, OR 97301*



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

**Monday, September 14, 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, on CC:Media You Tube 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](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 SESSIONS**

### **City Council**

**5:15 p.m. – 5:30 p.m. - Virtual Meeting**

**ORS 192.660(2)(h) Current or Pending Litigation**

### **City Council**

**5:30 p.m. – 6:00 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**

**6:08 p.m.**

### **Roll Call**

**Present:** 7 - Councilor Kaser, Councilor Andersen, Councilor Nanke, Councilor Hoy, Mayor Bennett, Councilor Leung, and Councilor Nordyke

**Absent:** 2 - Councilor Ausec, and Councilor Lewis

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

**None.**

## 1.2 COUNCIL AND CITY MANAGER COMMENT

Comments by: Councilors Nordyke, Hoy, Andersen, Nanke, Kaser, Leung, Mayor Bennett, City Manager Powers, Police Chief Moore, Fire Chief Niblock, and Peter Fernandez, Public Works Director.

## 1.3 PROCLAMATIONS

- 1.3a. [20-354](#) Proclamation recognizing 9/11 Remembrance

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Information Only.**

**Comments by Mayor Bennett.**

- 1.3b. [20-351](#) Proclamation recognizing Constitution Week

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Mayor Bennett read the proclamation.**

## 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:

Mark Wigg, 1950 Saginaw Street S, Homeless individuals in parks

Steve Anderson, Land Use Chair, West Salem Neighborhood Association, 3240 Gehlar Rd NW, Item 3.3d, File 20-344

John Shepard, Ward 4, Item 7.2a File 20-333

Glenn Baly, Chair, South Gateway Neighborhood Association, 1347 Spyglass Court SE, Item 7.2a File 20-333

Questions or Comments by Mayor Bennett and Councilor Leung.

### **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 with the pull of item 3.3d by Councilor Andersen.

Comments by Councilor Hoy and Mayor Bennett.

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

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

**Nay:** 0

**Absent:** 2 - Ausec, and Lewis

**Abstain:** 0

#### **3.1 MINUTES**

**3.1a.** [20-323](#) August 24, 2020 Draft City Council Minutes

**Action:** Approved.

#### **3.2 RESOLUTIONS**

**3.2a.** [20-350](#) Authorizing a transfer of appropriation authority in the General Fund

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. 2020-42, transferring \$442,000 in the General Fund from contingency to materials and services to address unforeseen changes**

#### **3.3 ACTION ITEMS**

**3.3a.** [20-334](#)

Petition-initiated vacation of an alley near the intersection of Pine Street NE and Front Street NE.

Ward(s): Ward 1

Councilor(s): Councilor Kaser

Neighborhood(s): Highland

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

**Accepted a petition to vacate an alley near the intersection of Pine Street NE and Front Street NE and direct the City Manager to set a public hearing date to consider the request.**

**3.3b.** [20-340](#)

Agreement between the City of Salem and Ride Salem to operate bike-sharing stations on City property.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

**Authorized the City Manager to execute an agreement with Ride Salem to operate bike-sharing stations on City property and waive fees for the first year.**

**3.3c.** [20-341](#)

Intergovernmental Agreement with the Bend Police Department for an audit of Bend's evidence processes and evidence room.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Safe Community

**Authorized the City Manager to execute the attached IGA between the Bend Police Department and the Salem Police Department for the purpose of conducting an audit of Bend's evidence processes and evidence room.**

**3.3d.** [20-344](#)

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 Andersen - See item 5.b.**

**3.3e.** [20-345](#)

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.**

**3.3f.** [20-347](#)

Grant to Salem Main Street Association for Holiday Promotion and Events

Ward(s): Ward 1

Councilor(s): Councilor Kaser

Neighborhood(s): CANDO

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

**Authorized the City Manager to execute the attached grant agreement for \$5,000 with the Salem Main Street Association (SMSA), a 501 (c)(3), to fund costs associated with marketing and organizing downtown holidays events.**

**3.3g.** [20-349](#)

General Fund grant to Mid-Willamette Valley Community Action Agency for Volunteer Recruitment

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Welcoming and Livable Community.

**Authorized the City Manager to execute the attached grant agreement for \$5,000 with the Mid-Willamette Valley Community Action Agency (MWVCAA), a 501 (c)(3), to fund costs associated with marketing and outreach efforts to recruit volunteers to support the Salem warming center network.**

## 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.**     [20-356](#)

Strategic Plan Update

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Information only.**

**Colleen Rozillis with Moss Adams provided an update on the Strategic Plan.**

**Questions or Comments by: City Manager Powers, Councilors Leung, Hoy, Nanke, Courtney Knox-Busch, Manager, City Manager's Office, and Mayor Bennett.**

**5.b.**     [20-344](#)

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 Andersen, seconded by Councilor Hoy 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 Andersen and Nanke, City Manager Powers, Clint Dameron, Real Property Services Manager, Urban Development, Mayor Bennett, and Peter Fernandez, Public Works Director.**

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

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

**Nay:**    0

**Absent:**    2 - Ausec, and Lewis

**Abstain:**    0

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

**6.a.**     [20-325](#)             Salem's Economic Development Strategic Plan Update

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

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

**6.b.**     [20-330](#)             Language access to City Council agendas and meetings

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance

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

**Comments by Councilor Andersen.**



**6.c.**     [20-337](#)

Planning Commission Decision - A Minor Comprehensive Plan Map Amendment, Neighborhood Plan Map Amendment, and Zone Change from CG (General Commercial) and RM-II (Multiple Family Residential) to PS (Public Service) - Approved.

Minor Comprehensive Plan Map Amendment / Neighborhood Plan Map Amendment / Quasi-Judicial Zone Change Case No. CPC-NPC-ZC20-04 - Matt Hastie, Angelo Planning Group, on behalf of Daniel Fricke, ODOT - 2400 Block of Commercial Street NE & Liberty Street NE.

Ward(s): 5  
Councilor(s): Ausec  
Neighborhood(s): Highland

**A motion was made by Councilor Andersen, seconded by Councilor Leung to request a public hearing for City Council review of the Planning Commission's Decision in the Minor Comprehensive Plan Map Amendment regarding property owned by Oregon Department of Transportation, located at 2400 Block of Commercial Street NE and Liberty Street NE.**

**Comments by: Councilors Andersen, Kaser, Mayor Bennett, Norman Wright, Community Development Director, and Lisa Anderson-Olgilvie, Assistant Director, Community Development Planning Services.**

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

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

**Nay:**     0

**Absent:**   2 - Ausec, and Lewis

**Abstain:**   0

**6.d.**     [20-346](#)

Economic Development Quarterly Report

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.**

**6.e.**     [20-348](#)

Planning Commission Decision - A Minor Comprehensive Plan Change, Neighborhood Plan Change, and Zone Change from POS (Public Open Space) and PA (Public Amusement) to CSE (Community Service Education) and PE (Public and Private Educational Service). - Approved

Minor Comprehensive Plan Map Amendment / Neighborhood Plan Map Amendment / Zone Change Case No.: CPC-NPC-ZC20-05 - Mark Shipman, Saalfeld Griggs Lawyers, on behalf of Joel Smallwood, Salem Keizer School District 24J - 2373 Kuebler Rd S

Ward(s): 7

Councilor(s): Nordyke

Neighborhood(s): Sunnyslope

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

**7. ORDINANCES****7.1 FIRST READING:**

None.

**7.2 SECOND READING:****7.2a.**     [20-333](#)

Amending Salem Revised Code Chapter 70 (Utilities), Chapter 71 (Stormwater), and Chapter 601 (Floodplain Overlay Zone).

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Natural Environment Stewardship.

**A motion was made by Councilor Hoy, seconded by Councilor Nanke to postpone second reading of agenda item 7.2.a (Engrossed Ordinance Bill No. 8-20) to the September 28, 2020 City Council meeting.**

**Comments by: Councilor Hoy, Mayor Bennett, Dan Atchison, City Attorney, Peter Fernandez, Public Works Director.**

**Councilor Kaser recused herself from voting on the matter, due to not having participated in the public hearing.**

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

**Aye:**    6 - Andersen, Nanke, Hoy, Bennett, Leung, and Nordyke

**Nay:**    0

**Absent:** 2 - Ausec, and Lewis

**Abstain:** 0

**Recused:** 1 - Kaser

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

The following individuals provided public comment via remote video:

E.M. Easterly, Ward 8, Fiduciary responsibility

Clifford Eiffler-Rodriguez, 2680 Englewood Ave NE, Mob violence

Comments by Councilor Leung.

## **9. ADJOURNMENT**

8:09 p.m.