

*555 Liberty St SE
Salem, OR 97301*



Final Action Agenda - Minutes - Final

Monday, October 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 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 at this link: <https://www.cityofsalem.net/Pages/Public-Comment-at-Salem-City-Council-Meeting.aspx>**

EXECUTIVE SESSION**City Council****5:30 p.m. – 5:45 p.m. - Virtual Meeting****ORS 192.660(2)(e) Real Property Transactions****City Council****5:45 p.m. – 6:00 p.m. - Virtual Meeting****ORS 192.660(2)(e) Real Property Transactions****WORK SESSION**

1. OPENING EXERCISES: (Includes call to order, roll call, pledge of allegiance, announcements, proclamations, ceremonial presentations, and Council comment)

Call to Order**6:29 p.m.****Roll Call**

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

Absent: 1 - Councilor Ausec

1.1 APPROVAL OF ADDITIONS AND DELETIONS TO THE AGENDA

A motion was made by Councilor Hoy, seconded by Councilor Nanke to approve the revision to the agenda.

The revision relates to item 6.b., an appeal was received from Grant Neighborhood Association and the staff report was revised and the appeal letter was added as an attachment to the report. The appeal will be heard at a future meeting.

Comments by: Councilor Hoy.

The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Ausec

Abstain: 0

1.2 COUNCIL AND CITY MANAGER COMMENT

Comments by: Councilors Andersen, Hoy, Nordyke, Kaser, Leung, Mayor Bennett, City Manager Powers, and Police Chief Moore.

1.3 PROCLAMATIONS

1.3a. [20-418](#) Proclamation recognizing Native 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 Cheryle Kennedy, Tribal Chair, Confederated Tribes of Grand Ronde.

1.4 PRESENTATIONS

None.

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

Public Comment, Item 8, was heard at this time:

The following individual provided comment via remote video:

Cory Poole, Chair, Southeast Mill Creek Neighborhood Association, 3100 Turner Road SE, Homeless camping in parks.

Questions or Comments by: Councilors Andersen, Hoy, Nordyke, Lewis, Nanke, Kaser, City Manager Powers, Mayor Bennett, and Gretchen Bennett, Manager, City Manager's Office.

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 Kaser to approve the consent calendar with the pulls of 3.2a by Councilor Andersen and 3.2e by Councilor Lewis.

Comments by: Councilors Hoy and Kaser and Dan Atchison, City Attorney.

Councilors Hoy and Lewis registered "no" votes on item 3.3h.

Councilor Kaser declared a potential conflict of interest and abstained from voting on item 3.3a, due to she is employed by the agency that administers the fund.

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

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

Nay: 0

Absent: 1 - Ausec

Abstain: 0

3.1 MINUTES

3.1a. [20-420](#) October 12, 2020 Draft City Council Minutes

Action: Approved.

3.1b. [20-429](#) October 19, 2020 Draft City Council Work Session Minutes

Action: Approved.

3.2 RESOLUTIONS

- 3.2a.** [20-398](#) Internal Borrowing from the City's Utility Fund to the General Fund for Civic Center Campus Improvements

Ward(s): Ward 1

Councilor(s): Kaser

Neighborhood(s): CANDO

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

Pulled by Councilor Andersen - See item 5.b.

3.3 ACTION ITEMS

- 3.3a.** [20-370](#) Application for project funding to integrate the Sleepy Hollow Phase I Water System into the City of Salem water system.

Ward(s): Ward 6

Councilor(s): Councilor Hoy

Neighborhood(s): ELNA

Result Area(s): Reliable and Efficient Infrastructure

Authorized the Mayor to sign an application with the State of Oregon Safe Drinking Water Revolving Loan Fund for funding to connect the residents of the Sleepy Hollow Water System to the City of Salem water distribution system.

- 3.3b.** [20-400](#) Amendment to Purchase and Sale Agreement with the State of Oregon for acquisition of property located at the former Oregon State Hospital site

Ward(s): 2

Councilor(s): Andersen

Neighborhood(s): NEN, NESCA

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

Authorized the City Manager to execute the amendment to the Purchase and Sale Agreement with the State of Oregon for acquisition of property located at the former Oregon State Hospital site.

3.3c. [20-401](#)

Subordination of federal HOME loan for single family property

Ward(s): Ward 2

Councilor(s): Andersen

Neighborhood(s): NEN

Result Area(s): Welcoming and Livable Community

Authorized the subordination of a federal HOME loan for Edmond D. and Shelley D. Chastagner, located at 265 24th Street NE.

3.3d. [20-402](#)

Application for Funding from the Energy Trust of Oregon for Geren Island Water Treatment Facility Projects.

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.

Authorized the City Manager to apply for and, if granted, accept up to \$400,000 in grant funding to offset the costs for Ozone Treatment Upgrades, Process Pump Station Upgrades, and Ranney Groundwater Well Pump Station construction at the Geren Island Water Treatment Facility.

3.3e. [20-406](#)

Cooperative Improvement Agreement with the Oregon Department of Transportation for a project on Oregon Route 221 (Wallace Road NW).

Ward(s): 1 and 8

Councilor(s): Councilors Kaser and Lewis

Neighborhood(s): West Salem

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

Pulled by Councilor Lewis - See item 5.c.

3.3f. [20-410](#)

Intergovernmental Agreement with Marion County for improvements to Hollywood Drive NE.

Ward(s): 6

Councilor(s): Hoy

Neighborhood(s): NOLA

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

Authorized the City Manager to execute an Intergovernmental Agreement with Marion County for the design and construction of roadway improvements within the Salem city limits on Hollywood Drive NE; and further authorize the City Manager to sign any additional supplements and amendments as needed to complete the work.

3.3g. [20-413](#)

Recommended appointments to the Citizen Budget Committee,
Downtown Advisory Board, and Salem Public Library Advisory Board

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Result Area - Good Governance

Appointed the following applicants:**Citizen Budget Committee:**

**Appointed Dr. Irwin Brown as the Ward 5 representative to a partial term
expiring on June 30, 2021.**

Downtown Advisory Board:

**Appointed Jordan Truitt to a full term representing a business owner or
property owner within the Riverfront Downtown Urban Renewal Area,
expiring on December 31, 2022**

Salem Public Library Advisory Board:

**Appointed Sarah Bishop to a term #1 expiring on June 30, 2024, and Denise
Duren to a partial term expiring on June 30, 2021.**

3.3h. [20-417](#)

Order for the City Council review of the Planning Commission's
decision for Comprehensive Plan Change, Neighborhood Plan
Change, and Zone Change Case No. CPC-NPC-ZC20-04 for property
located in the 2400 block of Commercial Street NE and Liberty Street
NE.

Ward(s): Ward 5

Councilor(s): Ausec

Neighborhood(s): Highland Neighborhood Association

Result Area(s): Welcoming and Livable Community

**Adopted the order reversing the decision of the Planning Commission for
Comprehensive Plan Change, Neighborhood Plan Change, and Zone Change
Case No. CPC-NPC-ZC20-04.**

Councilors Hoy and Lewis registered "no" votes on item 3.3h.

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. [20-419](#)

Motion from Councilor Brad Nanke to amend Council Rule 21(a) to allow a councilor-nominee or councilor-elect to serve as a guest councilor at regular and special council meetings multiple times.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

A motion was made by Councilor Nanke, seconded by Councilor Andersen that City Council amend Council Rule 21(a) to permit a councilor-nominee or councilor-elect to serve as a guest councilor at regular and special council meetings multiple times.

Comments by: Councilors Nanke, Nordyke, and Mayor Bennett.

The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Ausec

Abstain: 0

[20-398](#)

Internal Borrowing from the City's Utility Fund to the General Fund for Civic Center Campus Improvements

Ward(s): Ward 1

Councilor(s): Kaser

Neighborhood(s): CANDO

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

A motion was made by Councilor Andersen, seconded by Councilor Lewis to adopt Resolution No. 2020-46, approving an internal borrowing from the City's Utility Fund to the General Fund for capital improvements at the Civic Center Campus in an amount not to exceed \$3,463,000.

Comments by: Councilors Andersen, Hoy, and City Manager Powers.

The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Ausec

Abstain: 0

[20-406](#)

Cooperative Improvement Agreement with the Oregon Department of Transportation for a project on Oregon Route 221 (Wallace Road NW).

Ward(s): 1 and 8

Councilor(s): Councilors Kaser and Lewis

Neighborhood(s): West Salem

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

A motion was made by Councilor Lewis, seconded by Councilor Kaser to authorize the City Manager to execute the Cooperative Improvement Agreement with the Oregon Department of Transportation for a project on Oregon Route 221 (Wallace Road NW).

Questions or Comments by: Councilors Lewis, Hoy, Andersen, Kaser, Mayor Bennett, Peter Fernandez, Public Works Director, Julie Warncke, Public Works Traffic Engineering Program Manager, and Carol Houk, Oregon Department of Transportation (ODOT).

The motion CARRIED by the following vote:

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

Nay: 0

Absent: 1 - Ausec

Abstain: 0

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

6.a. [20-396](#)

Budget increase for Watershed Protection and Preservation Grant Program.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Natural Environment Stewardship; Safe, Reliable, and Efficient Infrastructure

This Informational Report was received and filed.

6.b. [20-409](#)

NOTICE OF APPEAL RECEIVED - The Grant Neighborhood Association appealed the decision for the Comprehensive Plan Map Designation, Neighborhood Plan Change, and Zone Change including a Class 3 Site Plan Review, Class 1 Design Review, and five Class 2 Adjustments for the development of 19 multi-family units and will be heard by City Council.

Planning Commission Decision - A consolidated application to change the Comprehensive Plan Map Designation, Neighborhood Plan Change, and Zone Change including a Class 3 Site Plan Review, Class 1 Design Review, and five Class 2 Adjustments for the development of 19 multi-family units - Approved.

Minor Comprehensive Plan Map Amendment / Neighborhood Plan Change / Zone Change / Class 3 Site Plan Review / Class 2 Adjustment / Class 1 Design Review Case No.
CPC-NPC-ZC-SPR-ADJ-DR20-03 - Emily Reiman, DevNW, and Joseph Moore, GMA Architects, on behalf of Evergreen Presbyterian Church in Salem - 905 & 925 Cottage Street NE.

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

This Informational Report was received and filed.

6.c. [20-411](#)

Community Policing Work Session Follow Up
Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Result Area(s): Safe Community; Welcoming and Livable Community.

This Informational Report was received and filed.

Questions or Comments by: Councilors Andersen, Nordyke, Nanke, Mayor Bennett, City Manager Powers, Police Chief Jerry Moore, Police Lieutenant Treven Upkes, Deputy Police Chief Skip Miller.

6.d. [20-421](#)

Planning Administrator Decision - An application to replat three properties into two properties located in the Sabre Ridge Estates Subdivision. - Approved.

Replat Case No. REP20-01 - Brandie Dalton, Multi-Tech Engineering Services Inc., on behalf of SR Phase III LLC (Kelley Hamilton and Corporation Service Company) - 1891 Watson Butte Avenue SE

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

This Informational Report was received and filed.

7. ORDINANCES**7.1 FIRST READING:**

None.

7.2 SECOND READING:**7.2a.** [20-422](#)

Historic Preservation Plan Update and Historic Code Amendments

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Result Area(s): Welcoming and Livable Community.

Conducted second reading to enact Ordinance Bill No. 12-20 amending the Salem Area Comprehensive Plan (SACP) to include an update of the City's Historic Preservation Plan and update SRC Chapter 230 (Historic Preservation) and other identified chapters of the City's Unified Development Code (UDC) addressing historic preservation.

Ordinance Bill No. 12-20 was APPROVED by the following vote:

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

Nay: 0

Absent: 1 - Ausec

Abstain: 0

8. PUBLIC COMMENT: (Other than agenda items)

See item 2.

9. ADJOURNMENT

7:55 p.m.