

*555 Liberty St SE  
Salem, OR 97301*



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

**Monday, January 11, 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](mailto: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 OATHS OF OFFICE**

The Oaths of Office were administered by Amy Johnson, Deputy City Recorder.

- a. Mayor's Introduction**
- b. Ward 1, City Councilor - Virginia Stapleton**
- c. Ward 3, City Councilor - Trevor Phillips**

- d. Ward 5, City Councilor - Jose Gonzalez
- e. Ward 7, City Councilor - Vanessa Nordyke
- f. Mayor, Chuck Bennett

## **1.2 ELECTION OF COUNCIL PRESIDENT**

Councilor Andersen nominated Councilor Hoy to serve as Council President, Councilor Leung seconded the nomination.

Comments by Mayor Bennett.

City Council, by acclamation, re-elected Councilor Hoy as Council President.

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

A motion was made by Councilor Hoy, seconded by Councilor Nordyke to approve the additions to the agenda.

The additions consisted of new reports that were added to the agenda: item 5.b, Motion from Councilor Jackie Leung regarding declaring racism as a public health crisis, and item 6.h, Strategic approach to protests, assemblies and marches in our community.

Comments by Councilors Hoy, Andersen and Mayor Bennett.

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

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

**Nay:** 0

**Abstain:** 0

## **1.4 COUNCIL AND CITY MANAGER COMMENT**

Mayor Bennett, Councilors Hoy, Andersen, Leung, Stapleton, Nordyke, Phillips, Lewis, Gonzalez, and City Manager Powers.

The vote for item 1.3, Approval of Additions and Deletions to the Agenda took place under item 1.4.

## **1.5 PROCLAMATIONS**

None.

## **1.6 PRESENTATIONS**

**1.6a. Salem Public Works Accreditation**

**Mayor Bennett acknowledged Salem's Public Works Department was recently awarded full accreditation by the American Public Works Association for its compliance with recommended practices and for their commitment to excellence. The City of Salem Public Works Department is the 161st recipient in North America and the 4th agency in Oregon to receive this distinction.**

**Comments by Mayor Bennett, Dan Hartman, Region 9 Director, American Public Works Association, and Peter Fernandez, Public Works Director.**

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

The following individuals provided comments via remote video:

Rick Stucky, Ward 2, Item 5.a, File 21-4

Julianne Jackson, 767 Boone Road #33, Item 5.b, File 21-9

Questions or Comments by: Councilors Phillips, Andersen.

Evan White, Land Use Chair, Sunnyslope Neighborhood Association, Ward 7, Item 6.a, File 20-470

Questions or Comments by: Councilor Nordyke.

Dylan McDowell, Chair, Salem Parks and Recreation Advisory Board (SPRAB), Ward 8, Item 6.d, File 20-522

Questions or Comments by: Mayor Bennett, Councilor Andersen.

Laurie Dougherty, Ward 1, Item 5.a, File 21-4

Comments by Mayor Bennett.

Jonathan Jones, Ward 1, Item 5.a, File 21-4

Emily Terry, Ward 7, Item 5.a, File 21-4

Questions or Comments by: Councilor Andersen.

Lara Knudsen, Ward 7, Item 5.b, File 21-9

K Arete, Ward 7, Item 5.b, File 21-9

Eric Knudsen, Ward 3, Item 5.b, File 21-9

Questions or Comments by Councilor Leung.

Cory Poole, Chair, Southeast Mill Creek Association (SEMCA), 3100 Turner Rd SE, Item 6.f, file 20-525

Questions or Comments by Councilors Lewis, Nordyke, and Phillips.

Clifford Eiffler-Rodriguez, Ward 6, Item 5.a, File 21-4.

Heath Kowalewski, Hood River, OR, Item 5.a, File 21-4.

### 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 Lewis to approve the consent calendar.

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

**3.1a.** [20-488](#) December 14, 2020 Draft Council Minutes

**Action:** Approved.

#### 3.2 RESOLUTIONS

**3.2a.** [20-489](#) Dedication of City Property as Public Right-of-Way Along Park Avenue NE between D Street NE and Tess Avenue NE.

Ward(s): Ward 6

Councilor(s): Councilor Hoy

Neighborhood(s): NESCA

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

**Adopted Resolution No. 2020-55 dedicating land acquired by the City of Salem along Park Avenue NE as public right-of-way.**

**3.2b.** [20-518](#) Amendments to the Parks, Transportation, and Wastewater System Development Charge Eligible Project Lists.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

**Adopted Resolution No. 2021-1, amending the Parks, Transportation, and Wastewater System Development Charges Eligible Project Lists to specify eligibility of infrastructure projects.**

### 3.3 ACTION ITEMS

**3.3a.** [20-520](#)

Addendum to the Purchase and Sale Agreement with Tim Bush for three acres at the Salem Business Campus

Ward(s): Ward 3

Councilor(s): Councilor Phillips

Neighborhood(s): Southeast Mill Creek Association

Result Area(s): Strong and Diverse Economy

**Authorized the City Manager to execute the attached addendum to the Purchase and Sale Agreement with Tim Bush for 3 acres at the Salem Business Campus, extending the closing to June 1, 2021.**

### 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.**     [21-4](#)

Motion from Mayor Bennett regarding Community Inclusion

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**A motion was made by Mayor Bennett, seconded Councilor Lewis that City Council request a report from the Human Rights Commission on actions the City should take to promote diversity as a core strength of our community and that ensures everyone - regardless of culture, race or ability - can thrive in safety and dignity.**

**Comments by: Mayor Bennett and Councilor Andersen.**

**A motion was made by Councilor Andersen, seconded by Councilor Hoy, to amend the Mayor's motion to include a statement against institutional racism and white supremacy as delineated in the draft Institutional Racism resolution that was provided to City Council prior to the meeting. The draft resolution states the following:**

**"WHEREAS, All people shall be treated with dignity and respect; and  
WHEREAS, 'All people' includes but is not limited to the Federal and State  
Definitions of Protected Classes of people:**

**a. Federal definition – Race, color, religion, national origin, sex, familial  
status, disability**

**b. State of Oregon additions – Source of income, marital status, sexual  
orientation, gender identity; and**

**WHEREAS, equity is both a process and an outcome; and**

**WHEREAS, we recognize that societal and government practices, policies,  
laws and regulations have historically resulted in discrimination and  
disparity against people based on any protected class listed above,  
especially against people of color; and**

**WHEREAS, we acknowledge that the land upon which the people of Salem  
live has historical and cultural roots in native Tribal Nations.**

**WHEREAS, the belief system of white supremacy is defined as follows:**

**"that the white race is inherently superior to other races and that white  
people should have control over people of other races; the social,  
economic, and political systems that collectively enable white people to  
maintain power over people of other races;" and**

**NOW, THEREFORE,**

**BE IT RESOLVED by the City Council of the City of Salem that the City of  
Salem has taken action and commits to continuing to take action to be a  
city that welcomes every person regardless of their race, color, religion,  
national origin, sex, familial status, disability, source of income, marital  
status, sexual orientation, or gender identity.**

**BE IT FURTHER RESOLVED that the City of Salem condemns and repudiates  
the belief system of white supremacy and racism and is committed to the  
elimination of all forms of racism everywhere it exists, including institutional  
racism.**

**BE IT FURTHER RESOLVED that the City of Salem affirms its commitment to  
ensure that all members of the community are free from acts that are  
rooted in racism, discrimination, intolerance, bigotry, and hostility. We will**



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strive to inspire and continually pursue a culture of safety and well being.  
**BE IT FURTHER RESOLVED** that this Resolution does not create any legal cause of action or modify any existing rights.  
**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately upon the date of its passage."

**Questions or Comments by: Councilors Andersen, Lewis, Leung, Gonzalez, Phillips, Hoy, Nordyke, and Mayor Bennett.**

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

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

**Nay: 0**

**Abstain: 0**

**Questions or Comments by: Councilors Leung and Andersen.**

**The main motion, as amended, CARRIED by the following vote:**

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

**Nay: 0**

**Abstain: 0**

**5.b.**     [21-9](#)

Motion from Councilor Jackie Leung regarding declaring racism as a public health crisis.

Ward(s): Ward 4

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Comments by: Mayor Bennett, Councilor Leung, and Dan Atchison, City Attorney.**

**A motion was made by Councilor Leung, seconded by Councilor Andersen that City Council direct staff to prepare a resolution for Council's consideration to declare racism as a public health crisis at the January 25, 2021 City Council Meeting.**

**Comments by Councilor Leung.**

**A motion was made by Councilor Leung, seconded by Councilor Andersen that Council suspend Council Rule 5(j) to vote on this motion at tonight's meeting.**

**Comments by Mayor Bennett.**

**The motion to suspend Council Rule 5(j) CARRIED by the following vote:**

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

**Nay:     0**

**Abstain: 0**

**Comments by: Mayor Bennett, Councilors Leung, Nordyke, Gonzalez, Phillips, and Stapleton.**

**The motion to direct staff to prepare a resolution for Council's consideration to declare racism as a public health crisis at the January 25, 2021 City Council Meeting CARRIED by the following vote:**

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

**Nay:     0**

**Abstain: 0**

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

**6.a.     [20-470](#)**

Additional information regarding a potential path connecting Candalaria and Fairmount neighborhoods and involving Pioneer Cemetery, City View Cemetery, or both.

Ward(s): Ward 7

Councilor(s): Councilor Nordyke

Neighborhood(s): SWAN, SCAN, and Sunnyslope

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

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

**Questions or Comments by: Councilors Andersen, Nordyke, and Mayor Bennett.**

**6.b.     [20-515](#)**

Planning Administrator Decision - An application to validate and lawfully establish a unit of land which was unlawfully created through the recording of a deed. - Approved.

Validation of Units of Land Case No. VUL20-04 - Steve Freeburg - 867 Hawthorne Ave SE.

Ward(s): 2

Councilor(s): Andersen

Neighborhood(s): SESNA

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

**6.c.     [20-521](#)**

Planning Commission Decision - A Minor Comprehensive Plan Map Amendment, Neighborhood Map Amendment, and Zone Change from single family residential with RS zoning to multi-family residential with RM-II zoning - Approved.

Minor Comprehensive Plan Map Amendment / Neighborhood Map Amendment / Zone Change Case No. CPC-NPC-ZC20-09 - Brad Kilby, HHPR Inc., on behalf of Clutch Industries Inc. - 700 Block of Lockwood Lane S.

Ward(s): 7

Councilor(s): Nordyke

Neighborhood(s): Sunnyslope NA

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

**6.d.**     [20-522](#)

Salem Parks and Recreation Advisory Board Annual Report 2020.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

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

**6.e.**     [20-523](#)

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.f.**     [20-525](#)

Sheltering in Cascades Gateway Park and Wallace Marine Park

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

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

**Questions or Comments by: Councilor Hoy, City Manager Powers, Gretchen Bennett, Unsheltered Liaison, Councilors Nordyke, Lewis, Stapleton, Gonzalez, and Mayor Bennett.**

**6.g.**     [20-531](#)

Planning Administrator Decision - A modification to the East Park Estates Planned Unit Development Subdivision resulting in an adjustment to the northwestern property boundary. - Approved.

Modification of Phased Subdivision Case No.  
CPC-ZC-PUD-SUB-ADJ19-08MOD1 - Brandie Dalton, Multi-Tech Engineering Services Inc., on behalf of East Park LLC - 255 Cordon Road NE.

Ward(s): 6  
Councilor(s): Hoy  
Neighborhood(s): East Lancaster NA

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

**6.h.**     [21-14](#)

Strategic approach to protests, assemblies and marches in our community

Ward(s): All Wards  
Councilor(s): All Councilors  
Neighborhood(s): AllNeighborhoods

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

**Police Chief Womack provided an update on the strategic approach to protest, assemblies and marches in the Salem community and answered questions from Council.**

**Questions or Comments by: Mayor Bennett, Councilors Nordyke, Lewis, Leung, Stapleton, Andersen, Phillips, and Chief Womack.**

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

None.

**7.2 SECOND READING:**

None.

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

The following individuals provided comments via remote video:  
Amira Stanley, 4766 Buffalo Drive SE, Community Safety  
Misty Malon, No address provided, January 1 Proud Boys.

**9. ADJOURNMENT**

9:38 p.m.