

*555 Liberty St SE
Salem, OR 97301*



Final Action Agenda - Minutes - Final

Monday, May 10, 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@cityofsaalem.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.cityofsaalem.net/Pages/Public-Comment-at-Salem-City-Council-Meeting.aspx>.**

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

Call to Order

6:06 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

1.1 APPROVAL OF ADDITIONS AND DELETIONS TO THE AGENDA

A motion was made by Councilor Hoy, seconded by Councilor Lewis to approve the additions and deletions to the agenda.

The motion carried by the following vote:

Aye: 8 - Andersen, Lewis, Hoy, Bennett, Nordyke, Phillips, Stapleton, and Gonzalez

Nay: 0

Absent: 1 - Leung

Abstain: 0

1.2 COUNCIL AND CITY MANAGER COMMENT

Comments by: Councilors Gonzalez, Nordyke, Hoy, Phillips, Mayor Bennett and City Manager Powers.

Councilor Leung joined the meeting at 6:12 p.m.

1.3 PROCLAMATIONS

1.3 a. [21-195](#)

Proclamation recognizing National Historic Preservation Month

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Mayor Bennett read the proclamation which was accepted by Tracy Schwartz, Chair of the Historic Landmarks Commission.

1.4 PRESENTATIONS

None.

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

Appearances by:

Lisa Letney, Ward 7, Agenda Item 6.I (21-212)

Cory Poole, 3100 Turner Road SE on behalf of SEMCA, Agenda Item 6.I (21-212)

Agenda Item 8 testimony was also heard under Item 2.

Appearances by:

Tom Ippolito, East Salem Fred Meyer Store Manager, Homeless Camps on Market Street

Reese Fernandez, Ward 1, 17th and Madison 4 Way Stop

Erin Westfall, Ward 1, Public Safety

Dr. Suzanne Huffman, 2992 Winslow Way NW, Human Rights

Kathleen Quinn, 3530 Manor Drive NE, May 1st Rally at Riverfront Park

Questions and Comments by: Councilors Nordyke, Hoy, Andersen, Lewis, Stapleton and Mayor Bennett.

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 Stapleton to approve the consent calendar with the pull of Item 3.2d by Councilor Andersen.

The motion carried by the following vote with Councilor Leung voting Nay on Item 3.2a:

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

Nay: 0

Abstain: 0

3.1 MINUTES

3.1 a. [21-192](#) April 26, 2021 Draft City Council Minutes

Action: Approved

3.2 RESOLUTIONS

3.2 a. [21-172](#) Dedication of City Owned Properties as Public Right-of-Way Along 27th Avenue SE Between Kuebler Boulevard SE and Boone Road SE.

Ward(s): 4

Councilor(s): Leung

Neighborhood(s): SGNA

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

Adopted Resolution No. 2021-13 dedicating properties received by the City of Salem along the east and west sides of 27th Avenue SE between Kuebler Boulevard SE and Boone Road SE as public right-of-way.

3.2 b. [21-173](#) Dedication of City Property as Public Right-of-Way on Kitsap Street NW.

Ward(s): 8

Councilor(s): Lewis

Neighborhood(s): West Salem

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

Adopted Resolution No. 2021-14 dedicating two City owned reserve strips as public right-of-way on Kitsap Street NW.

3.2 c. [21-174](#) Dedication of City Property as Public Right-of-Way on Mildred Lane SE

Ward(s): 4

Councilor(s): Leung

Neighborhood(s): SGNA

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

Adopted Resolution No. 2021-15 dedicating a City owned reserve strip as public right-of-way on Mildred Lane SE.

- 3.2 d. [21-178](#) General Fund Supplemental Budget for unanticipated City expenses caused by the ice storm.

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.

Pulled by Councilor Andersen, see Item 5.b.

3.3 ACTION ITEMS

- 3.3 a. [21-162](#) Woodmansee Park 2021 Master Plan Update

Ward(s): Wards 3 and 7
Councilor(s): Councilors Nordyke and Phillips
Neighborhood(s): Faye Wright Neighborhood
Result Area(s): Natural Environment Stewardship; Welcoming and Livable Community

Adopted the Woodmansee Park 2021 Master Plan Update.

- 3.3 b. [21-186](#) Selection of the City and Urban Renewal Agency Auditor

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Result Area(s): Good Governance

Awarded the City and Urban Renewal Agency's financial auditing services contract to Grove, Mueller & Swank, P.C.

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. [21-196](#)

Motion from Councilor Vanessa Nordyke regarding City park usage and event permitting.

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

A motion was made by Councilor Nordyke, seconded by Councilor Andersen to direct the Salem Parks and Recreation Advisory Board to develop recommendations for usage and permitting of events at City Parks.

Questions and Comments by: Mayor Bennett, Councilors Andersen, Hoy, Stapleton, Lewis, and Phillips.

The motion carried by the following vote:

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

Nay: 0

Abstain: 0

[21-178](#)

General Fund Supplemental Budget for unanticipated City expenses caused by the ice storm.

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.

A motion was made by Councilor Andersen, seconded by Councilor Hoy to adopt Resolution No. 2021-16, Fiscal Year 2021 Supplemental Budget Four (4), increasing General Fund expenditure appropriation authority in the amount of \$1,400,000.

Questions and comments by: Councilors Anderson and Hoy 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

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

6. a. [21-152](#) Announcing Mayoral appointments to the Library Strategic Plan Steering Committee.

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

This information report was received and filed.

Comments by Councilors Stapleton and Leung

6. b. [21-175](#) Planning Administrator Decision - A modification to tentative subdivision SUB07-13A - Approved.

Subdivision Modification / Class 2 Adjustment Case No.
SUB07-13AMOD4-ADJ21-01 - Michael Compton - 4400 Kale St NE.

Ward(s): 5
Councilor(s): Gonzalez
Neighborhood(s): Northgate

This information report was received and filed.

6. c. [21-176](#) Planning Administrator Decision - Replace an existing utility pole and install a small cell wireless communications facility on the replacement pole. - Approved.

Class 2 Wireless Siting Permit Case No. WS221-01 - Meredith Hewett on behalf of New Cingular Wireless PCS LLC (AT&T) - Eastern right-of-way of the 2627-2699 Lansing Avenue NE block.

Ward(s): 5
Councilor(s): Gonzalez
Neighborhood(s): Lansing

This information report was received and filed.

6. d. [21-177](#)

Planning Administrator Decision - Replace an existing utility pole and install a small cell wireless communications facility on the replacement pole. - Approved.

Class 2 Wireless Siting Permit Case No. WS221-02 - Meredith Hewett on behalf of New Cingular Wireless PCS LLC (AT&T) - Western right-of-way of the 1700-1799 Capitol Street SE block.

Ward(s): 2
Councilor(s): Andersen
Neighborhood(s): SCAN

This information report was received and filed.

6. e. [21-179](#)

Planning Administrator Decision - To consolidate three existing lots into one - Approved.

Replat Case No. REP21-01 - Jayne Downing - 450 and 476 Church Street NE, and 605 Center Street NE.

Ward(s): 1
Councilor(s): Stapleton
Neighborhood(s): CANDO

This information report was received and filed.

Comments by Councilor Stapleton

6. f. [21-180](#)

Planning Administrator Decision - To divide a 7.19 acre property into two parcels - Approved.

Partition Case No. PAR21-03 - Steve Freeburg - 855 Hawthorne Ave SE.

Ward(s): 2
Councilor(s): Andersen
Neighborhood(s): SESNA

This information report was received and filed.

6. g. [21-181](#) February Ice Storm Response and Recovery Update.

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.

This information report was received and filed.

Comments by Councilor Stapleton

6. h. [21-183](#) Update on Multifamily Housing Development.

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

This information report was received and filed.

Comments by Councilor Andersen

6. i. [21-187](#) Planning Administrator Decision - To validate a unit of land divided
by deed in 1988 - Approved.

Validation of Unit of Land Case No. VUL21-02 - Jon Taylor - 4910
Turner Rd SE.

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

This information report was received and filed.

Comments by Councilor Stapleton

6. j. [21-190](#) Planning Administrator Decision - To divide approximately 17 acres into three parcels - Approved.

Partition / Class 2 Adjustment Case No. PAR-ADJ21-06 - Todd Boyce, Bill Wagoner - 4200 Block of Strong Rd SE.

Ward(s): 3
Councilor(s): Phillips
Neighborhood(s): Morningside

This information report was received and filed.

6. k. [21-191](#) Planning Administrator Decision - To divide approximately 15 acres into two parcels - Approved.

Partition / Class 2 Adjustment Case No. PAR-ADJ21-07 - Todd Boyce, Bill Wagoner - 4700 Block of Battle Creek Rd SE.

Ward(s): 3
Councilor(s): Phillips
Neighborhood(s): Morningside

This information report was received and filed.

6. l. [21-212](#) Sheltering at Cascades Gateway and Wallace Marine Parks

Ward(s): Wards 1 and 2
Councilor(s): Councilors(s) Stapleton and Andersen
Neighborhood(s): West Salem Neighborhood Association and Southeast Mill Creek Association (SEMCA)
Result Area(s): Natural Environment Stewardship; Welcoming and Livable Community.

This information report was received and filed.

7. ORDINANCES

7.1 FIRST READING:

7.1 a. [21-188](#)

Petitioner-Initiated Annexation of Territory Located at 2527 and 2547 Robins Lane SE - 97306 (Annexation Case No. C-730)

Ward(s): 4

Councilor(s): Leung

Neighborhood(s): SGNA

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

A motion was made by Councilor Hoy, seconded by Councilor Lewis to conduct first reading of Ordinance Bill No. 4-21 annexing, applying City of Salem RA (Residential Agriculture) zoning from Marion County UT-5 (Urban Transition - 5 Acres) and Marion County UT-10 (Urban Transition - 10 Acres), withdrawing from Salem Suburban Rural Fire Protection District and Turner Fire District, and approving annexation for a 47.23-acre property located at 2527 and 2547 Robins Lane SE - 97306 subject to three conditions proposed by the petitioner as mitigation for tree removal conducted through a lawful timber harvest between April, 2018 and June, 2018:

(1) Any future development of the Subject Property shall require compliance with SRC 808.050 tree planting requirements; however, the minimum diameter of the trees to be planted shall be increased from a 1.5 -inch caliper to a 2-inch caliper standard and replacement tree diversity shall be increased by planting not less than five species authorized in the City's Tree and Vegetation Technical Manual; and

(2) Prior to recordation of a final plat for any partition, subdivision, or planned unit development, or occupancy of a commercial development, the applicant shall grant \$15,000 to the Salem City Tree Fund; and

(3) Prior to submittal of any application for a land use approval, limited land use approval, or permit for developing the Subject Property, Applicant shall enter into an agreement with the City of Salem acknowledging and agreeing that the City of Salem will not record a final plat for any partition, subdivision, or planned unit development on or before July 1, 2023.

The motion carried by the following vote:

Aye: 8 - Andersen, Lewis, Hoy, Bennett, Nordyke, Phillips, Stapleton, and Gonzalez

Nay: 1 - Leung

Abstain: 0

7.1 b. [21-189](#)

Petitioner-Initiated Annexation of Territory Located at 3880 Croisan Creek Road South and City Owned Lands - 97302 (Annexation Case No. C-738)

Ward(s): 7

Councilor(s): Nordyke

Neighborhood(s): SWAN

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

A motion was made by Councilor Hoy, seconded by Mayor Bennett to conduct first reading of Ordinance Bill No. 5-21 annexing, applying City of Salem RA (Residential Agriculture) zoning from Marion County UT-5 (Urban Transition - 5 Acres), withdrawing from Salem Suburban Rural Fire Protection District, and approving annexation for a 2.65-acre property located at 3880 Croisan Creek Road South and City Owned Lands.

The motion carried by the following vote:

Aye: 8 - Andersen, Lewis, Hoy, Bennett, Leung, Nordyke, Phillips, and Stapleton

Nay: 0

Absent: 1 - Gonzalez

Abstain: 0

7.2 SECOND READING:

None.

8. PUBLIC COMMENT: (Other than agenda items)

See Item 2.

9. ADJOURNMENT

8:20 p.m.