

*555 Liberty St SE
Salem, OR 97301*



Final Action Agenda - Minutes - Final

Monday, June 14, 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. 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

City Council

5:30 p.m.

ORS 192.660(2)(h) Current/Pending Litigation

City Council

5:45 p.m.

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

6:06 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 Mayor Bennett to approve the addition to the agenda and to reorder the agenda.

The addition is a revised attachment, a quitclaim deed, to Item 3.3e, File 21-151, Release of City interest of a portion of an unopened alley abutting Pioneer Cemetery.

The reordering of the agenda moves Item 5, Special Orders of Business, before Item 4, Public Hearings.

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

1.2 COUNCIL AND CITY MANAGER COMMENT

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

1.3 PROCLAMATIONS

1.3a. Proclamation recognizing Juneteenth Independence Day

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Proclamation - Juneteenth](#)

Mayor Bennett read and presented the proclamation to Dr. Reginald Richardson, President, Salem-Keizer Branch of the NAACP.

Comments by Mayor Bennett and Dr. Richardson.

1.4 PRESENTATIONS

None.

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

Item 8, Public Comment, was heard at this time. The following individuals provided testimony via remote video:

Cory Poole, Chair, SEMCA Neighborhood Association, 3100 Turner Road SE, Homeless camping in City parks

Teri Finch, 1315 Marion Street NE, Unhoused encampments

Comments by 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 3.3d by Councilor Andersen.

Comments by: Councilor Hoy.

The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 0

3.1 MINUTES

3.1a. May 24, 2021 Draft City Council Minutes

Attachments: [5-24-21 Draft Council Minutes.pdf](#)

Action: Approved.

3.2 RESOLUTIONS

3.2a. Proposed FY 2022 Master Fee Schedule

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

Attachments: [Resolution No. 2021-22](#)
[Resolution No. 2021-22, Exhibit A Proposed FY 2022 Master Fee Schedule.pdf](#)

Adopted Resolution No. 2021-22, setting fees and charges for the City of Salem as set forth in Exhibit A to Resolution No. 2021-22.

3.2b. Dedication of City Property as Public Right-of-Way on Lansing Avenue NE and Silverton Road NE.

Ward(s): 5
Councilor(s): Gonzalez
Neighborhood(s): Lansing
Result Area(s): Safe, Reliable, and Efficient Infrastructure.

Attachments: [Resolution 2021-24](#)
[Exhibit A](#)

Adopted Resolution No. 2021-24 dedicating property received by the City of Salem along east side of Lansing Avenue NE and south side of Silverton Road NE.

- 3.2c.** Transfer of FY 2021 General Fund and Utility Fund budget appropriations.

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

Attachments: [Resolution No. 2021-25](#)

Adopted Resolution No. 2021-25 authorizing a transfer of appropriations within the City's fiscal year 2021 budget for significant unanticipated changes.

- 3.2d.** General Fund Supplemental Budget for unanticipated City expenses caused by the winter storm event.

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.

Attachments: [Resolution 2021-26](#)
[Resolution 2021-26, Exhibit A](#)
[Resolution 2021-26, Exhibit B](#)

Adopted Resolution No. 2021-26, Fiscal Year 2021 Supplemental Budget Five (5), increasing General Fund expenditure appropriation authority in the amount of \$450,000.

3.3 ACTION ITEMS

- 3.3a.** Lease with Allelu Beauty LLC for retail space located at 195 Liberty Street SE in the Liberty Parkade

Ward(s): 1
Councilor(s): Stapleton
Neighborhood(s): CANDO
Result Area(s): Good Governance; Strong and Diverse Economy; Welcoming and Livable Community

Attachments: [Proposed Lease](#)

Authorized the City Manager to execute the attached lease with Allelu Beauty LLC for retail space located at 195 Liberty Street SE.

- 3.3b.** Providing water service beyond City limits for property located at 4929 Auburn Road NE.

Ward(s): Currently outside City Limits, Ward 6 (upon annexation)
Councilor(s): Hoy
Neighborhood(s): East Lancaster Neighborhood Association (upon annexation)
Service Area(s): Safe, Reliable, and Efficient Infrastructure

Attachments: [Vicinity Map 4929 Auburn Road NE](#)
[Request for Service 4929 Auburn Road NE](#)

Authorized a water service connection to an existing single family residence on a parcel that is outside of, but contiguous to, the current City limits, conditioned on the property owner filing a complete application for annexation, executing an annexation agreement, paying all usual and customary fees and service charges, and complying with applicable codes and standards.

- 3.3c.** Intergovernmental Agreement with Marion County for Communication and Dispatch Services for the 2021 St. Paul Rodeo.

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Result Area(s): Good Governance; Safe Community.

Attachments: [IGA MCSO 2021 St. Paul Rodeo](#)

Authorized the City Manager to execute an Intergovernmental Agreement (IGA) with Marion County for communication and dispatch services for the 2021 St. Paul Rodeo.

- 3.3d.** Farm lease with Weeks Berry Nursery, Inc. for property located at 611 Bowden Lane North and 5915 Windsor Island Road North

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): N/A
Result Area(s): Good Governance; Natural Environment Stewardship; Strong and Diverse Economy

Attachments: [Proposed Lease](#)

Pulled by Councilor Andersen - See item 5.b.

- 3.3e.** Release of City interest of a portion of an unopened alley abutting Pioneer Cemetery.

Ward(s): 7
Councilor(s): Nordyke
Neighborhood(s): SCAN
Result Area(s): Good Governance.

Attachments: [Quitclaim Area](#)
[Quitclaim Deed](#)

Approved the execution of a quitclaim deed to Pioneer Alley, LLC (Kathleen Dewoina, principal) releasing any City property interest the City may have in an unopened portion of an alley abutting Pioneer Cemetery.

3.3f. Intergovernmental Agreement with the Salem Area Mass Transit District for Police Services

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Result Area(s): Safe Community.

Attachments: [IGA with Salem Area Mass Transit District](#)

Authorized the City Manager to execute the attached IGA with SAMTD for police services at the Downtown Transit Center during Fiscal Year 2021-2022.

5. *This item was reordered* 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 Six-Month Update from Police Chief Womack

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

Attachments: [Police Chief Six Month Update Memo.docx](#)

Opening remarks by City Manager Powers. Presentation by Police Chief Womack.

Questions or Comments by: Mayor Bennett Councilor Hoy, Chief Womack, Councilors Andersen, Nordyke, Gonzalez, Stapleton, and Phillips.

**5.b
(3.3d)**

Farm lease with Weeks Berry Nursery, Inc. for property located at 611 Bowden Lane North and 5915 Windsor Island Road North

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): N/A

Result Area(s): Good Governance; Natural Environment Stewardship; Strong and Diverse Economy

Attachments: [Proposed Lease](#)

A motion was made by Councilor Andersen, seconded by Councilor Hoy to authorize the City Manager to execute the lease with Weeks Berry Nursery, Inc. to farm City-owned property located at 611 Bowden Lane North and 5915 Windsor Island Road North.

Questions or Comments by: Councilor 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

4. *This item was reordered* PUBLIC HEARINGS

4.a.

Public hearing on State Revenue Sharing funds

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Safe Community

Attachments: [Resolution No 2021-23, State Revenue Sharing](#)

Josh Eggleston, Budget Officer, provided an overview of the report.

No persons testified.

A motion was made by Councilor Hoy, seconded by Mayor Bennett to adopt Resolution No. 2020-23 electing to receive a share of certain revenues from the State of Oregon general fund.

The motion CARRIED by the following vote:

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

Nay: 0

Abstain: 0

4.b. Public hearing on FY 2022 City of Salem budget

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.

Attachments: [Recommended FY 2022 City of Salem Budget](#)
[ARPA Sheltering Considerations](#)
[CAREcorps Information Report](#)
[Public Comment](#)
[Testimony from the Downtown Advisory Board](#)
[Public Comment received by 2:00 p.m. 6-14-21.pdf](#)
[Public Comment received by 5:00 p.m. 6-14-21.pdf](#)

Councilor Nordyke declared a potential conflict of interest relating to certain projects throughout the city, namely within the Capital Improvement Program, that could potentially benefit her family.

Staff presentation by Josh Eggleston, Budget Officer.

Questions or Comments by: Mayor Bennett, City Manager Powers, Councilors Hoy, Phillips, and Stapleton.

Persons Testifying:

Dylan McDowell, Chair, Salem Parks and Recreation Board (SPRAB), Ward 8.

A motion was made by Councilor Hoy, seconded by Councilor Lewis to direct staff to return on June 28, 2021 with a resolution to adopt the Budget Committee recommended FY 2022 City of Salem budget.

Comments by 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. Pedestrian path through Pioneer Cemetery.

Ward(s): Ward 7

Councilor(s): Councilor Nordyke

Neighborhood(s): SWAN, SCAN, Sunnyslope

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

Attachments: [ADA Compliance Legal Opinion](#)
[Ownership of Alley](#)
[Staff Reports Related to Pioneer Cemetery Path](#)

This Informational Report was received and filed.**6.b.** Planning Commission Decision - A request for a Minor Comprehensive Plan Map Amendment and Zone Change from CG (General Commercial) to IC (Industrial Commercial), Class 3 Site Plan Review for development of a shipping container sales use, and Class 2 Adjustment to reduce the landscape requirement for Phase 1 of development. - Approved.

Minor Comprehensive Plan Map Amendment / Zone Change / Class 3 Site Plan Review / Class 2 Adjustment Case No.

CPC-ZC-SPR-ADJ21-02 - Margaret Gander-Vo, Saalfeld Griggs Lawyers on behalf of Anthem Enterprises LLC (Ross Black, Dave Black, Debbie Black, and Taya Black) - 5191 Portland Road NE.

Ward(s): 5

Councilor(s): Gonzalez

Neighborhood(s): Northgate

Attachments: [Land Use Decision CPC-ZC-SPR-ADJ21-02](#)

This Informational Report was received and filed.

Questions or Comments by: Councilor Andersen, Norman Wright, Community Development Director, Lisa Anderson-Ogilvie, Planning Administrator, Community Development.

6.c. Planning Administrator Decision - To allow a new 27 lot subdivision - Approved.

Subdivision / Class 2 Adjustment Case No. SUB-ADJ21-05 - Ryan Bloedel - 2230 Doaks Ferry Rd NW

Ward(s): 8

Councilor(s): Lewis

Neighborhood(s): WSNA

Attachments: [Land Use Decision SUB-ADJ21-05](#)

This Informational Report was received and filed.

- 6.d.** Purchases approved administratively from April 1, 2021 through April 30, 2021.

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

Attachments: [Purchases approved administratively April 2021](#)

This Informational Report was received and filed.

- 6.e.** Planning Administrator Decision - A consolidated application to create 177-lots for single family development, including 34 townhouses (Coburn Grand View Estates). - Approved.

Phased Tentative Subdivision / Class 2 Adjustment Case No.
SUB-ADJ21-06 - Westwood Homes LLC (Todd Boyce, Bill Wagoner) -
4400 Block of Battle Creek Road SE.

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

Attachments: [Land Use Decision SUB-ADJ21-06](#)

This Informational Report was received and filed.

7. ORDINANCES

7.1 FIRST READING:

None.

7.2 SECOND READING:

None.

8. PUBLIC COMMENT: (Other than agenda items)

See item 2 - Public Comment.

9. ADJOURNMENT

7:55 p.m.