

*555 Liberty St SE  
Salem, OR 97301*



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

**Monday, August 9, 2021**

**6:00 PM**

**Hybrid Meeting: Council Chambers and Virtual**

**City Council**

**\*\* Due to Covid-19, this meeting is being conducted both in-person and virtually, with the potential for remote attendance by the governing body and attendees. In-person attendance may be limited due to occupancy restrictions and interested persons are encouraged to view the meeting online at CC:Media You Tube Channel or watch on Comcast Cable CC:Media Channel 21. The public may submit comments via email on agenda items by 5:00 p.m., or earlier, on the day of the meeting at [cityrecorder@cityofsalem.net](mailto:cityrecorder@cityofsalem.net), or in person at the meeting. Public comment and testimony may also be provided during the meeting, either in-person or via Zoom. If attending the meeting in-person, please sign up to speak up at the meeting; If attending the meeting virtually and would like to provide remote testimony 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**

The first hybrid meeting of the Salem City Council, with both in-person and remote attendance by the public and the governing body, was called to order at 6:05 p.m.

#### **Roll Call**

**Councilors Andersen, Lewis, Hoy and Leung attended the meeting remotely.**

**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 to the agenda. The additions consisted of items 5.a, Motion from Councilor Nordyke to amend the agenda to allow consideration of item 5.b under Special Orders of Business, and 5.b, Motion from Councilor Nordyke to consider a waiver of the facility use fee.

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 Stapleton, Gonzalez, Nordyke, Leung, Andersen, Phillips, Mayor Bennett, City Manager Powers, and Police Chief Womack.

Questions or Comments by Councilors Hoy, Nordyke and Mayor Bennett.

## 1.3 PROCLAMATIONS

None.

## 1.4 PRESENTATIONS

None.

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

The following individual provided comments via remote video:

Clifford Eiffler-Rodriguez, Item 3.2b, File 21-359

Public Comment, Item 8, was also heard at this time.

The following individuals provided joint comments via remote video:  
Jeffrey Sirginson and Paul McKean, Representing Capital Pride, Ward 8, Item 5.b, File 21-374

Questions or Comments by: Mayor Bennett and Councilor Nordyke.

In-person comments from:

Jean Hendron, No address provided, Unsheltered neighbors and heat

**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 Andersen 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.** [21-327](#) July 26, 2021 Draft City Council Minutes

**Action:** Approved.

**3.2 RESOLUTIONS**

**3.2a.** [21-353](#) Corrected Amendments to the Parks, Water, and Wastewater System Development Charge Eligible Project Lists.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Safe and Reliable Infrastructure

**Rescinded Resolution No. 2021-30 and adopted Resolution No. 2021-32, amending the Parks, Water, and Wastewater System Development Charges Eligible Project Lists.**

**3.2b.** [21-359](#) Proposed changes to Council Rules to accommodate virtual participation at council meetings.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Service Area(s): Good Governance

**Adopted Resolution No. 2021-33, Amending Council Rules to Facilitate Virtual Participation at City Council Meetings.**

### 3.3 ACTION ITEMS

**3.3a.** [21-269](#)

First amendment to the Purchase and Sale Agreement with Peninsula Truck Lines Inc., LLC for City owned land (lot 5) at the Salem Business Campus, clarifying the closing date and increasing the purchase price.

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's execution of the attached First Amendment to the Purchase and Sale Agreement with Peninsula Truck Lines, Inc., for 8.24 acres of City owned land at the Salem Business Campus, modifying the closing date and increasing the purchase price to \$1,064,422.**

**3.3b.** [21-349](#)

Third Addendum to the Purchase and Sale Agreement with Discount Nursery Supplies, LLC for City owned land (lot 2) at the Salem Business Campus, extending the closing date and increasing the acreage to 2.53 acres.

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's execution of the Third Addendum to the Purchase and Sale Agreement with Discount Nursery Supplies, Inc. for 2.53 acres of City owned land at the Salem Business Campus, extending the closing date and increasing the purchase price to \$374,703 for the larger lot.**

### 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.**     [21-373](#)

Motion from Councilor Vanessa Nordyke regarding amending the agenda to allow consideration of a fee waiver.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**This item was approved under Item 1.1.**

**5.b.**     [21-374](#)

Waiver of the \$1,150 facility use fee for the Riverfront Park Amphitheater for Salem Capitol Pride event.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**A motion was made by Councilor Nordyke, seconded by Councilor Hoy that Council direct Public Works to waive the City's \$1,150 fee for using the Riverfront Park Amphitheater on August 21, 2021, for the Salem Capitol Pride event.**

**Comments by Councilor Nordyke.**

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

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

**Nay:**     1 - Lewis

**Abstain:**     0

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

**6.a.**     [21-346](#)

Planning Administrator Decision - To partition an existing parcel into two parcels with a private street - Approved.

Partition Case No. PAR21-02 - Paul Beals, Norman L. Brenden, Patrick F. Kennedy, Joseph R. Fox - 3755 Cascadia Canyon Ave SE.

Ward(s): 3

Councilor(s): Phillips

Neighborhood(s): Morningside

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

**6.b.     [21-351](#)**

Purchases approved administratively from June 1, 2021 through June 30, 2021.

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 Lewis.**

**6.c.     [21-352](#)**

Planning Administrator Decision - To consolidate five existing properties into one - Approved.

Replat Case No. REP21-02 - Joel Smallwood, Salem Keizer School District 24J - 5260 Gaffin Rd SE.

Ward(s): 3

Councilor(s): Phillips

Neighborhood(s): SEMCA

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

**6.d.     [21-355](#)**

Planning Administrator Decision - To divide approximately 7.35 acres into 36 lots - Approved.

Subdivision / Class 2 Adjustment Case No. SUB-ADJ21-07 - Don Lulay Homes Inc. - 500 Block Mildred Lane SE.

Ward(s): 4

Councilor(s): Leung

Neighborhood(s): SGNA

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

**6.e.**     [21-356](#)

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. WS221-04 - Meredith Hewett on behalf of New Cingular Wireless PCS LLC (AT&T) - 100-199 Bush St S.

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

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

**6.f.**     [21-360](#)

Planning Administrator Decision - A tentative partition plan to create two parcels, with Parcel 1 consisting of approximately 14,965 square feet and Parcel 2 consisting of approximately 7,035 square feet. - Approved.

Partition Case No. PAR21-08 - Brandie Dalton, Multi Tech Engineering, on behalf of Fisher Road Properties LLC (Peter Ivanov, Mike Ivanov) and Amber Rogers - 2410 & 2416 Fisher Road NE

Ward(s): 6  
Councilor(s): Hoy  
Neighborhood(s): NOLA

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

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

**None.**

**7.2 SECOND READING:**



**7.2a.** [21-343](#)

Vacation of a portion of an alley and a portion of an unopened right-of-way for 12th Street NE adjacent to the railroad northeast of D Street NE.

Ward(s): 1

Councilor(s): Stapleton

Neighborhood(s): Grant

Result Area(s): Safe and Reliable Infrastructure

**Conducted second reading of Ordinance Bill No. 8-21, which vacates an alley and a portion of an unopened right-of-way for 12th Street NE adjacent to the railroad northeast of D Street NE, and not waive the assessment of special benefit.**

**Ordinance Bill No. 8-21 was approved by the following vote:**

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

**Nay:** 0

**Abstain:** 0

**7.2b.** [21-344](#)

Vacation of a portion of an easement over previously vacated George Street NW.

Ward(s):8

Councilor(s): Lewis

Neighborhood(s): West Salem NA

Result Area(s): Safe and Reliable Infrastructure

**Conducted second reading of Ordinance Bill No. 9-21, which vacates a portion of an easement over previously vacated George Street NW and waive the assessment of special benefit.**

**Ordinance Bill No. 9-21 was approved by the following vote:**

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

**Nay:** 0

**Abstain:** 0

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

See Item 2, Public Comment.

Final remarks from Mayor Bennett and Councilor Lewis.

**9. ADJOURNMENT**

6:51 p.m.