

October 11, 2023 - SCAN Monthly Meeting

Board members present:

Victor Dodier, Josh Peterson, John Prohodsky, Ron Rubel, Jim Scheppke, Brian Sund, Carol Snyder, Lorrie Walker, and Mark Wigg

Jon Christenson, Christine Chute, Brian Hart, Ariel Loveall, Jeff Schumacher, Roz Shirack, and Evan West were excused from attending.

Guests were present as well. See Exhibit A - Attendance Roster

President Victor Dodier called the meeting to order about 6:35 pm without a quorum present. A quorum was present at 6:50. The September meeting minutes were approved without changes.

1. City and County Reports:

a. Councilor Nordyke

There will be a town hall Tuesday, December 7th between 5:30 and 6:45 at Westminster First Presbyterian Church.

Commercial air service has started by Avelo Airlines with service to Burbank, CA. and Los Vegas, NV. Several companies and organizations have expressed interest in using facilities at the airport.

The City will recognize volunteers on October 16th. 2023 is the first year the Lisa Letney Award will be presented. The award is named after a long-term advocate and recognizes those who aid Salem's unsheltered population and those at risk of homelessness.

The Council's October 25th work session will discuss the City Budget. If the payroll tax is rejected, the Council will consider other revenue sources and cuts to existing services. The Council wants to know the public's priorities.

The City dropped a case challenging death benefits for a retired Salem firefighter in September. Councilor Nordyke provided background for this decision. Maurice Stadeli retired from Salem's Fire Department then was diagnosed with cancer and died from that cancer. It is a rebuttable assumption (i.e. where the cause is presumed, but the employer can disprove the assumption) that the toxins firefighters are exposed to caused the cancer. The City of Salem had challenged the award of death benefits, but lost on appeal. Salem's firefighters and firefighters statewide showed up at the September 25th Council meeting. At that meeting, the City announced that it was dropping further appeal. Nordyke believes that the City of Salem should support employees, police, firefighters, and code compliance, whose working conditions are dangerous.

Councilor Nordyke highlighted a community partner, the Mid-Willamette Valley Community Action Agency (MWVCCA). MWVCCA's \$69M budget is currently serving 4700 clients and have assisted over 48,000 people, including 860 children in HeadStart.

Jim Scheppke asked Nordyke who are the members of the Revenue Committee. Vanessa said she encourages the appointment of community members with diverse perspectives.

Lorrie Walker asked Nordyke if she was aware of the rumor that a City Council member held a meeting at the Honkey Tonk where he said the City has \$9M available (unbudgeted?). She said that she was not aware of that rumor.

b. Robert Dowd, Salem Police Department

Attendee public safety issues include a mugging at Fairmont Park and homeless camping under the High and Church Street bridges. Drug dealing, breaking and entering, and vandalism in the Gaiety Hill area. A homeowner in that area wants to erect a high fence to keep the homeless out. There is drug dealing near Howard Court which is near the intersection of Howard and Church Streets.

Officer Dowd said the Community Action Unit, the former Downtown Enforcement Team, is partnering with Church at the Park, Boys and Girls Club, YMCA, and KROC Center.

The SOS Team which deals with the homeless is composed of 2 police officers and 4 Public Works employees.

The Police Department has 23 vacancies, 1/8th of the force. When new officers join the force, others retire from the force. The call volume has gone up for the same number of officers. Officers are going from call to call. If payroll tax fails, it is possible that 18 vacant position will be cut. If Salem's Police Department actually lays off officers, the cuts would come from programs that affect the Police Department's ability to respond.

Lorrie Walker said that around Howard and Church Streets there are several homeless who are living in their cars. There have been several break-ins in the area and several cars have been towed. Officer Dowd said the Mation County Jail has been only accepting violent felons since it was shut down during the COVID pandemic, i.e. the jail is not accepting people who commit property crimes.

A representative of the Strategic Investigation Unit that is tasked with investigating street crimes is meeting with Howard Court area neighbors tonight. Officer Dowd said there is a lot of fentanyl dealing in Salem.

Victor Dodier said that crime is a livability issue in Gaiety Hill / Salem Health area. When asked if neighbors should keep a record of suspicious activity such as drug dealing, Office Dowd said they should because it would help establish probable cause.

Lorrie Walker said the homeless park in front of the St. Francis shelter, and she believes that they deal drugs. Officer Dowd said that there is a lot of drug dealing in the ARCHES parking lot and the number of overdoses is increasing. Fifteen years ago, everyone went to jail for every offence. Not jailing people is disheartening.

Officer Dowd was asked about civil forfeiture of the cars of the homeless who deal drugs. He said you cannot take a person's domicile. A car needs to be abandoned and known to be involved in drug dealing before the Police may tow it.

The mother of a person who is suspected of dealing drugs lives in the St. Francis shelter. Junk cars can be towed, but the process must be followed, i.e., if a car can be moved every 6 days, if it is not a candidate to be towed.

Zombie trailers are becoming more common. The tow companies don't want the trailers. RVs and tailers contain hazardous materials. The City of Salem pays \$2,000 each to a company to remove and to destroy motorhomes and trailers.

If the payroll tax is defeated, money allocated to temporary housing, the navigation center, and programs to help the homeless transition to permanent housing will be cut in future City budgets.

Individuals who have committed low levels drug offenses have the option of going to drug court. Low level offenders are offered a diversion program. Drug and alcohol counseling has successfully helped a significant number of people in diversion programs overcome their substance abuse.

c. <u>Deb Romano, Salem Code Enforcement</u>

She reported that a dump truck and trailer has been parked on the wrong side of Rural in front of the triplex being built on Rural Ave. where it intersects with Yew St. It has been tagged to be moved or be towed. Also, lumber storage at that construction site is encroaching on Yew St.

Safe Parking sites in Salem reduce the number of cars on the street at night that have the homeless living in them. For a car to be considered for the Safe Parking program, it must run.

Code Compliance almost exclusively deals with the homeless. The homeless were camping at the park and ride at Market and Hawthorn Streets. The park and ride has been cleaned out and is now closed.

2. Keith Norris, Vice-Chair, Salem Parks and Recreation Advisory Board

The Salem Parks and Recreation Advisory Board (SPRAB) has 9 members of which one is the school district representative and another has technical expertise relating to parks. An ex-officio member is the City Council representative, Micki Varney. The Board advises the City Council and hears appeals on removal of trees on City owned property. SPRAB meets the second Thursday at 5:30 online using Zoom. The meeting is live streamed.

The Board oversees 91 parks that have 2300 acres and 61 miles of trails.

John Prohodsky pointed out that City parks associated with schools are not listed as City parks. He said McKinley School has a city park next to the school which cannot be used by the public when school is in session. Keith said there is a historical agreement with the School District to co-operatively manage parks next to schools. Another neighborhood park,

Aldridge Park that had Bush Elementary School built next to it, is enclosed by a fence giving the appearance that it is part of the Bush Elementary School Campus. There is no indication that public parks next to schools are public parks and not part of the school grounds. Keith agreed that an audit of signage at parks next to schools is needed.

Rowan Hathor, a neighbor, said he is interested in developing community gardens on public land. He is looking for possible locations. Keith said community gardens are not in the parks master plan. There was discussion of possible sites. Lorrie Walker suggested the small plot of city-owned land at the corner of Oxford and Capital Streets.

Salem's Parks Department has \$60,000 that will be awarded as <u>Salem Park Improvement Fund</u> (SPIF) grants. SPIF letter of intent is due October 31st and a formal application is due by January 31st. The SPIF letter of intent can be sent by email. SPIF grants may fund up to 100% of project costs, provided that funds are available. If match is needed, the neighborhood association is responsible for raising the balance of funding. The 5-year parks capital improvement plan funds parks. Each park has a master plan that guides capital improvements for the park.

Keith was asked why the Bush's Pasture Park restroom have had the stall doors removed. Neighbors who often walk in the park and talk with Parks staff replied that the doors were removed because of drugs, sex, and vandalism. The restroom at the start of the Soapbox Derby Track will be replaced. It has experienced daily vandalism. For example, when motion detection lights were installed on the restroom building, they were stolen. The bathroom stall doors at Riverfront Park were stolen.

Last year Salem Parks benefited from 55,000 volunteer hours, the equivalent of 55 FTE.

3. Announcements and Neighborhood Concerns

ARCHES needs volunteers to run warming centers this winter. Volunteer training will be at 6 pm October 17th at the YMCA.

The SCAN Board has several City Club members: Christine Chute, Victor Dodier, Jim Scheppke, and Mark Wigg. SCAN has a City Club membership and two SCAN Board members may attend City Club meetings.

4. Luke Emanuel, Salem Baseball Club

Luke Emanuel made a brief presentation about the proposed nonbinding Memorandum of Understanding between the City of Salem, Willamette University and Salem Baseball (*Exhibit B*). He addressed some issues that were raised concerning the WU's baseball stadium during questions and answers.

A 1982 encroachment agreement between Willamette University and the City of Salem made it possible for Willamette University to build the baseball field. The first base line and center field are on park property.

To play night games lights will need to be installed. Traditionally, 8 light polls are used to illuminate a baseball field. If the Salem Baseball Club, a summer league semi-pro collegiate team, plays at Willamette University's John Lewis Field six light poles will be installed, some

of which will be installed on park property. Because of light spillage from the light poles, the poles will be 35 feet away from trees except for the poles on the south side of the field. They need to be 60 feet away from trees.

Emanuel, who owns a collegiate team franchise, is pursuing a non-binding MOU and funds to upgrade John Lewis Field. Besides installing lights, artificial turf will be installed and the field made ADA accessible. It costs \$2M to install turf on a baseball field and \$1M to install turf on a softball field. Six months were spent lobbying the legislature for funds without success. Representative Tom Anderson, whose district John Lewis Field is located, supported efforts to obtain lottery funds.

Two to three games a day can be played on a turf baseball field and 3 to 4 softball games can be played on a turf softball field. Of the 83 Salem high school non-conference baseball games played, 73 were played in Portland. A spring break baseball tournament could be played on a turf baseball field.

Parking for baseball games at Willamette University and Salem Health is being discussed with them.

Victor Dodier reminded board members of its action to support a collegiate summer baseball by reading from the July 2022 minutes.

Victor said that the proposed MOU is controversial and that the online discussion of the blew up his email. Jon Christenson wanted the MOU to be referred to the HPPG Committee prior to the discussion at this meeting.

He asked if there was a motion concerning the proposed MOU. Jim Scheppke moved and John Prohodsky 2^{nd} that:

SCAN supports the nonbinding Memorandum of Understanding between the City of Salem, Willamette University, and the Salem Baseball Club LLC.

The motion passed with 7 YES and 0 NO votes with 2 abstentions.

5. Committee Reports and Chair Report

a. Land Use Committee

The Land Use Committee met in September. The Committee Chair's report (*Exhibit C*) is attached. Roz Shirack, Land Use Chair, will be on medical leave for the next 2 months. Jeff Schumacher will be acting Land Use Chair until Roz returns.

b. Historic Preservation, Parks, and Gardens Committee

The Land Use Committee did not meet in September. The Committee Chair did not submit a report.

c. <u>Transportation</u> Committee

The Transportation Committee met in September. The Committee Chair's report (*Exhibit D*) is attached.

The motion in the Committee's report will be discussed at the November meeting due to the meeting going past 8:30.

d. Chair's report

Victor noted that Jim Scheppke had generously purchased a membership in Salem City Club for SCAN. He asked who wanted to represent SCAN at City Club meetings. Carol Snyder, Lorrie Walker, and John Prohodsky expressed interest in attending City Club meetings. Victor will inform the City Club who will attend their meetings from SCAN.

Meeting adjourned at 8:44.

Exhibit A Attendees for Month Day, 2023 SCAN Meeting

Board Member	Email Address	Present	Board Member	Email Address	Present
Christenson,	scan.50yrs.1973.2023@gma	Excused	Scheppke, Jim	jscheppke@comcast.net	Х
Jon	il.com			_	
Chute,	cachute@gmail.com	Excused	Schumacher,	jeff.schumacher@gmail.co	Excused
Christine			Jeff	<u>m</u>	
Dodier, Victor	vjdodier@teleport.com	Х	Shirack, Roz	rozshirack7@gmail.com	Excused
Hart, Brian		Excused	Sund, Brian	sund60@icloud.com	X
Loveall, Ariel	oversunoversky@hotmail.co	Excused	Snyder, Carol	snyder2858@comcast.net	X
	<u>m</u>				
Peterson, Josh	joshua.g.peterson@gmail.	Х	Walker, Lorrie	dakotalor@msn.com	Х
	<u>com</u>				
Prohodsky,	johnmpro@gmail.com	Х	West, Evan	evanwest714@gmail.com	Excused
John					
Rubel, Ron	ronrubel@comcast.net	Х	Wigg, Mark	mark_wigg@hotmail.com	Х

Other Attendees

Vanessa Nordyke, City Councilor Ward 7				
Robert Dowd, Salem Police Department				
Carlene Benson				
L. J. Anderson				
Luke Emanuel, Salem Baseball Club				
Thomas Sieg				
Pattie Sieg				
Trish Dougherty				
Bill Stark				
Rowan Hathor				
Cheryl Hummon				
Ella Stevens				
Deb Romano, Salem Code Compliance				
Keith Norris, Vice-Chair Salem Parks and Recreation Advisory Board				

Exhibit B

Non-binding MOU between Salem Baseball Club, LLC, City of Salem, and Willamette University

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding, is entered into this ____ day of September, 2023, between the City of Salem, an Oregon municipal corporation ("City"), Willamette University, an Oregon nonprofit corporation ("Willamette") and the Salem Baseball Club LLC, an Oregon limited liability company ("LLC"), defined collectively and referred to herein as "the Parties".

RECITALS

- A. Willamette owns the baseball stadium ("baseball stadium") located at 730 Mission St. SE, Salem, OR 97302 and has a long term lease of its softball stadium ("softball stadium") located at 501 14th St. SE, Salem, OR 97301, which is owned by Tokyo International University of America, and uses both for its athletic programs, in particular, the sport of baseball and softball.
- B. The baseball stadium sits adjacent to a City park known as Bush's Pasture Park (the "Park").
- C. Willamette and the City have an existing Agreement dated 09/24/1982 to allow, in part, for the baseball stadium located adjacent to Bush's Pasture Park to encroach on the Park.
- D. The LLC has an interest in leasing the baseball stadium.
- E. The City has an interest in seeing the LLC use the baseball stadium.
- F. The Parties, collectively, have an interest in supporting improvements identified in this MOU to both the baseball stadium and the softball stadium.
- G. The City and Willamette have an interest in continuing their existing agreement and amending it to permit the expanded encroachment into the Park created through the improvements.

AGREEMENT

I. Non-Binding Nature/Final Documentation

It is in the best interest of the public and the Parties, and conducive to the success of the project, that reasonable and necessary business points identified to date be reduced to writing in the form of a Memorandum of Understanding.

The Parties further acknowledge and agree that although this Memorandum of Understanding is fully intended to name the key items to be undertaken over the next 10 months by the Parties, the Memorandum shall not be of binding force and effect on the Parties, but rather, shall be of a non-binding nature and effect.

Nothing herein shall be construed or interpreted as regulatory approval, such as land use approval or building permit issuance of any improvements for the project.

At a time prior to the expiration of the 10-month period, the Parties will determine whether to proceed with negotiation and execution of a final form of a Development Agreement, which shall include any terms and conditions determined by the Parties to be necessary and appropriate for this project.

II. The Project

The general project envisioned by the Parties is to renovate the baseball stadium for the purpose of allowing Salem's new organized summer collegiate baseball team (LLC) and the Salem-Keizer Public Schools access to the property. The project also includes the renovation of the softball stadium for the purpose of allowing Salem-Keizer Public Schools access to the property. The main renovations desired at both properties include the installation of sports lighting, a synthetic turf playing surface and ADA accessibility.

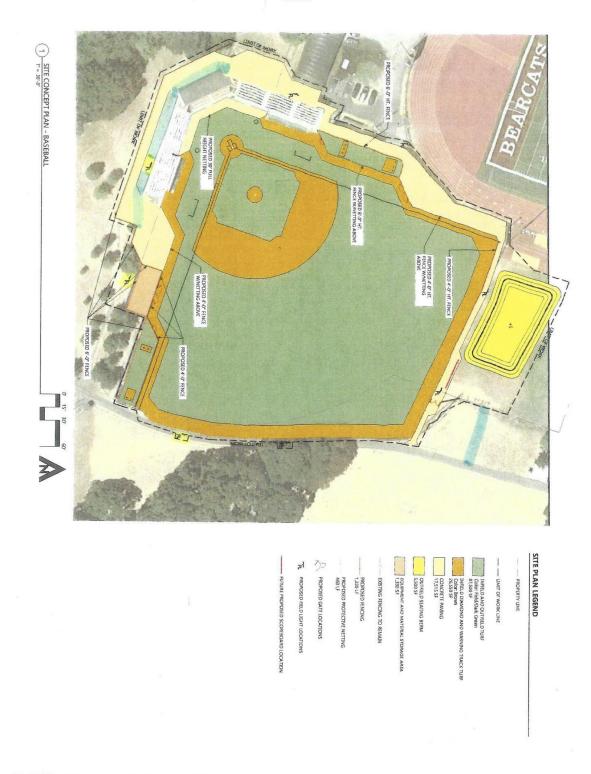
The project will require careful design and consideration to comply with the Pre-Application Report from the project's Conference with the City on 4/10/2023 attached hereto as Attachment 1.

III. Timeline/Action Step Schedule

This memorandum of understanding memorializes the Parties' intention to participate in good faith negotiations for the next 10 months on the renovation of the baseball stadium and softball stadium and make them available to LLC as noted in the recitals.

IV. General Terms

- a. This MOU shall be effective on the date last signed by all parties, and shall expire on June 30, 2024, unless extended.
- b. No Legally Binding Force or Effect; It is expressly understood and agreed by the Parties that this MOU does not create any legally binding or enforceable obligation(s) on the part of any Party, either with respect to the MOU. If the Parties wish to create a legally enforceable agreement, the Parties agree to negotiate such agreement which shall by executed by the authorized individuals for each Party.
- c. Applicable Law. This MOU shall be construed and enforced in accordance with the laws of the State of Oregon.
- d. No partnership or joint-venture. Nothing in the MOU shall be construed so as to make the Parties partners or joint-venturers.
- e. No Attorney Fees. The Parties shall be responsible for their own attorney fees, legal costs and disbursements incurred in enforcing or administering this MOU.
- f. Public Record. This MOU is a public record as defined by Oregon Law and may be provided to the public upon request.



JOHN LEWIS FIELD & SOFTBALL FIELD UPGRADES

SOFTBALL FIELD UPGRADES

WILLAMETTE UNIVERSITY
PLAN

STECONCEPT

Exhibit C

Land Use Committee Report

The Land Use Committee met September 21, 2023. Present were Jeff, Ron, Lorrie, Evan, John, Mark, and Roz

Agenda: Council deliberation September 25 on the proposed removal of the five SCAN Overlay Zones.

The Committee discussed Councilor Nishioka's planned substitute motion to retain the two overlay zones on the west side of Commercial with one development standard of a 45-foot building height limit. The Committee unanimously agreed to stand by SCAN's testimony on record from the June 26 public hearing, but to submit two photos (by John Prohodsky) that illustrate the extreme slope from the buildings along the east side of Commercial St down to the adjacent residential lots behind them, between Oxford St and Rural Ave. The extreme change in topography was a comment included in the June 26 testimony.

At the September 25 Council meeting, Councilor Nishioka's substitute motion to retain the two overlay zones on the west side of Commercial St with just a 45-ft height maximum, but without a 5-year sunset or need for a National Register Residential Historic District designation passed unanimously.

There were no new development applications to discuss.

Submitted by Roz Shirack, Chair

SCAN Land Use Committee

Exhibit D

Transportation Committee Report

The SCAN Transportation Committee met in the Fairmount Cottages community room at 6:00 pm on Wednesday, September 27, 2023. Attendees: Victor Dodier, Jim Scheppke, Cheryl Hummon, Gary Obery and Brian Sund

The agenda was:

- Follow up discussion on request to limit parking on Fairmount Ave S
- Discussion of change to High Street Classification
- Other items suggested by committee members

Limit parking on west side of Fairmount Ave., north of Lincoln: Committee members had discussed this request at the August committee meeting. At the time, the committee was generally supportive of the request. However, we were uncertain about the City's process for this type of request. After the meeting, Victor contacted Kevin Hottmann, City of Salem's Traffic Engineer. He responded that (1) the requestor should circulate a petition among all affected residents and (2) obtain NA support.

Victor reported that he had withdrawn the motion at the SCAN board meeting because the requestor had indicated that he did not want to circulate the petition.

Change High Street Classification: Victor provided background on this issue. In September 2021, the SCAN Board approved the following motions:

- SCAN requests the City of Salem change the designation of High Street SE from a collector street to a local street from Trade Street SE to McGilchrist St. SE in the Salem Transportation System Plan;
- SCAN requests the City of Salem designate a bikeway on High Street SE from Trade St. SE to McGilchrist St. SE with a connection to the bikeway on Church Street SE at Leslie Street SE.

The motions adopted in 2021 were based on discussion over several months about how to best route a family friendly bikeway from downtown to South Salem. The current Transportation System Plan showed a north/south route on Church Street, going through Bush's Pasture Park and onto Church Street to McGilchrist. The committee had discussed two routing options through the park: along the multi-use path and on the soap box derby track. The discussion concluded that neither route was desirable. Instead, High Street was preferable.

SCAN's recommendation has been waiting for work to begin on the Transportation System Plan (TSP) update. This work was to begin in 2022, but has been delayed as the City responded to deadlines set by DLCD's Climate Friendly / Equitable Communities rule.

Committee members decided that SCAN should proceed with its request since the TSP update has been delayed. However, after some discussion, the decision was made to update the motion:

- The routing proposed in the old motion would not work as a family friendly bikeway. The hill on High Street is an obstacle. Alternatives around the hill were discussed: Trade Street SE to the multi-use path or through the SAIF parking lot. Members decided to propose the routing from McGilchrist to Leslie with a connection to the existing family friendly bikeway on Church Street.
- There is too much traffic (about 5,000 average daily trips) on High Street and it travels too fast to be a family friendly bikeway. Traffic calming measures will slow traffic and might discourage some drivers who are using High Street to avoid congestion on Liberty and Commercial. What traffic calming measures? The City recently adopted the "Neighborhood Traffic Management Plan" provides options for consideration. Some are listed for collector streets, but there are more options for local streets.

Proposed Motion:

SCAN requests the City of Salem take three actions concerning High Street SE:

- 1. Change the designation of High Street SE from a collector street to a local street in the Salem Transportation System Plan from Trade Street SE to Fairview Ave. SE.
- 2. Designate a family friendly bikeway on High Street SE from McGilchrist St. SE to Leslie Street SE with a connection to the family friendly bikeway on Church Street SE at Leslie Street SE.
- 3. Implement appropriate traffic calming measures for High Street SE as outlined in the Neighborhood Traffic Management Plan.

Other Matters

Victor and Gary Obery will attend a meeting with SSHS neighbors and Salem Keizer Public Schools concerning the traffic study of the area around SSHS conducted by DKS Engineering.

Jim asked if any were aware of the Critical Mass ride on Friday at 7:00pm. No. Critical Mass was discussed in 09/27 Breakfast on Bike's blog.

Submitted

Victor Dodier

Chair, SCAN Transportation Committee