

*555 Liberty St SE  
Salem, OR 97301*



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

**Monday, April 24, 2017**

**6:00 PM**

**Council Chambers**

**City Council**

**EXECUTIVE SESSION**

**WORK SESSION**

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

**Call to Order**

6:05 p.m.

**Roll Call**

**Present:** 9 - Councilor Kaser, Councilor Andersen, Councilor Nanke, Councilor McCoid, Councilor Ausec, Councilor Cook, Councilor Lewis, Councilor Hoy, and Mayor Bennett

**Pledge of Allegiance**

Led by Mayor Bennett.

**1.1 APPROVAL OF ADDITIONS AND DELETIONS TO THE AGENDA**

A motion was made by Councilor McCoid, seconded by Councilor Nanke to approve the additions and deletions to the agenda and to move the staff presentation for Item 3.3a to item 1.4.

The motion carried by the following vote:

**Aye:** 9 - Kaser, Andersen, Nanke, McCoid, Ausec, Cook, Lewis, Hoy, and Bennett

**Nay:** 0

**Abstain:** 0

**1.2 COUNCIL AND CITY MANAGER COMMENT**

Councilors Nanke, McCoid, Andersen, Hoy, and Mayor Bennett.

**1.3 PROCLAMATIONS**

**1.3a.** [17-181](#)

Proclamation recognizing Asian/Pacific American Heritage Month

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Mayor Bennett read the proclamation.

## 1.4 PRESENTATIONS

Comments by City Manager Powers and City Attorney Dan Atchison regarding Item 3.3a.

Questions or Comments by: Councilor Andersen.

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

Persons speaking to Item 3.3a:

Sarah Deumling, Ward 8, Item 3.3a

Brian Hines, 10371 Lake Drive SE, Item 3.3a

Matt Crall, Department of Land Conservation and Developments, Item 3.3a

Mary Ann Baclawski, 385 Forest Hills Way NW, Item 3.3a

Doug Snef, 820 Fairview Avenue, Item 3.3a

Questions or Comments by: Councilors Nanke, Andersen, Lewis, Cook, McCoid, Kaser, Hoy, and Mayor Bennett.

Additional Public Comment resumed for items other than Item 3.3a:

Kasia Quillinan, Chair, Salem Parks & Recreation Advisory Board, Accomplishments of Board

Questions or Comments by: Councilor Cook.

2.1 [17-145](#)

Intergovernmental Agreement with the Oregon Department of Land Conservation and Development relating to the Salem River Crossing Project

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**A motion was made by Councilor Kaser, seconded by Councilor Hoy to deny the authorization of the City Manager to execute an intergovernmental agreement with the Oregon Department of Land Conservation and Development relating to the Salem River Crossing project.**

**Questions or Comments by: Councilors Kaser, Andersen, Nanke, McCoid, Lewis, and Mayor Bennett.**

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

**Aye:** 5 - Kaser, Andersen, Ausec, Cook, and Hoy

**Nay:** 4 - Nanke, McCoid, Lewis, and Bennett

**Abstain:** 0

### **3. CONSENT CALENDAR: (Includes approval of minutes, adoption of routine resolutions, and items of business requiring Council action)**

**A motion was made by Councilor McCoid, seconded by Councilor Nanke to approve the consent calendar with the pull of item 3.3e by Councilor Hoy.**

**Questions or Comments by: Councilor McCoid.**

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

**Aye:** 9 - Kaser, Andersen, Nanke, McCoid, Ausec, Cook, Lewis, Hoy, and Bennett

**Nay:** 0

**Abstain:** 0

### **3.1 MINUTES**

3.1a. [17-189](#)

April 10, 2017 Council Minutes

**Action: Approved.**

3.1b. [17-186](#) April 12, 2017 Council Minutes

**Action: Approved.**

### 3.2 RESOLUTIONS

3.2a. [17-178](#) Engineering design for a replacement cooling system at the Civic Center.

Ward(s): All  
Councilor(s): All  
Neighborhood(s): All

**Adopted Resolution No. 2017-27 to transfer \$63,250 of appropriation authority from General Fund, Non Departmental, contingencies to General Fund, Facilities Services, materials and services, for the purpose of performing engineering design for a replacement cooling system at the Civic Center.**

### 3.3 ACTION ITEMS

3.3a. [17-145](#) Intergovernmental Agreement with the Oregon Department of Land Conservation and Development relating to the Salem River Crossing Project

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

**See Item 2.1.**

3.3b. [17-162](#) 413 Industries, LLC Lease Amendment

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

**Authorized the City Manager to execute the attached lease amendment with 413 Industries, LLC for retail space at Liberty Parkade.**

- 3.3c.** [17-164](#) Regional Traffic Control Center Intergovernmental Agreement
- Ward(s): All Wards  
Councilor(s): All Councilors  
Neighborhood(s): All Neighborhoods
- Authorized the City Manager to execute the attached Intergovernmental Agreement with Oregon Department of Transportation for the purposes of receiving federal funds and providing local matching funds to operate the Salem Regional Traffic Control Center.**
- 3.3d.** [17-167](#) Accepting a petition for the vacation of a portion of Rose Garden Way NE
- Ward(s): 5  
Councilor(s): Ausec  
Neighborhood(s): Northgate
- Accepted a petition to vacate a portion of Rose Garden Way NE and direct the City Manager to set a public hearing date to consider the petition-initiated vacation.**
- 3.3e.** [17-184](#) Appointments and reappointments to the Citizens Advisory Traffic Commission, Civil Service Commission, Downtown Advisory Board, Salem Cultural and Tourism Promotion Advisory Board, Salem Parks and Recreation Advisory Board, and Salem Urban Development, Community Service and Housing Commission.
- Ward(s): All Wards  
Councilor(s): All Councilors  
Neighborhood(s): All Neighborhoods
- Pulled by Councilor Hoy - See Item 5a.**
- 3.3f.** [17-187](#) Legislative Priority Bills
- Ward(s): All Wards  
Councilor(s): All Councilors  
Neighborhood(s): All Neighborhoods
- Approved the legislative positions and priorities recommended by the Council Legislative Committee.**

#### 4. PUBLIC HEARINGS

4.a. [17-161](#)

2017-2018 Housing and Community Development Annual Action Plan

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Persons Testifying:**

**Jayne Downing, 605 Center Street NE**

**A motion was made by Councilor McCoid, seconded by Councilor Cook to adopt the 2017-2018 Housing and Community Development Annual Action Plan (Plan) and direct staff to submit the Plan to the U.S. Department of Housing and Urban Development prior to May 15, 2017.**

**Questions or Comments by: Councilor Andersen.**

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

**Aye:** 9 - Kaser, Andersen, Nanke, McCoid, Ausec, Cook, Lewis, Hoy, and Bennett

**Nay:** 0

**Abstain:** 0

4.b. [17-179](#)

Ordinance Bill No. 3-17, relating to vehicles for hire, taxis, and transportation network companies, and amending SRC chapter 30.

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

**Persons Testifying:**

- Janelle Lawrence, Executive Director, Oregon Impact**
- Jon Isaacs, Oregon Public Affairs Manager, Uber**
- Shawn Miller, Property Casualty Insurance Association**
- Shawn Johnson, 341 53rd Avenue SE**
- James Entrocaso, 1014 24th Street SE**
- Tom Rose, 3032 Kurt Drive NW**
- Joshua Bowen, 1255 Broadway Street NE**
- Jessica Entrocaso, 1014 24th Street SE**
- Chris Palmer, 760 Vista Avenue**
- Yuri (last name undecipherable) 4391 Stacy Place NE**
- Lee Lynch, General Manager, Willamette Valley Yellow Cab, 3043 Hammel Street NE**

**Questions or Comments by: Councilors Andersen, Councilors Kaser, Cook, McCoid, Mayor Bennett, Councilor Lewis and Nanke.**

**A motion was made by Mayor Bennett, seconded by Councilor Cook to advance Ordinance Bill No. 3-17 to second reading for enactment, and to include draft amendments described in the attachment to the staff report and other amendments regarding sex offenders as discussed during the public hearing .**

**Questions or Comments by: Councilors Lewis, Andersen, Hoy, Kaser, and Mayor Bennett.**

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

**Aye:** 9 - Kaser, Andersen, Nanke, McCoid, Ausec, Cook, Lewis, Hoy, and Bennett

**Nay:** 0

**Abstain:** 0

**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)**

[17-184](#)

Appointments and reappointments to the Citizens Advisory Traffic Commission, Civil Service Commission, Downtown Advisory Board, Salem Cultural and Tourism Promotion Advisory Board, Salem Parks and Recreation Advisory Board, and Salem Urban Development, Community Service and Housing Commission.

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

**A motion was made by Councilor Hoy, seconded by Councilor Andersen to appoint and reappoint the applicants listed in the Facts and Findings section to the Citizens Advisory Traffic Commission, Citizen Budget Committee, Civil Service Commission, Downtown Advisory Board, Salem Cultural and Tourism Promotion Advisory Board, Salem Parks and Recreation Advisory Board, and Salem Urban Development, Community Service and Housing Commission.**

**Questions or Comments by: Councilors Hoy and Nanke.**

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

**Aye:** 9 - Kaser, Andersen, Nanke, McCoid, Ausec, Cook, Lewis, Hoy, and Bennett

**Nay:** 0

**Abstain:** 0

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

6.a. [17-172](#)

Salem Parks and Recreation Advisory Board Annual Report for 2016

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

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

## 7. ORDINANCES

### 7.1 FIRST READING:

**7.1a.** [17-168](#)

Amendments to the Salem Revised Code (SRC) to permit domestic violence shelters in residential and commercial zones (Ordinance Bill No. 6-17; Case No. CA17-02)

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

**A motion was made by Councilor McCoid, seconded by Councilor Hoy to proceed to second reading for enactment of Ordinance Bill No. 6-17, amending the Salem Revised Code to allow non-profit shelters for victims of domestic violence with 10 or fewer people as a permitted use in residential and commercial zones, remove some siting requirements for domestic violence shelters in certain residential zones, and establish an off-street parking requirement for domestic violence shelters of one parking space per guest room or suite.**

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

**Aye:** 9 - Kaser, Andersen, Nanke, McCoid, Ausec, Cook, Lewis, Hoy, and Bennett  
**Nay:** 0  
**Abstain:** 0

**7.2 SECOND READING:**

**7.2a.** [17-165](#)

Vacating a public right-of-way located south of Aumsville Highway SE and east of Kuebler Boulevard SE

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

**Conducted second reading of Ordinance Bill No. 8-17 (Attachment 1), which vacates a public right-of-way located south of Aumsville Highway SE and east of Kuebler Boulevard SE.**

**The ordinance was adopted by the following vote:**

**Aye:** 9 - Kaser, Andersen, Nanke, McCoid, Ausec, Cook, Lewis, Hoy, and Bennett  
**Nay:** 0  
**Abstain:** 0

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

**None.**

**9. ADJOURNMENT**

9:06 p.m.