

*555 Liberty St SE
Salem, OR 97301*



Final Action Agenda - Minutes - Final

Monday, June 25, 2018

6:00 PM

Council Chambers

City Council

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

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

1.1 APPROVAL OF ADDITIONS AND DELETIONS TO THE AGENDA

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

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

1.2 COUNCIL AND CITY MANAGER COMMENT

Comments by: Councilors Cook, Andersen, Mayor Bennett, City Manager Powers.

- 1.2a. [18-312](#) Summary of actions to address cyanotoxins in Salem’s water supply.

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

This Informational Report was received and filed.

Comments by: City Manager Powers, Mayor Bennett, Peter Fernandez, Director, Public Works, Lacey Goeres-Priest, Water Quality Manager, Public Works.

Presentation by Brian Martin, Engineer, Public Works.

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

1.3 PROCLAMATIONS

- 1.3a. [18-301](#) Proclamation of the Mayor and Canvass of Votes from the Primary Election on May 15, 2018

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

Mayor Bennett read the proclamation.

1.4 PRESENTATIONS

None.

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

Appearances by:

- Matt Starbuck, President, AFSCME Local 2067, Item 3.2c, File 18-278
- Kathy Knock, AFSCME Local 2067, Item 3.2c, File 18-278
- Laura Tesler, 690 Vista Avenue SE, Item 3.2a, File 18-195
- Tim Murphy, Chief Executive Officer, Bridgeway, Item 3.3i, File 18-297
- Michael Slater, Ward 7, Item 3.3e, File 18-271
- Cody Marrs, AFSCME Local 2067, Item 3.2c, File 18-278
- Cody Wildman, AFSCME Local 2067, Item 3.2c, File 18-278
- McKenzie Farrell, 1818 Cousteau Loop, Item 3.3c, File 18-232

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

At the conclusion of Public Comment, Mayor Bennett called a five minute recess.

The meeting reconvened.

Agenda Item 8, Public Comment, was heard at this time:

Appearances by:

- Manuel Padron, Water Quality/Filtration
- Barry Lee Coyne, 3289 Oakcrest Drive, Nelson Mandela Fest: A Salem Salute being held July 17, 2018 at the Unitarian Universalist Congregation of Salem from 6:30 p.m. to 8:00 p.m.

Questions or Comments by: Mayor Bennett and Councilor Andersen.

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 Hoy to approve the consent calendar with the pulls of items 3.2a and 3.3c by Councilor Nanke.

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. [18-282](#) June 11, 2018 Draft City Council Minutes

Action: Approved.

3.2 RESOLUTIONS

3.2a. [18-195](#) Protection of Oregon White Oaks at the Salem Business Campus

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

Pulled by Councilor Nanke - See Item 5.a.

3.2b. [18-275](#) Initiating a Class 2 vacation of Aviation Loop SE.

Ward(s): 2
Councilor(s): Andersen
Neighborhood(s): Southeast Mill Creek Association

Adopted Resolution No. 2018-69 to initiates vacation of Aviation Loop SE.

3.2c. [18-278](#) Adopting the FY 2018-19 budget and setting the parking tax for the Downtown Parking District.

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

Adopted Resolution No. 2018-29 adopting the FY 2018-19 budget and setting the business-paid parking tax for the Downtown Parking District.

3.2d. [18-279](#) Acquisition of Property for the Brown Road NE Corridor Improvement Project.

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

Adopted Resolution Nos. 2018-30 through 2018-68, declaring a public need to acquire; the City of Salem's intent to negotiate; and, if necessary, authorize the City Attorney to commence eminent domain proceedings, for the acquisition of right-of-way and temporary easements for the Brown Road NE Corridor Improvement project.

3.2e. [18-285](#)

Transfer of FY 2018 budget appropriations.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Adopted Resolution 2018-70, authorizing transfers of appropriations within the City budget in order to maintain compliance with Oregon budget law.

3.2f. [18-286](#)

State shared revenues.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Adopted Resolution 2018-71, certifying that the City of Salem provides certain enumerated municipal services to receive state shared revenues in FY 2019.

3.2g. [18-287](#)

Adoption of the FY 2019 City of Salem Budget

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Adopted Resolution 2018-72 adopting the FY 2019 City of Salem budget.

3.3 ACTION ITEMS

3.3a. [18-170](#)

Transfer of real property ownership interests to City of Salem for 11 Urban Renewal Agency-owned parcels.

Ward(s): 1,3,5

Councilor(s): Kaser, Nanke, Ausec

Neighborhood(s): CANDO, Highland, Northgate, Morningside, West Salem

Authorized the City Manager to execute the attached agreement for Purchase and Sale of Real Property transferring 11 Urban Renewal Agency owned parcels to the City of Salem.

- 3.3b.** [18-225](#) Third Amendment to the Salem Business Campus covenants, conditions and restrictions.
- Ward(s): 3
Councilor(s): Nanke
Neighborhood(s): SEMCA
- Approved the third amendment to the Salem Business Campus covenants, conditions and restrictions to include the definition of Traded Sector use and require approval for uses other than Traded Sector.**
- 3.3c.** [18-232](#) Hilfiker Park Master Plan
- Ward(s): 3
Councilor(s): Nanke
Neighborhood(s): Morningside
- Pulled by Councilor Nanke - See Item 5.b.**
- 3.3d.** [18-270](#) Lease for City employee health clinic at 960 Liberty Street SE.
- Ward(s): 2
Councilor(s): Andersen
Neighborhood(s): SCAN
- Authorized the City Manager to execute the attached lease for a City employee health clinic.**
- 3.3e.** [18-271](#) Capital Improvement Plan for FY 2019 through FY 2023
- Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
- Adopted the Capital Improvement Plan for FY 2019 through FY 2023 as recommended by the Budget Committee with the addition of Project 779 as presented in attachment 2.**
- 3.3f.** [18-273](#) Airport Capital Improvement Project and Federal Aviation Administration Grant Application for Design of the Terminal Apron Rehabilitation project.
- Ward(s): 2
Councilor(s): Andersen
Neighborhood(s): SEMCA
- Authorized the City Manager to apply for and accept Federal Aviation Administration Airport Improvement Program grant funds to be used for the design of a Terminal Apron Rehabilitation project.**

3.3g. [18-280](#)

Amendment to Purchase and Sale Agreement with Westwood Homes, LLC.

Ward(s): 3

Councilor(s): Nanke

Neighborhood(s): Morningside

Authorized the City Manager to execute the attached amendment to the Purchase and Sale Agreement with Westwood Homes, LLC.

3.3h. [18-293](#)

Appointments and reappointments to the Citizen Budget Committee, Civil Service Commission, Community Police Review Board, Salem Cultural and Tourism Promotion Advisory Board, Salem Public Art Commission, Salem Public Library Advisory Board, and Salem Urban Development, Community Services and Housing Commission.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Appointed and reappointed the following applicants:

Citizen Budget Committee: Appointed Reid Sund as the Ward 7 representative to a full term #1 expiring on June 30, 2021.

Civil Service Commission: Reappointed Brian Fordham to a term #2 expiring on June 30, 2021, Appointed Frank Pack to a partial term expiring on June 30, 2019.

Community Police Review Board: Appointed Robert McGinty to the Alternate #2 position (no term expiration).

Salem Cultural and Tourism Promotion Advisory Board: Reappointed Elaine Wordon to a full term #1 expiring on June 30, 2021, Appointed current member Scott Snyder to the position representing the for-profit tourism industry with a term expiring on June 30, 2021.

Salem Public Art Commission: Appointed current member Michael Hernandez to the position representing someone experienced in museum curation, art restoration or art appraisal expiring on October 1, 2019.

Salem Public Library Advisory Board (four-year terms): Reappointed Jeffrey Skryszak to a full term #1 expiring on June 30, 2022, Reappointed William Distad to a full term #2 expiring on June 30, 2022, Appointed Francine Boullosa to a partial term expiring on June 30, 2020.

Salem Urban Development, Community Services and Housing Commission: Reappointed Abraham Magana to a full term #2 expiring on June 30, 2021, Appointed Ryan Mann to a full term #1 expiring on June 30 2021, Appointed LaDonna Smith as the representative from the United Way of the Mid-Willamette Valley to a full term expiring on June 30, 2021.

3.3i. [18-297](#) Memorandum of Understanding for a Sobering Center in Salem

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

Authorized the City Manager to execute a Memorandum of Understanding (MOU) by and between the Mid-Willamette Valley Community Action Agency and the City of Salem to provide for a sobering center in Salem.

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. [18-195](#) Protection of Oregon White Oaks at the Salem Business Campus

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

A motion was made by Councilor Nanke, seconded by Councilor Andersen to adopt Resolution No. 2018-26 to declare the City's policy to protect the stand of Oregon white oaks at the Salem Business Campus, and authorize the Director of Urban Development to submit an application to the City's Planning Division to reconfigure lots within the Salem Business Campus to implement the policy.

Comments by: Councilors Nanke and Andersen.

The motion carried by the following vote:

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

Nay: 0

Abstain: 0

5.b. [18-232](#) Hilfiker Park Master Plan

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

A motion was made by Councilor Nanke, seconded by Councilor Hoy to adopt the Hilfiker Park Master Plan.

Comments by Councilors Nanke, Hoy, McCoid, Kaser, Andersen, and Cook.

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. [18-269](#) Planning Administrator Decision - Partition Case No. PAR18-04 - Approved - Vasily Snegirev - 3045 Park Avenue NE - A proposed partition to divide a lot along the westerly side of Park Avenue NE into three parcels.

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

This Informational Report was received and filed.

6.b. [18-274](#) Center 50+ Advisory Commission Age-Friendly Initiative Update June 2018.

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

This Informational Report was received and filed.

6.c. [18-276](#) Planning Administrator’s decision - Partition Case No. PAR18-02 - Approved - Fairview Addition, LLC (Eric Olsen, Jeffery A Trautman) - 4300 Block of Battle Creek Road SE - An application to divide Parcel 3 of Partition Plat No. 2015-29 into two parcels.

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

This Informational Report was received and filed.

7. ORDINANCES

7.1 FIRST READING:

7.1a. [18-277](#) State Street Corridor Plan Project

Ward(s): 1 and 2
Councilor(s): Kaser and Andersen
Neighborhood(s): NEN and SESNA

A motion was made by Councilor Andersen, seconded by Councilor Kaser to hold a public hearing on amendments to the UDC, Comprehensive Plan, Comprehensive Plan Map, NEN-SESNA Neighborhood Plan Map, and zoning map, to adopt new zoning and a new street design for the State Street corridor.

Comments by: Mayor Bennett, Councilors Andersen, Kaser, Nanke, and City Manager Powers.

The motion carried by the following vote:

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

Nay: 0

Abstain: 0

7.1b. [18-289](#)

Petitioner-Initiated Annexation of Territory Located at 1338 and 1340 Wallace Road NW and Land East - 97304 (Annexation Case No. C-724)

Ward(s): 1
Councilor(s): Kaser
Neighborhood(s): West Salem

A motion was made by Councilor Kaser, seconded by Councilor Hoy to conduct first reading of Ordinance Bill No. 14-18 annexing, changing the Salem Area Comprehensive Plan Map designation from "Developing Residential" to "Multi-Family Residential", changing the zoning from Polk County SR (Suburban Residential) to City of Salem RM2 (Multiple Family Residential 2), and withdrawing from the Salem Suburban Rural Fire Protection District, for a 0.80-acre property located at 1338 and 1340 Wallace Road NW and Land East.

Comments by: Councilor Kaser.

The motion carried by the following vote:

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

Nay: 0

Abstain: 0

7.1c. [18-290](#)

Petitioner-Initiated Annexation of Territory Located at 6719 Devon Avenue SE - 97306 (Annexation Case No. C-725)

Ward(s): 4
Councilor(s): McCoid
Neighborhood(s): South Gateway

A motion was made by Councilor McCoid, seconded by Councilor Lewis to conduct first reading of Ordinance Bill No. 13-18 annexing, applying City of Salem RS (Single Family Residential) zoning from Marion County UT-10 (Urban Transition 10 Acres), and withdrawing from the Salem Suburban Rural Fire Protection District, for a 20.35-acre property located at 6719 Devon Avenue SE.

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

7.2 SECOND READING:

7.2a. [18-284](#) Right-of-Way Use Agreement with ExteNet Systems, Inc.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Ordinance Bill No. 10-18 -Authorizing the City Manager to execute the Right-of-Way Use Agreement between the City of Salem and ExteNet Systems, Inc.; and conduct second reading for enactment of Ordinance Bill No. 10-18, granting a Right-of-Way Use Agreement to ExteNet Systems, Inc. for placement of wireless facilities in the City rights-of-way was approved by the following vote:

Mayor Bennett not present at the time the vote took place.

Aye: 8 - Kaser, Andersen, Nanke, McCoid, Ausec, Cook, Lewis, and Hoy

Nay: 0

Excused: 1 - Bennett

Abstain: 0

7.2b. [18-288](#) Changing the name of the Human Rights and Relations Advisory Commission

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Ordinance Bill No. 11-18 - An Ordinance Relating to Changing the Name of the Human Rights And Relations Advisory Commission; Amending SRC 8.010, 97.010 And 97.900 was approved by the following vote:

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

Nay: 0

Abstain: 0

7.2c. [18-294](#)

Amend Salem Revised Code Chapter 94 to allow sales of alcoholic beverages with 14 percent or more alcohol by volume at Riverfront Park and Bush's Pasture Park under specified restrictions.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Ordinance Bill No. 9-18, which amends Salem Revised Code Chapter 94 to allow sales of alcoholic beverages with 14 percent or more alcohol by volume at Riverfront Park and Bush's Pasture Park if the alcoholic beverage is purchased from a concessionaire that is operating pursuant to a permit issued by the Director of Public Works and licensed by the Oregon Liquor Control Commission was approved 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)

See agenda item 2.

9. ADJOURNMENT

8:22 p.m.