

*555 Liberty St SE
Salem, OR 97301*



Final Action Agenda - Minutes - Draft

Monday, August 27, 2018

6:00 PM

Council Chambers

City Council

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

Call to Order

6:10 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 Kaser to approve the additions and deletions.

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 Hoy, McCoid and Andersen.

1.3 PROCLAMATIONS

1.3 a. Proclamation recognizing National Recovery Month

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Proclamation - National Recovery Month](#)

Mayor Bennett read and presented the proclamation to Chris Simpson.

Information Only.

1.4 PRESENTATIONS

None.

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

Appearances by:

- Shelaswau Crier, Ward 2, Item 3.3c, File18-395
- Joyce Judy, 375 Fairview SE #207, Item 7.1a, File 18-383
- Paul Krissel, 1675 High Street SE, Item 3.3c, File 18-395
- Michael Pollard, 5176 Cultus Court SE, Item 3.3c, File 18-395
- Patrice Pollard, 5176 Cultus Court SE, Item 3.3c, File 18-395
- Jose Gonzalez, 3178 Livingston, Item 3.3c, File 18-395
- Audrey von Maluski, 4868 49th Avenue NE, Item 3.3c, File 18-395
- Gray Wallmark, 4734 Bradford Loop SE, Item 7.1a, File 18-383
- Shawn Miller, NW Grocery Association, Item 7.1a, File 18-383
- Alonso Oliveros, 700 Marion Street NE, Item 3.3c, File 18-395
- Tom Lancefield, 313 Ewald Avenue SE, Item 7.1a, File 18-383
- Zoe Diacou, 917 13th Avenue SE, Item 3.3c, File 18-395
- Laurie Dougherty, 462 20th Street SE, Item 3.3c, File 18-395
- Sarah Rohrs, 260 23rd Street NE, Item 3.3c, File 18-395
- Trevon Phillips, 4915 Chauncey Court SE, Item 3.3c, File 18-395
- Terry Webber, AF&PA, Item 7.1a, File 18-383
- Emily Loberg, 222 S. Ellis Avenue NE, Item 3.3c, File 18-395
- Charlie Plybon, Oregon Surfrider Foundation, Item 7.1a, File 18-383
- Jocelyn Enevoldsen, 7552 Champion Hill Road SE, Item 7.1a, File 18-383

Questions and Comments by: Councilors Cook and Andersen.

Council took a break at 7:05 p.m. and resumed the meeting at 7:10 p.m.

2.1

City positions on November 2018 ballot measures

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

- Attachments:** [Measure 102 - Certified Ballot Title](#)
[Measure 103 - Certified Ballot Title](#)
[Measure 104 - Certified Ballot Title](#)
[Measure 105 - Certified Ballot Title](#)

A motion was made by Mayor Bennett, seconded by Councilor Andersen to move forward 3.3c to this point on the agenda.

The motion carried by unanimous vote.

A motion was made by Councilor Andersen, seconded by Councilor Kaser to approve the legislative positions recommended by individual members of the Council Legislative Committee, and to direct the Mayor to sign the appropriate ballot measure positions that could go in the Voter's Pamphlet.

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

The motion carried by the following vote:

Aye: 6 - Kaser, Andersen, Ausec, Cook, Hoy, and Bennett

Nay: 3 - Nanke, McCoid, and Lewis

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 Hoy to approve the consent calendar.

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

3.1 a. August 13, 2018 Draft City Council Minutes

Attachments: [8-13-18 Draft Council Minutes](#)

Action: Approved.

3.2 RESOLUTIONS

None.

3.3 ACTION ITEMS

3.3 a. Intergovernmental Agreement with the Drug Enforcement Administration for Narcotics Task Force Operations

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

Attachments: [Program Funded State and Local Task Force Agreement](#)

Authorized the City Manager to execute the attached IGA between the United States Department of Justice, Drug Enforcement Administration and the City of Salem for the operation of a narcotics task force in FY18/19.

3.3 b. Purchase and Sale Agreement with Ligali Harruna and Ekaette

Udosenata-Harruna for disposition of surplus real property located at 3619 Pringle Road SE.

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

Attachments: [Location Map](#)
[Proposed Agreement](#)

Authorized the City Manager to execute the attached Purchase and Sale Agreement for the disposition of surplus real property at 3619 Pringle Road SE.

3.3 c. City positions on November 2018 ballot measures

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

Attachments: [Measure 102 - Certified Ballot Title](#)
[Measure 103 - Certified Ballot Title](#)
[Measure 104 - Certified Ballot Title](#)
[Measure 105 - Certified Ballot Title](#)

Item 3.3c was heard before the Consent Calendar, see item 2.1

4. PUBLIC HEARINGS

4. a. Appeal of the Planning Commission's decision on Comprehensive Plan Change / Zone Change / Urban Growth Preliminary Declaration Case No. CPC-ZC-UGA18-04 for property located at 4195 Aumsville Highway SE.

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

Attachments: [Vicinity Map](#)
[July 19 2018 Decision of the Planning Commission](#)
[Appeal Letter](#)
[June 19 2018 Staff Report](#)
[July 17 2018 Supplemental Staff Report](#)
[Letter from Colette Peters - Director of the Oregon Department of Corrections](#)
[Request to Continue Hearing](#)
[Applicant's Statement](#)

A motion was made by Councilor Nanke, seconded by Councilor Lewis as requested by the parties, to move to continue the hearing until September

24, and that council will wait until that date to accept oral testimony.

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)

None.

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

6. a. Library Collection Development Policy

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

Attachments: [Collection Development Policy](#)

This informational report was received and filed.

Questions and Comments by: Councilor Kaser

6. b. Proposed amendments to Council Rule 6 - Communications, changing the time communications must be submitted on the date of a meeting in order for copies to be provided to Council at the meeting.

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

Attachments: [2018-75 Resolution](#)

This informational report was received and filed.

Questions and Comments by: Councilor Lewis

6. c. Planning Commission Decision - Class 3 Design Review / Class 3 Site

Plan Review / Class 2 Adjustment / Class 2 Driveway Approach
Permit Case No. DR-SPR-ADJ-DAP18-03 - Approved - City of Salem
- Police Department - 750 Commercial Street NE - A consolidated
application for the City’s proposed new Police Facility consisting of
the proposed approximate 103,780 square-foot three-story facility,
secured parking, and a public plaza along Division Street.

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

Attachments: [Land Use Decision DR-SPR-ADJ-DAP18-03](#)

This informational report was received and filed.

Questions and Comments by: Councilor Andersen

- 6. d. Planning Administrator Decision - Partition Case No. PAR18-06 -
Approved - Radiant Homes, LLC (Kiprian Tipikin) - A proposed
partition to divide a lot at the corner of Sylvia Street SE and 42nd
Avenue SE into two parcels. The existing duplex would remain on
the northern parcel at the corner of Sylvia Street SE and 42nd
Avenue SE.

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

Attachments: [Land Use Decision PAR18-06](#)

This informational report was received and filed.

- 6. e. Approved agreement with Salem on Ice, LLC, to place a temporary
ice rink facility in Riverfront Park for 2018-19 season.

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

Attachments: [Salem on Ice 2018](#)

This informational report was received and filed.

Questions and Comments by: Mayor Bennet, Councilors Cook and Lewis.

7. ORDINANCES

7.1 FIRST READING:

7.1 a. An ordinance bill relating to single-use plastic bags

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

Attachments: [Ordinance Bill No. 20-18](#)
[Ordinance Bill No. 20-18 Exhibit A](#)
[Public Comment.pdf](#)
[Public Comment 1](#)

A motion was made by Councilor Andersen, seconded by Councilor Hoy, to conduct a public hearing on September 10, 2018 regarding Ordinance Bill No. 20-18, which restricts use of single-use plastic bags.,

Comments by: Councilor Andersen

A substitute motion was made by Councilor Cook, seconded by Councilor McCoid to ask staff to examine disposable plastic bags in a more comprehensive waste management and environmental action plan and that that plan be included for an item of consideration as a policy agenda item for 2019.

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

A motion was made by Councilor Cook, seconded by Councilor McCoid to withdraw the substitute motion.

The original motion by Councilor Andersen carried by the following vote:

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

Nay: 1 - Nanke

Abstain: 0

7.2 SECOND READING:

7.2 a. Vacation of Aviation Loop SE.

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

Attachments: [Aviation Loop SE area to be vacated](#)
[Aviation Loop SE area to be dedicated in the future](#)
[Ordinance Bill No.17-18 \(Aviation Loop SE\)](#)
[Resolution No. 2018-69](#)

Conducted second reading of Ordinance Bill No. 17-18, which vacates

Aviation Loop SE.

Ordinance Bill No. 17-18 was adopted by the following vote:

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

Nay: 0

Abstain: 0

7.2 b.

Proposed amendments to Salem Revised Code pertaining to Erosion Prevention and Sediment Control (Chapter 75), Sidewalks (Chapter 78), Clearing and Grading of Land (Chapter 82), Land Division and Configuration (Chapter 205), Planned Unit Development (Chapter 210), Procedures for Land Use Applications and Legislative Land Use Proposals (Chapter 300), and Floodplain Overlay Zone (Chapter 601).

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Ordinance 15-18](#)
[Exhibit A](#)

A motion was made by Councilor McCoid, seconded by Councilor Hoy to engross Ordinance Bill No. 15-18, and conduct second reading of the ordinance bill for enactment, which amends Salem Revised Code (SRC) Chapters 75, 78, 82, 205, 210, 300, and 601.

Engrossed Ordinance Bill No. 15-18 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

7:58 p.m.