

*555 Liberty St SE
Salem, OR 97301*



Final Action Agenda - Minutes - Draft

Monday, June 27, 2016

6:30 PM

Council Chambers

City Council

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

This was approved.

Call to Order

6:48 p.m.

Roll Call

Present: 7 - Councilor Andersen, Councilor Nanke, Councilor McCoid, Councilor Benjamin, Councilor Bednarz, Councilor Lewis, and Mayor Peterson

Absent: 2 - Councilor Bennett, and Councilor Dickey

Present: Guest Councilor Cara Kaser for Councilor Bennett

1.1 APPROVAL OF ADDITIONS AND DELETIONS TO THE AGENDA

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

The motion was carried by the following vote:

Aye: 7 - Andersen, Nanke, McCoid, Benjamin, Bednarz, Lewis, and Peterson

Nay: 0

Absent: 2 - Bennett, and Dickey

Abstain: 0

1.2 COUNCIL AND CITY MANAGER COMMENT

Questions or Comments by: Councilor McCoid, Bednarz, Andersen, Lewis, Nanke, and Mayor Peterson and City Manager Steve Powers.

1.3 PROCLAMATIONS

1.3a. Asian American and Pacific Islander Heritage Proclamation.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Asian American Pacific Islander Heritage](#)

Presented by: Mayor Peterson.

1.4 PRESENTATIONS

None.

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

Appearances by:

Brian Hines, 10371 Lake Drive SE - Agenda - Item 3.2h, File 16-117

Catherina Jarmin Miller, Cultural Tourism Promotion Advisory Board - Item 6a, File 16-038

Luren Kruesi, 33871 Jefferson Drive, Scio - Item 4d, File 16-112

Jackie Leung, Asian Pacific Islander Community - Item 1.3a, File No. 16-083

Krisitina Norayn, Asian Pacific American Network of Oregon - Item 1.3a, File No. 16-083

Anthony Johnson, Portland - Item 4d, File 16-112

Questions or Comments by: Councilor Lewis, Bednarz, Andersen, Nanke and City Attorney Dan Atchison.

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 Bednarz to approve the consent calendar with the pull of agenda items 3.1c and 3.2a and 3.2h by Councilor Lewis, 3.2b by Councilor Andersen, and 3.3c by Mayor Peterson.

The motion carried by the following vote:

Aye: 7 - Andersen, Nanke, McCoid, Benjamin, Bednarz, Lewis, and Peterson

Nay: 0

Absent: 2 - Bennett, and Dickey

Abstain: 0

3.1 MINUTES

3.1a. February 29, 2016

Attachments: [2-29-16 Council Minutes](#)

Action: approved

3.1b.

June 6, 2016

Attachments: [6-06-16 Council Minutes](#)

Action: approved

3.1c.

June 8, 2016

Attachments: [6-08-16 Council Minutes](#)
[6-08-16 Revised Council Minutes](#)

Pulled by Councilor Lewis - See agenda item 5.a.

3.2 RESOLUTIONS

3.2a.

Public Works Department Fees for FY 2016-17

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Resolution 2016-23](#)
[Resolution 2016-23 Exhibit A - Proposed FY 2016-17 Fee Schedule 6-22-16.pdf](#)

Pulled by Councilor Lewis - See agenda item 5.b.

3.2b.

Waiver of employment requirement for standard tax exemption in the Salem Enterprise Zone for the operational expansion of Don Pancho Authentic Mexican Foods, Inc.

Ward(s): Ward 5

Councilor(s): Dickey

Neighborhood(s): Northgate Neighborhood Association

Attachments: [Resolution No. 2016-22](#)
[Resolution 2016-22 Exhibit A - Don Pancho EZ Application and Letters](#)

Pulled by Councilor Andersen - See agenda item 5.c.

3.2c.

Proposed Amendments to the North Gateway Urban Renewal Plan for Implementation of the Portland Road Corridor Action Plan

Ward(s): Ward 5

Board Member(s): Dickey

Neighborhood(s): Northgate

Attachments: [Proposed Amendments to the URA Plan](#)
[Salem Comprehensive Policies Plan--November 2015](#)
[Resolution No. 2016-24](#)

Adopted Resolution No. 2016-24 approving amendments to the North Gateway Urban Renewal Plan (URA Plan) Sections 402, 601C, 602, 603, and 1101 to:

- (1) Add two new URA Plan two new objectives to Section 402;**
- (2) Amend Section 601 to modify the street improvements proposed for Portland Road in the URA Plan and add new projects and improvements recommended by the Portland Road Corridor Action Plan to the list of eligible activities for URA funding;**
- (3) Amend Section 602 to eliminate the listing of future acquisition properties by Tax Map and Parcel Number;**
- (4) Amend Section 603 to remove a reference to properties specified for acquisition; and**
- (5) Amend Section 1101 to specify that changes to the URA Plan objectives and eligible project improvements are Minor Changes.**

3.2d. Adoption of the FY 2016-17 City of Salem, Oregon Budget Resolution

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

Attachments: [City of Salem FY 2016-17 City Council Amendments Summary](#)
[City of Salem FY 2015-16 Rebudgeted Purchase Orders for the FY 2016-17 Budget](#)
[City of Salem FY 2015-16 Reappropriations for the FY 2016-17 Budget](#)
[Resolution No. 2016-25](#)
[Resolution No. 2016-25, Exhibit A](#)
[Revised Attachment 1 - City of Salem FY 2016-17 City Council Amendments Summary](#)

Adopted Resolution No. 2016-25 thereby adopting a FY 2016-17 budget of \$539,520,320 for the City of Salem, Oregon.

3.2e. Authorizing the Transfer of FY 2015-16 Appropriations

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

Attachments: [Resolution No. 2016-27](#)

Adopted Resolution No. 2016-27, which authorizes the transfer of

appropriations within the City budget in order to maintain compliance with Oregon budget law.

3.2f. Resolution to Receive State Shared Revenues

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Resolution No. 2016-26](#)

Adopted Resolution No. 2016-26, certifying that the City of Salem provides certain enumerated municipal services, such as police and fire protection, thereby allowing the City of Salem to receive state shared revenues in FY 2016-17.

3.2g. Resolution No. 2016-28 Authorizing the Execution of a Financing Contract with the Oregon Infrastructure Finance Authority for a Loan in an Amount not to Exceed \$2,200,000

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Resolution No. 2016-28](#)
[Special Public Works Fund Development Project Financing Contract](#)
[Staff Report from November 23, 2015 authorizing the loan application](#)

Adopted Resolution No. 2016-28 authorizing the City Manager, or the City Manager's designee, to execute a financing contract with the IFA for a loan in an amount not to exceed \$2,200,000 (two million and two hundred thousand dollars) to be used for infrastructure improvements to the 60-acre, City-owned property located at 5475 Gaffin Road SE, commonly known as the Salem Renewable Energy and Technology Center.

3.2h. November 2016 Police Facility General Obligation Bond Measure Resolution

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Resolution No. 2016-29](#)
[Measure - Exhibit A](#)
[POLICE FACILITY PROJECT SUMMARY - Exhibit B](#)
[Written Testimony.pdf](#)

Pulled by Councilor Lewis- See agenda item 5.d.

3.3 ACTION ITEMS

3.3a. En-Core Fitness LLC Lease, Liberty Parkade

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

Attachments: [Proposed Lease and Exhibit A](#)
[Exhibit B to Lease](#)

**3.3a. -
R** Supplemental Staff Report: En-Core Fitness LLC Lease, Liberty
Parkade

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

Attachments: [En-Core Lease 2016 REVISED](#)

1) Found that the City-owned leasehold space located at 365 Ferry Street SE, Suite B, Salem, Oregon is not needed for public use; and

2) Authorized the City Manager to execute a lease with En-Core Fitness LLC for the same property from July 1, 2016, through June 30, 2019.

3.3b. Police Facility Site Lease

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

Attachments: [Site Map](#)
[Proposed Lease](#)
[Replace Attachment 2: Proposed Lease with Commercial Lease and Option to Purchase response to City Edits, 4825-0337-2339, 6 FINAL CLEAN.docx](#)

Authorized the City Manager to execute the attached lease with Shires Properties, LLC to secure the site of the proposed Police Facility.

3.3c. Third Amendment to the Purchase and Sale Agreement with
Sustainable Fairview Associates, LLC

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

Attachments: [Site Map](#)
[Purchase and Sale Agreement](#)
[First Amendment](#)
[Second Amendment](#)
[Third Amendment](#)

Pulled by Mayor Peterson - See Agenda Item 5.e.

**3.3c. -
R**

Third Amendment to the Purchase and Sale Agreement with
Sustainable Fairview Associates, LLC

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

Attachments: [Proposed Amendment No. 3 REVISED](#)

Pulled by Mayor Peterson - See agenda item 5.e.

3.3d.

United States Department of Justice Edward Byrne Memorial Justice
Assistance Grant

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

Attachments: [Intergovernmental Agreement with Marion County](#)

**Authorized the City Manager to apply for; accept, if awarded; and execute
all documents including the
attached Intergovernmental Agreement with Marion County, associated
with a U.S. Department of
Justice, Justice Assistance Grant in the amount of \$69,968.**

3.3e.

Request for funds to interconnect traffic signals on Cordon Road SE
and Kuebler Boulevard SE from Macleay Road SE to the planned
signal at Mill Creek Corporate Center

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

Attachments: [Vicinity Map](#)

**Endorsed a request for federal funds from the Salem-Keizer Area
Transportation Study to interconnect traffic signals on Cordon Road SE and
Kuebler Boulevard SE from Macleay Road SE to the planned signal at Mill
Creek Corporate Center.**

- 3.3f.** Approval of Engineering News Record Adjustment Factor for Fee Setting

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Approved a zero percent adjustment factor for the Engineering News Record index.

- 3.3g.** Intergovernmental Agreement with Marion County for Communication and Dispatch Services for the 2016 St. Paul Rodeo

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [IGA with Marion County for Communication and Dispatch Services](#)

Authorized the City Manager to execute the attached IGA (Attachment 1) with Marion County for communication and dispatch services for the 2016 St. Paul Rodeo.

4. PUBLIC HEARINGS

- 4.a.** Setting land use fees and charges for the Planning Division and the Public Works Department for Fiscal Year 2016-17

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Resolution 2016-20](#)
[Resolution 2016-20 Exhibit A](#)

Persons Testifying: None.

Organizations: None.

Evidence Received From: None.

Questions or Comments by: Councilor Andersen, and Lewis.

A motion was made by Councilor McCoid, seconded by Councilor Bednarz to adopt Resolution No. 2016-20 setting land use fees and charges for the Planning Division and the Public Works Department.

Questions or Comments by: Councilor Bednarz, Nanke, and Benjamin.

The motion carried by the following vote:

Aye: 7 - Andersen, Nanke, McCoid, Benjamin, Bednarz, Lewis, and Peterson

Nay: 0

Absent: 2 - Bennett, and Dickey

Abstain: 0

4.b.

Council Review - Appeal of Planning Administrator's decision approving Site Plan Review/Adjustment Case No. SPR/ADJ16-06 for property located at 1177 Center Street NE

Ward(s): Ward 1

Councilor(s): Bennett

Neighborhood(s): CANDO

Attachments: [Vicinity Map](#)
[Site Plan](#)
[Site Plan Review/Adjustment Application](#)
[April 21, 2016 Administrative Decision](#)
[May 6, 2016 Northeast Neighbors Appeal Letter](#)
[Modified Site Plan](#)

Persons Testifying:

Support: Nick Wallace, Carlson Weit Architects

Oppose:

Neutral:

Organizations:

Support:

Oppose: Nancy McDaniel, Ward 1, NEN

Neutral:

Evidence Received From: None.

Support:

Oppose:

Neutral:

Questions or Comments by: Councilor Nanke, Andersen, Lewis, Bednarz, Guest Councilor Cara Kaser and Mayor Peterson.

A motion was made by Councilor McCoid, seconded by Councilor Lewis to **AFFIRM** the April 21, 2016 Planning Administrator's Decision, subject to the following conditions of approval:

Condition 1: A bicycle rack to accommodate 2 bicycle spaces shall be provided.

Condition 2: A minimum of 192 square feet of landscaping area meeting the Type A landscaping standards shall be provided along the 12th St NE frontage.

Condition 3: Landscaping shall be provided as indicated in the Landscaping Plan.

Condition 4: New trees indicated in the Landscaping Plan shall be deciduous shade trees.

Condition 5: The reduced landscape requirements, as approved in this zoning adjustment, shall only apply to the specific development proposal shown in the attached site plan. Any future development, beyond what is shown in the attached site plan, shall conform to the minimum landscaping requirements for the site, unless reduced through a future land use action.

A substitute motion was made by Councilor Bednarz, seconded by Councilor Benjamin to move staff recommendation and add a sixth condition to require replacement of the trees along Center Street at the applicant's expense, and that they be maintained appropriately.

Questions or Comments by: Councilors Bednarz, Andersen, Lewis, Nanke, McCoid, Benjamin and Mayor Peterson.

The substitute motion failed by the following vote:

Aye: 2 - McCoid, Bednarz

Nay: 5 - Andersen, Nanke, Benjamin, Lewis, and Peterson

The main motion failed by the following vote:

Recess.

Aye: 2 - Nanke, and Lewis

Nay: 5 - Andersen, McCoid, Benjamin, Bednarz, and Peterson

Absent: 2 - Bennett, and Dickey

Abstain: 0

4.c. Adopting Fairview Park Master Plan

Ward(s): 2, 3, 4, and 7

Councilor(s): Andersen, Nanke, McCoid, Bednarz

Neighborhood(s): South Central, South East, SouthWest, Sunnyslope, Faye Wright, Morningside, Southeast Mill Creek, South Gateway

Attachments: [Attachment 1. Fairview Master Plan Final Draft June2016](#)
[Attachment 2. Fairview Park Conceptual Layout](#)

Persons Testifying: None.

Organizations: None.

Evidence Received From: None.

Questions or Comments by: Councilors Lewis, Andersen, Nanke, Bednarz, Benjamin, Guest Councilor Cara Kaser and Mayor Peterson.

A motion was made by Councilor Nanke, seconded by Councilor Bednarz to adopt the proposed Fairview Park Master Plan

Questions or Comments by: Councilor Nanke, McCoid, Lewis, Guest Councilor Cara Kaser, and Mayor Peterson.

The motion carried by the following vote:

Aye: 7 - Andersen, Nanke, McCoid, Benjamin, Bednarz, Lewis, and Peterson

Nay: 0

Absent: 2 - Bennett, and Dickey

Abstain: 0

- 4.d.** Proposed regulation of recreational marijuana facilities and amendments to the City's medical marijuana regulations.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Ordinance Bill 8-16 Relating to Marijuana Regulation](#)
[Proposed Engrossed Ordinance Bill 8-16 Relating to Marijuana Regulation](#)
[Head Start Map](#)
[US DOJ Cole Memo](#)
[Potential Facilities Map](#)
[Facility Location Table](#)

Persons Testifying:

Support:

Oppose:

Chris Oss, 1860 State Street

Mike Flynn, 3625 Portland Road NE

Nicholas Salisbury, 1255

Neutral:

Organizations:

Support:

Oppose:

Casey Houlihan, Oregon Retailers of Cannabis Association

Margo Lucas, West Salem Cannabis

Neutral:

Evidence Received From: None.

Support:

Oppose:

Neutral:

A motion was made by Councilor McCoid, seconded by Councilor Nanke and to extend the meeting to 10:30 p.m.

The motion carried by the following vote:

Aye: 7 - Andersen, Nanke, McCoid, Benjamin, Bednarz, Lewis and Peterson

Nay: 0 -

Questions or Comments by: Councilors Lewis, Andersen, Benjamin, Bednarz, Nanke, Mayor Peterson, and City Attorney Dan Atchison.

A motion was made by Councilor McCoid, seconded by Benjamin to extend the meeting to 11:00 p.m.

The motion carried by the following vote

Aye: 4 - Andersen, McCoid, Lewis, Peterson

Nay: 3 - Nanke, Benjamin, Bednarz

Questions or Comments by: Councilor Andersen, Benjamin, Bednarz, Guest Councilor Cara Kaser, and City Attorney Dan Atchison.

A motion was made by Councilor McCoid, seconded by Councilor Bednarz to refer the ordinance back to staff to replace the proposed regulations with a registration requirement for medical marijuana and recreational marijuana sales and dispensary facilities, and for marijuana grow sites and manufacturing facilities.

Questions or Comments by: Councilor McCoid, Bednarz, Lewis, Andersen, Mayor Peterson and City Attorney Dan Atchison.

The motion carried by the following vote:

Aye: 6 - Andersen, McCoid, Benjamin, Bednarz, Lewis, and Peterson

Nay: 1 - Nanke

Absent: 2 - Bennett, and Dickey

Abstain: 0

5. SPECIAL ORDERS OF BUSINESS: (Includes consideration of items deferred from the Consent Calendar and any action item which requires a selection among options, consideration of matters of special importance to the Council, and management reports; formal presentations by city boards, city commissions, city committees and by outside agencies providing services or engaged in other activities with the City)

5.a. June 8, 2016

Attachments: [6-08-16 Council Minutes](#)
[6-08-16 Revised Council Minutes](#)

A motion was made by Councilor Lewis, seconded by Councilor Bednarz to request staff to go back and review the tapes of the June 8th public hearing and verify the names are in the right place.

Questions or Comments by: Councilor Lewis.

The motion carried by the following vote:

Aye: 7 - Andersen, Nanke, McCoid, Benjamin, Bednarz, Lewis, and Peterson

Nay: 0

Absent: 2 - Bennett, and Dickey

Abstain: 0

5.b. Public Works Department Fees for FY 2016-17

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Resolution 2016-23](#)
[Resolution 2016-23 Exhibit A - Proposed FY 2016-17 Fee Schedule 6-22-16.pdf](#)

A motion was made by Councilor Lewis seconded by Councilor Nanke to adopt Resolution No. 2016-23 setting fees for the City of Salem Public Works Department.

The motion carried by the following vote:

Aye: 7 - Andersen, Nanke, McCoid, Benjamin, Bednarz, Lewis, and Peterson

Nay: 0

Absent: 2 - Bennett, and Dickey

Abstain: 0

5.c. Waiver of employment requirement for standard tax exemption in the Salem Enterprise Zone for the operational expansion of Don Pancho Authentic Mexican Foods, Inc.

Ward(s): Ward 5

Councilor(s): Dickey

Neighborhood(s): Northgate Neighborhood Association

Attachments: [Resolution No. 2016-22](#)[Resolution 2016-22 Exhibit A - Don Pancho EZ Application and Letters](#)

A motion was made by Councilor Andersen, seconded by Councilor Bednarz to adopt Resolution No. 2016-22 waiving the employment requirement for standard tax exemption in the Salem Enterprise Zone for the operational expansion of Don Pancho Mexican Foods, Inc.

Questions or Comments by: Councilor Andersen, McCoid, and Nanke.

The motion carried by the following vote:

Aye: 7 - Andersen, Nanke, McCoid, Benjamin, Bednarz, Lewis, and Peterson

Nay: 0

Absent: 2 - Bennett, and Dickey

Abstain: 0

5.d. November 2016 Police Facility General Obligation Bond Measure Resolution

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Resolution No. 2016-29](#)[Measure - Exhibit A](#)[POLICE FACILITY PROJECT SUMMARY - Exhibit B](#)[Written Testimony.pdf](#)

A motion was made by Councilor Lewis, seconded by Councilor Bednarz to adopt Resolution No. 2016-29, which calls for a measure election to be held on November 8, 2016, to submit to the voters of the city the question of issuing general bonded indebtedness not to exceed \$82,088,000 to finance the development of a new Police Facility and related costs.

Questions or Comments by: Councilor Lewis.

The motion carried by the following vote:

Aye: 7 - Andersen, Nanke, McCoid, Benjamin, Bednarz, Lewis, and Peterson

Nay: 0

Absent: 2 - Bennett, and Dickey

Abstain: 0

5.e. Third Amendment to the Purchase and Sale Agreement with Sustainable Fairview Associates, LLC

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

Attachments: [Site Map](#)
[Purchase and Sale Agreement](#)
[First Amendment](#)
[Second Amendment](#)
[Third Amendment](#)

This Action Item was approved as amended.

Third Amendment to the Purchase and Sale Agreement with
Sustainable Fairview Associates, LLC

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

Attachments: [Proposed Amendment No. 3 REVISED](#)

A motion was made by Mayor Peterson, seconded by Councilor Nanke to approve the attached amendment to the Purchase and Sale Agreement with Sustainable Fairview Associates, LLC to extend the closing date for the acquisition of 29 acres for use as a community park.

Questions or Comments by: Mayor Peterson.

The motion carried by the following vote:

Aye: 7 - Andersen, Nanke, McCoid, Benjamin, Bednarz, Lewis, and Peterson

Nay: 0

Absent: 2 - Bennett, and Dickey

Abstain: 0

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

6.a. Cultural and Tourism Promotion Advisory Board Annual Report

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

Attachments: [CTPAB Annual Report 6-27-16](#)

This Informational Report was received and filed.

- 6.b.** Notice of proposed administrative rulemaking to update the Rules and Regulations for the Salem Municipal Airport

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

Attachments: [Notice of Proposed Administrative Rulemaking](#)
[Draft Airport Rules & Regulations](#)

This Informational Report was received and filed.

- 6.c.** Planning Salem (Bucket List) Update.

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

Attachments: [Planning Salem May 2016](#)

This Informational Report was received and filed.

- 6.d.** Notice of proposed administrative rulemaking by the Fire Department to establish a matrix for the imposition of civil penalties for violations of the City's Fire Code.

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

Attachments: [Administrative Rules for Fire Code Enforcement](#)
[Civil Penalty Matrix](#)

This Informational Report was received and filed.

- 6.e.** Purchases approved administratively May 1, 2016, through May 31, 2016

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

This Informational Report was received and filed.

- 6.f.** Hearings Officer's Decision - Conditional Use / Class 3 Site Plan Review / Class 2 Adjustment Case No. CU-SPR-ADJ16-05 - Approved - Benjamin Clapa - 2630 Church Street NE - A request for a Conditional Use Permit, Site Plan Review and Adjustment

applications for conversion of an existing building to a memory care facility and site alterations to the existing vehicle use area.

Ward(s): 5
Councilor(s): Dickey
Neighborhood(s): Highland

Attachments: [CU-SPR-ADJ16-05 Decision](#)

This Informational Report was received and filed.

6.g. Municipal Court Pro Tempore Judge Utilization

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

Attachments: [Municipal Court Pro Tempore Utilization Cost Summary.pdf](#)

This Informational Report was received and filed.

7. ORDINANCES

7.1 FIRST READING:

7.1a. Proposed amendments to the Salem Revised Code to allow the commercial growing of recreational marijuana as a conditional use in the Industrial Commercial (IC) and the Industrial Park (IP) zones

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

Attachments: Proposed Code Amendment (Ordinance Bill No. 10-16)

A motion was made by Councilor McCoid, seconded by Councilor Lewis to engross to conduct first reading and schedule a public hearing before City Council on Ordinance Bill No. 10-16, which amends Salem Revised Code chapters 551 and 553 to allow the commercial growing of recreational marijuana as a conditional use in the Industrial Commercial (IC) and the Industrial Park (IP) zones.

Questions or Comments by: Councilor Andersen, and Bednarz.

The motion carried by the following vote:

Aye: 6 - Andersen, McCoid, Benjamin, Bednarz, Lewis, and Peterson

Nay: 1 - Nanke

Absent: 2 - Bennett, and Dickey

Abstain: 0

7.2 SECOND READING:

7.2a. Ordinance Bill No. 9-16, Defining Art in the City's Public Art Collection

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Attachment 1: Ordinance Bill No. 9-16](#)

Conducted second reading for enactment of Ordinance Bill No. 9-16, which clarifies the definition of "art" in the City's Public Art Collection.

Adopted Ordinance Bill No. 9-16 was adopted by the following vote:

Aye: 7 - Andersen, Nanke, McCoid, Benjamin, Bednarz, Lewis, and Peterson

Nay: 0

Absent: 2 - Bennett, and Dickey

Abstain: 0

7.2b. Engrossed Ordinance Bill No. 5-16, referring a tax on the sale of marijuana items to Salem voters for the November 2016 General Election

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Ordinance 5-16 Engrossed](#)

Conducted second reading for enactment of Engrossed Ordinance Bill No. 5-16, referring a tax on the sale of marijuana items to Salem voters for the November 2016 General Election.

Adopted Ordinance Bill No. 5-16 by the following vote:

Aye: 5 - Nanke, McCoid, Bednarz, Lewis, and Peterson

Nay: 2 - Andersen, and Benjamin

Absent: 2 - Bennett, and Dickey

Abstain: 0

7.2c.

Proposed amendments to the Salem Revised Code to allow physical fitness instructional uses in the CO zone, allow the rebuilding of existing duplexes in various commercial and industrial zones, and allow self-service storage in the Riverfront Overlay Zone. (CA 16-01)

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Planning Commission Recommendation](#)
[Letter from the Grant Neighborhood Association](#)
[Letter from the South Central Association of Neighbors \(SCAN\)](#)
[Proposed Code Amendments \(Ordinance Bill No. 7-16\)](#)

Conducted second reading for enactment of Ordinance Bill No. 7-16, which amends Salem Revised Code Chapter 521, 522, 523, 551, 553, 554, and 617 to:

1) Allow dance studios and similar physical fitness instructional activities in the Commercial Office (CO) zone;

2) Allow the alteration, expansion, or rebuilding of existing two family residential uses, such as duplexes, in the Retail Commercial (CR), General Commercial (CG), Industrial Commercial (IC), Industrial Park (IP), and General Industrial (IG) zones; and

3) Allow self-service storage in the Riverfront Overlay Zone

Adopted Ordinance Bill No. 16-097 by the following vote:

Aye: 7 - Andersen, Nanke, McCoid, Benjamin, Bednarz, Lewis, and Peterson

Nay: 0

Absent: 2 - Bennett, and Dickey

Abstain: 0

8. PUBLIC COMMENT: (Other than agenda items)

None.

9. NEW BUSINESS

None.

9.1 MAYOR'S ITEMS:**9.1a.**

Proclamation of the Mayor and canvass of votes from the primary election on May 17, 2016.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Proclamation of the Mayor](#)
[Canvass of Votes](#)
[Canvass of Votes Exhibit A - Vote Report.pdf](#)

Presented by Mayor Peterson.

9.2 COUNCILOR'S ITEMS:

None.

10. ADJOURNMENT

10:59 p.m.