

*555 Liberty St SE
Salem, OR 97301*



Final Action Agenda - Minutes - Draft

Monday, April 10, 2017

6:00 PM

Council Chambers

City Council

EXECUTIVE SESSION

City Council:

5:30 p.m. - City Manager Conference Room

To consider information or records that are exempt by law from public inspection. ORS 192.660(2)(e)

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

6:14 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 Ausec to approve additions and deletions to the agenda.

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

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

1.3 PROCLAMATIONS

1.3a. Arbor Week Proclamation

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Arbor Week Proclamation final](#)
[FINAL-tree-city-usa-40th-celebration-calendar](#)

Mayor Bennett read the proclamation.

- 1.3b.** Proclamation recognizing Salem-Keizer Education Foundation's 35th Anniversary

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

Attachments: [Proclamation - Salem-Keizer Education Foundation.pdf](#)

Mayor Bennett read the proclamation.

- 1.3c.** Proclamation recognizing National Child Abuse Prevention Month

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

Attachments: [Proclamation - National Child Abuse Prevention Month.pdf](#)

Mayor Bennett read the proclamation.

- 1.3d.** Proclamation of the Mayor and Canvass of Votes from the March 14, 2017 Special Election

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

Attachments: [March 14, 2017 Proclamation](#)
[March 14, 2017 Canvass of Votes](#)

Mayor Bennett read the proclamation.

1.4 PRESENTATIONS

None.

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

Item 8 was also heard at this time.

Appearances by:

Shawn Johansen, 3415 3rd Avenue SE, Salem, Ordinance Bill 3-17 TNC (17-133)

Elizabeth Gill, 900 State Street, Salem, Ordinance Bill 3-17 TNC (17-133)

Jim Bowers, 1866 Merrit Street, Salem, Ordinance Bill 3-17 TNC (17-133)

Nick Williams, Ward 8, Ordinance Bill 3-17 TNC (17-133)

Mustafa Kammar, 1533 Mill Street SE, Salem, Ordinance Bill 3-17 TNC (17-133)
Tommy Walker, 760 NW Hope Avenue, Salem, Ordinance Bill 3-17 TNC (17-133)
Zackary Reitan, 254 Turnage Street NE, Salem, Ordinance Bill 3-17 TNC (17-133)
Kiersten Garber, 3021 Chester Avenue NE, Salem, Ordinance Bill 3-17 TNC (17-133)
Erin Wakefield, 1286 Highland Avenue, Salem, Ordinance Bill 3-17 TNC (17-133)
Pam Kniffin, 3773 Cheviot Way S, Salem, Ordinance Bill 3-17 TNC (17-133)
Chip Conrad, 2461 Equestrian Lop S, Salem, Ordinance Bill 3-17 TNC (17-133)
Joshua Kay, 2074 Celech Avenue SE, Salem, Ordinance Bill 3-17 TNC (17-133)
Al Wakefield, 1487 Broadway, Salem, Ordinance Bill 3-17 TNC (17-133)
Evonne DeMayo, 1755 John Street, Salem, Ordinance Bill 3-17 TNC (17-133)
Ann Marie Garber, Ward 5, Ordinance Bill 3-17 TNC (17-133)
Ryan McGanty, 1117 Cayuse Circle SE, Salem (City Trees)

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 agenda items 3.2a by Councilor Kaser and 3.3a by Councilor Lewis.

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. March 27, 2017 Council Minutes

Attachments: [3-27-17 Draft Council Minutes](#)

Action: approved

3.2 RESOLUTIONS

3.2a. Resolution No. 2017-24 Delegating authority to apply for and accept certain grants to the City Manager.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [RESOLUTION NO 2017-24](#)

Pulled by Councilor Kaser - See Agenda Item 5.a.

3.3 ACTION ITEMS

- 3.3a.** Donation Agreement with Mountain West Investment Corporation for Enhancements to the Interactive Spray Fountain in Riverfront Park

Ward(s): Ward 1

Councilor(s): Kaser

Neighborhood(s): CANDO

Attachments: [Final Agreement with Exhibits](#)

Pulled by Councilor Lewis - See Agenda Item 5.b.

- 3.3b.** Use of City rights-of-way by Salem-Keizer School District for telecommunications network.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Intergovernmental Agreement Between the City of Salem and Salem-Keizer School District 24J](#)

Authorized the City Manager to execute an Intergovernmental Agreement with Salem-Keizer School District 24J for the School District's occupation of the City's rights-of-way for the placement of telecommunications system facilities within the City's rights-of-way.

- 3.3c.** Legislative Priority Bills

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Positions approved by the Legislative Committee on March 31 2017](#)

Approved the legislative positions and priorities recommended by the Council Legislative Committee.

- 3.3d.** Appointment to the Salem Public Art Commission

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Nathan Good Application - Redacted.docx](#)

Appointed the applicant listed in the Facts and Findings section to the Salem Public Art Commission.

4. PUBLIC HEARINGS

4.a. Unsolicited Written Material Ordinance

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Ordinance Bill No. 15-11 Unsolicited Written Materials](#)

Persons Testifying: None

Organizations: None.

A motion was made by Councilor McCoid, seconded by Councilor Nanke to close the public hearing and table consideration of the item until any member of council directs staff to place the item on a future council agenda for council's consideration.

Questions or Comments by: Councilors McCoid, Cook, Nanke, 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)

5.a. Resolution No. 2017-24 Delegating authority to apply for and accept certain grants to the City Manager.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [RESOLUTION NO 2017-24](#)

A motion was made by Councilor Kaser, seconded by Councilor Nanke to Adopt Resolution No. 2017-24 authorizing the City Manager to apply for and accept certain grants of \$100,000 or less.

Questions and Comments by: Councilor Kaser

An amended motion was made by Councilor Kaser, seconded by Councilor Cook to amend the resolution 2017-24 to include the first two bullet points from the facts and findings of the staff report.

"The grant's objectives are consistent with City policy.
The grant's resources help implement City services."

The amended motion was carried by the following vote:

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

Nay: 0

Abstain: 0

5.b

Donation Agreement with Mountain West Investment Corporation for Enhancements to the Interactive Spray Fountain in Riverfront Park

Ward(s): Ward 1

Councilor(s): Kaser

Neighborhood(s): CANDO

Attachments: [Final Agreement with Exhibits](#)

A motion was made by Councilor Lewis, seconded by Councilor McCoid to approve the Donation Agreement with Mountain West Investment Corporation for Enhancements to the Interactive Spray Fountain in Riverfront Park.

Questions and Comments by: Councilors Lewis and McCoid.

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.**

Purchases approved administratively - February 1, 2017, through

February 28, 2017.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Purchases approved administratively - February 2017](#)

This Informational Report was received and filed.

Questions or Comments by: Councilor Kaser

- 6.b.** Hearings Officer Decision - Quasi-Judicial Zone Change Case No. ZC17-01 - Approved - Brandie Dalton, Multi-Tech Engineering Inc for Pacific Nation Development - 2332 Saginaw Street S - A proposal to re-zone the western portion of a split-zoned lot from RS (Single Family Residential) to CR (Retail Commercial) to match the remainder of the lot.

Ward(s): 7

Councilor(s): Cook

Neighborhood(s): Southwest Association of Neighbors (SWAN)

Attachments: [Attachment 1 Land Use Decision ZC17-01](#)

This Informational Report was received and filed.

- 6.c.** Planning Administrator Decision - Subdivision/Urban Growth Area Preliminary Declaration/Class 2 Adjustment Case No. SUB-UGA-ADJ16-03 - Approved - Pacific Northwest Land Company LLC (Mark Vukanovich) - 2960 Michigan City Lane NW - A consolidated application for a 110-lot phased subdivision

Ward(s): 8

Councilor(s): Lewis

Neighborhood(s): West Salem

Attachments: [Land Use Decision SUB-UGA-ADJ16-03](#)

This Informational Report was received and filed.

Questions or Comments by: Councilors Andersen and Kaser.

7. ORDINANCES

7.1 FIRST READING:

- 7.1a.** Proposed Amendments to the Salem Revised Code (SRC) to establish

development standards and licensing requirements for short-term rentals and accessory short-term rentals and allowing those uses in the RA, RS, RD, RM-I, RM-II, RH, CN, CO, FMU, PM, and IG zones.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Attachment 1 Ordinance Bill 5-17](#)
[Attachment 2 Planning Commission Recommendation \(March 7, 2017\)](#)
[Attachment 3 Neighborhood Association Comments](#)
[Attachment 4 Airbnb Comments](#)

A motion was made by Councilor McCoid, seconded by Councilor Nanke to schedule for public hearing Ordinance Bill No. 5-17, amending the SRC to establish development standards and licensing requirements for short-term rentals and accessory short-term rentals and allowing those uses in the RA, RS, RD, RM-I, RM-II, RH, CN, CO, FMU, PM, and IG zones.

Questions or Comments by: Councilors Kaser, Cook 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

7.1b. Consideration of 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

Attachments: [Attachment 1 Ordinance 3-17](#)
[Attachment 2 Comparison of Current City Regulations with the Draft Amendments](#)
[Attachment 3 - Background Check Comparison](#)
[Comments from Willamette Valley Yellow Cab](#)
[Written Testimony - Hughes](#)
[Written Testimony - Kirk, Hemmer, Denning, Jones, Urban](#)
[Written Testimony 1](#)

A motion was made by Councilor McCoid, seconded by Councilor Nanke to conduct a public hearing, and advance Ordinance Bill No. 3-17 to second reading for enactment.

Questions and Comments by: Councilors Kaser, Cook and Andersen

The motion carried with the following vote:

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

Nay: 0

Abstain: 0

- 7.1c.** 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

Attachments: [Attachment 1 Ordinance Bill No. 8-17](#)
[Legal and Exhibit](#)

A motion was made by Councilor Nanke, seconded by Councilor McCoid to conduct first reading of Ordinance Bill No. 8-17, which vacates a public right-of-way located south of Aumsville Highway SE and east of Kuebler Boulevard SE; and, advance Ordinance Bill No. 8-17 to second reading for enactment.

Questions and Comments by: None.

The motion was 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.** City-Initiated Change of Comprehensive Plan Map designation from Single Family Residential to Multi-Family Residential and change of Neighborhood Plan Map designation from Single Family to Multi-Family for a 1.28-acre property located at 4220, 4230, and 4240 Sunnyview Road NE.

Ward(s): 6

Councilor(s): Vacant

Neighborhood(s): East Lancaster

Attachments: [Attachment 1 - Vicinity Map](#)
[Attachment 2 - Planning Commission Recommendation](#)
[Attachment 3 - Ordinance](#)
[Attachment 4 - Ordinance Exhibit 1, Findings](#)
[Attachment 5 - Ordinance Exhibit 2, Legal Description](#)

Conducted second reading of Ordinance Bill No. 4-17 changing the Comprehensive Plan Map designation from Single Family Residential to Multi-Family Residential and changing the Neighborhood Plan Map designation from Single Family to Multi-Family for a 1.28-acre property located at 4220, 4230, and 4240 Sunnyview Road NE.

Adopted Ordinance Bill 4-17 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

7:40 p.m.