

*555 Liberty St SE  
Salem, OR 97301*



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

**Monday, August 14, 2017**

**6:00 PM**

**Council Chambers**

**City Council**

## **EXECUTIVE SESSION**

**City Council**

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

**To conduct deliberations with persons designated by the governing body to negotiate real property transactions. ORS 192.660(2)(e).**

**City Council**

**5:45 p.m. City Manager's Conference Room**

**To conduct deliberations with persons designated by the governing body to carry on labor negotiations ORS 192.660(2)(d).**

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

#### **Call to Order**

**6:17 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/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**

**Comments by: Councilors Lewis, McCoid, Andersen, Kaser, Hoy, Cook, Mayor Bennett and City Manager Powers.**

### **1.3 PROCLAMATIONS**

**1.3a.** Proclamation recognizing the Start Making a Reader Today (SMART) program

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

**Attachments:** [SMART Proclamation.pdf](#)

Mayor Bennett read the proclamation.

## 1.4 PRESENTATIONS

Eclipse Preparation Update - Mark Bechtel, Public Works Operations Manager

Questions and comments by: Councilors Cook, Kaser, Andersen and Hoy.

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

Agenda item 2. combined with agenda item 8.

Appearances by:

Lynda Agen, Ward 8 - West Salem NA mtg  
Angela Levenhagen, Ward 8 - West Salem NA mtg  
Craig Evans, Ward 8 - West Salem NA mtg  
Mike Evans, Ward 8 - West Salem NA mtg  
Michael Slater, Ward 7, item 6.h. 17-386  
Caroline Obrien, 1692 Carrlor Court NE, Salem, item 6.h. 17-386  
Damon Talbot, Ward 5, item 1.4.  
Joyce Judy, Ward 5, item 3.3g. 17-412 and item 6.h. 17-386  
Brian Bolls, Ward 8 - West Salem NA mtg  
Allen Scott, Ward 1, item 6.h. 17-386

Questions and comments by: Councilors Lewis, Cook, Hoy and Nanke.

## 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 Kaser to approve the consent calendar with the pull of items 3.2b. by Councilor Hoy, 3.3b. by Councilor Andersen and 3.3e. by Councilor Hoy.

Questions or comments by: Councilor Nanke voted Nay on item 3.3d.

The motion carried by the following vote:

## 3.1 MINUTES

3.1a. July 24, 2017 Draft Council Minutes

**Attachments:** [7-24-17 Draft Council Minutes](#)

Action: approved.

## 3.2 RESOLUTIONS

- 3.2a.** Rescinding Council Resolution No. 79-104 regarding parking restrictions on Candalaria Boulevard South.

Ward(s): 2  
Councilor(s): Cook  
Neighborhood(s): SWAN

**Attachments:** [Resolution No. 2017-42](#)  
[Candalaria Blvd Council Resolution 79-104](#)

**Adopted Resolution No. 2017-42, rescinding Resolution No. 79-104 regarding parking restrictions on Candalaria Boulevard S.**

- 3.2b.** Amendment to Resolution No. 2017-29 forming the Salem City Council Transit Committee to increase the number of members

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

**Attachments:** [Resolution No. 2017-43](#)  
[Resolution No. 2017-29 forming the Salem City Council Transit Committee.pdf](#)

**Pulled by Councilor Hoy, see agenda item 5.b.**

## 3.3 ACTION ITEMS

- 3.3a.** 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 FY17/18.**

- 3.3b.** Commercial-Vista Corridor Plan Recommendations

Ward(s): 2, 3, and 7

Councilor(s): Andersen, Nanke, and Cook

Neighborhood(s): SCAN, SWAN, Morningside, and Faye-Wright

**Attachments:** [Commercial-Vista Corridor Plan Recommendations](#)  
[Project Area Map](#)  
[Proposed Amendments to Salem Transportation System Plan](#)

**Pulled by Councilor Andersen, see agenda item 5.c.**

**3.3c.**

Kuebler Boulevard Improvement Agreement between the City of Salem and the Oregon Department of Administrative Services in support of Mill Creek Corporate Center development

Ward(s): Ward 3

Councilor(s): Councilor Nanke

Neighborhood(s): Southeast Mill Creek Association

**Attachments:** [Construction Deferral Agreement](#)  
[Map](#)  
[Kuebler Boulevard Improvement Agreement](#)  
[Partial Release of Construction Deferral Agreement](#)

**Authorized the City Manager to execute the attached Improvement Agreement with the Oregon Department of Administrative Services (DAS) to formalize responsibility for approximately 2,700 feet of Kuebler Boulevard SE improvements along the Mill Creek Corporate Center frontage and issue a Partial Release of Constructional Deferral Agreement to DAS and the future property owner, after closing on the sale of Site A of the Corporate Center.**

**3.3d.**

Collective bargaining agreement with Salem Professional Fire Fighters, International Association of Fire Fighters (IAFF), Local 314, AFL-CIO

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Approved a two-year collective bargaining agreement between the City and Salem Professional Fire Fighters, International Association of Fire Fighters (IAFF), Local 314, AFL-CIO, which includes the merger of a previously separate bargaining unit for Battalion Chiefs into the main IAFF unit for the remainder of the agreement period from July 1, 2017, through June 30, 2019.**

**3.3e.**

Lease extension and amendment with Shires Properties, LLC to secure proposed Salem Police Facility site.

Ward(s): 1

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

**Attachments:** [Site Map](#)  
[Current Lease \(as amended\)](#)  
[Proposed Second Amendment to Lease](#)

**Pulled by Councilor Hoy, see agenda item 5.d.**

**3.3f.**

Grant Agreement between the Housing Authority of the City of Salem and City of Salem for the Homeless Rental Assistance Program.

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

**Attachments:** [Housing Authority of the City of Salem and City of Salem Grant Agreement](#)

**Approved the attached grant agreement between the Housing Authority of the City of Salem and the City of Salem to provide \$1,400,000 of committed funds to the Housing Authority for the Homeless Rental Assistance Program.**

## **4. PUBLIC HEARINGS**

**4.a.**

Amendments to the Salem Revised Code (SRC) Chapter 900, Sign Code. (Ordinance Bill No. 17-17; Case No. CA16-05)

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

**Attachments:** [Attachment 1 - Ordinance Bill No 17-17](#)  
[Attachment 2 - Exhibit A to Ordinance Bill No 17-17](#)  
[Attachment 3 - Planning Commission Recommendation](#)  
[Attachment 4 - Public Comments](#)  
[Attachment 5 - Written Testimony](#)  
[Written Testimony - 1](#)

**Persons testifying:**  
**Kathleen Hill, Ward 7**  
**Evan White, 453 Brock Loop S, Salem**  
**Ellen Stevens, Ward 2**  
**Joyce Judy, Ward 5**  
**Allen Scott, Ward 1**

**Organizations testifying:**  
**Nancy McDaniel, NEN**

**Questions and comments by: Councilors Kaser, McCoid, Lewis, Hoy, Cook,**

Nanke and Andersen.

A motion was made by Councilor McCoid, seconded by Councilor Hoy to continue deliberations to the August 28th meeting.

The motion carried by the following vote:

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

**Nay:** 1 - Lewis

**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.** Announcing appointments to the Salem City Council Transit Committee

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**This information report was received and filed.**

**5.b.** Amendment to Resolution No. 2017-29 forming the Salem City Council Transit Committee to increase the number of members

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Attachments:** [Resolution No. 2017-43](#)  
[Resolution No. 2017-29 forming the Salem City Council Transit Committee.pdf](#)

A motion was made by Councilor Hoy, seconded by Councilor Andersen to adopt Resolution No. 2017-43, amending Resolution No. 2017-29, to expand the number of members of the Salem City Council Transit Committee from nine to a maximum of 17.

**Questions and comments by: Councilor Hoy 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.c.** Commercial-Vista Corridor Plan Recommendations

Ward(s): 2, 3, and 7

Councilor(s): Andersen, Nanke, and Cook

Neighborhood(s): SCAN, SWAN, Morningside, and Faye-Wright

**Attachments:** [Commercial-Vista Corridor Plan Recommendations](#)  
[Project Area Map](#)  
[Proposed Amendments to Salem Transportation System Plan](#)

**A motion was made by Councilor Andersen, seconded by Councilor Nanke to accept the recommendations contained in the Commercial-Vista Corridor Plan project report and direct staff to seek funding to implement the recommendations and to incorporate the recommendations into the Salem Transportation System Plan at the next amendment opportunity.**

**Questions and comments by: Councilors Andersen 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

**5.d.** Lease extension and amendment with Shires Properties, LLC to secure proposed Salem Police Facility site.

Ward(s): 1

Councilor(s): Kaser

Neighborhood(s): CANDO

**Attachments:** [Site Map](#)  
[Current Lease \(as amended\)](#)  
[Proposed Second Amendment to Lease](#)

**A motion was made by Councilor Hoy, seconded by Councilor Andersen to authorize the City Manager to execute the attached lease amendment with Shires Properties, LLC to secure the site of the proposed Police Facility.**

**Questions and comments by: Councilor Hoy.**

**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 - June 1, 2017, through June 30, 2017.

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

**Attachments:** [Purchases approved administratively City June 2017](#)

**This information report was received and filed.**

- 6.b. Planning Administrator Decision - Class 2 Time Extension - Approved - Leota Dauge - 408 Stoneway Drive NW - A request for a two year extension of the tentative partition approval granted PAR09-06.

Ward(s): 8  
Councilor(s): Lewis  
Neighborhood(s): West Salem

**Attachments:** [Land Use Decision PAR09-06EXT4](#)

**This information report was received and filed.**

- 6.c. Planning Commission Decision - Comprehensive Plan Map Amendment / Neighborhood Plan Change / Zone Change Case No. CPC-NPC-ZC17-05 - Approved - Five07 Investors LLC (Michael D. Rohwer, MD, Dean G. Andretta, Holly Tindall, Chad Casady & Nathan Perrizo), Swamp Cat Investments LLC (Charles F. Columbus & Beverly K. Columbus, Dennis & Mary Jo Gabriel, Mark & Veronica Stapleton & Jeff & Cyndi Raines), Shangri-La Corporation (Karen Rutledge, Ross Stout & Nicole Titus) - 2425 Strong Road SE, 3991 & 3993 Fairview Industrial Drive SE & 4080 Reed Road SE - A consolidated application containing the following requests: 1) A Comprehensive Plan Map change from "Industrial" to "Industrial Commercial"; and 2) A change to the Morningside Neighborhood Plan designation from "Industrial" to "Industrial Commercial"; and 3) A Quasi-Judicial Zone Change from IBC (Industrial Business Center) to IC (Industrial Commercial).

Ward(s): 3

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

**Attachments:** [Land Use Decision CPC-NPC-ZC17-05](#)

**This information report was received and filed.**

- 6.d.** Hearings Officer Decision - Conditional Use / Class 3 Site Plan Review Case No. CU-SPR17-08 - Approved - Aaron Mitchell - 3297 Portland Road NE - A request for a Conditional Use Permit to allow the production of recreational marijuana, a conditional use in the IC (Industrial Commercial) zone.

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

**Attachments:** [Land Use Decision CU-SPR17-08](#)

**This information report was received and filed.**

- 6.e.** Hearings Officer Decision - Conditional Use / Class 3 Site Plan Review Case No. CU-SPR17-09 - Approved - Richard Duncan for Lojco LLC (Paul Vettrus) - 1125 Salem Industrial Drive NE - An application to change part of an existing building to an industrial hemp processing facility and part to an industrial hemp extraction facility.

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

**Attachments:** [Land Use Decision CU-SPR17-09](#)

**This information report was received and filed.**

- 6.f.** Planning Administrator Decision - Urban Growth Area Preliminary Declaration / Class 3 Site Plan Review / Class 2 Driveway Approach Permit Case No. UGA-SPR-DAP17-04 - Tobron Oregon LLC (Anthony L. Wiltse, Ronda R. Wiltse) - 4350 Ridge Drive NE - An Urban Growth Area Preliminary Declaration to determine the public facilities required for development of 3 acres and a Site Plan Review and Driveway Approach Permit for a towing company building and vehicle storage acres located at 4350 Ridge Drive NE.

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

Neighborhood(s): Northgate

**Attachments:** [Land Use Decision UGA-SPR-DAP17-04](#)

**This information report was received and filed.**

**6.g.**

Hearings Officer Decision - Conditional Use / Class 3 Site Plan Review / Class 2 Adjustment Case No. CU-SPR-ADJ17-07 - Approved - Josh Snodgrass, RJ Development - 1190 Oakhill Avenue SE and 3988 12th Street Cutoff SE - An application to add a 20-unit, 36-bed memory care facility and 13 parking spaces to an existing 44-bed assisted living facility with 20 parking spaces.

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

**Attachments:** [Land Use Decision CU-SPR-ADJ17-07](#)

**This information report was received and filed.**

**6.h.**

Community Forestry Strategic Plan.

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

**Attachments:** [Tree Canopy by Neighborhood Map](#)  
[Strategic Plan Actions and Priorities Updated 2017v2 \(002\).pdf](#)  
[Salem Numbers FOT](#)  
[Tree City USA 40th Anniversary Calendar](#)

**This information report was received and filed.**

## **7. ORDINANCES**

### **7.1 FIRST READING:**

**7.1a.**

Proposed Comprehensive Plan Map Change and Neighborhood Plan Change - "Industrial" to "Industrial Commercial" for a 7.97-acre site partially bounded by Strong Road SE, Fairview Industrial Drive SE, and Reed Road SE.

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

**Attachments:** [Attachment 1 - Vicinity Map](#)  
[Attachment 2 - Vicinity Comprehensive Plan Map](#)  
[Attachment 3 - Vicinity Zoning Map](#)  
[Attachment 4 - Ordinance 20-17](#)  
[Attachment 5 - Ordinance 20-17 Exhibit 1](#)  
[Attachment 6 - Ordinance 20-17 Exhibit 2](#)

A motion was made by Councilor Nanke, seconded by Councilor McCoid to conduct first reading of Ordinance Bill No. 20-17 changing the Comprehensive Plan Map designation from "Industrial" to "Industrial Commercial" for a 7.97-acre site partially bounded by Strong Road SE, Fairview Industrial Drive SE, and Reed Road SE and proceed to second reading.

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.** Amendments to Salem Revised Code (SRC) Chapter 37 relating to the collection of Transient Occupancy Tax

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Attachments:** [Ordinance Bill No. 19-17](#)

Conducted second reading of Ordinance Bill No. 19-17 which amends SRC Chapter 37 relating to Transient Occupancy Tax and declares an emergency.

Adopted Ordinance 19-17 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)

See agenda item 2.

## 9. ADJOURNMENT

8:56 p.m.