

*555 Liberty St SE  
Salem, OR 97301*



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

**Monday, October 23, 2017**

**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**

6:08 p.m.

**Roll Call**

**Present:** 8 - Councilor Kaser, Councilor Nanke, Councilor McCoid, Councilor Ausec, Councilor Cook, Councilor Lewis, Councilor Hoy, and Mayor Bennett

**Absent:** 1 - Councilor Andersen

**Mark Wigg served as Guest Councilor for Councilor Andersen, Ward 2.**

**1.1 APPROVAL OF ADDITIONS AND DELETIONS TO THE AGENDA**

None.

**1.2 COUNCIL AND CITY MANAGER COMMENT**

Comments by: Mayor Bennett.

**1.3 PROCLAMATIONS**

None.

**1.4 PRESENTATIONS**

None.

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

Casia Quillinan, 1145 14th Street NE, Item 3.3a, File 17-487  
Rich Duncan, 6292 Macleay Road SE, Item 6.c, File 17-504  
Chad Freeman, President, SEDCOR, Item 6.c, File 17-504  
Ken VanOsdol, 3775 Deer Lake Court SE, Item 3.3a, File 17-487  
Chane Griggs, 260 Washington Street, Item 3.3a, File 17-487  
Hazel Patton, 1363 Court Street NE, Item 3.3a, File 17-487  
Jim Vu, 2179 Woodhaven Court NW, Item 3.2a, File 17-459  
Steve Anderson, 3240 Gehlar Road NW, Item 7.1a, File 17-495  
Kathleen Dewoina, 1045 5th Street NE, Item 7.1a, File 17-495  
Herb Shaw, 1930 Wallace Road NW, Item 7.1a, File 17-495  
Rachel Kinsman Steck, 595 Statesman Street, Item 3.3a, File 17-487  
Kara Kuh, 181 High Street NE, Item 3.3a, File 17-487  
Bruce Anderson, President, Downtown Salem Rotary, 3123 Broadway NE, Item 3.3a, File 17-487  
Janet Lorenzen, 3125 Mulberry Drive S., Item 3.3g, File 17-508  
Barry Nelson, Co-Chair, Downtown Salem Rotary Amphitheater Project, Item 3.3a, File 17-487  
Linda Wallmark, 4734 Bradford Loop SE, Item 3.3g, File 17-508  
Michael Slater, Ward 7, Item 3.3g, File 17-508  
Ross Swartzendruber, President, Salem Creative Network, 365 Ferry Street, Item 3.2a, File 17-459

**Questions or Comments by:** Mayor Bennett, Guest Councilor Wigg, Councilors Cook, Lewis, Hoy, Kaser, and McCoid.

**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 pulls of items 3.2a by Councilor Kaser, 3.3a by Councilor Ausec, and 3.3g by Councilor Hoy.

**Questions or Comments by:** Councilor McCoid and Mayor Bennett.

**The motion carried by the following vote:**

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

**Nay:** 0

**Absent:** 1 - Andersen

**Abstain:** 0

### 3.1 MINUTES

- 3.1a.**    [17-513](#)            October 9, 2017 Draft City Council Minutes

**Action: Approved.**

- 3.1b.**    [17-519](#)            October 16, 2017 Draft City Council Work Session Minutes

**Action: Approved.**

### 3.2 RESOLUTIONS

- 3.2a.**    [17-459](#)            Delegate authority to the City Manager, or designee, to approve grants from the Downtown Parking Fund to the Salem Main Street Association to further economic promotion activity within the Downtown Parking District.

Ward(s): Ward 1

Councilor(s): Kaser

Neighborhood(s): CANDU

**Pulled by Councilor Kaser - See agenda item 5.b.**

### 3.3 ACTION ITEMS

- 3.3a.**    [17-487](#)            Preferred Design for an enhanced amphitheater at Riverfront Park

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Pulled by Councilor Ausec - See agenda item 5.c.**

- 3.3b.**    [17-494](#)            Reappointment of Lynda Olson as Municipal Judge Pro Tempore

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Reappointed Lynda Olson as a Municipal Judge Pro Tempore for the Salem Municipal Court for a two-year term.**

**3.3c. [17-500](#)**

Intergovernmental Agreement with the Oregon Department of Transportation for the Motor Carrier Safety Action Plan

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Authorized the City Manager to execute the attached IGA with ODOT and certain amendments to the IGA to provide up to \$20,000 in reimbursement funds to the City through the Motor Carrier Safety Action Plan during Fiscal Year 2017-18.**

**3.3d. [17-505](#)**

Purchase and Sale Agreement with K&E Excavating Inc. for disposition of Franzen Reservoir surplus real property.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Authorized the City Manager to execute the attached Purchase and Sale Agreement with K&E Excavating Inc. for disposition of Franzen Reservoir surplus real property.**

**3.3e. [17-506](#)**

Nonprofit Corporation Low Income Housing Tax Exemption

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Directed staff to prepare an amendment to the Salem Revised Code to allow for qualifying nonprofit corporations low income housing project to seek a property tax exemption.**

**3.3f. [17-507](#)**

Intergovernmental Agreement with the State of Oregon to abandon existing tunnels and retain communications infrastructure within Center Street NE

**Authorized the City Manager to execute an Intergovernmental Agreement with the State of Oregon to allow the State to abandon existing tunnels and retain communications infrastructure within Center Street NE.**

**3.3g. [17-508](#)**

Approval of the Salem Strategic Plan.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Pulled by Councilor Hoy - See agenda item 5.d.**

**3.3h. [17-510](#)**

Cable Television Franchise Extension.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Authorized the City Manager to execute the cable television franchise extension agreement with Comcast of Oregon I, Inc. (Attachment 1) to allow staff, together with Marion County, to continue the negotiation of a franchise renewal during the extension period.**

**3.3i. [17-512](#)**

Ratification of the Intergovernmental Agreement with the State of Oregon Military Department, Office of Emergency Management.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Ratified the Deputy City Manager's execution of the attached IGA with the State of Oregon Military Department, Office of Emergency Management regarding the activation of the Emergency Management Assistance Compact for the 2017 California wildfires.**

**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. [17-516](#)**

Allowing Ducks to be kept within residential zones in the City

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**A motion was made by Councilor McCoid, seconded by Ausec to direct staff to prepare a report and recommendation regarding whether ducks should be allowed to be kept in residential zones in the City, similar to the manner in which chickens are allowed.**

**Questions or Comments by: Councilors McCoid and Kaser.**

**The motion carried by the following vote:**

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

**Nay:** 0

**Absent:** 1 - Andersen

**Abstain:** 0

**5.b.** [17-459](#)

Delegate authority to the City Manager, or designee, to approve grants from the Downtown Parking Fund to the Salem Main Street Association to further economic promotion activity within the Downtown Parking District.

Ward(s): Ward 1

Councilor(s): Kaser

Neighborhood(s): CANDO

**A motion was made by Councilor Kaser, seconded by Councilor Hoy to adopt Resolution No. 2017-46 authorizing the City Manager, or designee, to approve Downtown Parking Fund Grants to the Salem Main Street Association to further economic promotion activity within the Downtown Parking District.**

**Questions or Comments by: Councilors Kaser, Hoy, Cook, Guest Councilor Wigg, and Mayor Bennett.**

**The motion carried by the following vote:**

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

**Nay:** 0

**Absent:** 1 - Andersen

**Abstain:** 0

**5.c.** [17-487](#)

Preferred Design for an enhanced amphitheater at Riverfront Park

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**A motion was made by Councilor Ausec, seconded by Councilor Hoy to approve the Preferred Design for the Gerry Frank Rotary Amphitheater at Riverfront Park as proposed by the Rotary Club of Salem and endorsed by the Salem Parks and Recreation Advisory Board.**

**Questions or Comments by: Councilors Ausec, Cook, McCoid, and Guest Councilor Wigg.**

**The motion carried by the following vote:**

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

**Nay:** 0

**Absent:** 1 - Andersen

**Abstain:** 0

**5.d.**     [17-508](#)     Approval of the Salem Strategic Plan.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**A motion was made by Councilor Hoy, seconded by Councilor McCoid to approve the City of Salem Strategic Plan.**

**Questions or Comments by: Councilors Hoy, McCoid, Kaser, Ausec, Cook, Nanke, Guest Councilor Wigg, and Deputy City Manager Duncan.**

**The motion carried by the following vote:**

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

**Nay:** 0

**Absent:** 1 - Andersen

**Abstain:** 0

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

**6.a.**     [17-499](#)     Planning Commission Decision - Comprehensive Plan Map Amendment / Zone Change Case No. CPC-ZC17-06 - Stonewell, LLC (Nathan Quarry and Kenneth Birdwell) - 1332 and 1334 Wallace Road NW - A consolidated application to change the Comprehensive Plan Map designation and zoning of an approximately 1.46-acre portion of a 2.64 acre property from "Developing Residential" with RA (Residential Agriculture) zoning to "Multifamily Residential" with RM-2 (Multiple Family Residential) zoning.

Ward(s): 1

Councilor(s): Kaser

Neighborhood(s): West Salem

**This Informational Report was received and filed.**

**Questions or Comments by: Councilor Kaser.**



- 6.b. [17-501](#) Fiscal year 2017-2018 economic development update

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

**This Informational Report was received and filed.**

**Questions or Comments by: Councilor Lewis and Mayor Bennett.**

- 6.c. [17-504](#) SEDCOR 2016-2017 Annual Report

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

**This Informational Report was received and filed.**

- 6.d. [17-514](#) Hearings Officer Decision - Conditional Use / Class 3 Site Plan Review Case No. CU-SPR17-12 - Approved - Don Stalik - 1732 Salem Industrial Drive NE - An application to change part of an approved recreational marijuana growing facility to a recreational marijuana extraction facility.

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

**This Informational Report was received and filed.**

- 6.e. [17-515](#) Hearings Officer Decision - Conditional Use / Class 3 Site Plan Review Case No. CU-SPR17-13 - Approved - Brandon DeCamp - 2715 19th Street SE - An application to change 2,804 square feet of an existing building to a marijuana extraction facility.

Ward(s): 2  
Councilor(s): Andersen  
Neighborhood(s): Southeast Salem

**This Informational Report was received and filed.**

## 7. ORDINANCES

### 7.1 FIRST READING:

- 7.1a.**    [17-495](#)            Proposed Comprehensive Plan Map Change - "Developing Residential" to "Multifamily Residential" for a 1.46-acre portion of a 2.64 acre property located at 1332 and 1334 Wallace Road NW.

Ward(s): Ward 1

Councilor(s): Kaser

Neighborhood(s): West Salem Neighborhood Association

**A motion was made by Councilor Kaser, seconded by Councilor Ausec to conduct first reading of Ordinance Bill No. 23-17 changing the Comprehensive Plan Map designation from "Developing Residential" to "Multifamily Residential" for a 1.46-acre portion a 2.64 acre property located at 1332 and 1334 Wallace Road NW.**

**Questions or Comments by: Councilors Kaser and Lewis.**

**The motion carried by the following vote:**

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

**Nay:**    0

**Absent:** 1 - Andersen

**Abstain:** 0

### 7.2 SECOND READING:

None.

## 8. PUBLIC COMMENT: (Other than agenda items)

None.

## 9. ADJOURNMENT

7:42 p.m.