

*555 Liberty St SE
Salem, OR 97301*



Final Action Agenda - Minutes - Draft

Monday, January 22, 2018

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

6:02 p.m.

Pledge of Allegiance

Led by Mayor Bennett.

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 Nanke to approve the additions to the agenda.

Questions or Comments by: Councilor McCoid.

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, Andersen, Hoy, Mayor Bennett and City Manager Powers.

1.3 PROCLAMATIONS

1.3a. [18-37](#)

Proclamation recognizing Black History Month

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Mayor Bennett read and presented the proclamation to Willie Richardson, President, Oregon Black Pioneers. Ms. Richardson spoke and presented the councilors with information regarding the 2018 Exhibit: Racing to Change Oregon's Civil Rights Years, being held at the Oregon Historical Society through June 28, 2018.

1.4 PRESENTATIONS

None.

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

Agenda item 8 also heard at this time.

Appearances by:

Chad Freeman, 626 High Street NE, President, SEDCOR, Item 3.2b, File 18-16

Rob Reynolds, U.S. 5th District Congressional Candidate, Item 5.b, File 18-41

Steve Anderson, 3240 Gehlar Road NW, Item 6.b, File 18-10

Mark Roush, 5890 Volcano Street SE, City-owned broadband network

Kevin Sund, 3225 Sumac Drive S, Chair, Historic Landmarks Commission, Item 6.a, File 17-625

Jim Allhiser, 1160 31st Court NW, Chair, West Salem Neighborhood Association, Failing Bridges

Questions or Comments by: Councilors Lewis, Andersen, Cook, Nanke, Kaser and Mayor Bennett.

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 item 3.2b by Councilor Hoy.

Questions or Comments by: Councilor McCoid.

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. [18-35](#) January 8, 2018 Draft City Council Minutes

Action: Approved.

3.2 RESOLUTIONS

- 3.2a. [18-15](#) Authorizing a transfer of appropriation authority within the General Fund.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Adopted Resolution No. 2018-4 to transfer \$400,000 of appropriation authority from General Fund, Non Departmental, capital outlay to General Fund, Non Departmental, interfund transfers for the purpose of managing asset maintenance funding in the Capital Improvements Fund

- 3.2b. [18-16](#) Enterprise Zone Boundary for the Mill Creek Corporate Center

Ward(s): Ward 3

Councilor(s): Councilor Nanke

Neighborhood(s): SEMCA Neighborhood

Pulled by Councilor Hoy - See Item 5.c.

- 3.2c. [18-27](#) Authorizing the Sale of General Obligation Bonds.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Adopted Resolution No. 2018-7 authorizing the City to issue up to \$18,600,000 of general obligation bonds to finance seismic and building systems improvements to the Salem Public Library, and other capital costs.

- 3.2d. [18-29](#) Amendments to the fee schedule for copies of the Salem Revised Code

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Adopted Resolution 2018-6 amending the fee schedule for copies of the Salem Revised Code.

3.3 ACTION ITEMS

3.3a. [17-570](#)

Intergovernmental Agreement with the State of Oregon, Office of the Fire Marshal for Regional Hazardous Materials Emergency Response.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Authorized the City Manager to execute an Intergovernmental Agreement (IGA) with the State of Oregon, Office of the Fire Marshal to provide regional hazardous materials emergency response for the State of Oregon 2017-2019 biennium.

3.3b. [17-623](#)

Federal Emergency Management Agency's Performance Grant

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Authorized the City Manager to accept and execute all documents for the Federal Emergency Management Agency's Performance Grant to support the City's emergency management program for FY 17/18.

3.3c. [18-17](#)

Disadvantaged Business Enterprise Unified Certification Program for Salem Municipal Airport

Ward(s): 2

Councilor(s): Andersen

Neighborhood(s): SEMCA

Authorized the City Manager to execute an IGA regarding the administration of a DBE program between the Oregon Department of Transportation, Oregon Business Development Department, and the City of Salem.

3.3d. [18-19](#)

Municipal Judge Compensation

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Adopted the recommendation from the Municipal Judge Compensation Commission to:

- 1. Maintain the current compensation level for the Municipal Judge and the Judges Pro Tempore.**
- 2. Eliminate the criteria for setting the Municipal Judge's compensation level as that of the top step of the compensation level for the Deputy City Attorney classification.**
- 3. Effective July 1, 2018, the Municipal Judge shall receive the same cost-of-living adjustment as the unrepresented classifications.**

3.3e. [18-31](#)

Assignment and Release of Brush College Reimbursement District Fees

Ward(s): 8

Councilor(s): Lewis

Neighborhood(s): West Salem

Authorized the use of \$460,983.88 of Sewer Systems Development Charges for reimbursement of developer-built sewer infrastructure, and authorize the City Manager to execute an agreement to accept the assignment of reimbursement district fees and release the City from having to distribute those fees to the developer.**3.3f.** [18-42](#)

Confirm Direction from the January 16, 2018 City Council Policy Agenda Work Session and Next Steps

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Confirmed direction from the January 16, 2018 City Council Policy Agenda Work Session and next steps.**4. PUBLIC HEARINGS**

4.a. [18-32](#)

Formation of Lone Oak Road Reimbursement District.

Ward(s): Ward 4

Councilor(s): McCoid

Neighborhood(s): South Gateway

Staff presentation by Lyle Misbach, Assistant Chief Development Engineer with Public Works.

Organizations Testifying: None.

Persons Testifying:

Mark Shipman, Representative for applicant

Steve Quady, 1137 Newport Drive SE

Phil Carver, No address provided

Rich Fry, Ward 4

Larry Schaffer, 6781 Rainbow Drive SE

Reg Tenney, 212 Muirfield Avenue SE

Jim West, 808 Hazeltine Avenue SE

Kelly Strawn, 6685 Trillium Lane SE

Lyn Gehr, 819 Rees Hill Road SE

Mike Collum, 6508 Devon Avenue SE

Dan Schie, 6608 Devon Avenue SE

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

Rebuttal by: Mark Shipman, Representative for applicant

A motion was made by Councilor McCoid, seconded by Councilor Ausec to adopt Resolution No. 2018-08, approving the formation of Lone Oak Road Reimbursement District to collect funds for reimbursement of the developer's costs associated with constructing Lone Oak Road SE between Muirfield Avenue SE and Rees Hill Road SE.

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

The motion carried by the following vote:

Aye: 7 - Andersen, Nanke, McCoid, Ausec, Lewis, Hoy, and Bennett

Nay: 2 - Kaser, and Cook

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. [18-34](#) Travel Salem 2016-17 Annual Report

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Item 5.a. was heard after item 5.b.

Presentation by Angie Onyewuchi, President, Travel Salem.

Questions or Comments by: Mayor Bennett, Councilors Andersen and Kaser.

5.b. [18-41](#) City Comments regarding Detroit Dam Downstream Passage Project

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Information Only.

Questions or Comments by: Mayor Bennett, City Manager Powers, Councilors Kaser, Hoy, Cook, McCoid, Andersen and Nanke.

5.c. [18-16](#)

Enterprise Zone Boundary for the Mill Creek Corporate Center

Ward(s): Ward 3

Councilor(s): Councilor Nanke

Neighborhood(s): SEMCA Neighborhood

Item 5.c was heard before item 5.a.

A motion was made by Councilor Hoy, seconded by Councilor Nanke to adopt Resolution No. 2018-5 authorizing the City Manager to apply to the Oregon Business Development Department to change the existing City of Salem Enterprise Zone (Enterprise Zone) boundary to include the remaining 285 acres of development land on phases 1A, 2A, and 2B of the Mill Creek Corporate Center (Corporate Center).

Question or Comments by: Councilors Hoy, Nanke 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

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

6.a. [17-625](#)

Annual Historic Landmarks Commission Report to the City Council

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

This Informational Report was received and filed.

6.b. [18-10](#)

Planning Commission Decision - Comprehensive Plan Change / Zone Change Case No. CPC-ZC17-07 - OVF Properties, LLC (Louis Fowler) - 1200 Block of Riverbend Road NW - A consolidated application to change the Comprehensive Plan Map designation and zoning from "Single-Family Residential" to "Commercial" with approximately 2.6 acres zoned CO (Commercial Office) and approximately 1.3 acres zoned CR (Retail Commercial) for a future mixed-use multi-family and neighborhood commercial development.

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

This Informational Report was received and filed.

6.c. [18-12](#)

Salem Police Department Mobile Command Vehicle Purchase Progress Report

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

This Informational Report was received and filed.

Questions or Comments by Mayor Bennett, Councilors Lewis and Kaser.

6.d. [18-21](#)

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: Mayor Bennett.

6.e. [18-22](#)

Notice of proposed Administrative Rulemaking for Minto Island
Conservation Area Restrictions and Guidelines for events.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

This Informational Report was received and filed.

**Questions or Comments by: Councilor Andersen, City Manager Powers and
Mayor Bennett.**

6.f. [18-38](#)

Hearings Officer Decision - Zone Change / Partition / Planned Unit
Development Modification / Adjustment Case No.
ZC-PAR-PUDMOD1-ADJ17-03 - David Lewis for Capital Manor Inc -
1955 Salem Dallas Highway NW - A consolidated application for a
zone change from RD to RM2 for 0.88 acres at the northern end of
Paradise Court; a partition of 37 acres to result in three parcels; a
modification of the Capital Manor Planned Unit Development final
plan to create a boundary that coincides with proposed Parcel 1; an
adjustment to reduce density for future redevelopment of proposed
Parcel 3; and an adjustment to reduce parking requirements for a
future memory care facility on proposed Parcel 2.

Ward(s): Ward 8

Councilor(s): Lewis

Neighborhood(s): West Salem

This Informational Report was received and filed.

7. ORDINANCES**7.1 FIRST READING:**

None.

7.2 SECOND READING:

None.

8. PUBLIC COMMENT: (Other than agenda items)

See Agenda Item 2.

9. ADJOURNMENT

9:46 p.m.