

*555 Liberty St SE  
Salem, OR 97301*



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

**Monday, April 9, 2018**

**6:00 PM**

**Council Chambers**

**City Council**

## EXECUTIVE SESSION

City Council

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

Real Property Transactions ORS 192.660(2)(e)

City Council

5:45 p.m. - City Manager Conference Room

Real Property Transactions ORS 192.660(2)(e)

## 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

6:05 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 Hoy to approve the addition of items 3.3h and 5.a 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 Hoy, Andersen, and 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:**

Hersch Sangster, President, Salem Bicycle Club, Item 3.3c, File 18-145  
Steve Anderson, 3240 Gehlar Road NW, Item 7.1a, File 18-159  
Robert Cortright, no address provided, Item 3.3c, File 18-145  
Sarah Rice, Salem Bike Boulevard Advocates, 1635 Saginaw Street S., Item 3.3c, File 18-145  
Gary Obery, Salem Bike Boulevard Advocates, 2045 Laurel Avenue, Item 3.3c, File 18-145  
Becky Gilliam, Safe Roots to School National Partnership, Item 3.3c, File 18-145  
Sharla Jones, Director, Oregon School for the Deaf, Item 3.3c, File 18-145  
Zayra (no last name provided), Student, Oregon School for the Deaf, Item 3.3c, File 18-145  
Alexis (no last name provided), Student, Oregon School for the Deaf, Item 3.3c, File 18-145  
Jeff Leach, Salem Bike Boulevard Advocates, Item 3.3c, File 18-145  
Angela Obery, no address provided, Salem Bike Boulevard Advocates, Item 3.3c, File 18-145  
Linda Wallmark, Ward 3, SKATS and greenhouse gas reduction goal (Ms. Wallmark was signed up for agenda item 8, Public Comment, but was heard at agenda item 2)

**Questions or Comments by:** Councilors Lewis, Nanke, Hoy, Andersen, and Mayor Bennett.

At the conclusion of Public Comment, item 2, a motion was made by Councilor Andersen, seconded by Councilor McCoid that staff prepare a report to Council and a letter to Salem Keizer Area Transportation Study (SKATS), to be considered at the April 23, 2018 City Council Meeting, with respect to Goal 7 of its policy goals, to support the inclusion of "and to reduce greenhouse gas emissions" after the current language of "minimize the impact to the natural and built environment."

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

Councilor Ausec was not present at the time the vote took place.

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

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

**Nay:** 0

**Excused:** 1 - Ausec

**Abstain:** 0

### **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 Cook, 3.3c and 3.3e by Councilor Andersen, and 3.3g by Councilor McCoid.

**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.** [18-165](#) March 26, 2018 Draft City Council Minutes

**Action:** Approved.

#### **3.2 RESOLUTIONS**

**3.2a.** [18-157](#) Dedication of Right-of-Way for Boundary Drive S

Ward(s): 7

Councilor(s): Cook

Neighborhood(s): Sunnyslope

**Pulled by Councilor Cook - See item 5.b.**

#### **3.3 ACTION ITEMS**

**3.3a.** [18-95](#)

Petition-initiated vacation of Vacation Lane SE.

Ward(s): 3

Councilor(s): Nanke

Neighborhood(s): Faye Wright

**Accepted a petition to vacate Vacation Lane SE and direct the City Manager to set a public hearing date to consider this petition-initiated vacation.**

**3.3b.** [18-142](#)

Amendment to lease with Salem-Keizer School District 24J for property located at 360 Commercial St. NE.

Ward(s): 1

Councilor(s): Kaser

Neighborhood(s): CANDO

**Authorized the City Manager to execute the attached amendment to the lease with Salem-Keizer School District 24J.**

**3.3c.** [18-145](#)

Winter Maple Bikeway Plan

Ward(s): 1, 5

Councilor(s): Kaser, Ausec

Neighborhood(s): CANDO, Grant, Highland

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

**3.3d.** [18-149](#)

Purchase and Sale Agreement with Westwood Homes LLC for the acquisition of real property

Ward(s): 3

Councilor(s): Nanke

Neighborhood(s): Morningside

**Authorized the City Manager to execute the attached Purchase and Sale Agreement for Tax Lot 083W11D00200 with Westwood Homes LLC.**

**3.3e.** [18-150](#)

Purchase and Sale Agreement with Dogwood Heights LLC for the acquisition of real property

Ward(s): 7

Councilor(s): Cook

Neighborhood(s): SWAN

**Pulled by Councilor Andersen - See item 5.d.**

**3.3f. [18-153](#)**

Purchase and Sale Agreement with Donald L. Pierre for the acquisition of real property located at 2035 Oxford Street SE.

Ward(s): 2

Councilor(s): Andersen

Neighborhood(s): SESNA

**Authorized the City Manager to execute the attached Purchase and Sale Agreement with Donald L. Pierre for the acquisition of real property located at 2035 Oxford Street SE.**

**3.3g. [18-169](#)**

City Manager's recommendation to move deliberations of reconsideration of approval of the Lone Oak Reimbursement District to June 11, 2018.

Ward(s): Ward 4

Councilor(s): Councilor McCoid

Neighborhood(s): South Gateway

**Pulled by Councilor McCoid - See item 5.e.**

**3.3h. [18-172](#)**

Claim settlement authorization.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Authorized the City Manager to resolve a lawsuit brought by Richard Leonard in an amount not to exceed \$65,000.**

**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.**     [18-175](#)     Appointment to the Citizen Budget Committee

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**A motion was made by Councilor Andersen, seconded by Councilor Cook to appoint Kendra Mingo to the Citizen Budget Committee upon recommendation of the Council Board and Commission Appointments Committee.**

**Questions or Comments by: Councilors Andersen and Cook.**

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

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

**Nay:**     0

**Abstain:**    0

**5.b.**     [18-157](#)     Dedication of Right-of-Way for Boundary Drive S

Ward(s): 7

Councilor(s): Cook

Neighborhood(s): Sunnyslope

**A motion was made by Councilor Cook, seconded by Councilor McCoid to adopt Resolution No. 2018-18 to dedicate land acquired from the Larry Epping Building Co. as public right-of-way for Boundary Drive S.**

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

**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.**     [18-145](#)

## Winter Maple Bikeway Plan

Ward(s): 1, 5

Councilor(s): Kaser, Ausec

Neighborhood(s): CANDO, Grant, Highland

**A motion was made by Councilor Kaser, seconded by Councilor Hoy to "adopt the Winter Maple Bicycle and Pedestrian Plan with the following additions:**

- Add 4-way stops at D Street at Winter Street and Highland Avenue at Maple Avenue;**
- Add two-way stops at the uncontrolled intersections of Academy Street, Hickory Street, and Maple Avenue;**
- Add stop signs at the T intersections of Spruce Street, Johnson Street, and Tryon Avenue at Maple Avenue and rename it the 'Winter-Maple Neighborhood Greenway'."**

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

**Councilor Kaser made an amendment to the motion, seconded by Councilor Cook to include "speed humps" by the Oregon School for the Deaf.**

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

**Councilor Andersen made an amendment to the main motion, seconded by Councilor Hoy to add the speed limit signs on the western boundary of the Oregon School for the Deaf be posted at 20 mph, in addition to the speed humps.**

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

**Councilor Andersen's amended motion carried by the following vote:**

**Aye: 7 - Kaser, Andersen, McCoid, Ausec, Cook, Hoy, and Bennett**

**Nay: 2 - Nanke, Lewis**

**Abstain: 0**

**Councilor Kaser's amended motion carried by the following vote:**

**Aye: 7 - Kaser, Andersen, McCoid, Ausec, Cook, Hoy, and Bennett**

**Nay: 2 - Nanke, Lewis**

**Abstain: 0**

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

**A substitute motion was made by Councilor Lewis, seconded by Councilor Nanke to move the staff recommendation.**



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

Mayor Bennett called a five minute recess. The meeting reconvened at 7:49 p.m.

Questions or Comments by: Mayor Bennett and Councilors Nanke and Kaser.

Councilor Lewis' substitute motion failed by the following vote:

Aye: 2 - Nanke, Lewis

Nay: 7 - Kaser, Andersen, McCoid, Ausec, Cook, Hoy, and Bennett

Abstain: 0

The main motion carried by the following vote:

Aye: 7 - Kaser, Andersen, McCoid, Ausec, Cook, Hoy, and Bennett

Nay: 2 - Nanke, and Lewis

Abstain: 0

The final action on the main motion as amended:

Adopted the Winter Maple Bicycle and Pedestrian Plan with the additions of 4-way stops at D Street at Winter Street and Highland Avenue at Maple Avenue; two-way stops at the uncontrolled intersections of Academy Street, Hickory Street, and Maple Avenue; stop signs at the T intersections of Spruce Street, Johnson Street, and Tryon Avenue at Maple Avenue and renaming it the 'Winter-Maple Neighborhood Greenway'; including speed humps by the Oregon School for the Deaf, and added 20 mph speed limit signs on the western boundary of the Oregon School for the Deaf.

**5.d.**     [18-150](#)

Purchase and Sale Agreement with Dogwood Heights LLC for the acquisition of real property

Ward(s): 7

Councilor(s): Cook

Neighborhood(s): SWAN

A motion was made by Councilor Andersen, seconded by Councilor Kaser to authorize the City Manager to execute the attached Purchase and Sale Agreement with Dogwood Heights LLC for the acquisition of real property identified as a portion of tax lots 083W04C00100 and 083W04C00200.

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

The motion carried by the following vote:

**Aye:** 7 - Kaser, Andersen, Nanke, Ausec, Cook, Lewis, and Bennett

**Nay:** 2 - McCoid, and Hoy

**Abstain:** 0

- 5.e.**     [18-169](#)     City Manager's recommendation to move deliberations of reconsideration of approval of the Lone Oak Reimbursement District to June 11, 2018.

Ward(s): Ward 4

Councilor(s): Councilor McCoid

Neighborhood(s): South Gateway

**A motion was made by Councilor McCoid, seconded by Councilor Nanke to move deliberations of reconsideration of the formation of the Lone Oak Reimbursement District from April 23, 2018 to June 11, 2018.**

**Questions or Comments by: Councilors McCoid, Andersen, Kaser, and City Manager Powers.**

**Councilor McCoid amended his motion, seconded by Councilor Andersen to hold deliberations on May 14, 2018.**

**Questions or Comments by: Councilors Nanke, Hoy, and Lewis.**

**The amended motion carried by a unanimous vote.**

**The main 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. [18-108](#) Update on the sidewalk rehabilitation program.

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

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

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

- 6.b. [18-116](#) Economic Development Quarterly Report

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

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

- 6.c. [18-120](#) Purchases approved administratively - February 1, 2018 through February 28, 2018

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

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

- 6.d. [18-144](#) Public review of the draft update to the Floodplain Management Plan.

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

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

**Questions or Comments by Councilor Kaser.**

**6.e.**     [18-148](#)

Hearings Officer Decision - Sign Variance / Sign Permit Case No. VAR-SI-18-01 - Approved - Cyndi Stocks for Security Signs Inc - 827-955 Lancaster Drive NE - A request for a sign variance to replace an existing freestanding sign for a shopping center with a new freestanding sign.

Ward(s): 6  
Councilor(s): Hoy  
Neighborhood(s): NESCA

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

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

**6.f.**     [18-155](#)

Planning Administrator Decision - Partition - Approved - Matthew Sain - 2520 Summer Street SE - A tentative partition plan to divide approximately 0.25 acres (10,791 square feet) into two parcels, with Parcel 1 consisting of approximately 6,456 square feet and Parcel 2 consisting of approximately 4,235 square feet. The existing single family residence would remain on Parcel 1, and Parcel 2 would consist of vacant land for future development.

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

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

**6.g.**     [18-160](#)

Capital Improvement Plan for FY 2019 through FY 2023

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 and City Manager Powers.**

**6.h.**     [18-168](#)

Planning Administrator Decision - Urban Growth Preliminary Declaration / Class Site Plan Review / Class 2 Driveway Approach Permit Case No, UGA-SPR-DAP17-05 - Approved - Rural Castle, LLC (Alex Casebeer, Matthew Casebeer) -700 Auto Group Avenue NE - An Urban Growth Area Preliminary Declaration to determine requirements for public facilities and a site plan review for phased development consisting of (Phase 1) mass grading and paved lot for auto display and sales, (Phase 2) drive-through coffee shop, and (Phase 3) future auto dealership.

Ward(s): 5

Councilor(s): Ausec

Neighborhood(s): Highland

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

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

**7. ORDINANCES****7.1 FIRST READING:****7.1a.**     [18-159](#)

West Salem Zone Code Clean-Up Amendments

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**A motion was made by Councilor McCoid, seconded by Councilor Cook to hold a public hearing on the West Salem Zone Code Clean-Up amendments, including various zoning code amendments, comprehensive plan map amendments, neighborhood plan map amendments, and zone map amendments to certain lands generally along Wallace Road NW, Edgewater Street NW, and Second Street NW.**

**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:**

**None.**

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

Appearance by:

Maggie Tarsia, Ward 1, Bike paths and sidewalks on Maple and Academy  
Streets

**9. ADJOURNMENT**

8:35 p.m.