

*555 Liberty St SE
Salem, OR 97301*



Final Action Agenda - Minutes - Draft

Monday, July 23, 2018

6:00 PM

Council Chambers

City Council

EXECUTIVE SESSION

City Council

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

Current or Pending Litigation - ORS 192.660(2)(h)

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

7:21 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 Nanke to approve the addition of item 6.d to the agenda.

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 Andersen, Cook, Hoy and Mayor Bennett.

1.3 PROCLAMATIONS

None.

1.4 PRESENTATIONS

1.4a. Check Presentation from Salem Police Foundation

Dan Wellert, President, Salem Police Foundation, presented a check in the amount of \$175,000 to the Salem Police Department of which \$100,000 will help to fund a mobile command vehicle and \$75,000 will help to fund costs related to canine replacement.

Comments by: Jerry Moore, Chief, Salem Police Department.

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

Appearances by:

Craig Parker, 1496 Court Street NE, Item 5.a, File 18-342

David Greysmith, 1998 Court Street NE, Item 5.a, File 18-342

Tom O'Connor, 1420 Court Street NE, Item 5.a, File 18-342

Jim Bauer, Willamette University, 900 State Street NE, Item 3.3c, File 18-335

Darrin Brightman, Southeast Neighborhood Association, 1498 Ferry Street SE, Item 5.a, File 18-342

Jeremy Mills, 1246 Chemeketa Street NE, Item 5.a, File 18-342

Jim Gardner, 3474 6th Avenue, Item 5.a, File 18-342

Questions or Comments by: Councilors Lewis, Andersen, Hoy, Cook, 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 pulls of 3.3c by Mayor Bennett and 3.3e by Councilor Cook.

Comments by: Councilors McCoid and Hoy.

Councilor Lewis registered a no vote on item 3.3d, and noted that he is opposed to voter-approved annexations.

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. [18-337](#)**

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Action: Approved.

3.2 RESOLUTIONS

3.3 ACTION ITEMS

- 3.3a.** [18-250](#) Intergovernmental Agreement with the State of Oregon, Department of State Police for National Criminal History Improvement Program funds.
- Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
- Authorized the City Manager to execute an IGA with OSP for distribution of 2017 NCHIP funds.**
- 3.3b.** [18-330](#) Intergovernmental Agreement with the Salem-Keizer School District for Police Services for the 2018-2019 School Year.
- Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
- Authorized the City Manager to execute the attached IGA with the District and any amendments to the IGA in order to provide police services within the District's schools during the 2018-2019 school year.**
- 3.3c.** [18-335](#) Removal of Winter Street SE Between Ferry Street SE and Bellevue Street SE, from the Pay to Park Plan - Capitol Mall Parking Technology Project.
- Ward(s): 1
Councilor(s): Kaser
Neighborhood(s): CANDO
- Pulled by Mayor Bennett - See Item 5.b.**
- 3.3d.** [18-339](#) Policy statements to guide City's response to bills during the interim and 2019 Oregon Legislative Session
- Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
- Approved the attached legislative policy statements as policy direction for the interim and 2018 Oregon Legislative Session.**

3.3e. [18-341](#)

Safe Routes to School Infrastructure Grant Program.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Pulled by Councilor Cook - See Item 5.c.**3.3f.** [18-340](#)

Position on League of Oregon Cities legislative priorities for 2019 Oregon Legislative Session

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Approved slate of four priorities for the League of Oregon Cities legislative priorities for the 2019 Oregon Legislative Session.**3.3g.** [18-307](#)

Intergovernmental Agreement between the City of Salem and Marion County Fire District 1

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Authorized the City Manager to execute the attached IGA between the City and the District for vehicle maintenance and repair conducted by the City's Fleet Services Division through June 30, 2020.**4. PUBLIC HEARINGS****4.a.** [18-329](#)

Public hearing regarding vacation of Aviation Loop SE.

Ward(s): 2

Councilor(s): Andersen

Neighborhood(s): Southeast Mill Creek Association

Staff Presentation by Julie Warncke, Transportation Planning Manager, Public Works Department.**Persons Testifying: None.****Organizations Testifying: None.****A motion was made by Councilor Andersen, seconded by Councilor McCoid to approve the vacation of Aviation Loop SE as described in Resolution No. 2018-69.****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. [18-342](#) State Street Corridor Plan Project

Ward(s): 1 and 2

Councilor(s): Kaser and Andersen

Neighborhood(s): NEN and SESNA

A motion was made by Councilor Kaser, seconded by Councilor Andersen to amend the July 16, 2016 Council action to reduce the maximum heights to 45 feet in the proposed MU-1 and MU-2 zones, for those properties that border a residential national registered historical district.

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

Councilor Lewis made an amendment to the motion, seconded by Councilor Hoy to increase maximum heights to 65 feet for both MU-1 and MU-2 zones, except for those properties that abut a residential national registered historical district.

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

Councilor Lewis' amendment to the motion failed by the following vote:

Aye: 1 - Lewis

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

A substitute motion was made by Councilor Kaser, seconded by Councilor Hoy to increase the maximum height in the Mixed Use-1 zone to 65 feet, to keep the maximum height in Mixed Use-2 zone at 55 feet, unless either zone abuts a national register residential historical district which would have a maximum height restriction of 45 feet.

The substitute motion carried by the following vote:

Aye: 5 - Kaser, Andersen, Cook, Lewis, and Hoy

Nay: 4 - Nanke, McCoid, Ausec, and Bennett

Abstain: 0

[18-335](#)

Removal of Winter Street SE Between Ferry Street SE and Bellevue Street SE, from the Pay to Park Plan - Capitol Mall Parking Technology Project.

Ward(s): 1

Councilor(s): Kaser

Neighborhood(s): CANDO

A motion was made by Mayor Bennett, seconded by Councilor Andersen to postpone deliberations to a future meeting in the month of August 2018.

Comments by: Mayor Bennett and Councilor Andersen.

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.

[18-341](#)

Safe Routes to School Infrastructure Grant Program.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

A motion was made by Councilor Cook, seconded by Councilor McCoid to authorize the City Manager to submit Notices of Intent for the Safe Routes to School Infrastructure Grant Program.

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

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

- 6.a.** [18-322](#) Purchases approved administratively - June 1, 2018 through June 30, 2018.

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

This Informational Report was received and filed.

- 6.b.** [18-325](#) Economic Development Quarterly Report

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.

- 6.c.** [18-331](#) Priority Based Budgeting

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

This Informational Report was received and filed.

- 6.d.** [18-344](#) Planning Administrator's Amended Decision - Urban Growth Preliminary Declaration Case No UGA17-06 - Approved - HSF, LLC (Member - Kelley D. Hamilton; Managers - Kelley D. Hamilton, Chris Jundt, Anthony Kreitzberg) - 6719 Devon Avenue SE - An Urban Growth Preliminary Declaration request to determine the public facilities and infrastructure required to develop 19.89 acres at 6719 Devon Avenue SE.

Ward(s): 4
Councilor(s): McCoid
Neighborhood(s): South Gateway

This Informational Report was received and filed.

7. ORDINANCES

7.1 FIRST READING:

7.1a. [18-320](#) Changes to Penalty Provisions for Parks Infractions

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

A motion was made by Councilor McCoid, seconded by Councilor Hoy to conduct first reading of Ordinance Bill No. 12-18, amending Salem Revised Code Chapters 45 and 94 to allow for a tiered approach to fines for certain infractions occurring in parks and to clarify the penalties for smoking infractions, and advance the ordinance bill to second reading for enactment.

Questions or Comments by: Mayor Bennett and Councilor 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. [18-316](#)

Proposed amendments to Salem Revised Code pertaining to Erosion Prevention and Sediment Control (Chapter 75), Sidewalks (Chapter 78), Clearing and Grading of Land (Chapter 82), Land Division and Configuration (Chapter 205), Planned Unit Development (Chapter 210), Procedures for Land Use Applications and Legislative Land Use Proposals (Chapter 300), and Floodplain Overlay Zone (Chapter 601).

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

A motion was made by Councilor McCoid, seconded by Councilor Cook to advance to second reading for enactment Ordinance Bill No. 15-18, which amends Salem Revised Code Chapters 75, 78, 82, 205, 210, 300 and 601 to:

1) Update portions of SRC 75, 78 and 82 to improve definitions and provide clarification in conformance with current policies.

2) Update SRC 205 and 210 to give authority for plat certification to the Public Works Director.

3) Add a section to SRC 205 to define and improve City and public utility easements provided to encompass City infrastructure.

4) Update portions of SRC 205 and 300 to improve definitions and provide clarification of property line adjustment requirements.

Update portions of SRC 601 to bring our floodplain requirements in better alignment with National Flood Insurance Program requirements.

The motion carried by the following vote:

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

Nay: 0

Abstain: 0

7.1c. [18-334](#)

Creating provisions for the use of restricted funds for public art related to a public improvement project

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

A motion was made by Councilor McCoid, seconded by Councilor Hoy to conduct first reading of Ordinance Bill No. 16-18, which will create new provisions for the use of restricted funds for public art related to a public improvement project.

Questions or Comments by: Councilor Kaser.

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)

None.

9. ADJOURNMENT

9:12 p.m.