

*555 Liberty St SE
Salem, OR 97301*



Final Action Agenda - Minutes - Draft

Monday, April 22, 2019

6:00 PM

Council Chambers

City Council

WORK SESSION - 5:30 p.m. in the City Council Chambers

HOMELESSNESS: CONTINUUM OF CARE

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

Call to Order

6:15 p.m.

Roll Call

Present: 9 - Councilor Kaser, Councilor Andersen, Councilor Nanke, Councilor Ausec, Councilor Cook, Councilor Lewis, Councilor Hoy, Mayor Bennett, and Councilor Leung

1.1 APPROVAL OF ADDITIONS AND DELETIONS TO THE AGENDA

None.

1.2 COUNCIL AND CITY MANAGER COMMENT

Comments by: Councilor Hoy and Mayor Bennett.

1.3 PROCLAMATIONS

1.3a. Proclamation recognizing Asian-Pacific American Heritage Month

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Proclamation - Asian-Pacific American Heritage Month](#)

Mayor Bennett read the proclamation.

1.4 PRESENTATIONS

None.

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

Appearances by:

Barbara Dimattio 2820 River Road S, Item 6.h, File No. 19-187

Virginia Sawin 3685 Hawthorne NE, Item 6.h., File No. 19-187

Jo Hannan, 350 13th Street NE, Item 6.h., File No. 19-187
Louise Newswanger 1970 Engel Court NW, Item 6.h., File No. 19-187
Steve Anderson 3240 Gehlar Road NW, Item 6.a., File No. 19-140
Kathleen DeWoina 1045 5th Street NE, Item 6.a., File No. 19-140
Cynthia Thiessen 4680 Manzanita Street, Item 6.h., File No. 19-187
Janet Baker 1972 Maplewood Court S, Item 6.h., File No. 19-187
Jim Schepke 1840 E. Nob Hill, Item 6.h., File No. 19-187
Ellen Stevens Ward 2, Item 6.h., File No. 19-187
Eleanor Berry 22614 N. Santiam Hwy, Item 6.h., File No. 19-187
Ray Quisenberry 920 5th Street NE, Item 6.h., File No. 19-187
Zachery Cardoso 2070 University Street NE, Item 6.h., File No. 19-187
Esther Moberg 922 Avenue H, Item 6.h., File No. 19-187
Tom Wrosch 1070 15th Street NE, Item 6.h., File No. 19-187
Linda Bierly 2308 Ptarmigan Street NW, Item 6.h., File No. 19-187
Delana Beaton 1025 21st Street NE, Item 6.h., File No. 19-187
Genevieve Sheridan 2640 Portland Road NE, The Food Hub/Merit
Mark Wigg 1950 Saginaw Street S, Item 6.a., File No. 19-140

Questions and Comments by: Councilors Lewis, Cook, Andersen and 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 Hoy, seconded by Councilor Kaser, to
approve the consent calendar with the pull of item 3.1b by Councilor Nanke,
3.3a by Councilor Hoy and 3.3b by Councilor Lewis.

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

Nay: 0

Abstain: 0

3.1 MINUTES

3.1a. April 8, 2019 Draft City Council Minutes

Attachments: [4-8-19 Draft Council Minutes](#)

Action: Approved.

3.1b. April 15, 2019 Draft City Council Work Session Minutes

Attachments: [4-15-19 Draft Council Work Session Minutes](#)

Pulled by Councilor Nanke. See Item 5.a.

3.2 RESOLUTIONS

- 3.2a.** Transfer of appropriation for Salem Public Library technology improvements.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Welcoming and Livable Community.

Attachments: [Resolution No. 2019-11](#)

Adopted Resolution 2019-11 transferring \$300,000 of appropriation from General Fund, Library, personal services to General Fund, Library, interfund transfers for the purpose of funding technology improvements at the Salem Public Library.

- 3.2b.** A transfer of appropriation authority for the purpose of paying an appellate attorney fees award.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance.

Attachments: [Resolution No. 2019-12](#)

Adopted Resolution 2019-12 transferring \$120,000 of appropriation authority from the General Fund, Non Departmental, contingency to the General Fund, Non Departmental, materials and services for the purpose of paying an appellate attorney fees award.

3.3 ACTION ITEMS

- 3.3a.** Readoption of utility assistance programs.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Safe, Reliable, and Efficient Infrastructure

Attachments: [Existing and Proposed Program Requirements](#)
[Resolution 2019-5](#)
[Exhibit A - Utility Rate Relief Program](#)
[Exhibit B - Emergency Utility Assistance Program](#)
[Written Testimony](#)
[Written Testimony 1](#)

Pulled by Councilor Hoy, see Item 5.b.

3.3b. Priority bills for 2019 Legislative Session

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Result Areas - Good Governance; Natural Environment Stewardship; Safe Community; Safe, Reliable and Efficient Infrastructure; Strong and Diverse Economy; Welcoming and Livable Community.

Attachments: [Bills Reviewed by Legislative Committee - April 12, 2019](#)
[Legislative staff report on House Bill 2020 - April 1, 2019](#)
[2018-19 Legislative Policy Statements](#)

Pulled by Councilor Lewis, see Item 5.c.

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.** April 15, 2019 Draft City Council Work Session Minutes

Attachments: [4-15-19 Draft Council Work Session Minutes](#)

A motion was made by Councilor Nanke, seconded by Councilor Andersen to move staff recommendation as presented with a change on the second motion - Councilor Nanke was a no vote.

The motion carried by the following vote:

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

Nay: 0

Abstain: 0

5.b. Readoption of utility assistance programs.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Safe, Reliable, and Efficient Infrastructure

Attachments: [Existing and Proposed Program Requirements](#)
[Resolution 2019-5](#)
[Exhibit A - Utility Rate Relief Program](#)
[Exhibit B - Emergency Utility Assistance Program](#)
[Written Testimony](#)
[Written Testimony 1](#)

A motion was made by Councilor Hoy, seconded by Councilor Lewis to adopt Resolution 2019-5 amending the City's Utility Rate Relief Program for senior and disabled heads of household and readopting the Emergency Utility Assistance Program.

Questions and Comments by: Councilors Hoy, Andersen, Lewis and Nanke.

The motion carried by the following vote:

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

Nay: 0

Abstain: 0

5.c. Priority bills for 2019 Legislative Session

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Result Areas - Good Governance; Natural Environment Stewardship; Safe Community; Safe, Reliable and Efficient Infrastructure; Strong and Diverse Economy; Welcoming and Livable Community.

Attachments: [Bills Reviewed by Legislative Committee - April 12, 2019](#)
[Legislative staff report on House Bill 2020 - April 1, 2019](#)
[2018-19 Legislative Policy Statements](#)

A motion was made by Councilor Lewis, seconded by Councilor Hoy to ask the City to support House Bill 2974.

The motion carried by the following vote:

Councilors Kaser, Andersen, Nanke, Leung, Ausec, Hoy, Cook, Lewis and Mayor Bennett - Aye.

Questions and Comments by: Councilors Lewis, Nanke and Andersen.

A motion was made by Councilor Lewis, seconded by Councilor Hoy to approve the City of Salem's positions on the attached legislative bills active in the 2019 Oregon Legislative Session.

Councilors Lewis and Nanke registered a No vote on House Bill 2020.

The motion carried by the following vote:

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

Nay: 0

Abstain: 0

6. INFORMATION REPORTS: (Items that require no Council action)**6.a.** Congestion Relief Task Force Action Plan.

Ward(s): Wards 1 and 8

Councilor(s): Councilors Kaser and Lewis

Neighborhood(s): CANDO and West Salem Neighborhood Association

Result Area(s): Safe, Reliable, and Efficient Infrastructure; Strong and Diverse Economy; Welcoming and Livable Community.

Attachments: [Att 1 - Report on Congestion Relief Task Force](#)
[Addendum A to Att 1 - SPRAB Action Sheet Musgrave.pdf](#)
[Addendum B to Att 1 - SPRAB Action Sheet Park+Walk.pdf](#)
[Addendum C to Att 1 - Parking Specific Concepts](#)
[Written Testimony](#)

This informational report was received and filed.

Questions and Comments by: Councilors Hoy, Andersen, Kaser, Lewis and Leung.

6.b. Completion of transfer of real property between the City of Salem and Salem-Keizer School District 24J.

Ward(s): 1, 2, 3, 4, 5, 7, 8

Councilor(s): Kaser, Andersen, Nanke, Leung, Ausec, Cook, and Lewis

Neighborhood(s): Faye Wright, Grant, Highland, NEN, Northgate, SCAN, SESNA, South Gateway, Sunnyslope, West Salem

Result Area(s): Good Governance; Natural Environment Stewardship; Safe Community; Welcoming and Livable Community.

Attachments: [Agreement](#)
[Property Transfer Summary](#)

This informational report was received and filed.

6.c. Hearings Officer Decision - Validation of Units of Land Case No. VUL19-01 - Approved -Thomas B. Kay Co., LLC (Thomas B. Kay and Gail Jones) - 575 Salem Heights Ave S - A proposal to validate one

land area that was created through a sale by deed in 2002.

Ward(s): 7

Councilor(s): Cook

Neighborhood(s): SWAN

Attachments: [Land Use Decision VUL19-01.pdf](#)

This informational report was received and filed.

6.d.

Hearings Officer Decision - Validation of Units of Land Case No.

VUL19-02 - Approved - Randy Barna - 4700 Block of 32nd Ave SE -

A proposal to validate one land area that was created through a sale by deed in 1994.

Ward(s): 3

Councilor(s): Nanke

Neighborhood(s): SEMCA

Attachments: [Land Use Decision VUL19-02](#)

This informational report was received and filed.

6.e.

Cyanotoxins Detection and Treatment Plan for Salem's water supply.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Safe, Reliable, and Efficient Infrastructure.

Attachments: [Geren Island Water System](#)
[Turner Water System](#)

The informational report was received and filed.

Comments by: Councilors Cook, Andersen and Nanke.

6.f.

Purchases approved administratively from March 1, 2019 through March 31, 2019.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance

Attachments: [Purchases approved administratively March 2019](#)

This informational report was received and filed.

- 6.g.** Planning Administrator Decision - Replat Case No. REP19-01 - Approved - Sara Samoylich and Vyacheslav Samoylich - 1790 and 1812 Barnes Ave SE - An application to reconfigure a common property line between two adjacent properties, resulting in approximately 18,754 square feet and 14,566 square feet in size. The existing homes on both lots will remain.

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

Attachments: [Land Use Decision REP19-01](#)

This informational report was received and filed.

- 6.h.** Library Advisory Board Update Report
Ward(s): All
Councilor(s): All
Neighborhood(s): All
Service Area(s): Welcoming and Livable Community

ISSUE:

Library Advisory Board Update.

RECOMMENDATION:

Attachments: [Salem Public Library Collection Development Policy](#)
[Summary of Research and Staff Recommendation](#)
[Special Collections and Patron Usage](#)
[Summary of Survey and Listening Session](#)
[Works Cited](#)
[Condition guidelines](#)
[Salem Public Library's Core Collection FAQ](#)
[Information on New Collection Data](#)
[Five Things to Know about Salem Public Library's Collection Development](#)
[Decision Tracking](#)
[OLA OIF statement 2019](#)
[Requested Replacement Decision Tracking](#)
[Public Comment](#)
[Written Testimony](#)

A motion was made by Councilor Hoy, seconded by Councilor Cook that there be no actual removal of adult non-fiction books for any reason other than condition until Council reviews the May tracking report along with any recommendations of staff or the LAB.

A second motion was made by Councilor Hoy, seconded by Councilor Andersen to suspend Council Rules and vote on the motion tonight.

The second motion carried by the following vote: Councilors Kaser, Andersen, Nanke, Leung, Ausec, Hoy, Cook, Lewis and Mayor Bennett - Aye.

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

The original motion carried by the following vote:

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

Nay: 0

Abstain: 0

7. ORDINANCES

7.1 FIRST READING:

7.1a. Unified Development Code Update

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance; Welcoming and Livable Community

Attachments: [Overview of Proposed Amendments](#)
[Ordinance Bill No. 6-19](#)
[Ordinance Bill No. 6-19 - Exhibit A](#)
[Ordinance 6-19 Exhibit B \(Findings\)](#)
[Planning Commission Recommendation \(March 5, 2019\)](#)

A motion was made by Councilor Hoy, seconded by Councilor Kaser to advance Ordinance Bill No. 6-19, amending the Unified Development Code and other chapters of the Salem Revised Code, to a public hearing and second reading.

The motion carried by the following vote:

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

Nay: 0

Abstain: 0

7.2 SECOND READING:

7.2a. North Gateway Urban Renewal Area Substantial Amendment

Ward(s): 5

Board Member(s): Ausec

Neighborhood(s): North Gate

Result Area(s): Strong and Diverse Economy; Welcoming and
Livable Community; Safe, Reliable and Efficient Infrastructure

Attachments: [Ordinance Bill No. 4-19](#)
[Exhibit A - North Gateway URA Plan Amendment](#)
[Exhibit B - North Gateway URA Report](#)
[Salem Planning Commission Recommendation](#)

**Conducted a second reading of Ordinance Bill No. 4-19 adopting a
Substantial Amendment to the North Gateway Urban Renewal Area.**

Ordinance Bill 4-19 was adopted by the following vote:

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

Nay: 0

Abstain: 0

8. PUBLIC COMMENT: (Other than agenda items)

None.

9. ADJOURNMENT

8:51 p.m.