

*555 Liberty St SE  
Salem, OR 97301*



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

**Monday, June 10, 2019**

**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:** 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: Councilors Nanke, Lewis, Leung, and Mayor Bennett.

At the mayor's request, Heather Dimke, Management Analyst, Public Works Department, spoke regarding an art donation to the City from Master Li, Wu-jiu.

### 1.3 PROCLAMATIONS

1.3a. [19-239](#) Proclamation recognizing Salem Alley Days

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): Neighborhoods

Mayor Bennett read and presented the proclamation to the Salem Main Street Association's Design Committee, including Linda Nishioka, Jacque Heavey, Hazel Patton, Carol Long, Gayle Doty, Paul Goodwin, and Ron Steiner.

**1.3b.** [19-259](#)

Proclamation recognizing Salem Brewery District

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Mayor Bennett read and presented the proclamation to Jim Weinman of Bine Valley Brewing, Ian Croxall of Santiam Brewing, Jim Smiley of Santiam Brewing, Dan Miletta of Ratchet Brewery, and Donny Raisanen of Bine Valley Brewing.**

**1.3c.** [19-268](#)

Proclamation recognizing Pride Month

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Mayor Bennett read and presented the proclamation to Daniel Rollings, President of Salem Parents and Friends of Lesbians and Gays (PFLAG); Dr. Glen Kertz, Treasurer of PFLAG; Sally Edmonds, PFLAG Board Member; Pam Trezevant, President of Capitol Pride; Bill Key, Founder of Gay Men's Social Group of Salem.**

**1.4 PRESENTATIONS**

None.

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

Appearances by:

Susan Smith, 145 Washinton Street SE, Item 3.3c, File 19-250

Questions or Comments by Councilor Cook.

**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 Nanke to approve the consent calendar with the pulls of items 3.2c by Councilor Andersen and 3.3c by Councilors Hoy, Lewis, and Andersen.**

**Comments by: Councilors Hoy and Andersen.****The motion carried by the following vote:****Aye:** 9 - Kaser, Andersen, Nanke, Ausec, Cook, Lewis, Hoy, Bennett, and Leung**Nay:** 0

Abstain: 0

### 3.1 MINUTES

3.1a. [19-273](#) May 28, 2019 Draft City Council Minutes

**Action: Approved.**

### 3.2 RESOLUTIONS

3.2a. [19-240](#) Proposed FY 2020 Master Fee Schedule

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance

**Adopted Resolution No. 2019-4, setting fees and charges for the City of Salem as set forth in Exhibit A to Resolution 2019-4.**

3.2b. [19-248](#) Support for Establishing a Continuum of Care for the Mid-Willamette Region

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Strong and Diverse Economy; Welcoming and Livable Community.

**Adopted Resolution No. 2019-17 supporting withdrawal from the Rural Oregon Continuum of Care and establishing a Regional Continuum of Care for the Mid-Willamette Region.**

3.2c. [19-255](#) Support for federal funding for programs that prevent and reduce homelessness

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Strong and Diverse Economy; Welcoming and Livable Community.

**Pulled by Councilor Andersen - See Item 5.a.**

### 3.3 ACTION ITEMS

**3.3a.** [19-241](#)

Intergovernmental Agreement with the Salem-Keizer School District for Police Services for the 2019-2020 School Year.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Safe Community.

**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 2019-20 school year.**

**3.3b.** [19-243](#)

Agreement with the Rotary Club of Salem for constructing a new performance facility at Riverfront Park.

Ward(s): Ward 1

Councilor(s): Kaser

Neighborhood(s): CANDO

Result Area(s): Welcoming and Livable Community

**Authorized the City Manager to execute the attached ground lease agreement with the Rotary Club of Salem for constructing a new performance facility at Riverfront Park.**

**3.3c.** [19-250](#)

First phase of the Our Salem project

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): All Result Areas

**Pulled by Councilors Hoy, Lewis, and Andersen - See item 5.b.**

**3.3d.** [19-252](#)

Reappointment of David Hittle as Municipal Court Judge Pro Tempore

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Safe Community

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

**3.3e.** [19-253](#)

Reappointment of Ronald Hellewell as Municipal Court Judge Pro Tempore

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Safe Community

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

**3.3f.** [19-254](#)

Intergovernmental Agreement with Marion County for Communication and Dispatch Services for the 2019 St. Paul Rodeo

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Safe Community

**Authorized the City Manager to execute an IGA with Marion County for communication and dispatch services for the 2019 St. Paul Rodeo.**

**3.3g.** [19-258](#)

Federal transportation funding allocated by the Salem-Keizer Area Transportation Study

Ward(s): 1, 2, 3, 5, 6, 8

Councilor(s): Kaser, Andersen, Nanke, Ausec, Hoy, Lewis

Neighborhood(s): SESNA, NOLA, ELNA, NESCA, Highland, NEN, Morningside, Faye-Wright, West Salem, Grant

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

**Authorized the City Manager to submit applications for federal transportation funding, allocated by the Salem-Keizer Area Transportation Study, for five projects, listed in priority order:**

**1. McGilchrist Street SE - 22nd Street SE Phase**

**2. Pedestrian Safety Improved Crossings**

**3. Commercial Street SE, Vista Avenue SE to Ratcliff Drive SE Pedestrian Safety**

**4. Orchard Heights Road NW Pedestrian Safety**

**5. Broadway Street NE at Hood Street NE Intersection Improvement**

**3.3h.** [19-277](#)

Collective Bargaining Agreement between the City and 911 Professional Communications Employees' Association (PCEA)

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

ISSUE:

Shall City Council approve a three-year collective bargaining agreement between the City and 911 Professional Communications Employees' Association (PCEA) for a period from July 1, 2019, through June 30, 2022?

RECOMMENDATION:

**Approved a three-year collective bargaining agreement between the City and 911 Professional Communications Employees' Association (PCEA) for a period from July 1, 2019, through June 30, 2022.**

## 4. PUBLIC HEARINGS

**4.a.** [19-269](#)

Council Deliberations Only - 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

**Council deliberations began following a brief overview that was provided by Bryce Bisop, Planner, Community Development Planning Services.**

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

**Questions or Comments by: Councilors Cook, Nanke, Andersen, Peter Fernandez, Public Works Director, Mayor Bennett, and Bryce Bishop.**

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

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

**Nay:** 0

**Abstain:** 0

**4.b.**     [19-245](#)

Public hearing on State Revenue Sharing funds.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Safe Community

**Staff Presentation by Robert Barron, Chief Financial Officer.**

**Persons Testifying: None.**

**Organizations Testifying: None.**

**A motion was made by Councilor Hoy, seconded by Councilor Andersen to hold a public hearing on the proposed uses of state revenue sharing funds and adopt Resolution No. 2019-14 electing to receive a share of certain revenues from the State of Oregon general fund.**

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

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

**Nay:**     0

**Abstain:**    0



**4.c.**     [19-246](#)

Public hearing on FY 2020 City of Salem budget.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

**Staff Presentation by Robert Barron, Chief Financial Officer.**

**Persons Testifying:**

**E.M. Easterly, 775 Fir Gardens Street NW**

**Raquel Moore-Green, Budget Committee Member, 1557 Webster Drive SE**

**Vanessa Nordyke, Budget Committee Member, Ward 7**

**Steve Anderson, 3240 Gehlar Road NW**

**Kathleen Dewonia, 1045 5th Street NE**

**Charles Fong, Ward 7**

**Susan Smith 145 Washington Street S.**

**Organizations Testifying:**

**Phil Carver, 350 Salem, 1007 Newport Road SE**

**Questions or Comments by: Councilors Cook, Lewis, Andersen, Nanke,  
Mayor Bennett, and Mina Hanssen, Human Resources Director.**

**A motion was made by Councilor Hoy, seconded by Councilor Lewis to  
adopt staff recommendations and direct staff to return on June 24, 2019  
with a resolution to adopt the FY 2020 City of Salem Budget.**

**Motion to amend by Councilor Andersen, seconded by Councilor Hoy to add  
an appropriation of \$50,000 for a climate action plan, to be used for  
immediate activities in implementation of a climate action plan integrated  
into Salem's Strategic Plan and integrated into Our Salem.**

**Questions or Comments by: Councilors Cook, Andersen, Lewis, Nanke,  
Kaser, Hoy, Mayor Bennett, City Manager Powers, and Norman Wright,  
Community Development Director.**

**Substitute motion by Councilor Lewis to add \$125,000 to the budget for a  
Climate Action Plan. The substitute motion died for lack of a second.**

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

**Aye:            5 - Andersen, Ausec, Kaser, Hoy, and Bennett**

**Nay:            4 - Nanke, Cook, Lewis, and Leung**

**Absent:        0**

**Motion to amend by Councilor Kaser, seconded by Councilor Hoy to add an  
appropriation of \$108,000 for long-range community planning.**

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Questions or Comments by: Councilors Kaser, Cook, Lewis, Ausec, Leung, Norman Wright, and City Manager Powers.

The motion to amend carried by the following vote:

**Aye:** 6 - Andersen, Ausec, Cook, Kaser, Hoy, and Leung  
**Nay:** 3 - Nanke, Lewis, and Bennett  
**Absent:** 0

Motion to amend by Councilor Cook, seconded by Councilor Kaser to appropriate \$176,640 for Youth Development to reinstate the program coordinator position, supporting materials, expenses and grants to collaborating organizations.

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

The motion to amend carried by the following vote:

**Aye:** 7 - Andersen, Ausec, Cook, Kaser, Hoy, Leung, and Bennett  
**Nay:** 2 - Nanke and Lewis  
**Absent:** 0

Motion to amend by Councilor Kaser, seconded by Councilor Andersen that funds from the 2008 Streets and Bridges Bond allocated for Marine Drive be used to acquire right-of-way for Marine Drive between 5th Avenue NW and River Bend Road NW.

Questions or Comments by: Councilors Kaser, Lewis, Nanke, Mayor Bennett, and Peter Fernandez, Public Works Director.

The motion to amend carried by the following vote:

**Aye:** 7 - Andersen, Ausec, Cook, Kaser, Hoy, Leung, and Bennett  
**Nay:** 2 - Nanke and Lewis  
**Absent:** 0

The main motion, as amended, 1) to adopt staff recommendations and direct staff to return on June 24, 2019 with a resolution to adopt the FY 2020 City of Salem Budget; 2) add an appropriation of \$50,000 for a climate action plan, to be used for immediate activities in implementation of a climate action plan integrated into Salem's Strategic Plan and integrated into Our Salem; 3) add an appropriation of \$108,000 for long-range community planning; 4) appropriate \$176,640 for Youth Development to reinstate the program coordinator position, supporting materials, expenses and grants to collaborating organizations; 5) funds from the 2008 Streets and Bridges Bond allocated for Marine Drive be used to acquire right-of-way for Marine Drive between 5th Avenue NW and River Bend Road NW, carried by the following vote:

**Aye:** 7 - Kaser, Andersen, Ausec, Cook, Hoy, Bennett, and Leung  
**Nay:** 2 - Nanke, and Lewis

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. [19-255](#)**

Support for federal funding for programs that prevent and reduce homelessness

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Strong and Diverse Economy; Welcoming and Livable Community.

**A motion was made by Councilor Andersen, seconded by Councilor Kaser to adopt Resolution No. 2019-18, supporting full funding for federal programs that provide critical services and housing that prevent and reduce homelessness and communicate City's position to Senators Wyden and Merkley and Congressman Schrader.**

**Comments by Councilor Andersen.**

**Note: Councilor Andersen requested that communications also be sent to the Department of Housing and Urban Development in addition to Senators Wyden and Merkley and Congressman Schrader.**

**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. [19-250](#)**

First phase of the Our Salem project

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): All Result Areas

**A motion was made by Councilor Hoy, seconded by Councilor Andersen to hold a work session on the first phase of the Our Salem project at a time to be determined by the City Manager.**

**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.**     [19-231](#)     Safer Crossings Program

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

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

**6.b.**     [19-242](#)     Salem Main Street Association: Salem Alley Days

Ward(s): Ward 1

Councilor(s): Councilor Kaser

Neighborhood(s): CANDO,

Result Area(s): Welcoming and Livable Community.

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

**6.c.**     [19-249](#)     Planning Commission Decision - Comprehensive Plan Map Change /  
Neighborhood Plan Change / Zone Change Case No.  
CPC-NPC-ZC19-04 - Approved - 865 Hawthorne Avenue SE - PJS  
Land Development, LLC (Steven Freeburg) - An application to change  
the Comprehensive Plan Map designation from "Industrial" to  
"Commercial," the Neighborhood Plan Designation from "Industrial"  
to "Commercial" to change the zoning from IP (Industrial Park) to CR  
(Retail Commercial) for property approximately 7.19 acres in size,  
zoned IP (Industrial Park), and located at 865 Hawthorne Avenue SE.

Ward(s): 2

Councilor(s): Andersen

Neighborhood(s): SESNA

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

**6.d.**     [19-256](#)

Planning Administrator Decision - Class 2 Wireless Communication Facility Siting Permit Case No. WS219-01 - Approved - Jonathan Baker of Mastec Network Solutions on behalf of New Cingular Wireless PCS, LLC (AT&T Mobility Corporation and CT Corporation System) - 1328 Glacier View St SE - A proposal to replace an existing light pole with a light pole with a top-mounted antenna and internally mounted equipment for wireless communications.

Ward(s): Ward 3

Councilor(s): Nanke

Neighborhood(s): SEMCA

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

**6.e.**     [19-257](#)

Planning Administrator Decision - Subdivision / Urban Growth Preliminary Declaration Case No. SUB-UGA19-04 - 5500 Skyline Road S - Willamette Engineering, Inc. on behalf of Pacific National Development, Inc. (Serge Serdsev) - Approved - A tentative subdivision plan and urban growth preliminary declaration to divide approximately 4.2 acres into 22 lots ranging in size from 4,000 square feet to 19,403 square feet located at the 5500 Block of Skyline Road S.

Ward(s): Ward 7

Councilor(s): Cook

Neighborhood(s): Sunnyslope

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

**6.f.**     [19-265](#)

Hearings Officer Decision - Conditional Use, Partition, Urban Growth Preliminary Declaration, Site Plan Review, Adjustment, Driveway Approach Permit Case No. CU-PAR-UGA-SPR-ADJ-DAP19-01 - Approved - Blake Bural of AC+CO on behalf of Jon Taylor of Valley Roofing - 4910 Turner Rd SE - A conditional use, partition, urban growth area preliminary declaration, site plan review, adjustment and driveway approach permit application to create two parcels, construct two new buildings, vehicle use area, and gravel storage area for a contractor's office.

Ward(s): Ward 3

Councilor(s): Nanke

Neighborhood(s): SEMCA

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

**6.g.**     [19-271](#)

Hearings Officer Decision - Validation of Units of Land Case No. VUL19-05 - Approved - Dogwood Heights, LLC (Eric Jensen) - 3800 Block of Dogwood Drive S - A proposal to lawfully establish a unit of land that was created by sale through the recording of a deed in 1983.

Ward(s): Ward 7  
Councilor(s): Cook  
Neighborhood(s): SWAN

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

**6.h.**     [19-272](#)

Planning Administrator Decision - Property Line Adjustment / Modification of Phased Subdivision / Class 2 Adjustment Case No. PLA-SUB-ADJ17-09MOD2 - Approved - 3700 and 3800 Blocks of Dogwood Drive S - Dogwood Heights, LLC (Eric Jensen) - An application to modify phases 2, 3, and 4 of the approved Dogwood Heights subdivision by removing approximately 4.25 acres of land from within phases 3 and 4 of the subdivision in order for it to be sold to the City for park land and correspondingly reconfiguring the lot and street layout within these phases. As a result, the modification reduces the overall number of lots proposed within the subdivision; results in fewer lots, that are larger in size, within phase 4 where topography of the property is the steepest; reduces the amount of paving necessary for street, street intersection, and flag lot accessway improvements, thereby resulting in less disturbance to the topography of the property; and results in greater overall tree preservation on the property due to approximately 4.25 acres of the site being removed from the subdivision in order to be used as park land instead of being developed for individual home sites.

Ward(s): 7  
Councilor(s): Cook  
Neighborhood(s): SWAN

**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 Item 9, Adjournment.

**9. ADJOURNMENT**

The meeting adjourned at 8:37 p.m., and the meeting immediately reconvened at 8:38 p.m. to hear agenda item 8, Public Comment, from Ron Sterba, 500 20th Street NE, regarding the speed limit on Cordon and Gaffin Roads.

The meeting ended at 8:40 p.m.