

*555 Liberty St SE  
Salem, OR 97301*



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

**Monday, December 5, 2016**

**6:30 PM**

**Council Chambers**

**City Council**

## **EXECUTIVE SESSION**

**City Council:**

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

**Relating to the City Manager's performance evaluation process**

**ORS 192.660(2)(i)**

## **WORK SESSION**

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

### **Call to Order**

**6:45 p.m.**

### **Roll Call**

**Present:** 6 - Councilor Bennett, Councilor Andersen, Councilor McCoid, Councilor Dickey, Councilor Bednarz, and Councilor Lewis

**Absent:** 1 - Mayor Peterson

## **1.1 APPROVAL OF ADDITIONS AND DELETIONS TO THE AGENDA**

**A motion was made by Councilor Nanke, seconded by Councilor Bednarz to approve additions and deletions to the agenda.**

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

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

**Aye:** 7 - Bennett, Andersen, Nanke, McCoid, Dickey, Bednarz, and Lewis

**Nay:** 0

**Absent:** 1 - Peterson

**Abstain:** 0

## **1.2 COUNCIL AND CITY MANAGER COMMENT**

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

## **1.3 PROCLAMATIONS**

**1.3a.**    [16-278](#)

Proclamation of the Mayor and Canvass of Votes from the November 8, 2016 General Election

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Council President McCoid read the proclamation.**

**1.4 PRESENTATIONS**

None.

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

None.

**3. CONSENT CALENDAR: (Includes approval of minutes, adoption of routine resolutions, and items of business requiring Council action)**

A motion was made by Councilor Nanke, seconded by Councilor Bednarz to approve the consent calendar with the pull of item 3.3e by Councilor Andersen.

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

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

**Aye:**    7 - Bennett, Andersen, Nanke, McCoid, Dickey, Bednarz, and Lewis

**Nay:**    0

**Absent:**    1 - Peterson

**Abstain:**    0

**3.1 MINUTES**

None.

**3.2 RESOLUTIONS**

None.

### 3.3 ACTION ITEMS

**3.3a.** [16-343](#)

Airport Capital Improvement Project and Federal Aviation Administration Grant Application for Design and Construction of Runway 13/31 Rehabilitation Project

Ward(s): 2

Councilor(s): Andersen

Neighborhood(s): SEMCA

**Authorized the City Manager to apply for and accept Federal Aviation Administration Airport Improvement Program grant funds to be used for the design and construction of Runway 13/31 rehabilitation project.**

**3.3b.** [16-356](#)

Intergovernmental Agreement with the State of Oregon for the acquisition of real property in the 4100 block of Fisher Road NE.

Ward(s): 5

Councilor(s): Dickey

Neighborhood(s): Northgate

**Authorized the City Manager to execute the attached Intergovernmental Agreement with the State of Oregon for the acquisition of real property.**

**3.3c.** [16-387](#)

2016-2017 DUII Overtime Enforcement Grant

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Authorized the City Manager to accept and execute all grant documents associated with the Oregon Impact DUII Overtime Enforcement Grant for FY 2016-2017 in the amount of \$18,168.48.**

**3.3d.** [16-388](#)

Federal Safety Belt Overtime Enforcement Grant

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Authorized the City Manager to accept and execute all documents associated with a federal Safety Belt Overtime Enforcement Grant for FY 2016-2017 in the amount of \$20,000.**

**3.3e.** [16-404](#)

Designation of March 14, 2017 as the date for a special election to fill the vacant council position for Ward 6.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

**4. PUBLIC HEARINGS****4.a.** [16-269](#)

Deliberations regarding major comprehensive plan amendments for the Salem River Crossing Preferred Alternative.

Note: The Public Hearing has been closed, and no testimony or public comment on this item or second reading of Ordinance Bill No. 14-16 may be received.

Ward(s): 1, 5, and 8

Councilor(s): Bennett, Dickey, Lewis

Neighborhood(s): Highland and West Salem

**A motion was made by Councilor Nanke, seconded by Councilor Lewis to engross Ordinance Bill No. 14-16 (Attachments 1 - 4), which makes major comprehensive plan amendments for the Salem River Crossing Preferred Alternative, and proceed to second reading for enactment.**

**Councilor Bednarz declared a potential conflict of interest because of land he owns in the neighborhood where the bridge will land on the east side of the Willamette River.**

**Questions or Comments by: Councilors Nanke, Andersen and Dickey.**

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

**Aye:** 5 - Bennett, Nanke, McCoid, Bednarz, and Lewis

**Nay:** 2 - Andersen, and Dickey

**Absent:** 1 - Peterson

**Abstain:** 0

**4.b.**     [16-357](#)

Public hearing regarding vacation of a portion of right-of-way for  
Liberty Road S south of the intersection with Rainier Drive SE

Ward(s): 4

Councilor(s): McCoid

Neighborhood(s): South Gateway NA

**A motion was made by Councilor Nanke, seconded by Councilor Bednarz to approve the vacation of a public right-of-way and declare an emergency for vacating an easterly portion of the right-of-way for Liberty Road S south of the intersection with Rainier Drive SE, subject to the condition that an easement be reserved for public access and construction, maintenance, repair, and replacement of municipal and utility facilities.**

**Questions or Comments by: Councilors Andersen, Bennett, and McCoid.**

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

**Aye:**     7 - Bennett, Andersen, Nanke, McCoid, Dickey, Bednarz, and Lewis

**Nay:**     0

**Absent:**   1 - Peterson

**Abstain:**   0

**4.c.**     [16-365](#)

City Council review of Planning Commission's decision for Comprehensive Plan Change / Neighborhood Plan Change / Zone Change Case No. CPC/NPC/ZC 16-08 for property located at 560 Glen Creek Road NW and 585-635 9th Street NW - 97304.

Ward(s): Ward 1

Councilor(s): Bennett

Neighborhood(s): West Salem Neighborhood Association

**A motion was made by Councilor Bennett, seconded by Councilor Andersen to approve Alternative 1, Parts A and C only, of the Planning Commission's decision regarding Comprehensive Plan Change / Neighborhood Plan Change / Zone Change Case No. CPC/NPC/ZC 16-08 for property located at 560 Glen Creek Road NW and 585-635 9th Street NW.**

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

**Persons Testifying:**

**Ryan Schera, Deacon Development, applicant**

**Eric Adams with Mackenzie, representing applicant**

**Steve Anderson, Co-Chair, West Salem Neighborhood Association**

**EM Easterly, 775 Fir Gardens Street NW**

**Kathleen Dewoina, Land Use Chair West Salem**

**Evan Sorce, Co-Chair, West Salem Neighborhood Association**

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

**Aye:**     7 - Bennett, Andersen, Nanke, McCoid, Dickey, Bednarz, and Lewis

**Nay:**     0

**Absent:**   1 - Peterson

**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.**     [16-404](#)

Designation of March 14, 2017 as the date for a special election to fill the vacant council position for Ward 6.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**A motion was made by Councilor Andersen, seconded by Councilor Bednarz to designate March 14, 2017 as the date for a special election to fill the vacant council position for Ward 6.**

**Questions or Comments by: Councilors Andersen, Dickey, Bennett, McCoid, Bednarz, Lewis, Nanke, and City Manager Powers.**

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

**Aye:**     7 - Bennett, Andersen, Nanke, McCoid, Dickey, Bednarz, and Lewis

**Nay:**     0

**Absent:**   1 - Peterson

**Abstain:**   0

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

**6.a.**     [16-366](#)

Fiscal year 2016-2017 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: Councilor McCoid.**



**6.b.     [16-379](#)**

Planning Commission Decision - Zone Change No. CPC-ZC16-09 - Approved - Mitchell Erwin - 3211 Duncan Avenue NE - A consolidated application to change the Comprehensive Plan Map designation and zoning of two taxlots located at 3211 Duncan Avenue NE to "Commercial" with CR (Retail Commercial) zoning.

Ward(s): 5

Councilor(s): Dickey

Neighborhood(s): Northgate

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

**Questions or Comments by Councilor McCoid.**

**6.c.     [16-391](#)**

Fiscal Year 2015-16 Financial Audit of the City of Salem, Oregon

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 and Nanke.**

**6.d.     [16-392](#)**

Urban Renewal Agency Financial Report as Submitted by the Urban Renewal Agency Board

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 and Nanke.**

**7. ORDINANCES****7.1 FIRST READING:**

**7.1a.**    [16-378](#)

Proposed engrossed ordinance bill No. 24-16 vacating of a portion of right-of-way for Liberty Road S south of the intersection with Rainier Drive SE and declaring an emergency

Ward(s): 4

Councilor(s): McCoid

Neighborhood(s): South Gateway NA

**A motion was made by Councilor Nanke, seconded by Councilor Bednarz to conduct first reading of Ordinance Bill No. 24-16, which vacates an easterly portion of the right-of-way for Liberty Road S south of the intersection with Rainier Drive SE, subject to the condition that an easement be reserved for the construction, maintenance, repair, and replacement of municipal and utility facilities, and declares an emergency.**

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

**Aye:**    7 - Bennett, Andersen, Nanke, McCoid, Dickey, Bednarz, and Lewis

**Nay:**    0

**Absent:**    1 - Peterson

**Abstain:**    0

**7.1b.**    [16-367](#)

Proposed Comprehensive Plan Map Change - "Residential" to "Commercial" for a 0.2-acre property located at 3211 Duncan Avenue NE.

Ward(s): Ward 5

Councilor(s): Dickey

Neighborhood(s): Northgate

**A motion was made by Councilor Dickey, seconded by Councilor Bednarz to conduct first reading of Ordinance Bill No. 25-16 changing the Comprehensive Plan Map designation from "Residential" to "Commercial" for a 0.2-acre property located at 3211 Duncan Avenue NE and proceed to second reading.**

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

**Aye:**    7 - Bennett, Andersen, Nanke, McCoid, Dickey, Bednarz, and Lewis

**Nay:**    0

**Absent:**    1 - Peterson

**Abstain:**    0

**7.2 SECOND READING:****7.2a.** [16-384](#)

Second reading of Engrossed Ordinance Bill No. 14-16 making major comprehensive plan amendments pertaining to the Salem River Crossing Preferred Alternative.

Ward(s): 1, 5, and 8

Councilor(s): Bennett, Dickey, Lewis

Neighborhood(s): Highland and West Salem

**Approved Engrossed Ordinance Bill No. 4-16, Making Major Comprehensive Plan Amendments Pertaining to the Salem River Crossing Preferred Alternative to Amend the Salem Transportation System Plan; Modify the Urban Growth Boundary and Make Associated Amendments to the Comprehensive Plan Map; Take an Exception to Statewide Planning Goal 15 (Willamette River Greenway), and An Amendment To Chapter 64 of the Salem Revised Code to Amend the Definitions of the Salem Transportation System Plan, The Willamette River Greenway Plan, and The Urban Growth Boundary.**

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

**Aye:** 5 - Bennett, Nanke, McCoid, Bednarz, and Lewis

**Nay:** 2 - Andersen, and Dickey

**Absent:** 1 - Peterson

**Abstain:** 0

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

Ken Adams, 1695 Chemeketa Street NE, Speeding cars and crosswalks

**9. ADJOURNMENT**

9:20 p.m.