

*555 Liberty St SE
Salem, OR 97301*



Final Action Agenda - Minutes - Final

Monday, September 25, 2017

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

6:19 p.m.

Roll Call

Joni McClintock served as Guest Councilor for Councilor Lewis, Ward 8.

Present: 8 - Councilor Kaser, Councilor Andersen, Councilor Nanke, Councilor McCoid, Councilor Ausec, Councilor Cook, Councilor Hoy, and Mayor Bennett

Absent: 1 - Councilor Lewis

1.1 APPROVAL OF ADDITIONS AND DELETIONS TO THE AGENDA

None.

1.2 COUNCIL AND CITY MANAGER COMMENT

Comments by: Councilors Hoy and Cook, Mayor Bennett, Councilor Nanke and Deputy City Manager Duncan.

1.3 PROCLAMATIONS

1.3a. Proclamation recognizing Walk and Bike to School Day

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Proclamation - Walk and Bike to School Day.pdf](#)

Mayor Bennett read into the record and presented the proclamation to the following representatives:

Tonya Johnson, OSU Extension Services

Kaileigh Westerman, Marion County

Hersh Sangster, Salem Cycle Club

Vic Lippert, Salem-Keizer School District

1.4 PRESENTATIONS**1.4a. Center 50+ Age Friendly Initiative - Marilyn Daily**

Marilyn Daily, Manager of Center 50+ and Bandana Shrestha of AARP Oregon each gave a brief presentation, and Ms. Shrestha presented a certificate to Mayor Bennett and the City to recognize the official launch of the Age Friendly endeavor.

Questions or Comments by: Mayor Bennett.

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

Appearances by:

Kapiolani Mickey, 1878 Wiltsey Road SE, Item 5.b, File 17-470

Starr Mickey, 1878 Wiltsey Road SE, Item 5.b, File 17-470

Issac Mickey, 1878 Wiltsey Road SE, Item 5.b, File 17-470

Sam Klausen, 303 23rd Street NE, Item 7.1a, File 17-469

Dale Hendrick, Ward 3, Item 7.1a, File 17-469

Caleb Hayes, 1810 Trade Street SE, Item 7.1a, File 17-469

Tonia Hunt, Children First Oregon, Item 5.b, File 17-470

Patricia Stonerod, 4526 Barnett Street S, Item 5.b, File 17-470

Reverend Dr. Deborah Patterson, 3222 Sunridge Drive S, Item 5.b, File 17-470

Erin O'Riley, 1830 Fir Street S, Item 5.b, File 17-470

Warren Binford, 1000 Judson Street SE, Item 5.b, File 17-470

Frances Binford, 1000 Judson Street SE, Item 5.b, File 17-470

Britta Franz, No address provided, Item 7.1a, File 17-469

Linda Baehr, Ward 7, Item 7.1a, File 17-469

Micki Varney, 2173 Eola Drive NW, Item 7.1a, File 17-469

Susan Powers, 350 Rural Avenue, Item 5.b, File 17-470

Dr. Trevor Phillips, Ward 3, Item 5.b, File 17-470 and Item 7.1a, File 17-469

Michael Slater, Ward 7, Item 5.b, File 17-470 and Item 7.1a, File 17-469

Alison Kelley, CEO, Liberty House, Item 5.b, File 17-470

Nan Baker-Krofft, Ward 1, Item 5.b, File 17-470 and Item 7.1a, File 17-469

Nick Williams, CEO, Salem Chamber of Commerce, Item 7.1a, File 17-469

Julie Eaton, Ward 3, Item 7.1a, File 17-469

Joyce Judy, Ward 5, Item 3.2a, File 17-454, Item 3.3d, File 17-462 and Item 7.1a, File 17-469

Pamela Lyons-Nelson, 1145 21st Street NE, Item 7.1a, File 17-469

Laurie Walker, Ward 2, Item 7.1a, File 17-469

Kerry Elmore, President, National Lawyers Guild at Willamette University, Ward 1, Item 5.b, File 17-470 and Item 7.1a, File 17-469

Gordon Roth, Ward 5, Item 7.1a, File 17-469

Rebecca Larson, Ward 7, Item 5.b, File 17-470 and Item 7.1a, File 17-469

Audrey Shackle, 3491 Lake Vanessa Circle NW, Item 7.1a, File 17-469

Kenneth Hetzel, 745 Harris Street NE, Item 3.2a, File 17-454, Strategic Plan and Homeless Shelter for Women

Ben Kessler, No address provided, Item 7.1a, File 17-469

James Cox, 2475 Broadway NE, Item 7.1a, File 17-469

Jamie Brasington, No address provided, Item 7.1a, File 17-469

Pamela Watson, No address provided, Item 5.b, File 17-470 and Item 7.1a,
File 17-469

Questions or Comments by: Councilor McCoid 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 Hoy to approve the consent calendar with the pull of Item 3.2a by Councilor Andersen.

Questions or Comments by: Councilor McCoid.

The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Lewis

Abstain: 0

3.1 MINUTES

3.1a. September 9, 2017 Draft Council Work Session Minutes

Attachments: [9-9-17 Draft Council Work Session Minutes](#)

Action: Approved.

3.1b. September 11, 2017 Draft Council Minutes

Attachments: [9-11-17 Draft Council Minutes](#)

Action: Approved.

3.2 RESOLUTIONS

3.2a. Initiate a Comprehensive Plan amendment to adopt the new NESCA-Lansing Neighborhood Plan.

Ward(s): Ward 1, 2, 5, and 6

Councilor(s): Councilors - Kaser, Andersen, Ausec, and Hoy

Neighborhood(s): NESCA and Lansing

Attachments: [Attachment 1 Resolution No. 2017-23](#)
[Attachment 2 Map of NESCA and Lansing](#)

Pulled by Councilor Andersen - See Item 5.c.

3.3 ACTION ITEMS

- 3.3a.** Federal transportation funding allocated by the Salem-Keizer Area Transportation Study

Ward(s): 2, 6, and 8

Councilor(s): Andersen, Hoy, and Lewis

Neighborhood(s): SESNA, NOLA, and WSNA

Attachments: [Vicinity Map](#)

Authorized the City Manager to submit applications for federal transportation funding, allocated by the Salem-Keizer Area Transportation Study, for Brown Road NE Complete Streets, McGilchrist Street SE Complete Streets, and Orchard Heights Road NW Pedestrian and Pavement Improvement.

- 3.3b.** State of Oregon Critical Oregon Airport Relief (COAR) Grant Application for Construction of Runway 13/31 Rehabilitation Project

Ward(s): 2

Councilor(s): Andersen

Neighborhood(s): SEMCA

Attachments: [ODA Grant-Blank Sample Agreement](#)

Authorized the City Manager to apply for and accept Critical Oregon Airport Relief (COAR) Program grant funds to be used for the construction of Runway 13/31 rehabilitation project.

- 3.3c.** An intergovernmental agreement with the Housing Authority of the City of Salem for City administrative services.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Intergovernmental Agreement for the Provision of City Services](#)

Authorized the City Manager to execute an intergovernmental agreement (IGA) with the Housing Authority of the City of Salem (SHA) to provide administrative support, finance / payroll, fleet services, human resources, information technology (IT), legal, purchasing, real estate, reprographics, and urban development support for FY 2017-18.

- 3.3d.** Domestic Violence Response Team (DVRT) Stop Violence against Women Act Grant Application

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Authorized the City Manager to apply for and accept, if awarded, grant funds from the federal STOP Violence Against Women grant program in an amount of up to \$210,000 to help support the City's DVRT.

3.3e.

Amendment to Intergovernmental Agreement with Marion County for District Attorney's Case Management System

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Amendment 1 to IGA with MCDA.docx](#)
[DACMS Usage Agreement 2012](#)

Authorized the City Manager to execute the attached Amendment 1 to the IGA between Marion County and the City of Salem extending Salem Police Department usage of the DACMS for an additional five years.

4. PUBLIC HEARINGS

4.a.

Community Development Block Grant and HOME investment partnership programs Consolidated Annual Performance and Evaluation Report (CAPER)

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [CAPER](#)

Staff presentation by: Shelly Ehenger, Federal Programs Manager, Urban Development Department.

Persons Testifying: None.

Organizations Testifying: None.

Questions or Comments by: Councilor Andersen.

A motion was made by Councilor Andersen, seconded by Councilor Cook to approve submittal of the 2016-2017 Program Year Consolidated Annual Performance and Evaluation Report (CAPER) for the Community Development Block Grant and HOME Investment Partnership Programs to (HUD) no later than September 30, 2017.

The motion carried by the following vote:

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

Nay: 0

Absent: 1 - 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. Councilor Motion - Letter of support for funding for Safe Routes to School Educational Grants

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Draft Letter to OTC re Safe Routes to School Educational Grants](#)

A motion was made by Councilor Cook, seconded by Councilor Andersen that Mayor Bennett sign a letter on behalf of Council declaring Council's support for maintaining or increasing State funding for Safe Routes to Schools Educational Grants.

Questions or Comments by: Councilor Cook and Mayor Bennett.

The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Lewis

Abstain: 0

5.b. Councilor Motion - Child Friendly City Resolution

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Resolution No. 2017-44](#)

A motion was made by Councilor Cook, seconded by Councilor Andersen to adopt Resolution No. 2017-44 for Salem to become a Child Friendly City.

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

The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Lewis

Abstain: 0

5.c. Initiate a Comprehensive Plan amendment to adopt the new NESCA-Lansing Neighborhood Plan.

Ward(s): Ward 1, 2, 5, and 6

Councilor(s): Councilors - Kaser, Andersen, Ausec, and Hoy

Neighborhood(s): NESCA and Lansing

Attachments: [Attachment 1 Resolution No. 2017-23](#)
[Attachment 2 Map of NESCA and Lansing](#)

A motion was made by Councilor Andersen, seconded by Councilor Hoy to adopt Resolution No. 2017-23 to:

- 1) Initiate a Comprehensive Plan amendment to adopt the new NESCA-Lansing Neighborhood Plan; and
- 2) Refer the matter to the Planning Commission for public hearing and recommendation; and
- 3) Direct the Assistant Community Development Director to set a date for a public hearing before the Planning Commission to receive testimony concerning the proposed amendment.

Questions or Comments by: Councilors Andersen and Hoy.

The motion carried by the following vote:

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

Nay: 0

Absent: 1 - Lewis

Abstain: 0

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

6.a. Center 50+ Advisory Commission Age-Friendly Initiative

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

This Informational Report was received and filed.

6.b. Planning Administrator Decision - Urban Growth Preliminary Declaration Case No. UGA17-03 - Approved - Douglas Drager, Seth Drager, Hobbs Family Property Trust, Boulder Hill, LLC (Robert W. Nunn), Pringle Creek, LLC (Robert W. Nunn), Battle Creek, LLC (Julie Singer, Roberta Strausbaugh) - 4700 Block of Battle Creek Road SE - An Urban Growth Preliminary Declaration request to determine the public facilities and infrastructure required to develop 68.14 acres northeast of the intersection of Kuebler Boulevard SE and Battle Creek Road SE for single family residential development.

Ward(s): 3

Councilor(s): Nanke

Neighborhood(s): Morningside

Attachments: [Land Use Decision UGA17-03](#)

This Informational Report was received and filed.

6.c. Hearings Officer Decision - Conditional Use / Class 3 Site Plan Review / Class 2 Adjustment Case No. CU-SPR-ADJ17-11 - Approved - KSD Properties LLC (Jeff Koehnke) - 1885 Fisher Road NE - A conditional use, site plan review, and adjustment application for development of a paved vehicle storage area.

Ward(s): 6

Councilor(s): Hoy

Neighborhood(s): NESCA

Attachments: [Land Use Decision CU-SPR-ADJ17-11](#)

This Informational Report was received and filed.

7. ORDINANCES

7.1 FIRST READING:

7.1a. Consideration of Ordinance Bill No. 22-17, regulating use of public sidewalks

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

Attachments: [Ordinance Bill No. 22-17](#)
[9-25-17 Written Testimony 1](#)

A motion was made by Councilor McCoid, seconded by Councilor Nanke to schedule a public hearing at a future meeting to receive public testimony.

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

A substitute motion was made by Councilor Andersen, seconded by Councilor Hoy, that the Mayor establish a task force of Council, staff, social service agencies, downtown community and greater Salem community to study the issue of homelessness in the downtown and north Salem crime prevention districts as defined in the proposed statute.

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

Councilor Andersen rescinded his substitute motion.

The original motion to schedule a public hearing at a future meeting to receive public testimony was rejected by a unanimous vote.

A motion was made by Councilor Andersen, seconded by Councilor Kaser, that Mayor Bennett establish a task force of Council, staff, social service agencies, the downtown community and the greater Salem community to study the issue of homelessness in the downtown and north Salem crime prevention districts as established in proposed ordinance.

Councilor Andersen amended his motion to include "and reject Ordinance Bill No. 22-17."

The motion carried by the following vote:

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

Nay: 1 - Nanke

Absent: 1 - Lewis

Abstain: 0

7.2 SECOND READING:

None.

8. PUBLIC COMMENT: (Other than agenda items)

Appearances by:

Linda Bierly, Ward 8, Safety in neighborhood association meetings
Herb Shaw, 1930 Wallace Road NW, Purchase of Marine Drive
Don Van Dyke, 1921 Spicetree Lane SE, Land Use Violation
Kenneth Hetzel, 745 Harris Street, Grant response for Hands Across the
Bridge event

9. ADJOURNMENT

9:49 p.m.