

*555 Liberty St SE  
Salem, OR 97301*



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

**Monday, December 4, 2017**

**6:00 PM**

**Council Chambers**

**City Council**

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

**Call to Order**

6:01 p.m.

**Roll Call**

**Present:** 8 - Councilor Kaser, Councilor Andersen, Councilor Nanke, Councilor McCoid, Councilor Ausec, Councilor Cook, Councilor Lewis, and Mayor Bennett  
**Absent:** 1 - Councilor Hoy

**Pledge of Allegiance**

Led by 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 additions and deletions to the agenda.

The motion carried by the following vote:

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

**Nay:** 0

**Absent:** 1 - Hoy

**Abstain:** 0

**1.2 COUNCIL AND CITY MANAGER COMMENT**

Comments by: Mayor Bennett and Councilor Cook.

**1.3 PROCLAMATIONS**

**1.3 a.** [17-567](#) Proclamation recognizing Pearl Harbor Remembrance Day

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Mayor Bennett read the proclamation.

**1.3 b. [17-593](#)**

Proclamation of the Mayor and Canvass of Votes from the November 7, 2017 Special Election

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Mayor Bennett read the proclamation.**

**1.3 c. [17-599](#)**

Salem Fire Department's 160th Anniversary.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**Mayor Bennett read the proclamation.**

## **1.4 PRESENTATIONS**

None.

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

A motion was made by Councilor McCoid, seconded by Councilor Nanke to allow public comment on agenda item 5.a. during the public comment under agenda item 2. The motion carried by unanimous vote.

Appearances by: Rabbi Perlstein, item 5.a (17-595)

A motion was made by Councilor McCoid, seconded by Councilor Andersen to change the order of the agenda and hear agenda item 5.a directly after public comment. The motion carried by unanimous vote.

See agenda item 5.a.

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

### **3.1 MINUTES**

None.

### **3.2 RESOLUTIONS**

None.

### 3.3 ACTION ITEMS

None.

## 4. PUBLIC HEARINGS

### 4. a. [17-577](#) AMENDED REPORT - SEE PAGE 3

City Council review of the Planning Administrator's decision for  
Phased Subdivision / Class 2 Adjustment Case No. SUB-ADJ17-09  
for property located at the 3700 and 3800 Blocks of Dogwood Drive  
S.

Ward(s): Ward 7

Councilor(s): Cook

Neighborhood(s): SWAN

**Staff presentation by Christopher Green, Planner, Community Development  
Department**

**Persons testifying:**

Mark Grenz, 1155 13th Street SE, Salem  
Don Orwick, 3667 Elderberry Drive S, Salem  
John Donovan, 1925 Hillwood Court S, Salem  
Nancy Lacey, 3666 Camellia Drive S, Salem  
John Chester, 3628 Dogwood Drive S, Salem  
Pamela Prosise, 1946 Roberts Avenue S, Salem  
Debra Ginn, 1830 Highlight Court S, Salem  
Paul Graham, 3723 Dogwood Drive S, Salem  
Rick Bingham, 3840 Dogwood Drive S, Salem  
Symeon Symeonides, 3733 Dogwood Drive S, Salem  
Alan Sorem, 250 Church Street SE, Salem

**Organizations testifying: none**

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

**A motion was made by Councilor Cook, seconded by Councilor Nanke to  
modify the Planning Administrator's October 30, 2017 decision.**

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

**Aye:** 6 - Kaser, Nanke, McCoid, Ausec, Lewis, and Bennett

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

**Absent:** 1 - Hoy

**Abstain:** 0

**Councilor Motion - Croisan Creek Trail**

A motion was made by Councilor Cook, Seconded by Councilor Ausec to direct staff to analyze the existing transportation system plan for its ability to protect access to the Croisan Creek Trail given the new conditions that may arise with future development and identify potential traffic mitigation measures that may be offered, as needed, to improve pedestrian and bicycle safety in the area.

Comments by: Councilor Cook

The motion carried by the following vote:

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

**Nay:** 0

**Absent:** 1 - Hoy

**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. [17-595](#)** Waiver of Special Use Fee for a proposed Menorah Display

Ward(s): 1

Councilor(s): Andersen

Neighborhood(s): CANDO

**Item 5.a. was heard under Item 2.**

**A motion was made by Mayor Bennett, seconded by Councilor Andersen, to waive the special use fee for a proposed Menorah display.**

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

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

**Nay:** 0

**Absent:** 1 - Hoy

**Abstain:** 0

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

- 6. a.**     [17-552](#)            Purchases approved administratively - October 1, 2017, through October 31, 2017.

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

**This information report was received and filed.**

- 6. b.**     [17-582](#)            Planning Commission Decision - Class 3 Design Review / Class 3 Site Plan Review / Class 2 Adjustment / Class 2 Driveway Approach Permit Case No. DR-SPR-ADJ-DAP17-06 - Approved - Kerith, LLC (Ken McKinney) - 3760 Hawthorne Avenue NE - Proposed development of an 8-unit apartment complex, with an Adjustment request to reduce the required perimeter setback to the north, to reduce the vehicle use area setback adjacent to a building and to reduce the building setback adjacent to a street.

Ward(s): 5  
Councilor(s): Ausec  
Neighborhood(s): Northgate

**This information report was received and filed.**

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

- 7.1 a.**     [17-521](#)            Vacation of Frontage Road NW and Paradise Court NW

Ward(s): 8  
Councilor(s): Lewis  
Neighborhood(s): West Salem Neighborhood Association

**A motion was made by Councilor Lewis, seconded by Councilor Nanke to conduct first reading of Ordinance Bill No. 28-17, which vacates Frontage Road NW and Paradise Court NW, and advance Ordinance Bill No. 28-17 to second reading for enactment.**

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

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

**Nay:** 0

**Absent:** 1 - Hoy

**Abstain:** 0

**7.1 b.** [17-560](#) Adoption of the NESCA-Lansing Neighborhood Plan.

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

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

Neighborhood(s): NESCA and Lansing

**A motion was made by Councilor Ausec, seconded by Councilor Andersen to conduct a public hearing regarding Ordinance Bill No. 27-17, adopting the goals, policies and generalized land use map of the NESCA-Lansing Neighborhood Plan as a component of the Salem Area Comprehensive Plan and adopt the other portions as support documents.**

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

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

**Nay:** 0

**Absent:** 1 - Hoy

**Abstain:** 0

**7.1 c.** [17-586](#) Salem Revised Code - Recodification project - Titles I - IX.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**A motion was made by Councilor McCoid, seconded by Councilor Kaser to conduct first reading, and proceed to second reading for enactment of Ordinance Bill No. 25-17, which makes minor amendments and formatting changes to Titles I-IX of the Salem Revised Code.**

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

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

**Nay:** 0

**Absent:** 1 - Hoy

**Abstain:** 0

**7.1 d.** [17-588](#)

Salem Revised Code - Recodification Project - Unified Development Code.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**A motion was made by Councilor McCoid, seconded by Councilor Kaser to conduct first reading of Ordinance Bill No. 26-17, which makes minor amendments and formatting changes to Title X of the Salem Revised Code, the Unified Development Code (UDC), and conduct a public hearing for the ordinance bill.**

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

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

**Nay:** 0

**Absent:** 1 - Hoy

**Abstain:** 0

**7.2 SECOND READING:**

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

None.

**9. ADJOURNMENT**

**8:44 p.m.**