

*555 Liberty St SE
Salem, OR 97301*



Final Action Agenda - Minutes - Final

Monday, February 12, 2018

6:00 PM

Council Chambers

City Council

EXECUTIVE SESSION

City Council

5:15 p.m. City Manager's Conference Room

Labor Negotiations ORS 192.660(2)(d)

City Council

Immediately following session above - City Manager's Conference Room

Real Property Transactions ORS 192.660(2)(e)

Salem Housing Authority

Immediately following session above - City Manager's Conference Room

Real Property Transactions ORS 192.660(2)(e)

WORK SESSION

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

Call to Order

6:12 p.m.

Roll Call

Ian Johnson served as Guest Councilor for Councilor Hoy, Ward 6.

Present: 7 - Councilor Kaser, Councilor Andersen, Councilor Nanke, Councilor McCoid, Councilor Cook, Councilor Lewis, and Mayor Bennett

Absent: 2 - Councilor Ausec, and Councilor Hoy

1.1 APPROVAL OF ADDITIONS AND DELETIONS TO THE AGENDA

A motion was made by Councilor McCoid, seconded by Councilor Cook to approve the addition to the agenda.

Questions or Comments by: Councilor McCoid.

The motion carried by the following vote:

Aye: 7 - Kaser, Andersen, Nanke, McCoid, Cook, Lewis, and Bennett

Nay: 0

Absent: 2 - Ausec, and Hoy

Abstain: 0

1.2 COUNCIL AND CITY MANAGER COMMENT

Comments by: Councilors Cook, Andersen, Kaser, Nanke, Mayor Bennett, and City Manager Powers.

1.3 PROCLAMATIONS

None.

1.4 PRESENTATIONS

1.4 a. SOLVE'S Project Leader Award - Tibby Larson, Recipient

Solve's Program Director Quintin Bauer and Program Manager Joy Hawkins presented Tibby Larson with SOLVE'S 2017 Volunteer Leader of the Year Award.

Comments by: Mayor Bennett.

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

Appearances by:

Glenn Baly, Chair, South Gateway Neighborhood Association, Item 5.b, File 18-79

Jerry Bennett, Board Member, South Gateway Neighborhood Association, Item 5.b, File 18-79

Mark Shipman, Attorney for Applicant, 250 Church Street, Item 5.b, File 18-79

Rich Fry, Ward 4, Item 5.b, File 18-79

Questions or Comments by: Mayor Bennett and Councilors Andersen and 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 McCoid, seconded by Councilor Cook to approve the consent calendar with the pulls of 3.2a by Councilor Andersen and 3.2b and 3.3b by Councilor Lewis.

Questions or Comments by: Councilor McCoid.

The motion carried by the following vote:

Aye: 7 - Kaser, Andersen, Nanke, McCoid, Cook, Lewis, and Bennett

Nay: 0

Absent: 2 - Ausec, and Hoy

Abstain: 0

3.1 MINUTES

3.1a. January 16, 2018 Draft City Council Work Session Minutes

Attachments: [1-16-18 Draft Council Work Session Minutes](#)

Action: Approved.

3.1b. January 22, 2018 Draft City Council Minutes

Attachments: [1-22-18 Draft Council Minutes](#)

Action: Approved.

3.2 RESOLUTIONS

3.2a. Property tax exemptions for qualifying non-profit, low-income housing

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Resolution No. 2018-10](#)
[2018-19 Program Applications](#)

Pulled by Councilor Andersen - See Agenda Item 5.c.

3.2b. Initiate adoption process for the West Salem Zone Code Clean-Up project

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Resolution 2018-13](#)
[Exhibit 1: Map of Proposed Zones](#)

Pulled by Councilor Lewis - See Agenda Item 5.d.

3.2c. Transfer of appropriation authority within the General Fund for Center 50+ security services

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Resolution No. 2018-9, Center 50+ Security Services](#)
[Resolution No. 2018-9, Exhibit A, Contingency Status](#)

Adopted Resolution 2018-9 to transfer \$28,000 of appropriation authority from General Fund, Non Departmental, contingencies to General Fund Recreation Services, materials and services, for the purpose of funding security officer services at Center 50+.

- 3.2d.** Transfer of appropriation authority in the General Fund for Priority Based Budgeting

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

Attachments: [Resolution No. 2018-11, Priority Based Budgeting](#)
[Resolution No. 2018-11, Exhibit A, Contingency Status](#)

Adopted Resolution No. 2018-11 to transfer \$85,000 of appropriation authority from General Fund, Non Departmental, contingencies to General Fund, City Manager's Office, materials and services for the purpose of implementing Priority Based Budgeting.

- 3.2e.** Transfer of appropriation authority in the General Fund for ICMA University consulting and peer assistance.

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

Attachments: [Resolution No. 2018-12, ICMA University Capstone Program](#)
[Resolution No. 2018-12, Exhibit A, Contingency Status](#)

Adopted Resolution No. 2018-12 to transfer \$15,000 of appropriation authority from General Fund, Non Departmental, contingencies to General Fund, City Manager's Office, materials and services for the purpose of accessing ICMA University capstone consulting and peer assistance.

3.3 ACTION ITEMS

- 3.3a.** Agreement with Oregon Environmental Council to commission art work for Salem's Public Art Collection

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

Attachments: [Donation Agreement Between City of Salem, Oregon, and the Oregon Environmental Council](#)

Approved the donation agreement between the City of Salem and the Oregon Environmental Council to commission art work honoring Oregon's

1971 Bottle Bill.

- 3.3b.** Intergovernmental Agreement with the Oregon Department of Transportation for winter storm maintenance of Center and Marion Street Bridges

Ward(s): 1
Councilor(s): Kaser
Neighborhood(s): CANDO, West Salem

Attachments: [ODOT IGA 32349 vsn2](#)

Pulled by Councilor Lewis - See Agenda Item 5.e.

- 3.3c.** Art work at the Salem Public Library and West Salem Branch of the Library

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

Attachments: [Executed Agreement - Library Foundation City of Salem](#)
[Amendment to Agreement relating to art work placed at the Salem Public Library and West Salem Branch of the Library](#)

Authorized the City Manager to execute the attached amendment to an agreement between the City of Salem and the Salem Public Library Foundation for art work placed at the Salem Public Library and the West Salem Branch of the Library.

- 3.3d.** Salem Electric Funding Incentives for the Streetlight Re-Lamping Project.

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

Attachments: [Attachment 1 - Salem Electric Agreement](#)

Authorized the City Manager to execute an Implementation Agreement with Salem Electric for funding incentives for the streetlight re-lamping project.

- 3.3e.** Ambulance Service Area Mutual Aid Agreement

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

Attachments: [Mutual Aid Agreement 2018](#)

Authorized the City Manager to sign the Mutual Aid Agreement between the City of Salem and the other ambulance service providers in Marion and adjoining counties.

4. PUBLIC HEARINGS

- 4.a.** Petitioner-Initiated Annexation of Territory Located at 5500 Block of Skyline Road S - 97306 (Annexation Case No. C-723)

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

Attachments: [Vicinity Map](#)
[Order No. 2018-01-ANX Adopting the Final Decision and Findings of Compliance](#)
[Public Works Department Parks Comments](#)
[Fire Department Comments](#)
[Public Works Department Development Services Division Comments](#)
[Finance Division Comments](#)
[Salem-Keizer School District Comments](#)

Staff Presentation by Pamela Cole, Planner, Community Development Planning Services.

Persons Testifying: None.

Organizations Testifying: None.

Questions or Comments by: Councilor Andersen.

A motion was made by Councilor Cook, seconded by Councilor Nanke to:

- 1. Find that the Petitioners have signed a valid triple majority petition for annexation of the Territory, in conformance with Oregon Revised Statutes (ORS) Chapter 222;**
- 2. Determine that the Petition satisfies the criteria of Salem Revised Code (SRC) 260.060(c) and adopt Order No. 2018-01-ANX (Attachment 2);**
- 3. Apply the City of Salem RA (Residential Agriculture) zone to the Territory from Marion County UT-5 (Urban Transition 5 Acres); and**
- 4. Withdraw the Territory from Salem Suburban Rural Fire Protection District.**

Questions or Comments by: Councilor Andersen.

The motion carried by the following vote:

Aye: 7 - Kaser, Andersen, Nanke, McCoid, Cook, Lewis, and Bennett

Nay: 0

Absent: 2 - Ausec, and 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. Salem Center 50+ Advisory Commission Annual Report

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Salem Center 50+ Advisory Commission Annual Report 2017](#)

Item 5.a was heard after item 5.b.

Ron Rubel, President, Center 50+ Advisory Commission, gave a brief introduction of the Center 50+ video presentation that followed. Marilyn Dailey, Director of Center 50+ answered questions after the video.

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

This Information Report was received and filed.

5.b. Motion to Reconsider the approval of the formation of the Lone Oak Road Reimbursement District from Councilor Steve McCoid

Ward(s): Ward 4

Councilor(s): Councilor McCoid

Neighborhood(s): South Gateway Neighborhood Association

Attachments: [Letter from South Gateway Neighborhood Association - Reconsideration of Lone Oak Reimbursement District](#)

Item 5.b was heard before item 5.a.

A motion was made by Councilor McCoid, seconded by Councilor Kaser that City Council reconsider the decision to approve the formation of the Lone Oak Road Reimbursement District.

Questions or Comments by: Councilors McCoid, Andersen, Lewis, Nanke, and

Mayor Bennett.

The motion carried by a unanimous vote.

An additional motion was made by Councilor McCoid, seconded by Councilor Lewis to schedule a public hearing on the reimbursement district for March 26, 2018.

The motion carried by the following vote:

Aye: 7 - Kaser, Andersen, Nanke, McCoid, Cook, Lewis, and Bennett

Nay: 0

Absent: 2 - Ausec, and Hoy

Abstain: 0

5.c. Property tax exemptions for qualifying non-profit, low-income housing

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Resolution No. 2018-10](#)
[2018-19 Program Applications](#)

A motion was made by Councilor Andersen, seconded by Councilor Nanke to adopt Resolution No. 2018-10 approving property tax exemptions for four low-income housing properties owned by nonprofit entities.

Questions or Comments by: Councilor Andersen.

The motion carried by the following vote:

Aye: 7 - Kaser, Andersen, Nanke, McCoid, Cook, Lewis, and Bennett

Nay: 0

Absent: 2 - Ausec, and Hoy

Abstain: 0

5.d. Initiate adoption process for the West Salem Zone Code Clean-Up project

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Resolution 2018-13](#)
[Exhibit 1: Map of Proposed Zones](#)

A motion was made by Councilor Lewis, seconded by Councilor Kaser to adopt Resolution No. 2018-13 to:

1. Initiate Comprehensive Plan Map amendments, Neighborhood Plan Map amendments, Zoning Map amendments, and Salem Revised Code amendments that streamline zone code provisions, allow a broader range of commercial and residential land uses, and apply more consistent design standards to enhance the character of the area, as proposed in the West Salem Zone Code Clean-Up project; and

2. Refer the matter to the Planning Commission for public hearing and recommendation.

Questions or Comments by: Councilors Lewis, Nanke, and Mayor Bennett.

The motion carried by the following vote:

Aye: 7 - Kaser, Andersen, Nanke, McCoid, Cook, Lewis, and Bennett

Nay: 0

Absent: 2 - Ausec, and Hoy

Abstain: 0

5.e.

Intergovernmental Agreement with the Oregon Department of Transportation for winter storm maintenance of Center and Marion Street Bridges

Ward(s): 1

Councilor(s): Kaser

Neighborhood(s): CANDU, West Salem

Attachments: [ODOT IGA 32349 vsn2](#)

A motion was made by Councilor Lewis, seconded by Councilor Kaser to authorize the City Manager to execute Intergovernmental Agreement No. 32349 between the Oregon Department of Transportation and the City of Salem.

Questions or Comments by: Councilor Lewis.

The motion carried by the following vote:

Aye: 7 - Kaser, Andersen, Nanke, McCoid, Cook, Lewis, and Bennett

Nay: 0

Absent: 2 - Ausec, and Hoy

Abstain: 0

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

- 6.a.** Purchases approved administratively - December 1, 2017, through December 31, 2017.

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

Attachments: [Purchases approved administratively December 2017](#)

This Informational Report was received and filed.

- 6.b.** Planning Administrator Decision - Modification of Tentative Subdivision Plan Case No. SUB-UGA-ADJ16-03 - Pacific Northwest Land Company, LLC (Mark Vukanovich, Kristina Vukanovich) - 2960 Michigan City Lane NW - Modification of the approval of SUB-UGA-ADJ16-03 (the "Whispering Heights" phased subdivision) to reconfigure street grades of Michigan City Lane. The request is to review an alternative street standard for 12% grade for the centerline slope of Michigan City Lane to for approximately 350 feet, where 8% grade is the maximum. The modification does not result in additional lots.

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

Attachments: [Revised Land Use Decision SUB-UGA-ADJ16-03MOD1](#)

This Informational Report was received and filed.

- 6.c.** Center 50+ Advisory Commission Age-Friendly Initiative Update January 2018

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

This Informational Report was received and filed.

- 6.d.** Final evaluation of a railroad safety improvements public improvement contract exempted from competitive bid

Ward(s): Wards 1, 5

Councilor(s): Kaser, Ausec

Neighborhood(s): Grant, Highland, NEN, and Northgate

Attachments: [Attachment 1 - Final Report](#)

This Informational Report was received and filed.

Questions or Comments by: Councilor Andersen and Mayor Bennett.

6.e. Announcing 2018 City Council committee assignments

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [2018 City Council Committee Assignments](#)

This Mayor's Item was received and filed.

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

6.f. Legislative positions and priorities on active bills.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

This Informational Report was received and filed.

7. ORDINANCES

7.1 FIRST READING:

7.1a. Vacation of an alley at the site of the new Police Facility.

Ward(s):1

Councilor(s): Kaser

Neighborhood(s): CANDO

Attachments: [Ordinance Bill No. 1-18](#)
[Resolution No. 2018-2](#)

A motion was made by Councilor Kaser, seconded by Councilor Andersen to conduct first reading of Ordinance Bill No. 1-18, which vacates an alley at the site of the new Police Facility, and schedule a public hearing to consider the ordinance bill.

The motion carried by the following vote:

Aye: 7 - Kaser, Andersen, Nanke, McCoid, Cook, Lewis, and Bennett

Nay: 0

Absent: 2 - Ausec, and Hoy

Abstain: 0

7.2 SECOND READING:

None.

8. PUBLIC COMMENT: (Other than agenda items)

None.

9. ADJOURNMENT

7:28 p.m.