

*555 Liberty St SE
Salem, OR 97301*



Final Action Agenda - Minutes - Final

Monday, February 26, 2018

6:00 PM

Council Chambers

City Council

PLANNING COMMISSION INTERVIEWS

5:15 p.m. - Council Chambers

EXECUTIVE SESSION

WORK SESSION

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

Call to Order

6:11 p.m.

Roll Call

Present: 9 - Councilor Kaser, Councilor Andersen, Councilor Nanke, Councilor McCoid, Councilor Ausec, Councilor Cook, Councilor Lewis, Councilor Hoy, and Mayor Bennett

1.1 APPROVAL OF ADDITIONS AND DELETIONS TO THE AGENDA

A motion was made by Councilor McCoid, seconded by Councilor Cook to approve the additions, deletions, and revisions to the agenda.

Comments by: Councilor McCoid.

The motion carried by the following vote:

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

Nay: 0

Abstain: 0

1.2 COUNCIL AND CITY MANAGER COMMENT

Comments by: Councilors McCoid, Cook, Nanke, and Acting City Manager Peter Fernandez.

1.3 PROCLAMATIONS

None.

1.4 PRESENTATIONS

Item 1.4 was heard at Item 2, Public Comment.

1.4.a Energy Trust of Oregon - Presenting \$390,006 check to the City for its LED Streetlighting Project

Jay Ward of Energy Trust of Oregon presented the check.

Comments by: Mayor Bennett.

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

Appearances by:

Dave Lear, Mid-Valley Garbage Recycling Association, Item 6.e, File 18-82

Will Posegate, Garten Services, Item 6.e, File 18-82

Public testimony paused for Presentation of check by Energy Trust of Oregon, agenda item 1.4a.

Public testimony resumed with appearances by:

Reed Carlson, Mid-Valley Garbage Recycling Association, Item 6.e, File 18-82

Dave Lear, Mid-Valley Garbage Recycling Association, 20 Gallon every other week service

Gary Keidatz, 3797 June Avenue NE, Homes with abandoned garbage/trash

Tim Tyser, Operations Manager, Republic Services of Salem, Item 6.e, File 18-82

Saundra Burnett, Salem Art Association, 600 Mission Street SE, Cultural

Facilities and 15 % distribution for Transient Occupancy Tax (TOT) funds

Alicia Bay, Gilbert House Childrens Museum, Cultural Facilities and 15 %

distribution for Transient Occupancy Tax (TOT) funds

Jan Keidatz, 3797 June Avenue NE, Vacant house at 2275 Coral Avenue NE

and No parking signs

Doug Rodgers, 2250 Brown Road NE, Mail volume to neighborhood

associations

Maria Jacobo, 2265 Fisher Road NE, Home on June and Vaughn Streets

David Dominguez-Jacobo, 2265 Fisher Road NE, Home on June and Vaughn

Streets

Anthony Behrens, 1995 Woodland Hills Way, Announcing candidacy for

Marion County Circuit Court Judge

Questions or Comments by: Councilors Cook, Hoy, Nanke, Andersen, Kaser, 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 pulls of 3.3a and 3.3d by Councilor Cook.

Comments by: Councilor McCoid.

The motion carried by the following vote:

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

Nay: 0

Abstain: 0

3.1 MINUTES

3.1 a. [18-92](#) February 12, 2018 Draft City Council Minutes

Action: Approved.

3.2 RESOLUTIONS

3.2 a. [18-94](#) Property tax exemptions for qualifying non-profit, low-income housing

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Adopted Resolution No. 2018-XX (Attachment 1) approving property tax exemptions for two low-income housing properties owned by nonprofit entities.

3.3 ACTION ITEMS

3.3 a. [18-25](#) Food for Fines Week

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Pulled by Councilor Cook - See item 5.b.

3.3 b. [18-67](#) Intergovernmental Agreement with the Salem-Keizer School District for Police Services for the 2017-2018 School Year.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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 2017-2018 school year.

3.3 c. [18-68](#)

Appointment of John T. Mercer as Municipal Judge Pro Tempore

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Appointed John T. Mercer as a Municipal Judge Pro Tempore for the Salem Municipal Court for a two-year term.

3.3 d. [18-73](#)

Intergovernmental Agreement with Marion County for Asphalt Slurry Seal Surfacing on City Streets

Ward(s): 1, 3, 4, 7, and 8

Councilor(s): Kaser, Nanke, McCoid, Cook, and Lewis

Neighborhood(s): Croisan-Illahe, Faye Wright, Highland, South Gateway, and West Salem

Pulled by Councilor Cook - See item 5.c.

3.3 e. [18-83](#)

2018 City Council Policy Agenda

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Approved the 2018 City Council Policy Agenda.

4. PUBLIC HEARINGS

4. a. [18-71](#)

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

Ward(s):1

Councilor(s): Kaser

Neighborhood(s): CANDO

Staff presentation by: Anthony Gamallo, Sr. Transportation Planner with Public Works

Persons Testifying: None.

Organizations Testifying: None.

A motion was made by Councilor Kaser, seconded by Councilor McCoid to approve the vacation of an alley at the site of the new Police Facility and advance Ordinance Bill No. 1-18 to second reading for enactment.

The motion carried by the following vote:

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

Nay: 0

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. [18-89](#) Appointment to Planning Commission

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Voted by ballot to to appoint one applicant to fill a partial-term vacancy expiring on December 31, 2020. Ashley Schweickart was appointed to fill the Planning Commission vacancy.

Comments by: Mayor Bennett.

5. b. [18-25](#) Food for Fines Week

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

A motion was made by Councilor Cook, seconded by Councilor Ausec to authorize the Salem Public Library to hold a "Food for Fines Week" at the Main Library and West Salem Branch Library from Sunday, April 1, through Sunday, April 8, 2018, when food may be contributed to the Marion-Polk Food Share in exchange for forgiveness of fines for overdue library materials.

Comments by: Councilor Cook.

The motion carried by the following vote:

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

Nay: 0

Abstain: 0

5. c. [18-73](#)

Intergovernmental Agreement with Marion County for Asphalt Slurry Seal Surfacing on City Streets

Ward(s): 1, 3, 4, 7, and 8

Councilor(s): Kaser, Nanke, McCoid, Cook, and Lewis

Neighborhood(s): Croisan-Illahe, Faye Wright, Highland, South Gateway, and West Salem

A motion was made by Councilor Cook, seconded by Councilor Hoy to authorize the City Manager to execute an Intergovernmental Agreement with Marion County for the design and construction of an asphalt slurry seal surfacing project on various City streets.

Comments by: Councilors Cook and Nanke, Mayor Bennett, and Acting City Manager Fernandez.

The motion carried by the following vote:

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

Nay: 0

Abstain: 0

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

6. a. [18-28](#)

Transportation planning in the area of the Croisan Scenic Trail.

Ward(s): 7

Councilor(s): Cook

Neighborhood(s): SWAN and Sunnyslope

This Informational Report was received and filed.

Questions or Comments by: Councilors Andersen and Cook.

6. b. [18-74](#)

Planning Administrator Decision - Subdivision - Class 2 Adjustment - Class 2 Driveway Approach Permit Case No. SUB-ADJ-DAP17-12 - Approved - Brandon Fahlman and Whitney Fahlman - 4333 Liberty Road S - A subdivision to divide 0.99 acres into 5-lots ranging in size from approximately 4,910 square feet to 8,241 square feet, a Class 2 Driveway Approach Permit with three Class 2 Adjustments.

Ward(s): 7

Councilor(s): Cook

Neighborhood(s): Sunnyslope

This Informational Report was received and filed.

6. c. [18-77](#)

Hearings Officer Decision - Conditional Use / Quasi-Judicial Zone Change Case No. CU-ZC17-14 - Approved - Dan Clem for Union Gospel Mission of Salem - 700-800 Blocks of Commercial Street NE - A consolidated application for a Conditional Use Permit and Zone Change for the proposed relocation of the Union Gospel Mission (UGM) of Salem's men's shelter.

Ward(s): 1

Councilor(s): Kaser

Neighborhood(s): CAN-DO

This Informational Report was received and filed.

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

6. d. [18-78](#)

General obligation bond-funded project to renovate the Salem Public Library

Ward(s): All

Councilor(s): All

Neighborhood(s): All

This Informational Report was received and filed.

Questions or Comments by: Councilor Andersen and Acting City Manager Fernandez.

6. e. [18-82](#)

Recycling markets update and impacts to local recycling program

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

This Informational Report was received and filed.

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

6. f. [18-84](#)

Solid waste collection service and update.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

This Informational Report was received and filed.

Questions or Comments by: Councilors Hoy, Andersen, and Nanke.

6. g. [18-86](#)

Planning Administrator Decision - Amendment to Urban Growth Area Preliminary Declaration Case No. SUB-UGA17-01MOD1 - Trademark Enterprises, LLC (Ryan L. Bloedel) - 3800 Block of Illahe Road S - A request for an amendment to a previously approved Urban Growth Preliminary Declaration, Case No. SUB-UGA17-01.

Ward(s): 7

Councilor(s): Cook

Neighborhood(s): SWAN

This Informational Report was received and filed.

6. h. [18-91](#)

Planning Administrator Decision - Partition Case No. PAR18-01 - Approved - Tony and Colleen Frazier - 447 Browning Avenue SE - A tentative partition plan to divide an approximate 0.42 acre unit of land into two parcels, approximately 6,836 square feet and 10,320 square feet in size.

Ward(s): 3

Councilor(s): Nanke

Neighborhood(s): Faye Wright

This Informational Report was received and filed.

6. i. [18-100](#)

Planning Administrator Decision - Amendment to Urban Growth Preliminary Declaration and Modification of the Tentative Subdivision Plan Approval for Case No. UGA07-05MOD1 and SUB08-04MOD1 - Garrett H. Berndt and Alice Berndt - 6617 Devon Avenue SE - A consolidated application to modify the urban growth preliminary declaration and subdivision approvals granted for the 38-lot Oak Ridge Estates subdivision.

Ward(s): 4

Councilor(s): McCoid

Neighborhood(s): South Gateway

This Informational Report was received and filed.

Questions or Comments by: Councilor Andersen.

7. ORDINANCES**7.1 FIRST READING:**

7.1 a. [18-85](#)

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

A motion was made by Councilor Cook, seconded by Councilor Kaser to conduct first reading of Ordinance Bill No. 2-18 annexing, applying the City of Salem RA (Residential Agriculture) zone, and withdrawing from the Salem Suburban Rural Fire Protection District, for a 3.57-acre property located at 5500 Block of Skyline Road S.

The motion carried by the following vote:

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

Nay: 0

Abstain: 0

7.2 SECOND READING:**7.2 a. [18-70](#)**

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

Ward(s):1

Councilor(s): Kaser

Neighborhood(s): CANDO

Conducted second reading of Ordinance Bill No. 1-18, which vacates an alley at the site of the new Police Facility.

Ordinance Bill No. 1-18 was adopted by the following vote:

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

Nay: 0

Abstain: 0

8. PUBLIC COMMENT: (Other than agenda items)

This item was heard during Item 2, Public Comment.

9. ADJOURNMENT

7:41 p.m.