

*555 Liberty St SE
Salem, OR 97301*



Final Action Agenda - Minutes - Final

Monday, April 23, 2018

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

6:14 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

None.

1.2 COUNCIL AND CITY MANAGER COMMENT

Comments by: Councilors McCoid and Hoy and City Manager Powers.

1.3 PROCLAMATIONS

1.3 a. Proclamation recognizing Asian/Pacific American Heritage Month

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Proclamation - Asian-Pacific American Heritage Month.pdf](#)

Mayor Bennett read and presented the proclamation to Jacqueline Leung and other members of Salem's Asian American and Pacific Islander communities.

1.3 b. Proclamation recognizing National Historic Preservation Month

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Proclamation - National Historic Preservation Month.pdf](#)

Mayor Bennett read and presented the proclamation to Keving Sund, Chair, Historic Landmarks Commission.

1.4 PRESENTATIONS

None.

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

Appearances by:

Linda Wallmark, Representing 350 Salem OR, 4734 Bradford Loop SE, Item 3.3a, File 18-177

Bob Cortright, 373 Suncrest Avenue NW, Item 3.3a, File 18-177

Sue Dauer, 665 Church Street SE, Church Street parking time limits

Jacque Healey, 747 Church Street SE, Church Street parking time limits

Jan Keidatz, 3797 June Avenue NE, No parking signs and 2194 and 2195

Vaughn Street

Gary Keidatz, 3797 June Avenue NE, Houses on Vaughn and Coral Streets

Jim Hill, 2465 Fisher Road NE, Fisher Road fatality and continuing excessive speeding

Agenda Item 8, Public Comment, was also heard during Agenda Item 2.

Questions or Comments by: Councilors Lewis, Andersen, Hoy, Mayor Bennett, and City Manager Powers.

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 Andersen to approve the consent calendar.

Questions or Comments by: Councilors McCoid and Lewis and Mayor Bennett.

Councilors Nanke and Lewis registered "no" votes on item 3.3a.

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. April 9, 2018 Draft City Council Minutes

Attachments: [4-9-2018 Draft Council Minutes](#)

Action: Approved.

- 3.1 b. April 16, 2018 Draft City Council Work Session Minutes

Attachments: [4-16-18 Draft City Council Work Session Minutes](#)

Action: Approved.

3.2 RESOLUTIONS

None.

3.3 ACTION ITEMS

- 3.3 a. Modifying Salem-Keizer Area Transportation Study goals to include reducing greenhouse gas emissions.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Draft letter to SKATS Policy Committee Chair](#)
[Written Testimony - Cortright](#)

Authorized the Mayor to sign the attached letter requesting that the proposed Regional Transportation Systems Plan, Goal 7, include "and to reduce greenhouse gas emissions" after the current language of "minimize the impact to the natural and built environment."

- 3.3 b. Cable Television Franchise Extension.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Cable Television Franchise Extension Agreement](#)
[Attachment 2 CRC Comcast Extension Reso 18-01](#)

Authorized the City Manager to execute the cable television franchise extension agreement with Comcast of Oregon I, Inc. (Attachment 1) to allow staff, together with Marion County, sufficient time to complete approval of the cable television franchise agreement.

4. PUBLIC HEARINGS

4. a. West Salem Zone Code Clean-Up Amendments

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Attachments: [Attachment 2 - Planning Commission Recommendation](#)

[Attachment 1 - Map of New Zones](#)

[Attachment 3 - Ordinance Bill 3-18](#)

[Attachment 4 - Exhibit 1, CPCNPC for ESMU](#)

[Attachment 5 - Exhibit 2, CPCNPC for WSCB](#)

[Attachment 6 - Exhibit 3, ZC for ESMU](#)

[Attachment 7 - Exhibit 4, ZC for WSCB](#)

[Attachment 8 - Exhibit 5, ZC to SCI](#)

[Attachment 9 - Exhibit 6, Findings](#)

[Written Testimony - Gehlar](#)

[Written Testimony - Easterly](#)

[Written Testimony - Anderson](#)

Staff presentation by Bryan Colbourne, Planner, Community Development Department and Tory Banford, Management Analyst, Urban Development

Organizations Testifying: None.

Persons Testifying:

Jim Allhiser, Chair, West Salem Neighborhood Association

E.M. Easterly, Ward 8

Steve Anderson, 3240 Gehlar Road NW

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

Other comments by:

Scott Mansur, DKS Associates, 117 Commercial Street NE

A motion was made by Councilor McCoid, seconded by Councilor Kaser to proceed to second reading for enactment of the West Salem Zone Code Clean-Up amendments, including various zoning code amendments, comprehensive plan map amendments, neighborhood plan map amendments, and zone map amendments to certain lands generally along Wallace Road NW, Edgewater Street NW, and Second Street NW.

The motion carried by the following vote:

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

Nay: 0

Abstain: 0

Mayor Bennett announced a five minute recess. The meeting resumed at 7:45

p.m.

- 4. b.** Appeal of Hearings Officer decision approving Conditional Use / Quasi-Judicial Zone Change Case No. CU-ZC17-14 for property located in the 700 to 800 blocks of Commercial Street NE.

Ward(s): Ward 1
Councilor(s): Kaser
Neighborhood(s): CANDO

Attachments: [Attachment 1: Vicinity Map](#)
[Attachment 2: Applicant's Preliminary Site Plan](#)
[Attachment 3: Hearings Officer Decision for Conditional Use/Zone Change Case No. CU-ZC17-14 \(February 9, 2018\)](#)
[Attachment 4: Notice of Appeal Submitted by David Glennie](#)
[Attachment 5: Public Comments](#)
[Attachment 6: Applicant's Rebuttal Testimony \(January 22, 2018\)](#)
[Attachment 7: Supplemental Findings by Staff \(January 5, 2018\)](#)
[Attachment 8: Revised Applicant's Written Statement \(January 4, 2018\)](#)
[Attachment 9: Staff Report to Hearings Officer \(December 20, 2017\)](#)
[Attachment 10: Appellant Testimony Submitted During Open Record Period \(January 5, 2018\)](#)
[Attachment 11: Ordinance Bill No. 19-14](#)
[Attachment 12: Planning Commission Staff Report for Ordinance Bill No. 59-93 \(October 5, 1993\)](#)
[Attachment 13: Ordinance Bill No. 59-93](#)
[Additional Written Testimony as of April 16, 2018](#)
[Letter to City from Applicant's Representative](#)
[Additional Written Testimony 1](#)
[Additional Written Testimony 2](#)
[Additional Written Testimony 3](#)
[Additional Written Testimony 4](#)

Disclosure of ex parte contacts were made by Mayor Bennett and Councilors Hoy, Andersen, Kaser, Cook, Lewis, and McCoid.

Staff Presentation by Bryce Bishop, Planner, Community Development Planning Services Department

Organizations Testifying: None.

Persons Testifying:
Dan Clem, Applicant, Executive Director, Union Gospel Mission

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

David Glennie, Appellant, 445 Myers Street SE

Questions or Comments by: Councilors Andersen, Kaser, Hoy, Cook, McCoid, and Lewis.

Other persons testifying:

Janet Carlson, Ward 3
Alan Mela, 299 D Street
Christy Wood, 311 Commercial Street NE
Candi Hughes, 7901 Suver Rd, Monmouth
Rick Bratton, 345 Commercial Street NE
Tom Ellis, no address provided
Dick Withnell, no address provided
Mike Roberson, 3100 Ryan Drive SE
Loretta Miles, 549 18th Street SE
Mike Potts, Resident, Union Gospel Mission
Paul Wulf, 2295 High Street SE
Lisa Campbell, 1133 Lansford Drive SE
Terri Hancock, 1596 Brewster Court SE
Jeanine Knight, Ward 4
Ekatrina Smiley, Resident, Simonka Place
Warren Bednarz, Ward 7
Bruce Donohue, UGM Employee/Attended Program

A motion was made by Councilor McCoid, seconded by Councilor Andersen to extend the meeting to 10:45 p.m., and the motion carried by a unanimous vote.

Testimony continued:

Gregg Peterson, 3678 Bayonne Drive SE
Jim Garaventa, 1410 37th Avenue
Chris Blackburn, 360 Belmont Street
Dana Vugteveen, 401 Center Street
Mirabel Ortiz, 399 Belmont Street SE
William Long, 1127 Broadway NE
Ross Hopkins, 1127 Broadway Street NE
Paul Young, 4705 Portland Road
Gene Pfeifer, Resident of Silverton
Jeff Tross, Tross Consulting Inc., 1720 Liberty Street SE, Applicant's Consultant
Phil Grillo, Appellant's Representative
Alan Sorem, 250 Church Street SE, Applicant's Representative

Rebuttal by applicant: Dan Clem

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

A motion was made by Councilor Kaser, seconded by Councilor McCoid to close the public hearing and keep the written record open on the following schedule:

- The record will remain open to written testimony to April 30, 2018 at 5:00 p.m., no new evidence may be submitted after April 30, 2018,
- The record will remain open to any rebuttal testimony to May 7, 2018 at 5:00 p.m., and
- The record will remain open only to the applicant to submit final written argument until May 11, 2018 at 5:00 p.m.

Questions or Comments by Councilors Andersen, Kaser and Nanke and Mayor

Bennett.

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)

None.

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

- 6. a.** Planning Administrator Decision - Replat Case No. REP18-01 - Approved - City of Salem (Luke Gmazel, Public Works) - 750 Commercial Street NE - An application to consolidate existing lots and vacated rights-of-way into one lot approximately 3.68 acres in size in order to accommodate future development of the City of Salem's new Police facility.

Ward(s): 1

Councilor(s): Kaser

Neighborhood(s): CAN-DO

Attachments: [Land Use Decision REP18-01](#)

This Informational Report was received and filed.

7. ORDINANCES

7.1 FIRST READING:

None.

7.2 SECOND READING:

None.

8. PUBLIC COMMENT: (Other than agenda items)

Item 8, Public Comment, heard during Item 2.

9. ADJOURNMENT

10:44 p.m.