

*555 Liberty St SE
Salem, OR 97301*



Final Action Agenda - Minutes - Final

Monday, December 2, 2019

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

6:36 p.m.

Roll Call

Present: 8 - Councilor Kaser, Councilor Andersen, Councilor Nanke, Councilor Ausec, Councilor Lewis, Councilor Hoy, Mayor Bennett, and Councilor Nordyke
Absent: 1 - Councilor Leung

1.1 APPROVAL OF ADDITIONS AND DELETIONS TO THE AGENDA

None.

A motion was made by Councilor Hoy, seconded by Councilor Andersen to suspend Council Rule 23 for tonight's City Council meeting to allow Councilor Leung to appear by telephone for agenda item 7.2a.

The motion carried by the following vote:

Aye: 7 - Kaser, Andersen, Nanke, Ausec, Hoy, Bennett, and Nordyke

Nay: 1 - Lewis

Absent: 1 - Leung

Abstain: 0

1.2 COUNCIL AND CITY MANAGER COMMENT

Comments by: Councilors Nanke, Andersen, Hoy and Lewis.

1.3 PROCLAMATIONS

1.3 a. [19-561](#) Proclamation recognizing Pearl Harbor Remembrance Day

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Mayor Bennet read the proclamation.

1.4 PRESENTATIONS

PGE Resiliency Report

Presentation by Maria Pope, Wendy Veliz and Bill Messmer from PGE.

Comments and Questions by: Councilors Nanke and Hoy.

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

Appearances by:

**Suzanne Kaltwasser, Ward 8, Salem Speaks Up
Kasia Quillinan, 1145 14th Street NE, 6.b, File No. 19-533
Becky Beaman, Ward 7, 7.2a, File No. 19-584
Lorrie Walker, Ward 2, 7.2a, File No. 19-584
Daniel Rouslin, Ward 2, 7.2a, File No. 19-584
David Engen, 1145 14th Street NE, 7.1a, File No. 19-564
Hollie Oakes-Miller, 4916 Evie Jean Street NE, 7.2a, File No. 19-584
Julie Eaton, Ward 2, 7.2a, File No. 19-584
Lynelle Wilcox, 1785 Norway Street NE, 7.2a, File No. 19-584
Pamela Lyons Nelson, Ward 1, 7.2a, File No. 19-584
Angelina Lockhart, 2499 Hude Street SE, 7.2a, File No. 19-584
Sarah Parkison, Highland, 7.2a, File No. 19-584
Gerald Turner, Ward 6, 7.2a, File No. 19-584
Kathleen Thorpe, 2843 Tess Avenue NE, 7.2a, File No. 19-584
Angel Villamor, 1920 Broadway Street NE, 7.2s, File No. 19-584
Sandra, 7.2a, File No. 19-584
Pamela Watson, 277 Libscomb Street SE, 7.2a, File No. 19-584
Wiley Thompson, Ward 3, 7.2a, File No. 19-584
Colt Bradley, 7.2a, File No. 19-584**

Comments and Questions from: Mayor Bennet, Councilors Andersen, Nordyke and Kaser

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

A motion was made by Councilor Hoy, seconded by Councilor Kaser to approve the consent calendar. Councilor Nanke declared a Nay vote on agenda item 3.2a.

The motion carried by the following vote:

Aye: 8 - Kaser, Andersen, Nanke, Ausec, Lewis, Hoy, Bennett, and Nordyke

Nay: 0

Absent: 1 - Leung

Abstain: 0

3.1 MINUTES

None.

3.2 RESOLUTIONS

3.2 a. [19-530](#)

Referral of Ordinance Bill No. 11-19, creating an employee-paid payroll tax, to Salem Voters.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): All.

Adopted Resolution No. 2019-84 to refer Ordinance Bill No. 11-19 (creating an employee-based payroll tax) to Salem voters at the May 19, 2020 election, adopt the explanatory statement, and direct the City Attorney to draft the ballot title.

3.3 ACTION ITEMS

3.3 a. [19-477](#)

Intergovernmental Agreement between Oregon Department of Transportation for Tree Planting and Maintenance on Salem Parkway.

Ward(s): Ward 5

Councilor(s): Councilor Ausec

Neighborhood(s): Northgate

Result Area(s): Natural Environment Stewardship; Welcoming and Livable Community.

Authorized the City Manager to enter into an Intergovernmental Agreement (IGA) with Oregon Department of Transportation (ODOT) for tree planting and maintenance on the north side of Salem Parkway between Cherry Avenue NE and Hyacinth Street NE.

3.3 b. [19-552](#)

Intergovernmental Agreement Between Marion County and City of Salem for Removal of Asbestos Cement Waterline Pipe on 45th Avenue NE.

Ward(s): No Wards

Councilor(s): No Councilors

Neighborhood(s): No Neighborhoods

Result Area(s): Safe, Reliable, and Efficient Infrastructure

Authorized the City Manager to execute an Intergovernmental Agreement with Marion County for the removal of abandoned asbestos cement waterline pipe along 45th Avenue NE.

4. PUBLIC HEARINGS

None.

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.** [19-485](#) Salem Riverfront Carousel Proposed Expansion and Relocation of the Salem Peace Mosaic.

Ward(s): Ward 1

Councilor(s): Councilor Kaser

Neighborhood(s): CANDO

Result Area(s): Welcoming and Livable Community

This information report was received and filed.

- 6. b.** [19-533](#) Salem Parks and Recreation Advisory Board Annual Report 2019

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Natural Environment Stewardship; Welcoming and Livable Community.

This information report was received and filed.

6. c. [19-567](#)

Planning Commission Decision - A comprehensive plan change to Commercial and Zone change to CO (Commercial Office) - Approved.

Minor Comprehensive Plan Map Amendment / Zone Change Case No. CPC-ZC19-11 - Jake Buckendorf - 4345 Sunnyside Rd SE - 97302

Ward(s): 3
Councilor(s): Nanke
Neighborhood(s): Faye Wright

This information report was received and filed.

6. d. [19-570](#)

Hearings Officer Decision - A proposed cannabis processing facility within an existing warehouse building. - Approved.

Conditional Use / Class 3 Site Plan Review Case No. CU-SPR19-05 - Lee Gywn, Lenity Architecture, on behalf of Thomas Reti - 4662 Ridge Dr NE.

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

This information report was received and filed.

6. e. [19-576](#)

Historic Landmarks Commission Decision - Proposal to construct a new seven story hotel. - Approved.

Historic Design Review - New Construction Case No. HIS19-19 - Lamont Smith and Iain MacKenzie on behalf of Salem Opportunity, LLC (James Bruce and Vanessa Sturgeon)- 195-197 Commercial St SE.

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

This information report was received and filed.

7. ORDINANCES**7.1 FIRST READING:**

7.1 a. [19-564](#)

Repealing Salem Revised Code chapter 48, relating to plastic carryout bags

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance; Natural Environment Stewardship; Welcoming and Livable Community.

A motion was made by Councilor Hoy, seconded by Councilor Kaser to conduct first reading of Ordinance Bill No. 13-19, repealing Salem Revised Code chapter 48 - Plastic Carryout Bags.

Comments and Questions by: Councilors Hoy and Andersen.

The motion carried by the following vote:

Aye: 8 - Kaser, Andersen, Nanke, Ausec, Lewis, Hoy, Bennett, and Nordyke

Nay: 0

Absent: 1 - Leung

Abstain: 0

7.2 SECOND READING:

[19-584](#)

Regulating the use of sidewalks and public spaces

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Areas: Good Governance; Safe Community; Strong and
Diverse Economy; Welcoming and Livable Community**Councilor Leung appeared via phone for this agenda item.****A motion was made by Councilor Nordyke, seconded by Councilor Andersen to amend Proposed 95.720(b) to add "Except where designated by the City" to the beginning of the sentence.****Comments and Questions by: Councilors Nordyke, Lewis, Andersen, Hoy, Ausec, Kaser, Nanke and Mayor Bennett.****The motion carried by the following vote:****Aye: 9 - Bennett, Kaser, Andersen, Nanke, Leung, Ausec, Hoy, Nordyke and Lewis****Nay: 0****Abstain: 0****A motion was made by Councilor Andersen, seconded by Councilor Hoy to amend the emergency clause of the amended motion to take place two weeks from tonight, December 16th.****The motion carried by the following vote:****Aye: 9 - Bennett, Kaser, Andersen, Nanke, Leung, Ausec, Hoy, Nordyke and Lewis****Nay: 0****Abstain: 0****Conducted second reading of Engrossed Ordinance Bill No. 10-19, an Engrossed Ordinance regulating camping and unattended personal property.****Engrossed Ordinance Bill 10-19 was adopted by the following vote.****Aye: 9 - Kaser, Andersen, Nanke, Ausec, Lewis, Hoy, Bennett, Leung, and Nordyke****Nay: 0****Abstain: 0**

A motion was made by Councilor Andersen, seconded by Councilor Hoy to suspend the Council Rules to allow Councilor Andersen to make a Councilor's Motion.

The motion carried by the following vote:

Aye: 9 - Bennett, Kaser, Andersen, Nanke, Leung, Ausec, Hoy, Nordyke and Lewis

Nay: 0

Abstain: 0

A motion was made by Councilor Andersen, seconded by Councilor Hoy to call for a staff report deliniating all vacant, unused, underused City property that might be used as a designated place for camping along with a brief feasibilty evaluation of each site to be presented at the next council meeting.

The motion carried by the following vote:

Aye: 8 - Bennett, Kaser, Andersen, Leung, Ausec, Hoy, Nordyke and Lewis

Nay: 1 - Nanke

Abstain: 0

8. PUBLIC COMMENT: (Other than agenda items)

None.

9. ADJOURNMENT

9:03 p.m.