

*555 Liberty St SE
Salem, OR 97301*



Final Action Agenda - Minutes - Final

Monday, February 10, 2020

6:00 PM

Council Chambers

City Council

PLANNING COMMISSION INTERVIEWS

5:30 p.m. - Council Chambers

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

5:38 p.m.

Roll Call

Present: 9 - Councilor Kaser, Councilor Andersen, Councilor Nanke, Councilor Ausec, Councilor Lewis, Councilor Hoy, Mayor Bennett, Councilor Leung, and Councilor Nordyke

Pledge of Allegiance

Led by Mayor Bennett.

1.1 PLANNING COMMISSION APPOINTMENTS

1.1a. [20-54](#) Planning Commission Appointments

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): All Neighborhoods
Result Area(s): Good Governance

Lisa Heller and Michael Slater were each appointed to full-term positions expiring on December 31, 2023.

1.2 APPROVAL OF ADDITIONS AND DELETIONS TO THE AGENDA

A motion was made by Councilor Hoy, seconded by Councilor Ausec to approve the revision to the agenda, the corrected January 21, 2020 Draft City Council Minutes, for item 3.1a.

The motion carried by the following vote:

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

Nay: 0

Abstain: 0

1.3 COUNCIL AND CITY MANAGER COMMENT

Comments by: Councilors Nordyke, Hoy, and City Manager Powers.

1.4 PROCLAMATIONS

None.

1.5 PRESENTATIONS

None.

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

Appearances by:

Daniel Hoffman, Founder, Homeless Citizens Movement, Item 5.a, File 20-49

Judy Berge, Item 5.a, File 20-49

Pamela Lyons-Nelson, 1145 21st Street NE, Item 5.a, File 20-49

Dan Rouslin, 606 Wilbur SE, Item 5.a, File 20-49

Lynelle Wilcox, 1785 Norway Street NE, Item 5.a, File 20-49

Dave Maceira, Church of the Park, Item 5.a, File 20-49

Mike Johnson, Item 5.a, File 20-49

Kathleen Thorpe, 2943 Tess Avenue NE, Item 5.a, File 20-49

Lindsay Bigelow, 2087 Baxter Road SE, Item 5.a, File 20-49

Dana Vugteveen, Manager, Salem Center, 401 Center Street NE, Item 5.a, File 20-49

Larry Nasset, 525 Oregon Avenue NE, Item 5.a, File 20-49

Becky Beaman, Ward 7, Item 5.a, File 20-49

Jean Hendron, Item 5.a, File 20-49

Angela Bartow, Item 5.a, File 20-49

Malakie Bartow, Item 5.a, File 20-49

Agenda item 8, Public Comment, was also heard at this time:

Brent DeHart, 3300 25th Street SE, Fly Salem

Jason Greenwood, Divine Distillers, 1295 Panorama Court SE, Building permit issues

Mark Coutis, Vice-Chair, West Salem Neighborhood Association, 3rd Bridge, Homelessness

Questions or Comments by: Councilors Lewis, Andersen, Nordyke, 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 Hoy, seconded by Councilor Nanke to approve the consent calendar.

Comments by Councilor Hoy.

The motion CARRIED by the following vote.

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

Nay: 0

Abstain: 0

3.1 MINUTES

3.1a. [20-37](#) January 21, 2020 Draft City Council Minutes

Action: Approved corrected minutes.

3.1b. [20-45](#) January 27, 2020 Draft City Council Minutes

Action: Approved.

3.2 RESOLUTIONS

None.

3.3 ACTION ITEMS

None.

4. PUBLIC HEARINGS

4.a. [20-50](#)

Supplemental report for Multifamily Housing Design project.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance; Natural Environment Stewardship;
Safe Community; Safe, Reliable and Efficient Infrastructure; Strong
and Diverse Economy; Welcoming and Livable Community.

**Opening remarks from Eunice Kim, Planner, Community Development
Planning Services.**

Persons Testifying:

Natalie Janney, Multitech Engineering, 1155 12th Street SE

Jeremy Mills, 1246 Chemeketa Street NE

Rich Fry, 1100 Liberty Street SE

Organizations Testifying:

**Roz Shirack, Land Use Chair, South Central Association of Neighbors
(SCAN), no address provided.**

**Ted Burney, Land Use Chair, Southwest Association of Neighbors (SWAN),
no address provided.**

**Questions or Comments by: Councilors Lewis, Kaser, Andersen, Nordyke,
Leung, Nanke, Hoy, Mayor Bennett, and Eunice Kim.**

**A motion was made by Councilor Hoy, seconded by Councilor Ausec to
engross Ordinance Bill No. 1-20 and advance the engrossed ordinance bill
to second reading for enactment.**

Comments by: Councilor Hoy and Mayor Bennett.

**Motion to amend by Councilor Andersen, seconded by Councilor Nordyke to
eliminate minimum parking requirements for multifamily projects in the
Central Salem Development Program area.**

**Comments by: Mayor Bennett, Councilors Andersen, Nanke, Kaser, Leung,
Lewis, and Dan Atchison, City Attorney.**

The motion to amend CARRIED by the following vote:

Aye: 6 - Andersen, Nanke, Leung, Lewis, Nordyke, and Ausec

Nay: 3 - Bennett, Kaser, and Hoy

**Motion to amend by Councilor Andersen, seconded by Councilor Hoy to
eliminate minimum parking requirements for multifamily projects within one
quarter mile of Cherriots' Core Network.**

Comments by: Councilors Andersen and Kaser.

Councilor Kaser made a motion, seconded by Councilor Nanke, to amend

Councilor Andersen's motion, to expand the motion to require no parking minimum requirements for the entire city, regardless of where a project is placed.

Comments by: Mayor Bennett, Councilors Kaser, Hoy, Nanke, and Andersen.

Councilor Kaser's motion to amend **FAILED** by the following vote:

Aye: 4 - Kaser, Andersen, Nanke, and Nordyke
Nay: 5 - Ausec, Hoy, Lewis, Leung, and Bennett

Questions or Comments by: Mayor Bennett, Dan Atchison, City Attorney, Councilors Nanke, Nordyke, and Andersen.

Councilor Andersen's motion to to eliminate minimum parking requirements for multifamily projects within one quarter mile of Cherriots' Core Network, **CARRIED** by the following vote:

Aye: 6 - Andersen, Nanke, Leung, Ausec, Hoy and Nordyke
Nay: 3 - Lewis, Kaser, and Bennett

Motion to amend by Councilor Andersen, seconded by Councilor Hoy to eliminate parking requirements for room and board facilities.

The motion to amend **CARRIED** by the following vote:

Aye: 9 - Kaser, Andersen, Nanke, Leung, Ausec, Hoy, Nordyke, Lewis, and Bennett
Nay: 0 -

Motion to amend by Councilor Andersen, seconded by Councilor Ausec to eliminate the picnic area option from the list of possible active recreational opportunities that can be double counted toward the open space requirement for multifamily housing.

Comments by: Councilors Andersen, Lewis, Hoy, Nordyke, Mayor Bennett, and Eunice Kim.

The motion to amend **CARRIED** by the following vote:

Aye: 8 - Kaser, Andersen, Nanke, Leung, Ausec, Hoy, Nordyke, and Bennett
Nay: 1 - Lewis

Motion to amend by Councilor Andersen, seconded by Councilor Hoy to apply the 60 percent median income reduction for affordable housing, as opposed to the 80 percent reduction.

Comments by: Councilor Andersen, Mayor Bennett and Eunice Kim.

Councilor Andersen withdrew his motion to amend.

Motion to amend by Councilor Lewis, seconded by Councilor Nanke to

remove the proposed restriction on balconies on buildings facades facing RS and RA-zoned properties, and require balconies on buildings facades facing RS and RA-zoned properties to have fully sight-obscuring railings.

Comments by: Mayor Bennett, Councilors Lewis, Andersen, Kaser, and Nanke.

The motion to amend CARRIED by the following vote:

Aye: 5 - Lewis, Nanke, Andersen, Leung, and Bennett

Nay: 4 - Ausec, Hoy, Nordyke, and Kaser

The main motion, as amended, to engross Ordinance Bill No 1-20; and eliminate minimum parking requirements for multifamily projects in the Central Salem Development Program area; eliminate minimum parking requirements for multifamily projects within one quarter mile of Cherriots' Core Network; eliminate parking requirements for Room and Board facilities; eliminate the picnic area option from the list of possible active recreational opportunities that can be double counted toward the open space requirement for multifamily housing; remove the proposed restriction on balconies on buildings facades facing RS and RA-zoned properties, and require balconies on buildings facades facing RS and RA-zoned properties to have fully sight-obscuring railings; and advance the engrossed ordinance bill to second reading for enactment CARRIED by the following vote:

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

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. [20-49](#)

Revising restrictions on camping.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Safe Community; Welcoming and Livable Community.

Comments by Mayor Bennett.

A motion was made by Councilor Andersen, seconded by Councilor Ausec to eliminate the camping ban except in the Central Salem Development Program (CSDP area), city parks, and residentially zoned areas.

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

A substitute motion was made by Councilor Lewis, seconded by Councilor Nanke to direct staff to find areas for temporary low-barrier shelters and add a sit lie ordinance in the downtown area once a low barrier shelter is available for use.

Questions or Comments by Councilors Nordyke, Hoy, Andersen, Lewis, Mayor Bennett, City Manager Powers, City Attorney Atchison, Jimmy Jones, Arches Project, and Nicole Utz, Housing Administrator, Salem Housing Authority.

A substitute motion was made by Mayor Bennett, seconded by Councilor Nanke to reconsider the sit lie ordinance, previously recommended by Police Chief Moore, at the next city council meeting.

Comments: Mayor Bennett, Councilors Andersen, Kaser, Leung, Hoy, Nanke, and Nordyke.

The motion to reconsider the sit lie ordinance CARRIED by the following vote:

Aye: 5 - Andersen, Nanke, Lewis, Hoy, and Bennett

Nay: 4 - Kaser, Ausec, Leung, and Nordyke

Abstain: 0

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

6.a. [19-484](#)

Update on construction projects in Riverfront Park in 2020: The Gerry Frank | Salem Rotary Amphitheater and a new restroom in the North Meadow

Ward(s): Ward 1

Councilor(s): Councilor Kaser

Neighborhood(s): CANDO

Result Area(s): Welcoming and Livable Community.

This Informational Report was received and filed.

Questions or Comments by: Councilor Andersen and Peter Fernandez, Public Works Director.

6.b. [20-19](#)

Salem 2019 Tree Reports

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

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

This Informational Report was received and filed.

Questions or Comments by: Councilors Andersen, Leung, Hoy, Nordyke, Peter Fernandez, Public Works Director, Mayor Bennett, and City Manager Powers.

City Manager Powers introduced Milan Davis, the City's new urban forester.

Questions or Comments by Milan Davis and Mayor Bennett.

At 9:59 p.m., a motion was made by Councilor Andersen, seconded by Councilor Leung to extend the meeting by 10 minutes.

The motion to extend the meeting by 10 minutes CARRIED by the following vote:

Aye 7 - Leung, Andersen, Kaser, Ausec, Hoy, Nordyke, and Bennett

Nay 2 - Lewis and Nanke

A motion was made by Councilor Andersen, seconded by Councilor Nordyke to request a work session on trees.

The motion CARRIED the following vote:

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

Nay: 0

Abstain: 0

6.c. [20-38](#)

Planning Administrator Decision - A proposal to lawfully establish a unit of land that was created by sale through the recording of a deed in 1996. - Approved.

Validation of Unit of Land Case No. VUL19-09 - City of Salem - 4567 Campbell Dr SE.

Ward(s): Ward 3
Councilor(s): Nanke
Neighborhood(s): SEMCA

This Informational Report was received and filed.

6.d. [20-39](#)

Planning Administrator's Decision - Modification of the approval of SUB19-05 (6719 Devon Ave SE, the "Grantham Crest" subdivision) to add phasing.

Ward(s): 7
Councilor(s): Leung
Neighborhood(s): South Gateway Neighborhood Association

This Informational Report was received and filed.

6.e. [20-41](#)

Planning Administrators Decision - A proposed partition to divide a property at 3290 Boone Rd SE into three parcels - Approved

Partition - Case No. PR19-12 - MWSH Boone Road LLC (Mountain West Senior Housing, LLC, Kelley D. Hamilton, Chris Jundt, Pam Gray) - 3290 Boone Rd SE

Ward(s): 4
Councilor(s): Leung
Neighborhood(s): SEMCA, South Gateway Neighborhood Association

This Informational Report was received and filed.

6.f. [20-43](#)

Planning Administrator's Decision - Development of buildings and parking areas on two new parcels.

Partition / Site Plan Review Case No. PAR-SPR19-14 - Chad Montgomery - 3770 Fairview Industrial Dr SE, Salem, OR 97302.

Ward(s): 3
Councilor(s): Nanke
Neighborhood(s): Morningside

This Informational Report was received and filed.

6.g. [20-44](#)

Planning Commission Decision - A development of a new multi-family apartment complex containing eight buildings and a total of 324 dwelling units.

Class 3 Design Review, Class 3 Site Plan Review and Class 2 Driveway Approach Permit Case No. DR-SPR-DAP19-12 - Northstar Communities, LLC (Karl Ivanov) - 4485 Kale St NE, Salem OR 97305

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

This Informational Report was received and filed.

6.h. [20-51](#)

Update on the 2020 Oregon Legislative Session.

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:

None.

7.2 SECOND READING:

7.2a. [20-52](#)

Issuance of Utility Revenue Bonds

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance; Natural Environment Stewardship;
Safe, Reliable and Efficient Infrastructure

Conducted second reading of Ordinance Bill No. 4-20 authorizing the City Manager, or the City Manager's designee, to issue approximately \$60 million in Utility revenue bonds to finance the City of Salem's Utility capital needs and costs of the debt issuance.

Ordinance Bill No. 4-20 was APPROVED by the following vote:

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

Nay: 0

Abstain: 0

8. PUBLIC COMMENT: (Other than agenda items)

See agenda item 2, Public Comment.

9. ADJOURNMENT

10:01 p.m.