



ALBANY CITY COUNCIL

MINUTES

Wednesday, January 10, 2024

Meeting

Council Chambers, City Hall

Approved: February 14, 2024

Call to Order and Pledge of Allegiance

Mayor Alex Johnson II called the meeting to order at 6:00 p.m. The mayor led the pledge of allegiance.

Roll Call

Councilors present: Mayor Alex Johnson II and Councilors Matilda Novak, Steph Newton, Ray Kopczynski, Marilyn Smith, and Ramycia McGhee (virtual)

Councilors absent: Jackie Montague was excused.

Mayor's Message

Mayor Alex Johnson II read his annual message.*

Special presentation

6:06 p.m.

Relay for Life

Relay for Life representative Kimberly Dammon thanked Johnson II for taking part in the 2023 Relay. She explained how to support Relay for Life and handed out materials* to the council.

Public Hearing

6:16 p.m.

Irrevocable request annexations (AN-03-23 and ZC-06-23)

OPEN: Johnson II opened the public hearing at 6:16 p.m. He read the rules of testimony.

No councilor wished to declare a conflict of interest, ex parte communication, or a site visit.

No councilor wished to abstain.

Current Planning Manager David Martineau read the meeting procedures. He showed slides* and summarized the annexation request. The areas to be annexed are subject to annexation requests signed previously, or they are areas such as street rights-of-way that were inadvertently left out of previous annexation maps.

Martineau listed the review criteria and described public noticing for the case. He said the LBCC property to be annexed is being rezoned RS 6.5, to match surrounding properties. All but about three-quarters of an acre of the property is unsuitable for development because of floodplain and wetlands areas.

The Planning Commission has recommended approval of the annexations

Public testimony:

Sandra McDaniel requested a copy of the overlays. She is opposed to annexation of the LBCC property. She is concerned that annexation will cause her to be assessed for street improvements.

Bobby Jo Johnson said she is opposed to the proposed zoning of the LBCC property. She said RS 6.5 zoning could lead to development with several new homes. She asked the council to zone the property RS 10 instead.

Paul Gibson attempted to speak, but would not comply with the meeting rules and became combative. He was asked to leave and did so.

Recess

Johnson II recessed the meeting at 6:36 p.m. until Gibson left.

Reconvene

Johnson II reconvened the meeting at 6:37 p.m.

No other member of the public wished to speak.

Rebuttal:

Civil Engineer III Gordon Steffensmeier said the annexations along 53rd Avenue are being done to correct some errors dating back to the 1960s, when maps omitted street rights-of-way adjoining properties that were being annexed. Property owners still in the county will not have to pay for improvements if they don't annex into the city.

CLOSE: Johnson II closed the public hearing at 6:45 p.m.

Councilor Marilyn Smith asked about the developable area of the LBCC property. Martineau said access would be difficult, and the nearest sewer line is more than 900 feet away.

City Attorney Sean Kidd read the ordinance proclaiming annexation for the first time in title only.

MOTION: Smith moved to have the ordinance read a second time in title only. Councilor Ray Kopczynski seconded the motion, and it passed 5-0.

Kidd read the ordinance a second time in title only.

MOTION: Smith moved to adopt the ordinance, using the motion suggested by Planning staff. Kopczynski seconded the motion, and it passed 5-0. The ordinance was designated Ordinance No. 6032.

Kidd read the ordinance removing the annexed properties from the Albany Rural Fire Protection District for the first time in title only.

MOTION: Smith moved to have the ordinance read a second time in title only. Kopczynski seconded the motion, and it passed 5-0.

Kidd read the ordinance a second time in title only.

MOTION: Kopczynski moved to adopt the ordinance. Smith seconded the motion, and it passed 5-0 and was designated Ordinance No. 6033.

Johnson II read the rules of appeal.

Business from the Public

6:57 p.m.

Tom Cordier said Republic Services didn't pick up his leaves.

Lise Grato, executive director of the Albany Downtown Association, gave an update on activities downtown.

First Reading of Ordinances

7:05 p.m.

Amend Albany Municipal Code chapter 2.66 Procurement

Contracting and Procurement Officer Diane Murzynski explained the proposed amendments, which would raise the maximum dollar amount for small contracts and for contracts that must be approved by the council. The amendments would also remove the requirement to advertise in a local newspaper.

Smith asked if local vendors and suppliers can get the same advertising information from the City web site. Murzynski said yes. Changes in the Democrat-Herald's print schedule and submission timelines make it harder for staff to prepare and submit ads.

Kopczynski asked if staff is aware of any local businesses who haven't been able to bid on a project because of the current limit for small contracts. Murzynski said no, but raising the threshold will allow more contractors to do less paperwork. The state sees these changes as giving additional opportunities especially to disadvantaged contractors.

Kidd read the ordinance for the first time in title only.

MOTION: Smith moved to have the ordinance read a second time in title only. Councilor Steph Newton seconded the motion.

Kidd read the ordinance a second time in title only.

MOTION: Smith moved to adopt the ordinance. Newton seconded the motion, and it passed 5-0. The ordinance was designated Ordinance No. 6034.

Adoption of Resolution

7:15 p.m.

Clarifying parks system development charges for accessory dwelling units and multi-family units

Parks and Recreation Director Kim Lyddane presented slides.* She said the proposed resolution clarifies the method of assessing parks SDS for other than single-family homes.

MOTION: Kopczynski moved to adopt the resolution. Newton seconded the motion, and it passed 5-0. The resolution was designated Resolution No. 7291.

Adoption of Consent Agenda

7:15 p.m.

a. Appointments

- 1) Accepting Sonja Neperud's resignation from the Planning Commission
- 2) Various annual appointments

b. Approval of minutes

- 1) December 11, 2023, work session
- 2) December 13, 2023, meeting

c. Recommendations to OLCC

- 1) Approve new outlet off premises, liquor license application for US Smoke Shop LLC

- 2) Approve additional privilege liquor license application for Veracity Spirits LLC, dba Waterhill Wines
- d. Adoption of resolutions
 - 1) Appointing Municipal Judges Pro Tem RES NO. 7292
 - 2) Public sanitary sewer easement (SI-23-16) RES NO. 7293
- e. Grant application
 - 1) Oregon Department of Transportation safety division grant

MOTION: Smith moved to adopt the consent agenda as presented. Newton seconded the motion, and it passed 5-0.

Staff Reports

7:18 p.m.

- a. Park asset sponsorship and naming opportunities
Lyddane shared slides* and explained the opportunities to sponsor public amenities in the new Monteith park. Details are available through the Parks and Recreation Foundation.

Councilor Matilda Novak asked about the likelihood of vandalism. Lyddane said staff always looks for ways to discourage vandalism and minimize the damage that can be done.

- b. Curt Sorte modification of access/utility easement through city property **7:30 p.m.**
Director of Community Development Matt Ruetters summarized the history of the request to modify the easement. Staff researched the question of a driveway over Tract J and found that a restrictive covenant prohibits any kind of motorized vehicle access. Sorte's request cannot be granted.

Kidd said that Sorte has retained counsel and may be considering litigation. He advised the council to be cautious in what they say about the issue.

MOTION: None. The council declined to take action that would allow modification.

- c. Personnel change requests in the Finance Department **7:34 pm.**
Finance Manager Casey Headley explained the reasons for the reclassification and grade adjustment request.

Novak said she sees that money for the changes is in the budget for this biennium. But what about the next couple of years? Headley said the City is paying 23% below market for this work. We need to be able to hire and retain high-quality employees.

MOTION: Smith moved to approve the changes as requested. Kopczynski seconded the motion, and it passed 5-0.

Business from the Council

Newton said nighttime temperatures in the teens are on their way. She asked if there would be enough capacity at warming centers, and whether the City has plans to assist those staying at Marvin's Garden.

Smith said she is part of a Linn County multi-agency coordinating group that receives and distributes money from HB 5019. A grant to Second Chance shelter has allowed them to add 42 more beds, which are available now. Marvin's Garden campers can always go to Second Chance, which is close to the camp.

City Manager Report

7:48 p.m.

City Manager Peter Troedsson said Fire Station 11 will be open Sunday as a warming center. First Christian Church will be open as a warming center on Monday, January 15.

Troedsson handed out copies of the League of Oregon Cities' 11 policy recommendations to mitigate the effects of Measure 110.* The LOC is asking the legislature to take action on this issue during the short session coming up.

Councilor Ramycia McGhee asked if the City received settlement money for opioid treatment, and how that money was spent. Troedsson said the money is coming in payments over a number of years. We've used some for Narcan and for educating schools and organizations about opioids, among other things. The City receives requests for funding and determines whether the requests meet the state's criteria.

Next Meeting Dates

Monday, January 22, 2024; 4:00 p.m. work session

Wednesday, January 24, 2024; 6:00 p.m. meeting

ADJOURNMENT

There being no other business, the meeting was adjourned at 8:03 p.m.

Respectfully submitted,

Reviewed by,

Allison Liesse
City Clerk

Peter Troedsson
City Manager

**Documents discussed at the meeting that are not in the agenda packet are archived in the record. Documents from staff are posted to the website after the meeting. Documents submitted by the public are available by emailing cityclerk@albanyoregon.org.*