



AUGUST 27, 2008, CITY COUNCIL MEETING NOTES

CITY OF ALBANY
CITY COUNCIL
Council Chambers
333 Broadalbin Street SW
Wednesday, August 27, 2008
7:15 p.m.

OUR MISSION IS

*"Providing quality public services
for a better Albany community."*

OUR VISION IS

*"A vital and diversified community
that promotes a high quality of life,
great neighborhoods, balanced
economic growth, and quality public
services."*

AGENDA

Rules of Conduct for Public Hearing

1. No person shall be disorderly, abusive, or disruptive of the orderly conduct of the hearing.
2. Persons shall not testify without first receiving recognition from the presiding officer and stating their full name and residence address.
3. No person shall present irrelevant, immaterial, or repetitious testimony or evidence.
4. There shall be no audience demonstrations such as applause, cheering, display of signs, or other conduct disruptive of the hearing.

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE TO THE FLAG
3. ROLL CALL
4. SCHEDULED BUSINESS

a. Continued Public Hearings

- 1) AN-01-08, annexation and zoning of approximately 30.15 acres south of Knox Butte Road and west of Scrael Hill Road. [Pages 1-2]

Action: By Council majority it was decided to not allow the applicant to reopen the public hearing. Motion to deny the application to annex approximately 28 acres south of Knox Butte Road and west of Scrael Hill Road (File AN-01-08); this motion is based on testimony at the August 13, 2008, public hearing and the City Council Findings Document presented by staff at the August 27, 2008, City Council meeting, passed 4-1, with Johnson voting no.

- 2) MN-01-08 and LA-05-08, 1020 and 1110 Hill Street SE, appealing the Planning Commission's approval of modification to a nonconforming use to allow a change from industrial use to an automotive repair business. [Pages 3-7]

Action: Motion to approve with conditions the applications for the Modification to a Non-Conforming Use and the Property Line Adjustment for property located at 1020 and 1110 Hill Street SE (Files MN-01-08 and LA-05-08); this motion is based on findings and conclusions of the staff report, testimony presented at the public hearing, and the Supplemental Findings, Conclusions, and Conditions document presented by staff to the City Council at the August 27, 2008, meeting, passed 5-0.

b. Quasi-Judicial Public Hearings

- 1) VC-02-08, vacating a portion of Linn Avenue NE between Alco Street and Burkhart Street, and adopting findings. [Pages 8-20]

Action: Motion to have the ordinance read a second time in title only passed 5-0. Motion to adopt the ordinance to vacate the section of the Linn Avenue street right-of-way between Alco Street and Burkhart Street passed 5-0.

ORD. NO. 5702

- 2) CU-06-08, conditional use application for Eades Park. [Pages 21-34]

Action: Motion to approve with conditions the Conditional Use application to construct a neighborhood park on property located at the northeast corner of Alco Street and Linn Avenue NE passed 5-0.

c. Business from the Public

d. Adoption of Resolutions

- 1) Authorizing the special procurement of geographic information system (GIS) application development services. [Pages 35-38]

Action: Motion to approve the resolution authorizing the special procurement of Geographic Information System application development services passed 5-0.

RES. NO. 5644

- 2) Authorizing the purchase of real property on Lochner Road from Chad Curry, appropriating funds, and authorizing the City Manager to execute an agreement for conveyance of real property. [Pages 39-47]

Action: This item has been postponed to the next meeting because this action requires a public hearing.

RES. NO. _____

- 3) Approving an extended property tax abatement agreement waiving employment requirements on a short-term exemption for investment of at least \$25 million in an Oregon Enterprise Zone, between the City of Albany, a cosponsor of the South Santiam Enterprise Zone, and Wah Chang. [Pages 48-54]

Action: Motion to approve the resolution passed 5-0.

RES. NO. 5645

e. Adoption of Consent Calendar

1) Approval of Minutes

- a) July 21, 2008, Work Session [Pages 55-56]
b) July 23, 2008, City Council Meeting [Pages 57-61]
c) July 28, 2008, City Council Work Session [Pages 62-63]

- 2) Accepting the 2008-2009 Linn County Special Transportation Program grant funding agreement for Albany Call-A-Ride, Albany Transit System, and Linn-Benton Loop Transit System. [Pages 64-65]

RES. NO. 5646

- 3) Authorizing the City of Albany to accept a grant award from Pacific Power, provided as part of the Blue Sky Grant Program. [Pages 66-67] RES. NO. 5647
- 4) Authorizing participation in the Oregon Main Street Program. [Pages 68-69] RES. NO. 5648
- 5) Accepting a local government grant from the Oregon Cascades West Council of Governments, Senior and Disability Services, to provide aquatic fitness classes for older adults. [Pages 70-81] RES. NO. 5649
- 6) Accepting a local government grant from the Oregon Cascades West Council of Governments, Senior and Disability Services, to provide personal fitness prescriptions for older adults. [Pages 82-95] RES. NO. 5650
- 7) Authorizing the Mayor to sign a new lease agreement with the Oregon Department of Transportation for Takena Landing Park. [Pages 96-109]
- 8) Accepting two slope and public utilities easements from Mary Morris, Trustee of the Evelyn F. Brandis Family Charitable Trust #1 and Charitable Trust #2; John S. Brandis, Jr.; Trinity O. Lind; fka Gail Brandis Jacob, Gail Brandis Yarborough, and Gail Brandis Coleman; Susan B. Decker; and Timberhill Corporation:
a) Brandis Avenue and Somerset Avenue. [Pages 110-117] RES. NO. 5651
b) Brandis Avenue and Knox Butte Road. [Pages 118-126] RES. NO. 5652
- 9) Accepting a slope and public utilities easement from the Greater Albany Public School District. [Pages 127-133] RES. NO. 5653
- Action: Motion to approve the Consent Calendar with items 4) and 7) removed for discussion, and with the revised resolution on the dais to replace the resolution in the agenda packet for item 3), passed 5-0. Motion to adopt item 4) as presented failed 3-2, with Collins and Olsen voting no. Motion to adopt item 4) with the condition to attempt to expand the boundaries to include 4th Avenue between Baker Street and Washington Street passed 5-0. Motion to adopt item 7) passed 5-0.

f. Appointment

- 1) Appointing Kim Whitley to the Human Relations Commission. [Pages 134-136]

Action: Motion to appoint Kim Whitley to the Human Relations Commission passed 5-0.

g. Reports

- 1) Hydropower project – change order request. [Pages 137-140]

Action: Motion to approve a change order to CF Malm Engineering passed 5-0.

- 2) Discussion of a property manager staff position. [Pages 141-149]

Action: Information only.

- 3) HEART board of directors' annual report. [Pages 150-157]

Action: Information only.

5. BUSINESS FROM THE COUNCIL

6. RECESS TO EXECUTIVE SESSION TO DISCUSS CURRENT LITIGATION OR LITIGATION LIKELY TO BE FILED IN ACCORDANCE WITH ORS 192.660 (2)(h)

7. RECONVENE

There was no Executive Session because there was no longer a need for it.

8. NEXT MEETING DATE: Work Session Monday, September 8
Regular Session Wednesday, September 10

9. ADJOURNMENT

City of Albany Web site: www.cityofalbany.net

The location of the meeting/hearing is accessible to the disabled. If you need special accommodations to attend or participate, please notify the Human Resources Department in advance by calling (541) 917-7500.