



NOVEMBER 12, 2008, CITY COUNCIL MEETING NOTES

CITY OF ALBANY
CITY COUNCIL
Council Chambers
333 Broadalbin Street SW
Wednesday, November 12, 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. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE TO THE FLAG
3. ROLL CALL
Councilor Reid participated via speaker phone.
4. SCHEDULED BUSINESS
 - a. Communication
 - 1) Accepting resignation from Gordy Gamet from the Parks & Recreation Commission. [Page 1]
Action: Motion to accept the resignation of Gordy Gamet from the Parks & Recreation Commission passed 6-0.
 - b. Quasi-Judicial Public Hearing
 - 1) SD-07-07 and SP-19-07, Fabian Estates Subdivision Tentative Plat and tree felling. [Pages 2-228]
Action: Motion to leave the record open and continue the hearing, have the opponents submit any additional material by the 15th of November, have the applicants submit their response by the 20th of November, provide all materials to the City Council and reconvene the hearing on Monday, December 8, 2008, at 7:15 p.m., with the understanding that both sides will refrain from submitting new material at the reconvened hearing, passed 6-0.
 - c. Final Decision
 - 1) SP-12-08 and AD-01-08, Oregon Acquisition One LLC (SmartCentres) Shopping Center. [Pages 229-299]
Action: Konopa abstained from discussion and voting. Motion to approve the Site Plan Review application for construction of a shopping center with six buildings on 25.67 acres of land and the Adjustment application to allow some 24-foot-wide travel aisles in the parking lots on the northern parcel of the shopping center where 26-foot-wide travel aisles are usually required (Files SP-12-08 and AD-01-08) and Adopt the Findings of Fact, Conclusions, and Conditions set forth in the Staff Report, as modified by the Supplemental Findings, including the conditions set forth therein. This motion is based upon the evidence and testimony in the record, including the written and oral testimony presented at the October 8, 2008, public hearing, Council deliberation at the October 22, 2008, City Council meeting, and the Supplemental Findings presented to the City Council at the November 12, 2008, City Council meeting; passed 4-1, with Olsen voting no.
 - d. Business from the Public
Bill Root invited the Council to the Association for Motorcyclists of Oregon 18th Annual Toy Run on December 7, 2008.

e. First Reading of Ordinances

- 1) Levying assessments against property specifically benefited by sewer and water connections and the assessment of sewer, water, parks, and transportation system development charges for property described as Tax Lot 400, Parcel 11S-03W-08CC, and site address 1910 Geary Street SE; and declaring an emergency. [Pages 300-302]

Action: Motion to have the ordinance read a second time in title only passed 6-0. Motion to adopt the ordinance passed 6-0. ORD. NO. 5705

- 2) Amending AMC Chapter 13.21 concerning parking regulations and declaring an emergency. [Pages 303-307]

Action: Motion to have the ordinance read a second time in title only passed 6-0. Motion to adopt the ordinance passed 6-0. ORD. NO. 5706

f. Adoption of Resolutions

- 1) Approving an extended property tax abatement agreement between the City of Albany, a cosponsor of the South Santiam Enterprise Zone, and Entek Membranes, LLC. [Pages 308-312]

Action: Motion to adopt the resolution passed 6-0. RES. NO. 5696

- 2) Establishing a 50-foot parking restriction at 1290 Industrial Way. [Pages 313-316]

Action: Motion to adopt the resolution passed 6-0. RES. NO. 5697

- 3) Establishing a parking restriction on 36th Avenue adjacent to South Albany High School. [Pages 317-320]

Action: Motion to adopt the resolution passed 6-0. RES. NO. 5698

- 4) Ratifying the sale of City-owned property at 38159 Scrael Hill Road and accepting the following easements and ratifying the warranty deed. [Pages 321-350]:

- a) Conservation easement from George & Cory Koos within 100 feet of the Santiam River.

RES. NO. 5699

- b) Construction easement from George & Cory Koos (temporary).

RES. NO. 5700

- c) Access/maintenance easement from George & Cory Koos along Burkhart Creek.

RES. NO. 5701

- d) Access/maintenance easement from George & Cory Koos south of Canal.

RES. NO. 5702

- e) Noise easement from George & Cory Koos for the operation and maintenance of water intake and pumping facilities.

RES. NO. 5703

- f) Warranty deed to George & Cory Koos transferring ownership of an excess parcel of City property.

RES. NO. 5704

Action: Motion to ratify and accepting the resolutions concerning the sale of the City owned property commonly known as the Archibald property, passed 6-0.

g. Adoption of Consent Calendar

- 1) Approval of Minutes

- a) October 8, 2008, City Council Meeting [Pages 351-361]

- b) October 22, 2008, City Council Meeting [Pages 362-366]

- 2) Authorizing the Parks & Recreation Director to sign a lease agreement with the District 4 Council of Governments for usage of the Albany Senior Center for the Senior Meals program. [Pages 367-375]

- 3) Approving a liquor license for Mexico Lindo II, 637 Hickory Street, Suite 130. [Page 376]

- 4) Accepting a public sewer line easement from P & F Geary Square, LLC. [Pages 377-382]

RES. NO. 5705

Action: Motion to adopt the Consent Calendar passed 6-0.

h. Award of Bid

- 1) WL-09-01, Eighth Avenue Water Line Replacement. [Pages 383-386]

Action: Motion to award the WL-09-01, Eighth Avenue Water Line Replacement contract in the amount of \$223,040 to the low bidder, Emery & Sons Construction, Inc., of Stayton, OR, passed 6-0.

i. Personnel Request

- 1) Approving salary grade increase for Non-bargaining (Confidential) Administrative Assistant I. [Page 387]

Action: Motion approving a one range increase in pay for the Non-bargaining classification of Administrative Assistant 1 (AA1) effective December 1, 2008, passed 6-0.

j. Reports

- 1) Receiving Parks & Recreation 2008 Summer & Event Statistics Report. [Pages 388-396]

Action: Information only.

- 2) Receiving Code Enforcement Team First Quarter Report for Fiscal Year 2008-2009. [Pages 397-398]

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

8. NEXT MEETING DATE: Regular Session Monday, November 24, 2008

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.
