

DECEMBER 7, 2011, CITY COUNCIL MEETING NOTES



CITY OF ALBANY
CITY COUNCIL
Council Chambers
333 Broadalbin Street SW
Wednesday, December 7, 2011
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 Meetings

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
Councilor Bessie Johnson was absent.
4. PRESENTATION
 - a. Target Community Giving Check Presentation to Parks & Recreation. [verbal]
Action: The City received a \$6,000 check from Target Distribution employees in support of the Summer Concert Series.
5. PROCLAMATION
 - a. National Pearl Harbor Remembrance Day. [Page 1]
Action: No action required.
6. SCHEDULED BUSINESS
 - a. Communications
 - 1) Accepting resignation from Bob Kish from the Planning Commission. [Page 2]
Action: Motion to accept the resignation of Bob Kish from the Planning Commission and send a letter of thanks for his service passed 5-0.
 - 2) Accepting resignation from Bodie Dickerson from the City Tree Commission. [Page 3]
Action: Motion to accept the resignation of Bodie Dickerson from the City Tree Commission and send a letter of thanks for her service passed 5-0.
 - b. Quasi-Judicial Public Hearing
 - 1) CI-02-11, code interpretation to allow financial assurances to be used to meet substantial construction requirements specific to Lowe's HIW, Inc. [Pages 4-28]
Action: Motion to approve the request for a Development Code Interpretation to allow financial assurances to be used to meet substantial construction requirements specific to Lowe's HIW, Inc. as presented in Exhibits A, B, C, and D for Planning Division File CI-02-11. The motion was based on the findings and conclusions of the staff report and testimony presented at the public hearing. The motion was seconded and passed 5-0.
 - c. Legislative Public Hearings
 - 1) DC-02-11, staff-initiated amendments to the Albany Development Code related to the Site Plan Review standards and procedures. [Pages 4-5 & 29-53]
Action: Motion to have the ordinance read a second time in title only passed 5-0.
Motion to adopt the ordinance amending Ordinance No. 4441, which adopted the City of Albany Development Code and Zoning Map by amending the Development Code text related to site plan review (File DC-02-11) and declaring an emergency, passed 5-0.

ORD. NO. 5767

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- 2) DC-03-11, legislative amendments to the Albany Development Code clarifying existing standards and improving the land use review process. [Pages 4-5 & 54-75]

Action: Motion to have the ordinance read a second time in title only passed 5-0.

Motion to adopt the ordinance amending Ordinance No. 4441, which adopted the City of Albany Development Code and Zoning Map by amending the Development Code text related to land use notification procedures, irrigation, temporary business displays, definitions, and housekeeping amendments; adopting findings, and declaring an emergency (File DC-03-11), passed 4-1, with Christman voting no. ORD. NO. 5768

d. Business from the Public

Bill Root, representing the American Motorcycle Association, thanked City departments for their cooperation during the Oregon Toy Run on Sunday.

e. Second Reading of Ordinances

- 1) Amending Albany Municipal Code (AMC) 6.18, "Dangerous Dogs," and declaring an emergency. [Pages 76-81]

Action: This item was moved to before item d, Business from the Public, in the agenda.

Motion to adopt the ordinance amending Albany Municipal Code (AMC) 6.18, "Dangerous Dogs," and declaring an emergency, passed 4-1, with Christman voting no. ORD. NO. 5769

f. First Reading of Ordinance

- 1) Amending Albany Municipal Code 11.01.010, 11.01.235, and 11.01.285, and adding a new section 11.01.287 to revise and expand language relating to water curtailment and declaring an emergency. [Pages 82-86]

Action: Motion to have the ordinance read a second time in title only passed 5-0.

Motion to adopt the ordinance amending Albany Municipal Code 11.01.010, 11.01.235, and 11.01.285, and adding a new section 11.01.287 to revise and expand language relating to water curtailment and declaring an emergency, passed 5-0. ORD. NO. 5770

g. Adoption of Resolutions

- 1) Accepting a grant from the Local Government Grant Program through the Oregon Parks & Recreation Department for the purchase of East Thornton Lake Natural Area and delegating authority to the Parks & Recreation Director to sign the grant agreement and related documents. [Pages 87-88]

Action: Motion to adopt the resolution authorizing the City of Albany Parks and Recreation Department to accept a Recreation Trails Program Grant from the Oregon Parks and Recreation Department for the proposed purchase of East Thornton Lake Natural Area and delegating authority to the Parks and Recreation Director to sign the grant agreement and related documents, passed 5-0. RES. NO. 6061

Action: Motion to fund the remaining outstanding balance of \$390,074 with Parks System Development Charges (SDC) funds, and continue fundraising efforts to backfill some of the City's expenses from the SDCs. This motion is subject to state grant approval. The motion passed 5-0.

- 2) Adopting fees to coincide with amendments to the Albany Development Code that changes the procedures for the Site Plan Review application process. [Pages 89-97]

Action: Motion to adopt the resolution adopting fees to coincide with amendments to the Albany Development Code that changes the procedures for the Site Plan Review Application process, passed 5-0.

RES. NO. 6062

- 3) Adopting fees to support the Natural Resource Impact Review process to implement Statewide Planning Goal 5. [Pages 92-94]

Action: Motion to adopt the resolution adopting fees to support the Natural Resource Impact Review process to implement Statewide Planning Goal 5, with corrections to the fifth "Whereas" as discussed by the Council, passed 4-1, with Christman voting no. RES. NO. 6063

h. Adoption of Consent Calendar

- 1) Approval of Minutes

a) February 23, 2011, Transient Room Tax Task Force Meeting [Pages 95-96]

b) October 10, 2011, City Council Work Session [Pages 97-100]

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- c) October 12, 2011, City Council Regular Session [Pages 101-105]
 - d) October 24, 2011, City Council Work Session [Pages 106-109]
 - e) November 1, 2011, Dangerous Dog Work Group Meeting [Pages 110-111]
 - f) November 2, 2011, City Council Regular Session [Pages 112-114]
 - g) November 9, 2011, City Council Regular Session [Pages 115-117]
- 2) Appropriating funds for the 2011-2012 State Hazardous Materials Emergency Preparedness Grant on behalf of the Mid-Valley Local Emergency Planning Committee for a hazardous materials full-scale exercise and training. [Pages 118-119] RES. NO. 6064
 - 3) Reclassifying staff positions in the Information Technology Department. [Pages 120-121]
 - 4) Accepting a grant from Oregon Department of Human Services for drinking water source protection. [Pages 122-124] RES. NO. 6065
 - 5) Accepting a franchised utility easement from Benton Woods Homeowners' Association, an Oregon nonprofit organization. [Pages 125-131] RES. NO. 6066
- Action: Motion to adopt the Consent Calendar as presented passed 5-0.

7. BUSINESS FROM THE COUNCIL

Monday, December 12, 2011, City Council Work Session has been canceled. The Joint Work Session with the Planning Commission will go forward as scheduled.

8. NEXT MEETING DATE: Work Session December 12, 2011, 4:00 p.m.
Joint Work Session with Planning Commission, 5:15 p.m.
Regular Session December 14, 2011

9. ADJOURNMENT

City of Albany Web site: www.cityofalbany.net

The location of the meeting/hearing is accessible to the disabled. If you have a disability that requires accommodation, please notify the Human Resources Department in advance by calling (541) 917-7500.