



## MINUTES

Wednesday, August 12, 2020  
Regular Session  
REMOTE

Approved: October 14, 2020

### CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Sharon Konopa called the meeting to order at 7:15 p.m. The mayor led the pledge of allegiance.

### ROLL CALL

Councilors present: Mayor Sharon Konopa and Councilors Rich Kellum, Bessie Johnson, Alex Johnson II, Dick Olsen, and Mike Sykes

Councilors absent: Bill Coburn was excused.

NOTE: At the August 10, 2020, meeting, the council moved to have staff prepare an ordinance that adopts the ADU code amendments as approved by the planning commission and bring that ordinance to the council's August 12, 2020, regular meeting. That item has been scheduled for October 14, 2020.

### PUBLIC HEARINGS

- a. 2019-2021 Supplemental budget.

Open: Konopa opened the public hearing at 7:15 p.m.

Finance Manager J.C. Rowley recognized Senior Accountant Brett Tieszen for his work on the supplemental budget process. The staff memo describes the use and appropriations of the funds.

There was a signup sheet (see agenda file) No one was signed up to speak.

No comments were submitted.

Close: Konopa closed the public hearing at 7:19 p.m.

MOTION: Councilor Rich Kellum moved to adopt the resolution and Councilor Alex Johnson II seconded. The motion passed 5-0 and was designated Res. No. 6915.

- b. Rezone property on Highway 99E at Allen Lane.

Open: Konopa opened the public hearing at 7:20 p.m.

There was a signup sheet (see agenda file). No one was signed up to speak. No comments were submitted.

Planning Manager David Martineau read the rules for testimony.

Planner II Travis North said this is a quasi-judicial map amendment, Type IV process. Legal notices that were provided are outlined in the staff report. North gave a PowerPoint presentation with details about the amendment (see agenda file).

North explained why the OP zone was most appropriate for this property. It meets the statewide planning goals, and is included in the South Albany Area Plan.

Johnson II asked what the justification is for there being no drive-throughs on the property. North said he assumes it is because they didn't want too many since it's for office space. Konopa said when that was established years ago, the neighbors didn't want a lot of traffic.

No one in the audience wished to speak.

Close: Konopa closed the public hearing at 7:37 p.m.

City Attorney Sean Kidd read the ordinance for the first time in title only: AN ORDINANCE AMENDING ORDINANCE NO. 4441, WHICH ADOPTED THE CITY OF ALBANY ZONING MAP, BY AMENDING THE ALBANY ZONING MAP AND ADOPTING FINDINGS FOR THE PROPERTY LOCATED AT LINN COUNTY ASSESSOR'S MAP NO. 11S-03W-30 TAX LOT 400.

MOTION. Councilor Bessie Johnson moved to have the city attorney read the ordinance for a second time in title only and Johnson II seconded.

Kidd read the ordinance in title only for a second time.

MOTION: Johnson moved to adopt the ordinance and Johnson II seconded. The motion passed 5-0 and was designated Ordinance No. 5944.

Konopa read the rules for appeal.

BUSINESS FROM THE PUBLIC

7:41 p.m.

City Manager Peter Troedsson said the city received one comment from Heidi Dundas regarding drones (see agenda file). The council had also received the email.

No one else wished to speak.

ADOPTION OF CONSENT CALENDAR

- a. Accepting Chris Equinoa's resignation from the Human Relations Commission, the Community Development Commission, and the Development Code Amendments Task Force.
- b. Appointments to the Library Board and Community Development Commission.
- c. Approval of minutes
  - 1) July 8, 2020, meeting.
- d. Recommendations to OLCC
  - 1) Approve new outlet off-premises sales liquor license application for City Delivery Service, 34550 Highway 99E.
  - 2) Approve limited on-premises liquor license application for The Pepper Tree, 1124 Salem Avenue SE.
  - 3) Annual liquor license renewals.
  - 4) Approving the proposed council meeting schedule for November and December 2020.
- e. Adoption of resolutions
  - 1) Accepting grant for restroom at transit station. RES NO. 6916
  - 2) Accepting 2020 COPS hiring program grant. RES NO. 6917
  - 3) Accepting FEMA reimbursement grant. RES NO. 6918
  - 4) Accepting an easement from Target. RES NO. 6919
  - 5) Appropriating grant funds from Business Oregon. RES NO. 6920

Item d.(4 was removed from the consent calendar. It will come back to the *August 26, 2020, meeting*.

Councilor Dick Olsen asked for item e.2) to be removed for discussion.

MOTION: Councilor Mike Sykes moved to adopt the consent calendar with item e.2) pulled for discussion. Kellum seconded and the motion passed 5-0.

Regarding item e.2), Olsen asked if approving the action would mean there would be no layoffs. Police Chief Marcia Harnden said this would pay for one sworn officer.

MOTION: Kellum moved to approve item e.2) and Johnson seconded.

Harnden explained this is a grant, not a loan. There are currently 61 sworn positions.

VOTE: The motion to adopt item e.2) passed 4-1, with Olsen voting no.

STAFF REPORTS

7:52 p.m.

- a. City manager's office staffing changes.

Troedsson said that with Marilyn Smith's retirement and Allison Grove's departure for another job, the reclassifications of Matt Harrington and Holly Roten acknowledge the distribution of the duties left behind.

Kellum asked about information officers in other city departments. Discussion followed about the most effective structure for public information officers in a city the size of Albany.

ACTION: Council concurred with the reclassification.

- b. Designate LOC voting delegate

MOTION: Johnson moved to nominate Sharon Konopa. Kellum seconded and the motion passed 5-0.

BUSINESS FROM COUNCIL

7:59 p.m.

Councilor Mike Sykes said he received comments from a citizen in North Albany that the notification process for Crocker Lane was not timely.

Johnson thanked Harnden and the HRC regarding a recent incident involving graffiti. It is abhorrent behavior and has no place in Albany.

City Attorney Sean Kidd spoke about citizen Heidi Dundas' concerns about drones. The city uses drones and they are becoming more popular with the public. The city's drones are FAR Part 107 certified to the commercial level, not the recreational level. Dundas has asked if our drones were airborne on June 1 or 2. Kidd said they were not.

Kidd said the airport is within 5 miles, but it has no tower, so it has a separate set of rules. Local regulations apply in terms of privacy. The FAA turns to local law enforcement to help out.

Johnson asked what Dundas can do if she has drones flying over her property. Troedsson said she can call the police and make a complaint. These national regulations are developing and changing.

Harnden said that if someone is harassing Dundas, it has to meet the elements of the ORS. They've followed up on all complaints so far and would follow up on a new complaint. Local law enforcement told Harnden that it's very difficult to enforce.

Konopa has received 271 emails from Dundas. The city has tried to help her, but there is nothing more that can be done. Discussion followed.

Dundas lives in Johnson and Kellum's ward, so they will meet with her, along with the city manager.

NEXT MEETING DATES

~~Monday, August 24, 2020; 4 p.m. work session~~ CANCELLED

Wednesday, August 26, 2020; 7:15 p.m. regular meeting

ADJOURNMENT

There being no other business, the meeting was adjourned at 8:25 p.m.

Respectfully submitted,

Reviewed by,

Mary Dibble  
City Clerk

Peter Troedsson  
City Manager

*Note: Staff handouts referred to in the minutes as (see agenda file) are available on the website in the "Staff Handouts" column.*