



MINUTES

Wednesday, July 27, 2022
Meeting
Council Chambers, City Hall
Hybrid format

Approved: August 24, 2022

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 Dick Olsen, Matilda Novak, Stacey Bartholomew, Bessie Johnson, and Marilyn Smith

Councilors absent: Councilor Ray Kopczynski was excused

Business from the Public

There was none.

Adoption of Consent Agenda

6:03 p.m.

- a. Removal from Public Safety Commission
 - 1) Removing Loyd Henion from the Public Safety Commission
- b. Approval of minutes
 - 1) June 22, 2022, regular meeting
- c. Approval of grant application
 - 1) Submit Safe Routes to School Grant Application
- d. Accepting right-of-way from Greater Albany Public Schools RES. NO. 7129

Councilor Bessie Johnson asked if the Public Safety Commission had requested Henion's removal. Councilor Dick Olsen said Henion is very busy. He asked if it is necessary to have all group members at meetings. City Manager Peter Troedsson said it's important for commission members to follow through on their commitments. Henion has attended very few meetings in four years and none for the last two. The council needs to find someone who can meet the commitments of serving on a commission.

Olsen asked if a new member could be appointed now. Troedsson suggested that Olsen talk to the staff member who coordinates commission applications. An appointment could be on the agenda at the August 10 meeting.

Councilor Matilda Novak said the council has an application now. Why not go ahead and appoint now?

Johnson II said the council will follow the usual process.

Olsen asked several questions about the proposed right-of-way easement. He is concerned that if the City accepts the easement, we will be obligated to pay for street improvements. Public Works Director Chris Bailey and Transportation Systems Analyst Ron Irish responded.

Johnson asked for a correction to the June 22 minutes to refer to Johnson II instead of herself.

Johnson said she understands there is a proposed new housing project at Geary Street and Queen Avenue. She asked whether the City will construct those sidewalks with the grant in Item c of the consent agenda or require the developer to do it. City Engineer Staci Belcastro said it depends on the timing. The project is in the early stages.

MOTION: Councilor Marilyn Smith moved to adopt the consent agenda as amended. Johnson seconded the motion, which passed 4-1, with Olsen voting against.

Staff Report

6:18 p.m.

- 1. AMC Amendments to Address Portable Toilets

a. Create Albany Municipal Code section 7.84.095, Portable Toilets

Bailey said the council discussed these ordinances at the July 25, 2022, work session. The first ordinance creates a new Albany Municipal Code (AMC) section. The second ordinance is a minor edit to align with the new section.

The council previously asked for operation and maintenance costs for restrooms. Bailey said that based on current costs for restrooms maintained by Parks & Recreation, the new bathroom at the train station is expected to cost \$58,000 per year. This includes contract employees to clean it and a contracted security person to lock up at night, as well as supplies and consumables. It doesn't include repairs.

The council discussed the use of contract staff for janitorial work.

Novak said this discussion started because First Christian Church wanted to renew the permit for their portable toilet. Now we have an ordinance that will create costs for permit management and code compliance.

Bailey said the AMC doesn't allow the use, so public works can't give permission. The ordinances reflect the council's direction to staff to expand allowed use of portable toilets, while limiting their ability to become a nuisance.

Novak asked if the requirement for a permit could be waived for the church. Bailey said she can't authorize something that isn't allowed by the AMC. Kidd agreed. We have to treat everyone the same. We can't selectively enforce the code. Novak said she doesn't see why government has to be involved in this issue.

Smith said the reason we need the code change is that we don't have a code that allows the church to have a portable toilet.

Olsen said he's glad for the code change.

Johnson said the AMC is a living document. She suggested giving the ordinances a try and asking staff to report back in six months.

Novak and Bailey discussed site plans.

City Attorney Sean Kidd read the ordinance for the first time in title only: AN ORDINANCE AMENDING ALBANY MUNICIPAL CODE CHAPTER 7.84, PUBLIC NUISANCES, BY ADDING A NEW SECTION TITLED 7.84.095, PORTABLE TOILETS

MOTION: Johnson moved to have the ordinance read a second time in title only. The motion was seconded, and failed 4-1, with Novak voting against. A second reading in title only in the same meeting requires a unanimous vote of the council. This ordinance will come back to the August 10, 2022, council meeting for an automatic second reading.

b. Amend Albany Municipal Code section 9.04.030, Portable Toilets

Kidd read the ordinance for the first time in title only: AN ORDINANCE AMENDING ALBANY MUNICIPAL CODE CHAPTER 9.04, MAINTENANCE OF PROPERTY

MOTION: Johnson moved to have the ordinance read a second time in title only. Smith seconded the motion, which failed 4-1, with Novak voting against. A second reading in title only in the same meeting requires a unanimous vote of the council. This ordinance will come back to the August 10, 2022, council meeting for an automatic second reading.

2. Psilocybin Ordinance Referral

This item was postponed to the August 8, 2022, work session.

Business from the Council

6:50 p.m.

Novak said Bill Talley has suggested that the City encourage families to spend five minutes a week caring for the block they live in. He suggested that there could be annual awards, such as vouchers for summer concerts or the carousel.

Johnson II said he and Troedsson are working with a group now that wants to organize volunteer cleanup efforts.

Olsen said he doesn't see the point in having a psilocybin ordinance. The public has already decided on the issue. Troedsson said the council asked staff to refer an ordinance for a two-year moratorium to the November ballot so Albany voters can decide.

Johnson said she needs to appoint someone to the Landmarks Commission. She asked the councilors to refer likely prospects to her.

City manager report

7:01 p.m.

Troedsson said even if the council doesn't refer a psilocybin ban to the November election, they will be able to develop time, place, and manner regulations for psilocybin manufacturing and service centers. He referred the council to the League of Oregon Cities website.

Recess to executive session

7:03 p.m.

The council recessed to executive session to evaluate the employment-related performance of the chief executive officer in accordance with ORS 192.660 (2)(i).

Reconvene

The council reconvened into regular session at 7:34 p.m.

MOTION: Johnson moved to approve a 1.5% increase to City Manager Peter Troedsson's deferred compensation. Smith seconded the motion, and it passed 5-0.

Next Meeting Dates

Monday, August 8, 2022; 4:00 p.m. work session

Monday, August 8, 2022; 5:30 p.m. joint work session with the Planning Commission

Wednesday, August 10, 2022; 6:00 p.m. meeting

ADJOURNMENT

There being no other business, the meeting was adjourned at 7:35 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@cityofalbany.net.*