



ALBANY CITY COUNCIL

MINUTES

Wednesday, June 28, 2023

Meeting

Council Chambers, City Hall

Approved: July 26, 2023

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 Matilda Novak, Steph Newton, Ray Kopczynski, Marilyn Smith, and Ramycia McGhee (left the meeting at 6:40 p.m.)

Councilors absent: Councilor Jackie Montague was excused

Proclamations

- a. Disability Pride Month
Johnson II read the proclamation.
- b. Parks and Recreation Month
Parks and Recreation Director Kim Lyddane read the proclamation.

Special Presentation

6:06 p.m.

ZiPLY Fiber

Zach Lindahl, Local Partnerships Manager of ZiPLY Fiber, presented slides.* He explained the benefits of ZiPLY Fiber to Albany. ZiPLY also participates in the Affordable Connectivity Program, which provides free internet to qualified residents. Lindahl showed a map of where they will be laying cable, and said they expect to start construction in the next 30 days.

Councilor Matilda Novak asked why Albany needs ZiPLY. Lindahl said ZiPLY is the best broadband on the market, and broadband is now necessary.

Councilor Marilyn Smith asked if any other company offers free service to low-income families. Lindahl said he's not aware of any others.

Public Hearing

6:18 p.m.

Revising parks and recreation system development charges (SDCs)
Johnson II opened the public hearing at 6:18 p.m.

Parks and Recreation Director Kim Lyddane presented slides.* She said the council adopted an updated methodology in May of 2022, but didn't adopt new rates at that time. The 2021 parks master plan identified many projects, but the SDC fund is only \$1.2 million; not enough to finish one small park. Parks SDCs haven't been updated in 22 years, and are well below comparable communities.

No one else wished to speak.

Johnson II closed the public hearing at 6:23 p.m.

MOTION: Smith moved to adopt the resolution. Councilor Ray Kopczynski seconded the motion, and it passed 5-0. The resolution was designated Resolution No. 7246.

Business from the Public

6:24 p.m.

Bill Stanley spoke about financing of connection fees. He said the state requires that they be subject to financing.

City Attorney Sean Kidd said financing connection fees is a gray area in Oregon statutes, but Albany's Municipal Code (AMC) doesn't allow it. Kidd suggested that the council find out more from Public Works Director Chris Bailey about changing the AMC.

Rich Kellum spoke about homelessness. He said only some groups of the homeless make trouble. A camp should be provided outside the city, with no improvements, for those.

John Pitsch spoke about speeding on Squire Street in North Albany.

Adoption of Resolutions

6:43 p.m.

- a. Approve sole-source procurement of water meter

Utility Superintendent – Water Scott LaRoque said when the City of Albany bought the water system from Pacific Power and Light in 1985, there were many different types and brands of water meters in the system. City workers have been standardizing ever since. The Sensus meters are common and reliable, and the distributor is easy to work with.

MOTION: Kopczynski moved to adopt the resolution. Councilor Steph Newton seconded the motion, which passed 4-0 and was designated Resolution No. 7247.

- b. Request to finance system development charges, 1804 17th Ave SW

- c. Request to finance system development charges, 2705 12th Ave NW

MOTION: Smith moved to adopt both resolutions. Kopczynski seconded the motion. The motion passed 4-0 and the resolutions were designated Resolution No. 7248 and Resolution No. 7249, respectively.

Award of Contract

6:47 p.m.

Meadow Ridge Park improvements

Lyddane said staff recommends awarding the contract to K & E Excavating in the amount of \$922,277. They can mobilize in the next couple of weeks and will be finished by late October.

MOTION: Smith moved to award the contract as outlined in the staff report. Newton seconded the motion, which passed 4-0.

Approval of agreement

6:50 p.m.

Approve IGA with Greater Albany Public Schools for construction of therapeutic spa

Lyddane reminded the council that the hot tub at Albany Community Pool failed early this year. The Scharpf Foundation has donated \$180,000, which with money raised by a grass roots effort is

enough for a therapeutic spa. Because the pool is owned by Greater Albany Public Schools (GAPS), the proposed IGA will let the City work with GAPS using their process.

MOTION: Smith moved to adopt the resolution. Newton seconded the motion and it passed 4-0 and was designated Resolution No. 7250.

Adoption of Consent Agenda

- a. Appointments
 - 1) Appointing Danny Paoff to the Building Board of Appeals
 - 2) Appointing Steven Borst and Linda Hart to the Library Board
- c. Recommendations to OLCC
 - 1) Approve annual liquor license renewals
- d. Approval of agreements
 - 1) Temporary extension of contract with Albany Visitors Association
 - 2) Temporary extension of copier contract with National Photocopy Corporation
- e. Adopt findings supporting denial, GAPS transportation facility, CU-04-23 & VR-02-23
- f. Adopt resolutions
 - 1) Accept right-of-way dedication, ST-22-01, Queen Avenue Rehabilitation RES NO. 7251
 - 2) Accept sidewalk easement, ST-22-01, Queen Avenue Rehabilitation RES NO. 7252
 - 3) Acela software annual maintenance – Sean Park [supplemental agenda]

MOTION: Smith moved to adopt the consent agenda as presented. Kopczynski seconded the motion, and it passed 4-0.

Staff Report

6:54 p.m.

Request for license to occupy right-of-way, NW Dover Lane

Public Works Director Chris Bailey said staff recommends denial of the request. Public right-of-way should be public. Generally, closing public right-of-way is not a good solution to neighborhood disputes. Mediation is available to the people involved in the dispute. Public works can add Dover Lane to the Capital Improvement Plan (CIP) and set a schedule to improve it.

Newton said she's worried about safety for users of the right-of-way. The ground is rough and there isn't much room for turnarounds at the end.

Kopczynski asked if the easement allows for a full-width street. Bailey said no. The City would need to acquire some property.

Novak asked if the City could pay for mediation between the property owners. Bailey said there is a mediation group that provides services free for this kind of issue.

MOTION: Smith moved to deny the request and add improvements to Dover Lane to the CIP. Kopczynski seconded the motion, which failed 2-2, with Newton and Novak voting no. Four votes, either affirmative or negative, are required to take action. This item will come back to the July 12, 2023, council meeting.

Business from the Council

Novak said information from the League of Oregon Cities says cities "may" create camps for the homeless, not "must." She's concerned that in opening the Jackson Street property for camping, the City has opened itself to lawsuits.

Kidd agreed that the City is not required to set up a camp, but the law says that if we don't provide a camp, we aren't allowed to remove campers from any public property.

Newton spoke about the slogan "be gay, do crime."

Smith said the ordinance passed in response to HB 3115 is a good compromise. The City can't force people to go to the camp, but it's there as an option. It will be a safe place where people can receive services.

Smith told the council about a longtime homeless Albany resident, Marvin Studer. Studer worked at Wah Chang until he had a mental crisis and fell into substance abuse and homelessness. Smith said Studer would not have stayed at the camp site, but it's a place for people who can consider taking a chance to climb out of homelessness. She proposed to name the camp "Marvin's Garden."

MOTION: Newton moved to name the Jackson Street camp site "Marvin's Garden." Kopczynski seconded the motion and it passed 4-0.

Next Meeting Dates

Monday, July 10, 2023; 4:00 p.m. work session

Wednesday, July 12, 2023; 6:00 p.m. meeting

ADJOURNMENT

There being no other business, the meeting was adjourned at 7:33 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.*