



## MINUTES

Wednesday, June 12, 2024

Meeting

Council Chambers, City Hall

Approved: July 10, 2024

### 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 Azorr, Ray Kopczynski, Jackie Montague, and Ramycia McGhee

Councilors absent: Councilor Marilyn Smith was excused

### Special Presentations

**6:02 p.m.**

- a. Fire Chief Shane Wooton retirement  
City Manager Peter Troedsson spoke about Wooton's service to the city. Mayor Alex Johnson II presented Wooton with a key to the city.
- b. Ram's Horn Ministries  
Gini Moreau, Kebbie Olson, Leroy Stack, and Matt Borg spoke about the founding and mission of Ram's Horn Ministries.

### Public Hearings

- a. Public Works and Community Development fee adjustments **6:15 p.m.**  
OPEN: Johnson II opened the public hearing at 6:15 p.m.

Public testimony:

Matthew Fitchett spoke against raising SDC fees.

Brad Dennis spoke in favor of raising SDC fees to the maximum allowable and of a special rate tier for middle-housing units.

No one else wished to speak.

CLOSE: Johnson II closed the public hearing at 6:26 p.m.

Councilor Jackie Montague asked about the impact to departments that are currently absorbing some of the SDC costs. Engineering Manager/Assistant City Engineer Aaron Hiemstra said most of the deficit is in staff time, which is funded by engineering services from utility user fees.

Councilor Matilda Novak asked if it is possible to raise SDCs beyond the proposed inflationary adjustment. Engineering Manager/Assistant City Engineer Rob Emmons said that except for water, the City does not charge the maximum allowable, so there is room to increase the fees. To Dennis's point,

Emmons said adding a rate tier for middle housing contradicts the work done in 2022-23 on SDC methodology.

MOTION: Montague moved to adopt all of the resolutions in the public hearing. Councilor Ramycia McGhee seconded the motion, and it passed 5-0.

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|---|---------------------|
| 1) Revising water system development charges  | RES NO. <u>7326</u> |
| 2) Revising wastewater system development charges   | RES NO. <u>7327</u> |
| 3) Revising transportation system development charges   | RES NO. <u>7328</u> |
| 4) Revising storm drainage system development charges   | RES NO. <u>7329</u> |
| 5) Revising park system development charges   | RES NO. <u>7330</u> |
| 6) Revising wastewater connection charge  | RES NO. <u>7331</u> |
| 7) Revising water connection charge   | RES NO. <u>7332</u> |
| 8) Revising storm connection charge   | RES NO. <u>7333</u> |
| 9) Adopting public works building Revising Post-Construction Stormwater Quality Program permit fees | RES NO. <u>7334</u> |
| 10) permit review fee   | RES NO. <u>7335</u> |
| 11) Revising public works encroachment permit fee   | RES NO. <u>7336</u> |
| 12) Revising planning division fees   | RES NO. <u>7337</u> |
| 13) Revising building division fees   | RES NO. <u>7338</u> |

b. Legislative ADC amendments (DC-03-24)

**6:41 p.m.**

OPEN: Johnson II opened the public hearing at 6:41 p.m.  
Comprehensive Planning Manager Anne Catlin read the meeting procedures.

Planner II Liz Olmstead showed slides\*. She said most of the proposed changes are minor clarifications and revisions required to comply with state law. The planning commission recommends approval.

Montague asked why the block length standards are being revised now. Catlin said block length standards will be different throughout the city with the climate friendly updates, but the current language needs to be clarified.

Councilor Steph Newton Azorr asked how the changes in housing choice will affect current property owners and future developments. Catlin said most of the proposed changes are related to allowing housing in more situations such as in commercial zones.

Novak asked if religious assemblies will have any choice about whether low-income housing is placed on their properties. Catlin said the changes allow more opportunities for property owners to have housing on their properties.

Public testimony:

Laura LaRoque, of Udell Engineering, said the packet was not effectively available to the public until 10 days before the hearing. She asked that the word "conceptual" be reinstated for the landscape plan required before review of a project. She said requiring a landscape plan at the review stage is premature.

Olmstead said "conceptual" is proposed to be removed in order to encourage submittal of plans that are specific enough to be reviewed against the code.

Councilor Ray Kopczynski asked about LaRoque's concern that information wasn't available. Catlin said the package has been available to the public for 35 days. The only changes made since the planning commission hearing were those suggested by LaRoque.

No one else wished to speak.

CLOSE: Johnson II closed the public hearing at 7:09 p.m.

Sean Kidd read the proposed ordinance for the first time in title only.

MOTION: Newton Azorr moved to have the ordinance read a second time in title only. Kopczynski seconded the motion, which passed 5-0.

Kidd read the ordinance a second time in title only.

MOTION: Montague moved to adopt the ordinance with the word "conversation" corrected to "conservation." The motion was seconded and passed 5-0. The ordinance was designated Ordinance No. 6042.

Johnson II read the appeal procedure.

#### Recess

The council recessed for a break at 7:12 p.m.

#### Reconvene

The council reconvened at 7:22 p.m.

- c. Legislative Article 6 floodplain amendments (DC-02-24)

**7.22 p.m.**

OPEN: Johnson II opened the public hearing at 7:22 p.m.

Current Planning Manager David Martineau read the meeting procedures.

Planner III Jennifer Cepello presented slides.\* She said the proposed changes are being made to comply with state requirements and to clarify language. The planning commission recommends approval of the amendments.

Newton Azorr asked what the impact will be on property owners. Cepello said there are a few new requirements, such as for a third elevation certificate mid-building process.

Public testimony:

LaRoque gave the council a handout.\* She said the Albany Development Code (ADC) provisions differ from the federal standard in some respects. Also, the ADC defines "no development" differently than the federal requirements.

Scott Lepman said he has two properties affected by the proposed ordinance. He asked why the City standard is stricter than the federal one.

No one else wished to speak.

Staff response:

Cepello said the higher standard already exists in the ADC and adherence to the higher standard gives Albany property owners a discount on flood insurance.

Planning requested a continuance to review LaRoque's packet before a decision is made.

CONTINUED: the public hearing was continued to the June 26, 2024, council meeting.

Business from the Public

**7:43 p.m.**

Zach Draper and Ryan Kesey, owners of the new food truck pod on Airport Road, asked that the building code be amended to allow temporary structures for longer than 6 months.

Lise Grato, executive director of the Albany Downtown Association, gave an update on activities downtown.

Brad Dennis distributed a handout\* and explained how housing costs are driven by the economy.

Award of Contract

**7:54 p.m.**

a. Unarmed security guard

Finance Director Jeanna Yeager said the current contract expires at the end of June. She described the RFP process. Valley Merchant Services was determined to have the best proposal.

Newton Azorr asked why the City doesn't use Albany police officers for security. Yeager said it would be more expensive to use police, and most of them are armed, which isn't needed.

MOTION: Montague moved to award the contract as outlined in the staff report. Kopczynski seconded the motion, and it passed 5-0, and was designated Resolution No. 7340.

Approval of Agreement

a. ODOT cooperative improvement agreement, North Albany Road paving

**7:59 p.m.**

Cerklewski said the work in Oregon Department of Transportation (ODOT) right-of-way is to improve the road to meet ADA standards.

MOTION: Newton Azorr moved to approve the agreement. McGhee seconded the motion, which passed 5-0 and was designated Resolution No. 7341.

Adoption of Consent Agenda

**801 p.m.**

a. Resignation

1) Accepting Garry Barnes's resignation from the Airport Advisory Commission

b. Approval of minutes

1) May 20, 2024, City Council work session

2) May 22, 2024, City Council meeting

MOTION: Kopczynski moved to approve the consent agenda as presented. McGhee seconded the motion, which passed 5-0.

Business from the Council

**8:02 p.m.**

Novak asked staff to bring more information about the food tent issue to the council.

Novak also said fireworks have been banned in Eugene, Portland, and Bend. She would like Albany to have a new maximum fine of \$2,500 for anyone caught setting off illegal fireworks. Troedsson said illegal fireworks are already illegal under state statute, and Kidd said there is a fine in the state statute. Novak said she would like to see it enforced. Troedsson said that in order to enforce the law, the police have to witness the illegal action.

MOTION: Montague moved to display the Pride flag in the City Hall front window in June until the motion is repealed. Newton Azorr seconded the motion. Troedsson said the City's mission is to provide public services to the entire community. Displaying specialty flags isn't consistent with that mission.

VOTE: the motion failed 3-2, with Kopczynski and Novak voting no. A motion must receive four votes in the affirmative to pass.

MOTION: Montague moved to display the Pride flag in the City Hall front window this June. Newton Azorr seconded the motion, which failed 3-2, with Kopczynski and Novak voting no. A motion must receive four votes in the affirmative to pass.

Newton Azorr referenced the May 8 discussion of diversions for traffic tickets.

MOTION: Newton Azorr moved to remove the age restriction on the availability of diversion for a first traffic infraction. McGhee seconded the motion. Troedsson said most courts use an age threshold. Removing the age restriction would increase the workload on staff. Troedsson said the court should be independent of the legislative branch.

VOTE: the motion failed 3-2, with Kopczynski and Novak voting no. A motion must receive four votes in the affirmative to pass.

#### City Manager Report

**8:28**

Troedsson said staff had seen demos from several companies who have quoted transient lodging tax collection for short-term rentals. The program should go live in January of 2025.

Troedsson also said a public information campaign about fireworks will begin in late June.

#### Recess

The council recessed for a break at 8:31.

#### Reconvene

The council reconvened at 8:36

#### Executive Session

**8:36 p.m.**

The council recessed to executive session to discuss current litigation or litigation likely to be filed in accordance with ORS 192.660 (2)(h), and to discuss labor negotiations in accordance with ORS 192.660 (2)(d)

#### Reconvene

**9:00 p.m.**

The council reconvened into regular session.

MOTION: Kopczynski moved to approve the requested personnel changes for the engineering division. McGhee seconded the motion, and it passed 5-0.

Next Meeting Dates

Monday, June 22, 2024; 4:00 p.m. work session

Wednesday, June 24, 2024; 6:00 p.m. meeting

ADJOURNMENT

There being no other business, the meeting was adjourned at 9:01 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@albanyoregon.org](mailto:cityclerk@albanyoregon.org).*