



MINUTES

Wednesday, June 8, 2022
Meeting
Council Chambers, City Hall
Hybrid Format

Approved: July 13, 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, Ray Kopczynski, Bessie Johnson, and Marilyn Smith (via Zoom)

Councilors absent: None

Proclamations

6:01 p.m.

- a. Loving Day
Councilor Stacey Bartholomew read the proclamation.
- b. Juneteenth
Johnson II read the proclamation.

Special Presentation

6:05 p.m.

Verna Wise Matthews, Executive Director of Ophelia's Place, spoke about her organization and its new site in Albany. She handed out a flyer*, inviting councilors to join in a celebration of the site's opening.

Public Hearings

6:12 p.m.

- a. Justin Gross Annexation Request (AN-01-22 and ZC-01-22)

OPEN: Johnson II called to order the public hearing at 6:13 p.m.

No members declared new conflicts of interest or ex-parte contacts. Councilors said they drove by the site regularly. No member wished to abstain from the proceedings and no person present challenged the city council's right to consider the matter or the participation of any member. Planning Supervisor David Martineau read the meeting procedures.

Councilors had no questions of staff or of the applicant. No one signed up to speak and no one present wished to speak concerning the application. Community Development Director Matthew Ruetters spoke about the removal of an annexation agreement from the conditions of approval and answered questions from councilors about the function of an annexation agreement and why it was appropriate to continue without such an agreement.

CLOSE: Johnson II closed the public hearing at 6:21 p.m.

Responding to a question from Councilor Matilda Novak, Ruetters said that there will not be a time when this property will need to sign an annexation agreement.

MOTION: Councilor Ray Kopczynski moved that the city council adopt an ordinance that would approve the land use application for annexation with concurrent rezones to RS-5 and RM under planning files (AN-01-22 and ZC-01-22) as described in the April 25, 2022, staff report. This motion is based on findings and conclusions of the staff report, testimony included in the hearings, and findings in support of the application made by city council in deliberations on this matter. Councilor Marilyn Smith seconded the motion.

Smith noted that an annexation agreement relates to how the property develops after it is annexed, not to the annexation itself.

City Attorney Sean Kidd clarified that typically the first reading of an ordinance would be automatic and there would not be a need for the council to vote on a first reading. Kidd said the council could still vote on the current motion.

VOTE: The motion passed 6-0.

Kidd read the ordinance a first time in title only: AN ORDINANCE PROCLAIMING ANNEXATION OF A PROPERTY IDENTIFIED ON LINN COUNTY ASSESSOR'S MAP NO. 11S-03W-29 AS TAX LOT 501; AND AMENDING ORDINANCE NO. 4441, WHICH ADOPTED THE CITY OF ALBANY ZONING MAP BY AMENDING THE ALBANY ZONING MAP AND ADOPTING FINDINGS OF FACT AND CONCLUSIONS.

MOTION: Councilor Bessie Johnson moved to have the ordinance read a second time in title only. Kopczynski seconded the motion.

Responding to questions from Councilor Dick Olsen, Martineau said that the proposed zoning is not the highest density zoning in the city and the application is consistent with the South Albany Area Plan.

VOTE: The motion to read the ordinance a second time in title only failed 5-1, with Olsen voting no. A second reading in title only in the same meeting requires a unanimous vote of the council. This item will come back to the June 22, 2022, council meeting for an automatic second reading.

The ordinance withdrawing the property from the Albany Rural Fire Protection District was not considered since the ordinance proclaiming annexation was not approved.

b. Supplemental Budget

6:30 p.m.

OPEN: Johnson II opened the public hearing at 6:30 p.m.

Finance Director Jeanna Yeager presented the changes the proposed supplemental budget would make, noting that since a fund changed by more than ten percent, the supplemental budget requires a public hearing.

CLOSE: Johnson II closed the public hearing at 6:35 p.m.

Yeager responded to questions from councilors. Olsen said he is opposed to how the budget allocates American Rescue Plan Act (ARPA) dollars and will vote no. He also expressed disagreement with how the supplemental budget addresses transient lodging tax (TLT) funds.

Yeager and Economic Development Manager Seth Sherry answered councilors' questions about the City's TLT fund and its allocations. They said that the plan is to stick to the budget for TLT dollars and, if revenues come in higher than expected, to make adjustments in the next biennium.

Responding to a request from Olsen, Sherry said he would return with the exact TLT percentages allocated to the Albany Downtown Association (ADA) and Albany Visitors Association (AVA) in both the current and previous budgets. Sherry noted that the proposed supplemental budget does not affect these allocations.

Responding to a question from Novak, Sherry spoke about the Collaborative Tourism Promotion Grant. He said the supplemental budget would restore the grant's historic level of \$50,000 and the TLT Committee would recommend to council how to allocate those funds.

Novak said she would like to see the ADA and AVA restored to their pre-COVID-19 level of funding. Sherry noted that the agency partners agreed to a cap on revenues so the City could build up a reserve if revenues came in higher than projected.

MOTION: Olsen moved to table the item until the City Council receives a report on the TLT funds and how they are being distributed. The motion died for lack of second.

Public Works Director/Acting City Manager Chris Bailey explained the importance of passing the supplemental budget and said that the TLT funds are dedicated in accordance with a policy set by the council that the council can address if it so chooses.

Responding to a question from Johnson, Johnson II said that the Community Development Commission will be reviewing how to spend the \$1,000,000 from the state earmarked for homeless services and will make its recommendation to the council.

MOTION: Kopczynski moved to pass the supplemental budget as written. Smith seconded the motion, which passed 5-1, with Olsen voting no. The resolution was designated Resolution No. 7104.

- c. Adjustments to System Development Charges, Connection Charges, and Post Construction Stormwater Quality Program Fees

6:30 p.m.

OPEN: Johnson II opened the public hearing at 6:59 p.m.

Engineering Manager/Assistant City Engineer Rob Emmons presented the staff report, noting that the council discussed the item at the May 23, 2022, city council work session. Emmons also noted a correction to the water SDCs presented at the work session. The correct amount is included in the packet for this meeting.

John Robinson testified in opposition to the fee adjustments. He said that the percentage increase for some of the fees is more than the current inflation rate of eight percent. He read from the National Association of Homebuilders' "Priced Out Estimate".

Mike Quinn testified in opposition to the fee adjustments. He asked the city council to cancel the Housing Affordability Task Force.

CLOSE: Johnson II closed the public hearing at 7:18 p.m.

Novak expressed concerns about rising costs and stated that the council needs to lower costs.

Kidd recommended that each resolution be moved and voted on separately.

MOTION: Kopczynski moved to approve the resolution designated in the agenda as c. 1), revising water system development charges. Smith seconded the motion, which passed 5-1 with Novak voting no. The resolution was designated Resolution No. 7105.

MOTION: Johnson moved to approve the resolution designated in the agenda as c. 2), revising wastewater system development charges. Kopczynski seconded the motion, which passed 5-1 with Novak voting no. The resolution was designated Resolution No. 7106.

MOTION: Johnson moved to approve the resolution designated in the agenda as c. 3), revising transportation system development charges. Kopczynski seconded the motion, which passed 5-1 with Novak voting no. The resolution was designated Resolution No. 7107.

MOTION: Kopczynski moved to approve the resolution designated in the agenda as c. 4), revising street connection charges. Smith seconded the motion, which passed 5-1 with Novak voting no. The resolution was designated Resolution No. 7108.

MOTION: Johnson moved to approve the resolution designated in the agenda as c. 5), revising sewer connection charges. Kopczynski seconded the motion, which passed 5-1 with Novak voting no. The resolution was designated Resolution No. 7109.

MOTION: Kopczynski moved to approve the resolution designated in the agenda as c. 6), revising water connection charges. Smith seconded the motion, which passed 5-1 with Novak voting no. The resolution was designated Resolution No. 7110.

MOTION: Johnson moved to approve the resolution designated in the agenda as c. 7), revising storm connection charges. Kopczynski seconded the motion, which passed 5-1 with Novak voting no. The resolution was designated Resolution No. 7111.

MOTION: Kopczynski moved to approve the resolution designated in the agenda as c. 8), revising post-construction stormwater quality program permit fees. Johnson seconded the motion, which passed 5-1 with Novak voting no. The resolution was designated Resolution No. 7112.

- d. Utility Rate Adjustments for FY 2022-2023

7:28 p.m.

Bailey began a slideshow* presentation on Fiscal Year 2022-2023 Utility Rate Adjustments.

OPEN: Johnson II opened the public hearing at 7:31 p.m.

Bailey continued the presentation and answered questions from councilors.

Novak noted the price difference between cities and raised concerns about cost increases. She wants the City to evaluate cost savings in personnel without firing employees. Bailey said employee retention is competitive. Every city treats its non-residential charges differently.

Responding to a question from Olsen, Bailey said there was a water task force multiple years ago that established how the rates are set.

John Robinson testified in opposition to the rate adjustments and spoke specifically in opposition to the seventeen percent increase in the stormwater charge. Robinson said he was, and still is, opposed to the application of the rate to properties, such as his, that do not have city managed stormwater collections. Robinson spoke against increases in System Development Charges, stating that increases in SDCs will lead to increases in service rates.

Mike Quinn testified in opposition to the rate adjustments. He said the city would be making money off water if the city had kept Pepsi in town.

Kopczynski said that Pepsi pulled out of its contract with the City, which cost Pepsi money, and that the city did not terminate the Pepsi contract.

The city council recessed from 8:12 p.m. to 8:19 p.m.

Joe Esker testified from the public. He said that the first few units of water are sold at a higher price than subsequent units and asked the city to look into reversing those costs to save ratepayers money and promote water conservation.

CLOSE: Johnson II closed the public hearing at 8:28 p.m.

MOTION: Kopczynski moved to approve the resolution designated in the agenda as d. 1), setting rates for wastewater system use. Johnson seconded the motion, which passed 5-1 with Novak voting no. The resolution was designated Resolution No. 7113.

MOTION: Kopczynski moved to approve the resolution designated in the agenda as d. 2), setting rates for stormwater management services. Johnson seconded the motion, which passed 5-1 with Novak voting no. The resolution was designated Resolution No. 7114.

MOTION: Kopczynski moved to approve the resolution designated in the agenda as d. 3), setting rates for water use. Johnson seconded the motion, which passed 5-1 with Novak voting no. The resolution was designated Resolution No. 7115.

Business from the Public

8:30 p.m.

Lise Grato, Executive Director of the ADA, spoke from the public, shared a downtown update, and handed out a flyer.*

Carol Davies spoke from the public about her work with the unhoused through Community Outreach Assistance Team (COAT).

Second Reading of Ordinance

8:37 p.m.

a. AMC 13.21.112 Central Albany Parking Area

Kidd read the ordinance a second time in title only: AN ORDINANCE AMENDING THE ALBANY MUNICIPAL CODE (AMC) CHAPTER 13.21.112, CENTRAL ALBANY PARKING AREA.

MOTION: Smith moved to adopt the ordinance. Kopczynski seconded the motion, which passed 6-0. The ordinance was designated Ordinance No. 5978.

Adoption of Consent Agenda

a. Approval of minutes

- 1) May 9, 2022, city council work session
- 2) May 11, 2022, city council meeting

b. Adoption of resolutions

- 1) Accept anticipated CDBG for Fitness Court

Resolution No. 7116

- 2) Accept Healthy Cities Grant for Fitness Court Resolution No. 7117
c. Award of contracts
1) Sole-source procurement of a Fitness Court Resolution No. 7118

MOTION: Smith moved to adopt the consent agenda as presented. Novak seconded the motion, and it passed 6-0.

Responding to a question from Novak, Johnson II said staff continues to work on the noise ordinance mentioned in the May 9, 2022, minutes.

Staff Reports

8:39 p.m.

- a. Increase hours of Administrative Assistant
Central Administrative Officer/PIO Mary Dibble noted that this item was presented to the council at the June 6, 2022, work session.

MOTION: Smith moved to increase the Administrative Assistant's hours to full time as requested. Johnson seconded the motion, which passed 6-0.

- b. Communications Specialist Reclassification
Police Captain Brad Liles noted that Police Chief Marcia Harnden spoke to the council about these agenda items at the June 6, 2022, work session.

MOTION: Kopczynski moved to approve the communications specialist reclassification as presented in the agenda. Smith seconded the motion.

Responding to a question from Olsen, Liles confirmed that the person who would fill the reclassified position is already employed by the Police Department.

VOTE: the motion to approve the reclassification passed 6-0.

- c. New Mental Health Intervention Specialist Position
MOTION: Johnson moved to approve the new mental health intervention specialist position. Novak seconded the motion, which passed 6-0.

- d. COLA Increase
Kidd and Human Resources Director Holly Roten introduced the item.

MOTION: Smith moved to approve the cost-of-living adjustments as presented. Bartholomew seconded the motion, which passed 6-0.

Business from the Council

8:44 p.m.

Johnson said she wants to make sure the \$1,000,000 from the state for the unhoused is spent well and that the money doesn't dwindle away. Johnson II said he will keep the council apprised of how the Community Development Commission recommends the council spend the money.

Next Meeting Dates

Wednesday, June 22, 2022; 6:00 p.m. meeting

ADJOURNMENT

There being no other business, the meeting was adjourned at 8:49 p.m.

Respectfully submitted,

Reviewed by,

Gabe Shepherd
Deputy 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.*