



Amended: 4-13-2023

CITY COUNCIL MEETING & PUBLIC HEARING MINUTES

July 12, 2022 @ 6:30 p.m.

A. CALL TO ORDER Meeting called to order by Mayor Lepin at 6:29 p.m.

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

Councilors Present: Mayor Jim Lepin, Councilors Scott Cowan, Dave Harms, Mark Raum, and John Sullivan

Councilors Absent: None

Staff Present: Kevin Kreitman, City Manager; Janelle Booth, Assistant City Manager/City Engineer; Kimberly Wollenburg, City Recorder, Forrest Reid, City Attorney; Matt Straite, Community Development Director

Presenters: Linn County Sheriff's Office
Albany Fire Department

D. CHANGES AND ADDITIONS TO THE AGENDA

None

E. CONSENT AGENDA

- 1) Approval of June 14, 2022, City Council Regular Meeting & Public Hearing Minutes
- 2) Annual Liquor License Renewals
- 3) Acceptance of City Accounts Payable Report

Action: **Motion to approve Consent Agenda as presented made by Councilor Scott Cowan; seconded by Councilor Mark Raum.**

Mayor Jim Lepin: Aye

Councilor Scott Cowan: Aye

Councilor Dave Harms: Aye

Councilor Mark Raum: Aye

Councilor John Sullivan: Aye

Motion PASSED: 5/0

F. GUEST PRESENTATIONS

- 1) Linn County Sheriff's Office Monthly Report
Sergeant Steve Frambes, LCSO, presented the June 2022 report noting that June was a busy month. He said the vehicle thefts he mentioned in June's meeting slowed mid-month but theft by breaking into vehicles continued. He shared that the majority of the vehicles broken into were because vehicles were unlocked or valuable items sitting in plain sight.

Craig Ziegenhagel, Granite, spoke about illegal fireworks in Millersburg and read a statement to the Council. He addressed previous responses from LCSO and the City to illegal fireworks noting issues of being unable to locate illegal fireworks and not having someone willing to sign a complaint were shared. He spoke about recent responses from LCSO regarding illegal fireworks.

He asked for the following from City Council:

- Insist that LCSO enforce actions
- City staff patrol the area at night and note those violating
- Consider adoption of a social host ordinance and a chronic property nuisance ordinance.

Mr. Ziegenhagel asked Sergeant Steve Frambes how many pounds of fireworks were impounded and how many people were cited, and Sergeant Frambes said zero to both.

Discussion followed regarding the ability of LCSO to prosecute violators and the challenges in addressing fireworks violations. Sergeant Frambes shared some specific narratives from deputies regarding fireworks on the 4th of July.

2) Albany Fire Department

Deputy Chief Chris LaBelle presented the 2nd quarter 2022 Albany Fire Department report. He shared that there hasn't been anything unique to Millersburg regarding responses. Deputy Chief noted that fire alarm activations were the bulk of the calls and that overdoses for Millersburg only increased 1% versus Albany's 60%.

He also shared some staff changes and further broke down paramedic responses. Next he provided information regarding various events Albany Fire Department participated in.

G. PUBLIC COMMENT

- 1) Craig Ziegenhagel spoke about fireworks (see F (1) above).

Statements were made questioning Craig Ziegenhagel's law enforcement employment background. Upon Review of documents provided by Mr. Ziegenhagel, City Attorney, Forrest Reid, on April 11, 2023, stated that Mr. Ziegenhagel did in fact work for Marion County Sherriff's office as a Patrol Deputy, a Special Deputy, and a Corrections Deputy. He also worked as a volunteer Reserve Officer with the Stayton Police Department. (Minutes Amended 4/12/2023).

Mayor Lepin opened the public hearing at 7:01 p.m.

H. PUBLIC HEARINGS

1) Modification of Territory (De-annexation) - Order

Community Development Director Straite spoke about the background and process for the de-annexation process. He provided information about the specifics of the project.

Action: **Motion to approve Order regarding the modification of territory (de-annexation) made by Councilor Dave Harms; seconded by Councilor Mark Raum.**

Mayor Jim Lepin:	Aye
Councilor Scott Cowan:	Aye
Councilor Dave Harms:	Aye
Councilor Mark Raum:	Aye
Councilor John Sullivan:	Aye

Motion PASSED: 5/0

Mayor Lepin closed the public hearing at 7:09 p.m. with no public comments received.

Mayor Lepin opened the public hearing at 7:11 p.m.

2) Development Code Update – Ordinance 195-22

Mayor Lepin spoke about the full revision of the Development Code and history. Community Development Director Straite presented the staff report and reviewed the proposed revisions and updates to the Development Code with the Council. Assistant City Manager/City Engineer Booth provided some additional clarification regarding driveways widths. City Manager Kreitman shared the reason for the request for declaring an emergency for the adoption the Ordinance is due to the city technically being in violation of a court order, with the inadvertent removal of radon provisions with the adopting of the new Code.

Action: **Motion to adopt Ordinance 195-22, and declaring an emergency provision to make the Ordinance effective immediately upon adoption made by Councilor John Sullivan; seconded by Councilor Dave Harms.**

Mayor Jim Lepin:	Aye
Councilor Scott Cowan:	Aye
Councilor Dave Harms:	Aye
Councilor Mark Raum:	Aye
Councilor John Sullivan:	Aye

Motion PASSED: 5/0

Public Comment: Jim Thomas, Evergreen, noted it was frustrating to have a 10,000 square foot lot, but be unable to park RV on lot due to restrictions.

Mayor Lepin closed the public hearing at 7:33 p.m. with no public comments received.

I. COUNCIL MEMBER AND STAFF COMMENTS

None

J. CITY MANAGER'S REPORT

1) Fire Station Project Report

Assistant City Manager/City Engineer Booth did a brief review of the staff report regarding the current status. She also provided a financial update.

2) Project Updates

Assistant City Manager/City Engineer Booth provided an update regarding various projects in progress within the City, including the Woods Road shared use path, crack sealing, Old Salem Road AC water line and the stormwater management plan. Community Development Director Straite provided an update regarding the Valley Pressure Washing project and Aymium, an industrial project currently proposed which is in the pre-application process. He and City Manager Kreitman then shared information about Aymium and the specifics of the project.

Community Development Director Straite provided updates regarding corrections to the City boundaries due to errors in the County system.

3) Caselle Update – YTD Budget Review

City Manager Kreitman reviewed the Caselle Connect Online dashboard for City finances.

K. CITY ATTORNEY'S REPORT

1) Psilocybin Ban – Verbal Report

City Attorney Reid gave a brief background regarding the Psilocybin Mushroom Act and the regulations regarding a city's ability to opt out (ban or temporary ban) of the Act to disallow service centers and manufacture, creation, etc. of mushrooms. He then reviewed the two draft ordinances.

Doug Iverson, Summit Avenue, addressed the Council regarding the options for a permanent or temporary (2-year) ban and believes there is no benefit to doing a 2-year ban. He also spoke about the challenges with compliance given that psilocybin mushrooms are readily available.

City Attorney Reid shared the process for adoption and the requirement for a vote on the November ballot.

Action: **Motion to adopt Ordinance No. 196-22 for a permanent ban on psilocybin mushrooms made by Councilor John Sullivan; seconded by Councilor Dave Harms.**

Mayor Jim Lepin: Aye

Councilor Scott Cowan: Aye

Councilor Dave Harms: Aye
Councilor Mark Raum: Aye
Councilor John Sullivan: Aye

Motion PASSED: 5/0

L. UNFINISHED BUSINESS

None

M. NEW BUSINESS

- 1) Acceptance of Right-of-Way Dedication – Resolution 2022-11
Assistant City Manager/City Engineer Booth provided some background regarding and the reason for the dedication on Royal Drive in the Sarah Meadow's subdivision.

Action: **Motion to adopt Resolution 2022-11 made by Councilor Mark Raum; seconded by Councilor Scott Cowan.**

Mayor Jim Lepin: Aye
Councilor Scott Cowan: Aye
Councilor Dave Harms: Aye
Councilor Mark Raum: Aye
Councilor John Sullivan: Aye

Motion PASSED: 5/0

- 2) Changing Monthly Meeting Date to 1st Tuesday of the Month for Planning Commission – Verbal Report

Community Development Director Matt Straite shared that the reason to request the change is because there are times Type 4 cases need Council approval, and with the current schedule, there's often a delay of a month.

Action: **Motion to change the monthly meeting date of the Planning Commission to the 1st Tuesday of the month effective September 2022 made by Councilor John Sullivan; seconded by Councilor Scott Cowan.**

Mayor Jim Lepin: Aye
Councilor Scott Cowan: Aye
Councilor Dave Harms: Aye
Councilor Mark Raum: Aye
Councilor John Sullivan: Aye

Motion PASSED: 5/0

N. CLOSING PUBLIC COMMENT

- 1) None

O. CLOSING COUNCIL COMMENT

- 1) Councilor Cowan shared that there is an Events Planning Committee meeting on Wednesday at 6:00 p.m.
2) Councilor Cowan asked about having the update on the rental house property owned by the City at an upcoming meeting.

P. ADJOURNMENT Mayor Lepin adjourned the regular meeting at 8:02 p.m.

Respectfully submitted:

Sharon Dicker for Kim W

Kimberly Wollenburg
City Recorder

Reviewed by:



Kevin Kreitman
City Manager