



MINUTES

Wednesday, July 08, 2026

Meeting

Council Chambers, City Hall

Approved: August 26, 2026

Call to Order and Pledge of Allegiance

Mayor Johnson called the meeting to order at 6:00 p.m. The Mayor led the pledge of allegiance.

Roll Call

Councilors present: Mayor Johnson, and Councilors Carolyn McLeod, Marilyn Smith, Ramycia McGhee, Michael Thomson, Chris Van Drimmelen, Steph Newton

Councilors absent:

3. Adoption of consent agenda

a. Recommendation(s) to OLCC

1) Approve OLCC Liquor License Applications Bulk

b. Adoption of resolution(s)

1) Right-of-Way Dedications for Expo Parkway and Timber Street as Conditions of Approval for Land Use Case SP-04-25, Knox Butte Self Storage

RES NO.7507

RES NO.7508

MOTION: McGhee moved to adopt the consent agenda. Smith seconded the motion.

MOTION passed 6-0

Public hearing(s)

Public Hearing Regarding Albany Development Code (ADC) amendments to implement new state laws Senate Bill 974, House Bills 2005, 3560 and 4037, 2138 (Planning File: DC-02-26)

6:01 p.m.

Johnson opened the public hearing at 6:01 p.m.

Comprehensive Planning Manager Anne Catlin presented*.

Catlin read the meeting procedures. She said that two ordinances are being considered. The first one is for changes to state law that are in effect, or to be in effect soon. The second is changes that are becoming effective January 1, 2027. Catlin said that the second ordinance had changes related to HB 2138, the ordinance included in the council packet did not have track changes displayed so staff will be continuing the public hearing to August 26, 2026.

Catlin summarized the changes in the first ordinance saying that they are primarily changes in noticing area requirements for residential developments, appeals are limited to applicants, and process reductions. She said that a question was received about Oregon citizen participation in land use laws. Land use law does not say that every land use has to have public participation.

Catlin listed changes under the ordinances. She said under Ordinance 1, HB 2005 cities have to allow residential care or treatment facilities as staff level review, or licensed crisis stabilization centers and mental or psychiatric hospitals. HB 2565, childcare centers are required under staff level review for land zoned for 12 or more units. No additional

conditions can be added for approval. HB 2138 Single room occupancy developments where multiple dwelling types are permitted at a density three times the number of units allowed. Catlin said that when the Albany Development Code is inconsistent with state law it makes it challenging for staff to let the public know what is allowed in the city.

Catlin said that under the second ordinance, middle housing must include attached or detached in any configuration and must allow middle housing on lots with an existing single dwelling unit. In addition, the notice of decision only goes to the applicant now and there are no hearings or local appeals.

Smith asked how the current language is different from what it will be in January 2027? Catlin said that currently a notice of decision goes to anyone who provided testimony, under the new laws only the applicant gets the notice of decision and can appeal.

Smith asked how many middle housing land divisions the city receives? Catlin said around three or four.

McGhee said that she would like to see a simple breakdown of the land use process and law changes that can be given out to constituents. Catlin said that the staff reports typically have a summary at the beginning, but she would look into how that could be posted on the website.

Thomson asked if action on both ordinances was going to wait until August 26th? Catlin said that was correct, technically the city does not have to do that, but she would recommend it. She said until the changes are effective, staff will balance state law changes and city code.

Thomson said that it is frustrating that the item is before council, and they cannot vote no. It removes local control, and some of these items may pass if they were considered in an Albany centric way, others may have a lot of discussion about them. Catlin said that the council could vote how they desired, but the laws would still be going into effect.

Smith said that the city tends to have a policy of over noticing and wondered if that was going to continue? Catlin said that noticing languages are standard, notice areas are changed only in a couple of ways. Most were retained unless they had to be changed for state law. In addition, the city accepts comment from everyone not just those in the notice area.

Van Drimmelen said that he understands the frustration with the state. However, the city is responsible for implementing it either way. If the city doesn't amend the development code, it only impacts city staff. Van Drimmelen said that if the council disagrees then it may be better to lobby people at the state level who are responsible, not staff.

Johnson asked about type 1L applications, and shared concerns that only the applicant can appeal. Catlin said that those applications are staff level decisions, and is unsure why the state changed the law. Normally they would have gone to the Oregon Land Use Board of Appeals.

Johnson asked about residential treatment centers in neighborhoods. Catlin said that residential treatment centers are allowed up to 16 people, in some cases conditional use reviews were required. She said conditional use reviews would be remaining for lower density zones, but higher density zones would be a staff level review.

Newton said that residential treatment is where someone lives, and a treatment center is a business where people come and go.

Public Testimony: None

Staff Rebuttal- None

Council Questions- None

Public hearing continued until August 26, 2026 city council meeting.

Public Comment

6:36 p.m.

Written comment was received from Greyson Paynter, and Remi Hill.

Remi Hill provided comments generally against ALPR cameras on private property in Albany.

John Schoenhals- provided comments about ALPR cameras on private property in Albany and hoped the council would consider banning them.

Rebecca Bond, Executive Director of the Albany Visitors Association-shared the Albany Visitors Guide* and said it was being distributed around the state, and locally.

Jazmin Flores- provided comments about ALPR cameras in Albany and encouraged council to ban them on private property.

Olivia Leeder- provided comments generally against ALPR cameras in Albany.

Bre Irish- provided comments generally against ALPR cameras in Albany.

Hunter Hawthorne- provided comments generally against ALPR cameras in Albany and encouraged council to ban them city wide.

William Black signed up to speak, but did not speak.

Action Items(s)

Ordinances – An Ordinance Amending AMC Chapter 15.06 Private Construction of Public Improvements to Incorporate SB 974 Requirements

6:51 p.m.

Assistant City Engineer Aaron Heimstra presented. He said that the updates were to comply with SB 974, and other revisions. Council asked questions, and discussed the ordinance. City Attorney Sean Kidd read the ordinance for the first time in title only.

MOTION: Smith moved to read the ordinance for the second time in title only. Van Drimmelen seconded the motion.

MOTION failed 4-2 Yes- (Smith, Van Drimmelen, McGhee, Thomson) No- (Newton, McLeod) *Charter Section 37 requires unanimous consent to have the second reading of an ordinance in the same meeting. *The ordinance will come back to a council meeting for an automatic second reading.

Resolutions- Approve agreement with ODOT accepting Local Bridge Program funding for 3rd Ave Calapooia River Bridge preliminary engineering

7:21 p.m.

City Engineer Staci Belcastro presented. She said that ODOT administers the grant program, and the city has used it previously for Salem Avenue over Cox Creek.

The city submitted two projects this year, the 3rd Avenue/Calapooia bridge, and the 9th Avenue/Santiam Canal bridge which was not funded. She said that the 3rd Avenue request was successful, it is the primary access to Bryant Park and has been load restricted for many years due to deterioration. Replacement and rehabilitation will be evaluated. The city match is \$168,000.

MOTION: Van Drimmelen moved to adopt the resolution to approve the agreement. Smith seconded the motion which passed 6-0.

Informational Briefings/Staff Reports

Report on automated license plate reader ALPR tech ordinance

7:25 p.m.

City Attorney Sean Kidd presented. He said that the council requested he evaluate the viability of an ordinance to ban ALPR cameras in Albany city wide, including on private property. He said that SB 1516 was passed which provides parameters for law enforcement use of automated license plate reader cameras (ALPR). Footage is required to be deleted within 30 days unless there is an active investigation, and logins to the system are monitored which is similar to other law enforcement databases. There is potential for abuse, but generally removal from the system and termination from employment can occur quickly.

Kidd said that law enforcement locally uses ALPR cameras in their cars. Benton County uses them, Linn County will have them in their cars and Oregon State Police have them in their cars. Under state preemption the city could not ban the use of that tech.

He detailed other possible constitutional concerns. There could be an equal protection concern, a first amendment/free speech concern, fifth amendment/taking concerns, equal protection and due process concerns.

Kidd said that he talked to the city insurance carrier about a possible ordinance ban. They said that they highly advised that the city should not do it. He asked about litigation coverage and they said coverage would depend upon the litigation, if it is an injunction probably not, if it is constitutional probably at the beginning then likely not. Kidd said that individual council members can be held personally liable, and he wondered if coverage would exist? Insurance said yes, if it was under the scope of duties as a city council member. Attorneys would be appointed, likely the same ones who would defend the city, then likely a conflict of interest would occur and new attorneys appointed. Kidd said that employees such as the City Manager have been named before in litigation.

Kidd said that he has been told there are 30 businesses in Albany with ALPR cameras, such as Lowes, Walmart, Target, and Home Depot. Newton asked if any cities in the United States have banned them? Kidd said that according to his research Albany would likely be the first to put a ban on ALPRs on private property.

Kidd said that if insurance coverage is not provided for the litigation, the city would be spending hundreds of thousands of dollars to defend it. Businesses and private property groups would likely act on that.

Kidd said that he is aware of one Oregon city with litigation pending against the federal government, on another issue. They have spent hundreds of thousand dollars in litigation expenses, ran through emergency funds and are asking other cities to donate funds to help the litigation, which is still pending. Kidd said that the city may be asking community members to pay more for street maintenance, so the council would need to decide whether the city has the financial resources to take this on. He said if this item is properly challenged it would be difficult to defend in his opinion.

Council discussed the item, and asked questions. There was general council consensus for the City Attorney to bring a report on August 26 with an ordinance requiring signage on private property, that identifies if ALPR's are being used. Also for the council to discuss this item as a possible legislative priority.

Business from the Council

8:00 p.m.

Newton said that she received an ordinance suggestion from a constituent regarding raising/keeping rabbits. She said that she had a constituent contact her regarding the proposed apartment complex on 53rd and Pacific, specifically they were looking for the findings report for the appeal from City Council. Ruettgers said he would provide an update on that item during business from the manager.

Newton said that she had questions about some items she brought up on June 10. The items included opportunities to preserve right of way for 53rd Avenue for future lane/traffic expansions. Updates on text message alerts, and accessibility improvements at city facilities. Ruettgers said that he would status check those items and provide an email update.

Smith said that she received a special/commemorative flag request from a city employee. The request was to hang a version of the United States flag in the City Hall where the Pride flag hangs in June. The flag is a modified Betsy Ross flag with 13 stars in a circle, stripes and the dates 1776-2026. The flag was one of several developed for Freedom 250. The flag would be considered under the City flag policy, likely to fall under Subsection 7 of Section 2 as a commemorative flag. She said that no flag supports America at any birthday better than the 50 star flag that hangs on the city flagpole all the time. Newton asked for what period of time, and if the flag was purchased or donated? Smith said the flag was privately purchased.

Smith said that she received emails regarding fireworks enforcement.

Smith said that council will be returning from break during the election which opens on August 1. She said anyone who files should be aware that the seats are non-partisan. The Albany council is not affiliated with nor represents any political party, the council represents the people of Albany. She said that she hoped for all candidates that there are no efforts to delay important decisions before the election. The council has a lot of important work to do and its important to do as much as possible, without the distraction of a campaign.

McGhee said that she wanted to follow up on her request for a parliamentary procedure refresher, council manual review and charter refresher hopefully sometime in August or early September. She said that there was a discussion in civic academy about a youth council. She would like staff to look into that again, or a youth representative on each citizen advisory group.

Smith said that the earlier flag request was for the month of July.

MOTION: Smith moved to deny the request to fly the commemorative flag. Van Drimmelen seconded the motion. MOTION passed 6-0.

McLeod said that she was at Monteith Park recently and noticed a child covering the drain at the splash pad. It was creating a large pool of water, and not draining. She said she tried to keep removing the items and explained to the child it would be damaged, and the child said they didn't care. McLeod said she contacted the Parks and Recreation Director Kim Lyddane who was going to brainstorm ideas to remedy this type of situation. She thanked those who spoke under public comment tonight. She provided an update on events she attended.

Van Drimmelen thanked city staff for their help at the Monday work session. He had to pick up his children from daycare, and staff goes above and beyond in unexpected ways that are not required. He said that he would like to revisit the potential surplus sale of 9th and Jackson city owned lots discussion. The City Manager has reported complaints about overgrowth on the lots, and the city will continue to have to pay to maintain them. He said the city should make a plan to use them, or to sell them to a willing buyer.

Johnson said that he received communication from other cities requesting information/documents on the city Low Income Assistance program, they wanted to copy those programs. He asked staff to provide him information. He provided an update on events he attended in Albany and said that he received a lot of positive feedback about the fireworks show.

City Manager Reports

8:20 p.m.

Acting City Manager Matthew Ruettgers said that the apartment complex project on 53rd Ave SW has been appealed to LUBA (Oregon Land Use Board of Appeals). He said that staff has received a formal email from Van Vleet Meat expressing continued interest in purchasing city owned lots at 9th and Jackson, at the previous offer level. Ruettgers said that the item would be coming back for council consideration at a future meeting.

Next meeting dates

Monday, August 10, 2026; 4:00 p.m. work session

Wednesday, August 12, 2026; 6:00 p.m. meeting

ADJOURNMENT

There being no other business, the meeting was adjourned at 6:51 p.m.

Respectfully submitted,

Reviewed by,

Erik Glover
City Recorder

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 cityrecorder@albanyoregon.org.*