



## MINUTES

Monday, August 8, 2022  
Work Session  
Council Chambers, City Hall

Approved: September 14, 2022

### Call to Order

Mayor Alex Johnson II called the meeting to order at 4:00 p.m.

### Roll Call

Councilors present: Mayor Alex Johnson II and Councilors Dick Olsen, Matilda Novak, Stacey Bartholomew, Ray Kopczynski, Bessie Johnson (virtual), and Marilyn Smith

Councilors absent: None.

### Business from the Public

**4:01 p.m.**

Vasili Rozakis and George Diamond spoke from the public to inquire if the city is interested in selling a vacant parcel next to the Edgewater Village development for the construction of townhomes or single-family dwellings. Diamond said the first step in this process would be for the city to declare the property as surplus. Johnson II asked that the item be placed on the agenda of the September 14, 2022, council meeting for discussion.

Patrick Winczewski spoke from the public in opposition to a ban on psilocybin production and treatment centers.

### Municipal Court Update

**4:09 p.m.**

Municipal Judge Forrest Reid introduced Court Supervisor September Ridgeway and spoke about the current situation in the City of Albany regarding citing individuals, failures to appear, and problems posed by Senate Bill 48.

Councilor Matilda Novak said that, with the new state law, Albany now lives under lawlessness and said she does not understand why the city must abide by it. Reid noted that he and the sworn officer are sworn to uphold the laws of the State of Oregon whether or not they agree with them.

Linn County Sheriff Michelle Duncan and Albany Police Chief Marcia Harnden spoke about Senate Bill 48, drug laws, current crime rates, and jail capacity. Harnden said that law enforcement is asking elected officials to speak with their state legislators and ask for fixes to this law.

Responding to a question from Troedsson, Duncan said she believes there is a connection between the lack of jail capacity and an increase in crime locally. Duncan also responded to a question from Councilor Bessie Johnson about reasonable force in preventing crime.

### Measure 110 Discussion

**4:39 p.m.**

Harnden introduced the agenda item and spoke about the history of Measure 110 and the rollout of the law's new provisions. Harnden said very few people pay the fines or seek the treatment under the new law. Harnden also spoke about the prevalence of fentanyl locally and, responding to a question from Councilor Dick Olsen, said that much of the fentanyl is coming from Southeast Asia.

### Psilocybin Ordinance

**4:56 p.m.**

City Attorney Sean Kidd introduced the agenda item and shared what actions other jurisdictions are taking. Kidd responded to councilor questions about the process and about time, place, and manner restrictions. Kidd noted the councilors could rescind an ordinance at any time without returning to the voters and that after two years, the council could send a ban to the voters.

MOTION: Johnson moved that an ordinance declaring a two-year ban on manufacturing and service centers within the City of Albany be read the first time. Novak seconded the motion which passed 5-1 with Olsen voting no.

Kidd read the ordinance declaring a two-year ban on psilocybin a first time in title only.

MOTION: Councilor Marilyn Smith moved to read the ordinance a second time in title only. Johnson seconded the motion. The motion failed with a 4-2 vote and Olsen and Kopczynski voting no. A second reading in title only in the same meeting requires a unanimous vote of the council. This ordinance will come back to the August 10, 2022, council meeting for an automatic second reading.

Responding to a question from Johnson II, Kidd said he is unsure how psilocybin will be taxed, though he believes it will not be able to be taxed by local governments.

Business from the Council

**5:12 p.m.**

Novak read a letter into the record from a constituent. Harnden responded to the expressed concerns, saying police are not “dumping” individuals in the parks.

City Manager Report

**5:18 p.m.**

None.

ADJOURNMENT

There being no other business, the meeting was adjourned at 5:19 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](mailto:cityclerk@cityofalbany.net).*