

CITY OF ALBANY  
CITY COUNCIL  
Council Chambers  
Monday, December 11, 2006  
4:00 p.m.

**MINUTES**

CALL TO ORDER

Mayor McLaran called the meeting to order at 7:15 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG

McLaran led the pledge of allegiance to the flag.

ROLL CALL

Councilors present:           Ralph Reid Jr., Jeff Christman, Bessie Johnson, Dick Olsen, Doug Killin, and Sharon Konopa

Councilors absent:           None

Business from the Public

There was no business from the public.

Reports

Receiving Bicycle and Pedestrian Advisory Commission annual report.

Transportation System Analyst Ron Irish explained that the Bicycle and Pedestrian Advisory Commission is a six member group appointed by the Council that meets once a month. They are involved in a variety of activities, show initiative, and tend to be self directed. Over the past year they have been involved in bike related events in the City such as bicycle education in local elementary schools, Safe Routes to School Program, promotion of Walk and Bike to School Day, grant application recommendations, Transportation Master Plan input, participation in local, regional, and statewide bicycle rodeos, and North Albany roundabout input. They also were able to get a tandem route to come through Albany.

Councilor Konopa said that the education programs are very good. It would be good to educate at other places where there tend to be a lot of bicyclists, such as shelters and apartment complexes. Irish said the Commission has taught safety at shelters in the past and remains interested in doing it more.

Irish said there are 15-20 bike accidents annually in Albany, mostly involving kids.

Konopa asked, have you done a brochure on bike safety? Irish said they distribute a brochure that the state puts out. He commended the Commission for their work.

City Manager Wes Hare said he has worked with this group. He commended members of the Commission not just for their willingness to serve but also for the active role they take with donated hours, enthusiasm, and dedication. They work hard and are appreciated.

Receiving Transportation System Plan update.

Civil Engineer III Jeni Richardson distributed the Albany TSP Update Memorandum #4 (see agenda file) to be included in the Transportation Management Plan binders. The memorandum is also being sent to ODOT, Department of Land Conservation Development (DLCD), Linn County, Benton County, Albany Chamber of Commerce, and AMEDC. Richardson will bring back their responses to the Council at the January 8, 2007, Council Work Session.

Richardson gave a PowerPoint presentation (see agenda file).

Richardson described how the Albany travel demand model was built ODOT's Transportation Planning and Analysis Unit (TPAU). The data includes the urban growth boundary (UGB) and a significant fringe around it. To the base map, arterial and collector roadways were added. Then information that determines capacity (speed, length, etc) was added. The model is then divided into transportation analysis zones, or "TAZ's". TAZ boundaries are typically a road, river, or railroad. The Albany model has over 500 TAZ's. TAZ's are further defined by population, number and location of households and employers, employees, schools, etc.

Richardson said Planner II Anne Catlin was a tremendous help with the development of population and employment data.

For trip generation and distribution and traffic assignment, the model estimates the number of trips from each house and destination for each TAZ. The model output is a table for traffic volumes for each roadway link. Richardson said the consultant compared traffic volumes to capacity to create the map in Attachment "A" of the staff memo. When

demand is greater than road capacity, the roads are indicated in red and dark red on the map. At this stage of the TSP development, we are only looking at roadway link deficiencies, not intersections.

The model performance measures Table #3 in technical memo #4 shows land use and network performance measures. These measures will be used to compare land use transportation alternatives.

On the transit map (attachment #3 of memo #4), the red lines show bus routes and the various symbols show bus stops. This map evaluates housing density and employee density to see where a transit route would be supportive. Pink areas show transit-served areas and purple areas show transit-deficient areas.

Richardson said there is not a good way to identify future bike and pedestrian deficiencies. The maps in memo #4 assume that today's deficiencies will apply tomorrow. Other modes we are required to consider in the TSP analysis are rail, air, and utility pipelines.

The next steps are to evaluate alternative land uses, transportation solutions, and the financial plan. Land use alternatives will help us determine where changes to the Comprehensive Plan will lessen the magnitude of our future transportation problems. Ultimately we will have to determine the likelihood that the Comprehensive Plan changes will be adopted before the Transportation System Program is adopted; then we will look at transportation solutions. The financial plan will incorporate the TSP project list and a 10-year maintenance program.

Land use alternatives will be done in early spring, to become Albany TSP Update Memorandum #5. Staff will begin transportation solutions in the summer to be completed before the end of 2007.

Public Works Director Diane Taniguchi Dennis asked the Council to focus on Figure 7 during their review. There will be transportation issues in North Albany and along Queen Avenue, Knox Butte, Geary Street, and Waverly Drive. There are many challenges in the areas that are built out. There will need to be creative solutions.

Councilor Killin said there is heavy traffic on Highway 20. Of those vehicles coming from the west, how many stop in Albany and how many go straight through? Richardson said there is a Highway 20 Corridor study that the Corvallis Metropolitan Planning Organization (MPO) is conducting. They were going to study Highway 20 from Philomath to the Albany UGB. We asked if they can extend it to I-5, and they thought it was a good idea. They are taking that request to the MPO board.

Richardson will return for Council comments and, if appropriate, approval of memo #4 on January 22, 2007. The Council is encouraged to contact Richardson prior to that meeting with any comments, questions, or concerns.

Receiving AMC Title 18 Building and Property Maintenance update for the second quarter of Fiscal Year 2006-2007.

Code & Policy Analyst Melanie Adams presented the quarterly report for the Property Maintenance Section of Title 18 of the Municipal Code. She explained that of the 104 complaints, 65 are new for this quarter. Prior to Title 18 adoption staff would not have been able to resolve many of these cases. With Title 18, they are better equipped to manage cases efficiently and consistently with good customer service.

Adams gave a Power Point presentation (see agenda file).

Killin noted that there is still a lot of debris at Inland Quick Freeze. He asked if the City can apply further pressure. Adams explained that from a "dangerous building" perspective the site is open and accessible because the door is open and the fence is compromised. Because of that status it is considered an attractive nuisance/hazard. Staff could, at the Council's direction, write it up for being a dangerous premises. Staff has not gone that route yet because other City staff and the property owner have been in discussions about getting it cleaned up.

Hare asked, what is the status of the cost of recovery for this program? Is it proving to be an undue burden? Building Official Manager Blaine Brassfield said it is not an undue burden and in fact it is a positive aspect of what we should have been doing all along. The state requires enforcement of the building code. Costs related to the Development Code and dangerous premises are kept down by integrating these types of cases into the Title 18 program. Costs not associated with enforcing the Building Code are then billed to other departments.

Seeking authorization for staff to initiate an Urban Growth Boundary expansion for industrial land in the Oak Creek area.

Community Development Director Helen Burns Sharp said that staff is requesting Council authorization to engage a consultant to prepare an application for urban growth boundary (UGB) expansion. With PepsiCo coming, Albany will lose 250 acres from our inventory of commercial and industrial land. The purpose of the study would be to determine if there is a need to replenish the inventory. According to other studies we do have enough, but it is in small parcels, not large sites. PepsiCo's arrival could give us a reputation as a good place to build, yet we have no more large parcels to offer.

Sharp said that during negotiations with PepsiCo, owners of the property agreed to make the property available at a lesser cost than they feel it is worth in order for the project to proceed. In return, they asked that the City initiate a UGB expansion for the adjoining properties owned by Weatherford and Schrock. The City Manager could not commit to this but did agree to present the idea to the City Council for their consideration. Thus, the issue is coming

to the Council tonight. The three parcels in question total 255 acres and would be a replenishment of the vacant lands inventory. There are several complicated and formal applications and several agencies would be involved. Natural features on the land would be addressed.

Hare stressed that one of the primary reasons PepsiCo chose Albany was because the site was available for them. We want to have enough sites that we can attract industry to support family wage jobs. It is a worthwhile investment that could ultimately provide jobs later on.

Councilor Johnson asked, can we look farther ahead than just these three properties? Can we add other properties as well? Sharp said it is not likely we could add others properties at this time. Adding these properties may be possible, because we would be replenishing our inventory.

Killin said that ultimately, retail will come to us given our growing population and our location along I-5 in the Willamette Valley. If we want to maintain a portion of family wage jobs, then we have to be ready to offer vacant land. It is inevitable that the retail will come, so we need to make sure we have land available for industry that will bring living wage jobs to Albany. Since the Schrock property is the last piece between Albany and Tangent along Highway 99, we should proceed. This is a positive step.

Councilor Christman asked, how would these three compare to other sites size-wise? Sharp said all are "good size" pieces and could be presented by their own merits or as a package.

Konopa said it would be more desirable for someone to want to mitigate wetlands if it is in the UGB, whereas it would be more protected if it were not in the UGB. She asked, why wasn't the Council told about the UGB discussion during the PepsiCo negotiations? She is disappointed in the lack of communication from staff with Council. She asked, what is our vision? Do we want to be as big as Portland? We need to do a community survey and ask the community how big they want to get and how they want to grow. She hears very little that is positive about the rate of growth in Albany. She believes an outside organization needs to do the community survey.

**MOTION:** Konopa moved that the Council does not direct staff to initiate an Urban Growth Boundary expansion for industrial land at this time and instead hire a firm to do citywide survey, with the text of the survey to be approved by the City Council. Councilor Dick Olsen seconded the motion.

Olsen asked, when we decide if we need land, do we consider vacant land only or do we include occupied land? He asked, is it our philosophy that we need a certain amount of occupied industrial land to be healthy, or do we want a certain amount of vacant land? Sharp said the land where PepsiCo will locate has been zoned industrial since 1981. It was already there when the analysis of industrial lands was done. It is not a given that the new study would conclude we need more inventory; though it is likely. It takes two components to convince the state: that there is a need, and that the proposed locations are appropriate for industrial.

Olsen thinks the citizens should be allowed to comment.

Hare said that the UGB amendment process is very lengthy and would involve the public. They would have many opportunities to weigh in. Even if the decision is made to expand the UGB, there is still a public vote for annexation approval. Hare explained that during the negotiations with PepsiCo, staff agreed to simply propose the UGB expansion to the Council, which is what they are doing tonight. They committed to nothing more.

Olsen would rather ask the public's opinion before spending money on a consultant. Hare said a formal public survey is possible but would dramatically delay the process if we do eventually move forward.

Olsen asked, if I had read the City's agreement with PepsiCo, would this issue be in there? City Attorney Jim Delapoe said no, it was not in that formal agreement and is not part of a contract. Hare sent a letter to the property owner's attorneys stating that he would make the proposal to the Council. Olsen would have liked to see it in an email update.

Konopa asked to hear from the Councilors that do not support doing a community survey. Killin replied, Albany was started because the Montieth brothers thought it was a good site. We are at the middle of four major highways and two rivers. Whether we like it or not, folks know that this area could grow. We have transportation facilities so we are appealing to businesses; they will want to locate here. It is a specious argument to ask if we want to be like Portland or Los Angeles; of course not. We currently have a population that does not have the industry to support it. We will grow no matter what. If we want to have family wage jobs, then we have to make land available to industry. Killin has not heard all the negativity Konopa has; he has heard more positive comments in every cross-section of the community. Killin said, we must be pragmatic. Albany has a future and is called the hub of the Willamette Valley. We must do what is good for Albany and those that live here, to provide the jobs they want so they won't have to go out of the City to work.

Johnson believes we got PepsiCo because we were shovel-ready. She does not think we should assume we are not going to grow. She has not heard negativity. People do not tell her they don't want the jobs to come and clean industry to come. She is opposed to the motion because we need to have our eyes open and accept that growth is inevitable. We need to look to the future, not try to keep Albany like it was in the past.

Olsen said the folks that he talks to are concerned about Albany's rapid growth.

Konopa said she is not referring to PepsiCo growth, but rather to people and housing. We need to look at the whole picture. She is not opposed to growth, but wants managed growth. If we had managed growth we would not have traffic impacts.

Councilor Reid said he has yet to hear anyone proposing zero growth. We need roads to drive on and places for people to live. Industry takes up land but does not add to schools or the cost of public safety. He would rather see industry come in than a comparable number of houses. He wants to see added income without cost to public safety and schools.

**VOTE:** The motion failed 2-4 with Killin, Johnson, Christman, and Reid voting no.

**MOTION:** Killin moved to authorize staff to initiate an Urban Growth Boundary expansion for industrial land by engaging a consultant for up to \$100,000, to be paid out of the General Fund contingency. Johnson seconded it.

Konopa remarked, this Council barely passed funding for Camp Boondoggle, but can so easily spend \$100,000 quickly so someone can sell their property. This money could be used for public safety, library staff, other needs we already have for existing residents.

Hare said that the impetus for family wage jobs is in the Strategic Plan. Staff is following that roadmap. In January the Council will have the opportunity to make a policy level decision about the direction they want staff to go in the future. He sees this action tonight as a process in motion that is lengthy and requires public review, to fulfill a directive that the Council put forth in the Strategic Plan.

**VOTE:** A vote was taken on the motion and it passed 4-2, with Olsen and Konopa voting no.

#### Adoption of Resolution

Accepting a right-of-way dedication from Richard E. Harper, Alice Weatherford Harper, and CCJC, LLC, ET AL.

**MOTION:** Johnson moved to adopt the resolution to accept a right-of-way dedication from Richard E. Harper, Alice Weatherford Harper, and CCJC, LLC, ET AL , and Christman seconded it. The motion passed 6-0 and was designated Resolution No. 5353.

#### BUSINESS FROM THE COUNCIL

Johnson said it is nice to see the clock tower going up at the Multi Modal Transportation Center.

Killin handed out a list of potential interview questions for the Council vacancies in January (see agenda file). He asked the Councilors to review the questions and let him know of any changes they would like to see. If they have any questions they would like to use they can, as long as they use the same question with each candidate.

Killin will be assigning Councilors to various Committees. He thinks he can fulfill all of their preferences.

Killin noted that Police Chief Ed Boyd almost has a full staff at the Police Department now. Reid noted that although they are hired, officers still require training so may not be on the road for awhile.

#### NEXT MEETING DATE

The next Regular Session of the City Council is scheduled for Wednesday, December 13, 2006, at 7:15 p.m., in the City Council Chambers at City Hall.

RECESS TO EXECUTIVE SESSION TO DISCUSS REAL PROPERTY TRANSACTIONS IN ACCORDANCE WITH O.R.S. 192.660(2)(e)

The Regular Session was recessed to Executive Session at 6:00 p.m.

#### RECONVENE

The Regular Session reconvened at 6: 25 p.m.

#### ADJOURNMENT

There being no other business, the meeting was adjourned at 6:25 p.m.

Respectfully submitted,

Mary Dibble, CMC  
Deputy City Clerk

Reviewed by,

Wes Hare  
City Manager