

CITY OF ALBANY  
CITY COUNCIL  
Council Chambers  
Wednesday, June 11, 2008  
7:15 p.m.  
**MINUTES**

CALL TO ORDER

Mayor Bedore called the meeting to order at 7:17 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Bedore led the pledge of allegiance to the flag.

ROLL CALL

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

SCHEDULED BUSINESS

Second Public Hearing

Creating an Economic Improvement District in Downtown Albany.

Bedore opened the public hearing.

No one wished to testify.

Bedore closed the public hearing at 7:19 p.m.

City Attorney Jim Delapoer read for the first time in title only "AN ORDINANCE CREATING AN ECONOMIC IMPROVEMENT DISTRICT IN ACCORDANCE WITH ORS 223.112 THROUGH 223.132, AND DECLARING AN EMERGENCY."

MOTION: Councilor Konopa moved to have the ordinance read a second time in title only. Councilor Johnson seconded the motion and it passed 6-0.

Delapoer read the ordinance for a second time in title only.

MOTION: Councilor Reid moved to adopt the ordinance. Konopa seconded the motion and it passed 6-0, and was designated Ordinance No. 5695.

Johnson commented that Albany Downtown Association Manager Rick Rogers did a great job.

Adoption of Findings and Final Decision

PA-01-08 and VR-05-08, appealing the Planning Commission's approval of a tentative partition plat that would divide a 1.59-acre parcel of land into two parcels (north side of Valley View Drive NW).

Bedore explained that staff is asking for the adoption of findings and final decision of file PA-01-08, a Tentative Partition Plat that would divide a 1.59-acre parcel of land into two parcels. The applicant is Orezona Building Company. He said the Council may recall that they held a public hearing on this application May 28 and tentatively approved the application. Staff has presented the Council with a supplemental findings document which provides findings, conclusions, and conditions in addition to the staff report to support the Council's decision. He said that there were motions for the Council's consideration on blue paper on the dais as well as a correction to the report (in agenda file).

Planning Manager Don Donovan explained the difference from the original plat and the revised plat, saying the easement for the shared driveway went from 40-feet wide to 50-feet wide and there was a minor change in the configuration of the easement for the septic system.

Councilor Olsen said he had talked to the owners and they assured him they would not subdivide the property after the partition into two properties, so he is agreeable to the partition. Donovan added that in the conditions of approval, the City is requiring them to record that they will not divide parcel two again.

Councilor Collins noted that although he wasn't at the meeting, he did review the minutes and feels he is informed enough to make a decision on this issue, but will abstain from voting unless necessary.

MOTION: Councilor Christman moved to approve, with conditions, the revised Tentative Partition Plat application that would divide a 1.59-acre parcel of land into two parcels; and the Variance application to

allow four parcels to share an access easement. Reid seconded the motion and it passed 5-0, with Collins abstaining.

#### Business from the Public

Graig Sheets, from Southern California, provided personal information (in agenda file) regarding drug trafficking in Albany and the surrounding area.

#### Adoption of Resolutions

##### Authorizing the Parks & Recreation Department to apply for a Youth Legacy Park Special Grant from the Oregon Parks and Recreation Department for Teloh-Calapooia Park.

MOTION: Reid moved to adopt the resolution authorizing the Parks & Recreation Department to apply for a Youth Legacy Park Special Grant from the Oregon Parks and Recreation Department for the restoration and renovation of Teloh-Calapooia Park to provide a nature based playground and multi-use wood chip path system and authorizing the Parks & Recreation Director to sign the application. Johnson seconded the motion and it passed 6-0, and was designated Resolution No. 5612.

##### Revising fees for Development Code provisions.

Christman mentioned that although the Planning Department was increasing fees, activities have decreased and therefore the City will not see any increases in revenue.

Konopa agreed, adding that it is not a full cost recovery.

MOTION: Konopa moved to adopt the resolution revising fees for Development Code provisions and repealing Resolution Nos. 5450 and 5478. Reid seconded the motion and it passed 6-0, and was designated Resolution No 5613.

##### Revising the Transportation Project List.

MOTION: Konopa moved to adopt the resolution revising the Transportation System Project List and repealing Resolution No. 5481. Reid seconded the motion and it passed 6-0, and was designated Resolution No. 5614.

#### Adoption of Consent Calendar

- 1) Approval of Minutes
  - a) May 14, 2008, City Council Meeting
  - b) May 19, 2008, City Council Work Session
- 2) Appointing City Manager Pro Tems.
- 3) Authorizing the Fire Department to accept \$1,000 from Joe's Sports & Outdoor Foundation for the 2008 Safety Camp Program. RES. NO. 5622
- 4) Accepting utility easements from Oregon Metallurgical Corporation for the purpose of constructing a:
  - a) sanitary sewer force main. RES. NO. 5615
  - b) sewer force main. RES. NO. 5616
- 5) Annual liquor license renewals.
- 6) Declaring the City's eligibility to receive state revenues. RES. NO. 5617
- 7) Declaring the City's election to receive state revenues. RES. NO. 5618
- 8) Accepting abstract of votes for ballots cast in the state of Oregon election held Tuesday, May 20, 2008:
  - a) City of Albany Measure 22-77: Annexation of property at 330, 340, 410 Clover Ridge Road and Tax Lot 11S-03W-4AB-0900, totaling about 15.9 acres. RES. NO. 5619
  - b) City of Albany Measure 22-78: Annexation of properties located north of Dunlap Avenue NE and west of Clover Ridge Road NE, totaling about 14.9 acres. RES. NO. 5620

Konopa asked to have item 1a) pulled for discussion.

MOTION: Konopa moved to adopt the Consent Calendar with item 1a) pulled for discussion. Reid seconded the motion and it passed 6-0.

Konopa said on page four, line three, the word "passed" should be replaced with "drafted".

MOTION: Konopa moved to adopt item 1a) of the Consent Calendar with the correction. Reid seconded the motion and it passed 6-0.

First Reading of Ordinances

Proclaiming the annexation and zoning of properties located north of Dunlap Avenue and west of Clover Ridge Road NE and containing approximately 14.9 acres.

City Attorney Jim Delapoer read for the first time in title only "AN ORDINANCE PROCLAIMING THE ANNEXATION AND ZONING OF PROPERTIES LOCATED NORTH OF DUNLAP AVENUE AND WEST OF CLOVER RIDGE ROAD NE, AND CONTAINING APPROXIMATELY 14.9 ACRES."

MOTION: Reid moved to have the ordinance read a second time in title only. Konopa seconded the motion and it passed 6-0.

Delapoer read the ordinance for a second time in title only.

MOTION: Reid moved to adopt the ordinance. Konopa seconded the motion and it passed 6-0, and was designated Ordinance No. 5696.

Proclaiming the annexation of property on Clover Ridge Road NE and containing approximately 15.9 acres.

City Attorney Jim Delapoer read for the first time in title only "AN ORDINANCE PROCLAIMING THE ANNEXATION OF PROPERTY ON CLOVER RIDGE ROAD NE AND CONTAINING APPROXIMATELY 15.9 ACRES."

MOTION: Reid moved to have the ordinance read a second time in title only. Konopa seconded the motion and it passed 6-0.

Delapoer read the ordinance for a second time in title only.

MOTION: Reid moved to adopt the ordinance. Johnson seconded the motion and it passed 6-0, and was designated Ordinance No. 5697.

Second Reading of Ordinance

Amending Ordinance No. 4441, which adopted the City of Albany Zoning Map and adopting findings, conclusions, and condition for properties located west of Clover Ridge Road NE.

Delapoer read for a second time in title only "AN ORDINANCE AMENDING ORDINANCE NO. 4441, WHICH ADOPTED THE CITY OF ALBANY ZONING MAP AND ADOPTING FINDINGS, CONCLUSIONS, AND CONDITIONS FOR PROPERTIES LOCATED WEST OF CLOVER RIDGE ROAD NE."

MOTION: Reid moved to adopt the ordinance. Konopa seconded the motion and it passed 6-0, and was designated Ordinance No. 5698.

Award of Bid

SS-06-05, 34<sup>th</sup> Avenue sanitary sewer lift station.

City Engineer Mark Shepard said that unfortunately the bids for this project came in over the Engineer's estimate.

MOTION: Collins moved to award the contract in the amount of \$1,626,900 to the low bidder, Emery & Sons Construction, Inc., of Stayton, Oregon. Johnson seconded the motion and it passed 6-0.

Report

BR-06-01, Second Avenue crossing of Periwinkle Creek.

Shepard said that this project came in under budget. The City had to terminate the first contract because of failure to make substantial progress on the project. Emery & Sons Inc. became the second contractor and was able to complete construction of the project, including final asphalt paving, in December 2007. Costs for this project are funded from money that the City received through the 2003 OTIA III Local Bridge program. The signed agreement between the City and ODOT require the City to return any unspent balance, which is approximately \$80,500.

BUSINESS FROM THE COUNCIL

Christman said that it seems that the Council deals with infrastructure concerns in North Albany on a regular basis. He would like to propose having a task force to look at infrastructure issues there. Not only would the task force identify problem areas, but they would be tasked to put together a plan to look at how to prioritize and

fund solutions. He said he wouldn't want the task force to focus on growth in North Albany, but to figure out a way to fix some of the issues that exist. He believes the task force should include representation from the City at large as well as Councilors and representatives from North Albany.

Konopa said she believes it is good to explore those issues. She would ask staff to review the possibility for timing, costs, and have them bring back information and a timeline. She would want the Council to decide on representation.

City Manager Wes Hare said there is a master plan for utilities that can be reviewed for needs. Does the Council want them to look at funding options? Christman added for them to prioritize as well. He said that one area he talked to Public Works Director Diane Taniguchi-Dennis about was sewer and septic tanks. There are a significant number in North Albany and they will eventually have to be connected to the sewer system. Christman said he wants the task force to give direction to staff, similar to the process that happened for the water rates.

Johnson agreed with Christman.

Collins said there is a 40-year history of infrastructure concerns in North Albany. There are multiple plans out there. He would agree to have a group come together to share information and provide that information to the Council and the community. The City is spending money and making progress; although sometimes it is not visible.

Olsen said, if we have a task force, the public wouldn't get to see much. He prefers providing public information. He agrees with Collins that the City needs to educate citizens.

Bedore thinks Christman is talking about integration, linking the multiple plans for the area together, and getting some fresh ideas. He likes the approach used with the Transportation Plan; meetings in schools, inviting the surrounding neighborhood, etc.

Johnson said she would like to see the task force prioritize concerns. They should answer the question: what needs to be done now?

Christman said his intent is not to get information out to people in North Albany, but with the information the City gets, formulate a plan that prioritizes needs in North Albany. Using the Water Task Force as an example, he explained that the Water Task Force put the City on a path to get a water facility in place.

Hare suggested that the first step is to have the Public Works and Community Development Departments, at a City Council Work Session, prepare an executive summary of the major infrastructure issues in North Albany and the current planned improvements. He said that would give the Council an idea of the basic structure in North Albany and give a base line from which to draw. The Council can go from there. The Council agreed and directed staff to proceed.

Christman said he would not be able to attend the June 23 Council Work Session with the Linn County Commissioners.

Hare said the Special Work Session on electronic agenda packets has been rescheduled for July 14.

Olsen commented that his neighbors were pleased with the work and the way it was done regarding separating storm drains on roofs from flowing out to the street into the sewer system. Shepard will pass that along to the company the City hired.

Johnson related a compliment about Chief Boyd from a police staff member.

Reid welcomed the returning National Guard members. Bedore suggested the Council pass a resolution or proclamation welcoming the 224 Engineer Company back to the community. The Council agreed and directed staff to prepare something to be adopted at the next meeting.

Konopa said she attended a meeting regarding neighborhood concerns about the Waverly Drive project. She said Shepard was there as well and the community had an opportunity to air their concerns about a traffic light.

Bedore said he would be going to visit a site regarding the PSRB Siting Committee, the community homes for ~~incarcerated state sex offenders~~. (...offenders who have committed a crime except for a plea of mental defect. Corrected June 25, 2008.)

Hare reported that staff had a visit from representatives from PepsiCo. They were in town meeting with representatives of the Weatherfords, concerning property PepsiCo is purchasing, and dropped by to meet with City personnel. He also reported that he went to the state capital to give a report on the "Big Look" Committee, which has been reinstated.

Albany City Council Regular Session  
Wednesday, June 11, 2008

Shepard asked the Council to suggest names for the road in front of the new school being built in north east Albany. As it runs north and south, it cannot be an avenue. The Council agreed to submit names.

NEXT MEETING DATE

The next Work Session of the City Council will be a Joint Work Session with the Linn County Commissioners on June 23, 2008, at 4:00 p.m., and the next Regular Session is scheduled for June 25, 2008, at 7:15 p.m., in the Council Chambers, at City Hall.

ADJOURNMENT

There being no other business, the meeting was adjourned at 8:20 p.m.

Respectfully submitted by,

Reviewed by,

Betty Langwell, CMC  
City Clerk

Stewart Taylor  
Finance Director