

CITY OF ALBANY
CITY COUNCIL
Council Chambers
Wednesday, August 13, 2008
7:15 p.m.

MINUTES

CALL TO ORDER

Mayor Bedore called the meeting to order at 7:19 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, Jeff Christman

SCHEDULED BUSINESS

Communication

Accepting resignation from Anna Anderson from the Human Relations Commission.

MOTION: Councilor Johnson moved to accept the resignation of Anna Anderson from the Human Relations Commission and send a thank you letter for her service. Councilor Collins seconded the motion and it passed 6-0.

Public Hearings

AN-01-08, proposing the annexation of properties located south of Knox Butte Road and forwarding the question of annexation to the voters on the November 4, 2008, ballot.

Bedore said this is a quasi-judicial public hearing regarding an application to annex approximately 30.15 acres south of Knox Butte Road and west of Scrael Hill Road. The applicants are Sid and Cindy Miles.

Bedore opened the public hearing and asked if any member of the City Council wished to abstain. No one did. He asked if any members of the City Council wished to declare a conflict of interest, or report any significant ex parte contact or a site visit. Bedore said he did a site visit. No one else did.

Bedore explained that for all those wishing to testify, be aware that you must raise an issue with enough detail to afford the Council and parties an opportunity to respond to the issue if you later want to raise that issue on appeal to the Land Use Board of Appeals (LUBA). Testimony and evidence must be directed towards the approval standards staff will describe or other criteria in the plan or Development Code which you believe apply to the decision. If additional documents or evidence are provided by any party, the City Council may allow a continuance or leave the record open to allow the parties a reasonable opportunity to respond. Any continuance or extension of the record request by the applicant shall result in a corresponding extension to the 120-day limit. Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with enough detail to allow the local government or its designee to respond to the issue precludes an action for damages in Circuit Court.

Staff Report

Infrastructure Analyst Mike Leopard said this application is a request to annex approximately 28 acres on the south side of Knox Butte Road west, of Scrael Hill Road. There is a conflict between the surveyed property line and an existing house on the adjacent property near the northeast corner of the site. The applicants are working with this neighbor to do a property line adjustment to resolve this issue. But, because of the timing constraints of the annexation election, they were unable to complete the adjustment before needing to proceed with the annexation application. The applicants feel that a similar issue could arise with the remainder of the eastern property boundary. Because the fence line near the eastern boundary doesn't coincide with the property line, there may be other claims regarding that area. Therefore, they have opted to remove the eastern 110 feet from the annexation request.

Leopard said there are four criteria for annexation. The first is that the property is eligible to be annexed because it is within the Urban Growth Boundary (UGB) and is contiguous to the existing City limits. The second requires that public facilities are available or can be made available in a timely manner. No public utilities currently exist adjacent to the subject property. The nearest water main is approximately 3,200 feet west in Knox Butte Road. Sewer is about 400 feet west of the site at Knox Butte Road and Marilyn Street. Storm drainage improvements consist mainly of roadside ditches along Knox Butte Road. The subject property currently has access to Knox Butte Road. San Felicia Avenue is a local unimproved street under

the jurisdiction of Linn County. The City uses an Annexation Agreement to insure that all needed public infrastructure improvements will be made by the developer before development can occur on the site. The agreement is a method of assuring that the necessary improvements are made in “a timely manner”. The third criterion requires that sufficient planning and engineering studies have been completed so there are no significant unresolved issues. Such studies include: infrastructure facility plans, Comprehensive Plan work, buildable lands inventories, etc. All of the City’s Facility Plans include the entire UGB in their study areas. A local wetland inventory shows considerable wetlands on the property. Recent Comprehensive Plan updates did not result in any changes to the Urban Residential Reserve designation for this area. The most recent Buildable Lands Inventory indicates that there is a surplus of single-family zoned land in the City. The applicant has chosen not to apply for a City zoning designation at this time. The property owner will apply for a City zone in the future when a specific development proposal is determined for the property. Until then, the land will retain its current UGM-20 zone. The final criterion is “reasonableness”. This gives the City Council the ability to consider any other factors they believe may help determine if this annexation request is reasonable at this time.

Leopard explained that general elections are in May and November of even numbered years. There are no additional costs to the applicant by putting the annexation on the ballot at these elections. However, elections that occur in odd numbered years are not general elections, and the applicant may face considerable costs to have an annexation placed on these elections.

Leopard said another issue that has been discussed in the past pertains to the creation of “islands” of unincorporated territory. If the subject property is annexed, an island will be created to the west. This island will consist of about 26 parcels totaling around 15 acres.

Leopard added that in the past few years, the City has dealt with a number of annexations in this general area, mainly along Clover Ridge Road. In those cases, staff has included a clause that requires future development with lots along Clover Ridge Road to face Clover Ridge Road. This is intended to minimize backyard fences along the street. Initially, this clause was also included in the Annexation Agreement for this application, but further discussions with the applicants and the City’s Transportation Engineer has resulted in removal of the clause due to the 45 mph posted speed on Knox Butte Road and the likelihood that direct access to Knox Butte Road would be restricted. Therefore, in the Annexation Agreement staff has eliminated Section 7 (on page 20) related to this issue. Because of this change, the applicants have not signed the Annexation Agreement and staff is recommending that if the Council decides to approve this annexation request, it be with the condition that approval is contingent upon the applicant signing the revised Annexation Agreement.

Councilor Konopa asked, would the revised Annexation Agreement be with item 7 removed? Leopard said yes and explained that the basic concern for annexing without zoning is that the annexation process takes much longer than any other application. In the future, when it is decided what it should be zoned, they will follow that process. Also staff and the applicants haven’t been able to agree on an appropriate zoning at this time, partly because the Buildable Lands Inventory indicates that the City has a surplus of single family property. The applicants wanted to get the annexation over with, then in the future look at the market to decide on the most appropriate zoning for the property.

Johnson asked, is this the exception? Leopard said that this is different. In the last year or so staff has separated annexations from the zoning of the property, partly to allow appeals on either issue to be separated.

Applicant

Don Kelly, 110 North 2nd Street, Silverton, thanked staff saying that they were very helpful. He introduced Mr. & Mrs. Miles, the applicants, and Engineer Mark Grenz. Kelly said they have been in touch with the two neighboring property owners and they are in the middle of negotiations. That is not a legal issue that affects the annexation. On San Felicia Avenue there have been difficulties with septic tanks and they may have access to infrastructure when this property gets developed. Regarding separating the zoning from the annexation, he said Oregon land use laws are a long process to follow and with the uncertainty of the housing market, they believe taking one step at a time is a more reasonable approach. They will be dealing with the zoning later. He understands that it would create an island and he referred that issue to city Attorney Jim Delapoer for Council options. He said the Planning staff and the Planning Commission have recommended that it go to the voters. The applicants are asking the Council to recommend it to the voters as well.

No one else wished to speak.

Bedore closed the public hearing at 7:36 p.m.

Konopa wanted more information regarding item 7. Delapoer said that what is being proposed is that the decision of what direction the lot faces be determined at a later date. The Council can impose subdivision standards at any time, later. If staff knew for certain that the Council wanted street orientation towards Knox Butte Road, given the speed on the road, then the City would want it in the annexation agreement. This exclusion is not precluding anything, just not making the decision now.

Konopa said in the past the Council wanted more teeth in the agreement because they had more influence at this time to have the buildings orientated towards the street. She supports a livable development.

Councilor Olsen asked, can that question come back to the Council with the site plan? Community Development Director Greg Byrne said that it could. He said there are safety concerns regarding the orientation as well as design issues. As staff they want to exercise design options that the Council wants. He would not advise calling up individual development reviews at this stage because they don't even know what the zoning is for the property.

Councilor Christman said all that the Council is deciding is the annexation tonight; not zoning. Therefore, it could be zoned something other than residential later on. Debating that issue now is not critical and he believes the Council will have more flexibility later.

Konopa said she was concerned that the annexation process no longer contains the zoning. She said in the past the Council would see the site plans so the voters would know what they would be voting on. Right now the voters wouldn't know what would be happening to the property. It could be commercial, multi-family, or low density. She would prefer zoning be included at this phase. Leopard said the zoning proposals would have to come to the Council for approval. Konopa said, but the voters wouldn't get to vote on it.

Johnson asked if there were any water lines available in the area. Leopard said there is none. Johnson said that may be a plus for other property owners if they bring water out there. She was concerned about the creation of the island.

Collins was concerned about the island as well. He asked if any staff has contacted the properties in the island. Leopard said that the applicants said they contacted property owners in the island area who said they weren't opposed to the annexation being proposed, but they didn't want to join the annexation right now. Collins said, we know we have septic problems in that area and there is limited water supply with the wells, so eventually there will be health issues and the City may end up funding a solution to a bigger problem. He doesn't like a hop scotch approach to annexation, he would prefer for more of the property owners to consent to come into the City. He believes it puts the City in a bad position.

Delapoe explained that with an island the City Council could put the proposal of an annexation of the island before the voters without the consent of the property owners. If there is a health problem there now, currently the Council does not have the right to bring it before the voters. If it is an island the Council makes the call.

Konopa doesn't believe it is fair to compel property owners into the City. She is against island annexation. She asked, how many people were notified of this public hearing? Leopard said everyone within the surrounding 300 feet of the boundary.

Johnson asked, were the people in the area contacted about what shape their wells and sewers are in? Leopard said no. He explained that there are two or three properties that were unable to get repair permits from Linn County.

City Manager Wes Hare said generally people outside city limits want to stay out there.

Christman said one of the advantages of bringing the property into the City is that it allows ordinances to be applied to the property.

MOTION: Christman moved to approve the annexation with the condition that the owners sign a revised annexation agreement. Johnson seconded the motion and it failed 2-4, with Konopa, Councilor Reid, Collins, and Olsen voting no.

MOTION: Konopa moved to tentatively deny the request for the Council to propose the annexation of properties located on Knox Butte Road SE and forward the question of annexation to the voters on the November 4, 2008, ballot, and direct staff to prepare findings to support denial. Reid seconded the motion and it passed 5-1, with Christman voting no.

LA-05-08 and MN-01-08, 1020 and 1110 Hill Street SE, appealing the Planning Commission's approval of Modification to a Nonconforming Use to allow a change from industrial use to an automotive repair business.

Bedore said that based on technical problems and the resulting inability to use their power point presentation, the opponent asked the Council to consider taking up this issue at another meeting.

Tim and Paula Connaghan, 845 SW 29th Avenue, the applicants, objected to a postponement because delays are costing them time and money.

Delapoe asked staff where the project was regarding the 120-day time line. Planning Manager Don Donovan said that 120 days would be up on September 11. It would be possible to postpone to the August 27 or September 10 meeting.

MOTION: Collins moved to deny the request for postponement and hold the public hearing tonight. Johnson seconded the motion and it passed 5-1, with Reid voting no.

Bedore opened the public hearing saying this is a consolidated quasi-judicial public hearing regarding an appeal of the Planning Commission's approval of a Modification to a Non-conforming Use to allow a change from an industrial use to an automotive repair business and a property line adjustment that would transfer approximately 0.4 acres of land from Linn County Assessor's Map No. 11S-3W-7AC; Tax Lot 102 to Tax Lot 104. The applicant is Crabtree Automotive Incorporated. These are City of Albany case files MN-01-08 and LA-05-08.

Bedore asked if any members of the City Council wished to abstain. No one did.

Bedore asked if any members of the City Council wished to declare a conflict of interest, or report any significant ex parte contact or a site visit. Reid and Konopa said they drive by the business on a regular basis during a normal working day.

Staff Report

Donovan said the property is made up of two separate parcels of land located on Hill Street south of 9th Avenue, at 1020 and 1110 Hill Street. The property is currently owned by Terry Shores, but Timothy and Paula Connaghan plan to buy the property. The Connaghans own Crabtree Automotive and want to move the business to an existing warehouse on the property. The property line adjustment would adjust the boundary between the two parcels. The Crabtree Automotive auto repair business would be located on one of the parcels and the Connaghans say they would sell the other parcel. There have been a variety of industrial uses on this property for at least 30 years. The property was zoned Heavy Industrial (HI) until 2003, when the City changed the zoning to Office Professional (OP) as part of periodic review of the zoning map. There is an industrial use on the property now. Industrial uses are not allowed in OP zones. The industrial use on the property became what's called a non-conforming use when the zoning was changed to OP. The long term objective of zoning the property OP is to establish office uses on the property that will be more consistent with the operations of the retail stores and offices on surrounding properties. Generally, non-conforming uses are allowed to continue until someone is ready to establish an office use on the property. The Albany Development Code also allows non-conforming uses to be modified. The Connaghans have applied to modify the existing use of the property.

There are four review criteria that have to be met for the application to be approved. When the City's Planning Division receives an application, staff provides a report that explains how the application meets the review criteria or how the application can meet the review criteria if conditions of approval are required. When the City holds a public hearing, the staff report goes to the City Council and is made available to the public about a week before the hearing so everyone has a chance to see it. One of the neighbors asked for a public hearing. The Planning Commission held a public hearing and approved the application. Now another neighbor appealed the Planning Commission approval to the City Council.

A Property Line Adjustment application usually is just reviewed by staff, but if it is submitted with an application that follows a different review process, it follows that process as well and that is why it is included here.

Marianne McDonald appealed the Planning Commission decision to the City Council. Her appeal says that she believes that the documentation used in the review of the application is inadequate and that we should review the proposed use with the current use of the property to make the decision about whether the proposed use should be approved. Donovan said, she is correct that this is the approach that the City should use. There has been some confusion about what is the current use of the property and the Council will hear more about that. McDonald's appeal is attached to the staff report.

The first review criterion for the Modification to a Non-Conforming use requires that "The nonconforming situation was not created unlawfully." The current use of the property was approved in 1994. The property is currently used by two businesses owned by Shores. One is a business that unloads lumber from rail cars and loads it on trucks. Rail cars are pushed up a rail siding near the warehouse. Lumber is sometimes stored in the warehouse. A 2,800-square-foot cover to be used as a loading and unloading area for rail cars was approved in 1994. The other business is called the Plaque Factory. They make plaques that are sold as home decorations.

The second review criterion requires that "With mitigation measures, there will be a net decrease in overall detrimental impacts (over the impacts of the previous use or development) on the surrounding area taking into account factors such as: (a) the hours of operation; (b) vehicle trips to the site and impact on surrounding on-street parking; (c) noise, vibration, dust, odor, fumes, glare, and smoke; (d) potential for increased litter; and (e) the amount, location, and nature of any outside displays, storage, or activities." When the existing use on the property was approved in 1994, the owner explained that the business operated from 7:00 a.m. to 9:00 p.m. It may not still operate those same hours. The automotive repair business will operate from 8:00 p.m. to 5:00 p.m., Monday through Friday. In written information submitted with the application, the applicants explain that the current business averages 20 rail cars a month and 60 semi-trucks a month. The proposed

automotive repair business will not use any rail cars and will have only an occasional truck delivery, but no semi-trucks. Tow trucks will deliver cars to the business a few times a week. This property does not have any landscaping now, except there is a thick hedge along part of the Hill Street frontage. The applicants propose to provide the number of parking spaces required for the automotive repair business on the property. The applicants also propose to landscape the front yard of the property where the warehouse is located and landscape the parking lot, all in accordance with current standards. They also propose to remodel the front of the warehouse. The applicants submitted a landscape plan and a drawing that shows the new façade of the building. A few revisions to the landscape plan are needed. The applicants have actually submitted a revised plan that is intended to address the conditions of approval listed in the staff report. Staff has not reviewed it yet. The current business uses rail cars, semi-trucks, and forklifts. The new business will not use any of this type of equipment. Outside storage was approved for this property in 1994, and there has been storage of lumber and other materials since that time. There doesn't seem to be any outside storage on the property now. The automotive repair business will not have any outside storage, except the site plan shows a fenced area on the south side of the remodeled building, which will be used for vehicle storage when cars are towed to the business. ADC 4.290(1) says that in OP zones, outside storage or display of materials, junk, parts, or merchandise is not permitted. The vehicle storage area is simply a place to park vehicles that have been towed to the business after hours. All of the cars that are being worked on will be kept inside the building. The fence will have to meet Development Code standards for fences.

The written staff report concludes that with the required conditions of approval, there will be a net decrease in overall detrimental impacts with the auto repair business over the impacts of the previous uses. The second review criterion is met as well.

The third review criterion applies only if the property is zoned residential and this property is not.

The fourth review criterion requires that "If the nonconforming use is in a commercial or industrial zone, and if any changes are proposed to the site, the appearance of the new use or development will not detract from the desired function and character of the zone." Based on the information just given, the written staff report concludes that the appearance of the new use or development will not detract from the desired function and character of the OP zone in which this property is located.

There are letters attached to the staff report from Marianne McDonald and the Rowe family who oppose approval of the Modification to a Non-Conforming Use application. There are also letters from At Home Furniture, Rhodes Warren Insurance, the Andersons, Albany Millersburg Economic Development Corporation, and the Albany Chamber of Commerce who support the project. Staff received an email from Art Powell after the staff report went to the City Council, and it has been put in front of the Council tonight. Mr. Powell supports the project.

There are four review criteria that have to be met if the Property Line Adjustment is to be approved. The written staff report includes a discussion of the criteria and how the application for these properties meets the criteria. The written staff report concludes that review criteria for a Property Line Adjustment are met by the application. There are some recommendations listed in conditions of approval for the applications.

The request for the public hearing was related to the Modification to a Non-Conforming Use application, so there was no further discussion about the Property Line Adjustment application.

Reid asked, will the reload ramp be removed? Donovan said, it is on the railroad right-of-way. That is a decision to be made by the railroad.

Applicant

Timothy and Paula Connaghan, 845 SW 29th Avenue, read a letter (in the agenda file) explaining their position. Paula Connaghan also noted that automotive shops are usually loud, but they have never been loud as they have taken precautions to be good neighbors. They are willing to do whatever the City would require to lower noise levels.

Konopa asked, where are the big doors? Connaghan answered at the north and south ends of the building. She said that because of the configuration within the building, noise is unable to get out the doors.

Konopa asked, how do you control air emissions on the inside? Connaghan said they have an air capture system.

In Support

Terry Shores, 2585 Queens Branch Road, Rogue River, provided a letter (in the agenda file) explaining the property use of 1110 Hill Street SE. He said that they run a CNC Router and it is very loud, but when outside of the building, you cannot hear it. He believes Crabtree Automotive will improve the property.

In Opposition

Marianne McDonald, owns 915 S 15th Avenue but currently lives in Salem, said she doesn't feel the criteria were met. Specifically she doesn't believe the noise criteria were met. She provided a handout with signatures on it requesting that the application be denied (in the agenda file). She walked the Council through a paper adaption of her PowerPoint presentation (in agenda file). She emphasized that the current levels of activity at the property are infrequent deliveries, with normally only two cars on the site. The south doors are not opened and noise is rarely audible to neighboring residents. They are concerned that the noise levels from the auto repair shop will be significantly higher. She feels the noise level will detract from the property values and cause a financial burden if property were to be sold and even cause a detriment to current rental price. She also mentioned that the OP zoning designation provides a buffer between the residential area and the commercial areas with more intensive uses. She asked that if the modification gets approved, there be a condition to construct a masonry wall to screen noise and unsightly materials. She also believed that the business could be considered an attractive nuisance appealing to people interested in stealing materials for resale and thus raise the crime level in the neighborhood. She included in her summary: noise will be of longer and more intense duration; one driveway will be serving three business locations; neighboring wells may be jeopardized by runoff of oil, gas, antifreeze, and diesel; there is no fire access to the back of the building; there would be significant increases of daily traffic; and there will be an increase in after hours delivery of vehicles by tow truck.

Bedore asked that other people wanting to testify in opposition not repeat this same testimony. If they wish to come forward to voice their opposition they can do so by saying they support McDonald's points.

Norma Rice, 1220 Hood Street, said she has lived in the neighborhood since 1978 and has watched it change. The only noise she has heard from the current business was one pallet scrapping across concrete. She too is questioning the low noise levels claimed by the applicants.

Tim Rowe, 905 12th Avenue, agrees with all that has been said. He said there is a two-story house across the street from the property that would be impacted much more by the noise and he doesn't feel a six-foot fence would be enough of a buffer for the second story.

Neither in Favor nor Oppose

Alva Anderson, 1100 Madison Street, said he lives in the closest house to the building. The building has been an eyesore for years. He believes it would be an asset to have a business there. He thinks property values would go up. He has never heard any noise and has lived there for over 13 years. If they are going to insulate the doors and walls, he thinks that will muffle the noise more.

Rebuttal

The Connaghans said all automotive shops make noise. If neighbors can't hear routers now, then they won't hear their business either; and they are willing to accommodate if there is a problem. They do not work after regular working hours. Regarding crime, they are going to fix up and fill the holes that have been used by transients and they have a locked yard now, so there should be no problem. Their compressor is in the building. The driveway that services three businesses, the City is happy with because the City prefers not to have more driveways on Hill Street. There would be more traffic if there was an office building there instead of them. The fire lane has already been approved. The water would not be contaminated. They are registered with the Environmental Protection Agency. The loading dock is not an issue. Trash bins will be locked. The Connaghans think they would be a good addition to the neighborhood. The property abuts a light industrial zoned area and if there is a noise problem, they will address it.

Christman asked, do you have any objection to putting in fencing and noise barriers? Connaghan said they would prefer not to have to put up a concrete wall, but they have no objections.

Johnson asked, where would you store materials like batteries? Connaghan said they are stored indoors and batteries are recycled.

Johnson asked if they had a security system. Connaghan said they have an alarm system and they don't keep anything outside that is of value. They had always planned on eventually putting up a fence. They have never stored a car outside and of course want to secure their materials. Johnson said it sounds like it is a family owned business that would be an asset to the neighborhood.

Bedore closed the public hearing at 9:21 p.m.

Donovan explained the Department of Environmental Quality (DEQ) regulations regarding noise.

Collins said he feels the issues here were based on fears and speculations, and believes many of them could have been taken care of if the parties had been willing to negotiate with each other.

MOTION: Collins moved to tentatively approve with modified conditions, including providing screening and complying with DEQ noise regulation 340-035-0035, the applications for the Modification to a Non-

Conforming Use and the Property Line Adjustment for property located at 1020 and 1110 Hill Street SE. Johnson seconded the motion.

There followed Council discussion regarding the use of trees as a noise barrier.

AMENDING MOTION: Konopa moved to amend the main motion to include trees on the south side of the property as a buffer. Reid seconded the motion and it passed 6-0.

VOTE ON MAIN MOTION: A vote was taken on the main motion and it passed 6-0.

Bedore explained that the vote sets a tentative decision and the approval will be back to the Council for a formal adoption.

Delapoe explained that the decision may be appealed to LUBA, by filing a Notice of Intent to Appeal, 21 days after the decision becomes final.

Business from the Public

Bill Root, 2634 Valley View Drive, said Carol Steele lives adjacent to property in Benton County. She has concerns about coyotes killing her pet kittens. Is there anything the City can do regarding the coyote problem? Benton County said they could be shot as long as they were outside the City limits. She has tried to trap them and has been unsuccessful. She has not been able to contact the property owner.

Reid commented that after years of North Albany complaining about wanting to remain rural, now they have a rural problem that they want the City to solve.

Hare said he would be willing to talk to the Oregon Department of Fish and Wildlife.

Root also complimented the Gibson Hill Road crossing area signs.

Adoption of Resolution

Accepting a local government grant from the Oregon Parks and Recreation Department to develop a new neighborhood park on Oak Street, appropriating funds, and authorizing the Parks and Recreation Director to sign the grant agreement.

Parks Director Ed Hodney commented that staff had a very good meeting with the neighborhood.

Konopa asked if the design and specifics of the park will come back to the Council. Hodney said he would bring it back to the Council.

MOTION: Reid moved to adopt the resolution accepting a Local Government Grant from the Oregon Parks and Recreation Department to develop a new neighborhood park on Oak Street, appropriating funds, and authorizing the Parks and Recreation Director to sign the grant agreement and related documents. Konopa seconded the motion and it passed 6-0, and was designated Resolution No. 5642.

Adoption of Consent Calendar

- 1) Approval of Minutes
 - a) June 23, 2008, Joint Work Session with Linn County Commissioners
 - b) July 7, 2008, City Council Work Session
 - c) July 9, 2008, City Council Meeting
- 2) Granting an easement to Pacific Power for new power lines to serve street lights on Waverly Drive between Grand Prairie Road and Brookside Drive. RES. NO. 5643

MOTION: Konopa moved to adopt the Consent Calendar. Reid seconded the motion and it passed 6-0.

Award of Contract

Radio Frequency Identification Tracking (RFID) and materials handling system for the Albany Public Library.

Olsen asked, is this a device so patrons don't have to see stuff standing on the floor? Library Director Ed Gallagher said mostly behind the scenes. For instance, when a patron returns materials it will be on a conveyor belt. By putting tags on every item owned by the Library, they can be scanned for inventory control. It will also allow patrons to check out their own materials. It will free up staff.

Olsen asked, can it be installed at the Carnegie Library as well? Gallagher said yes, their approach will be a little different, sized according to their need.

Collins asked, what does "primarily funded" mean under "budget impact"? Gallagher said that any difference resulting from the funds received from the endowment will be made up with fundraising. He said that he is not

asking for the Council to award this contract now, only asking for authorization to negotiate a contract. By the time he brings it back to the Council for awarding, the financial budgeting will be in place.

Christman asked, is this item critical to the new Library? Hare responded that it will enhance Library service and will free up personnel to do other things. The new Library is much larger and will require more personnel. This will free up some time at the current personnel level.

MOTION: Konopa moved to authorize staff to negotiate a contract for RFID Tracking and Materials Handling System with SirsiDynix and the Integrated Technology Group (ITG). Christman seconded the motion and it passed 6-0.

Report

Authorizing financial assistance to National Frozen Foods to evaluate wastewater treatment options.

MOTION: Collins moved to authorize financial assistance to National Frozen Foods to evaluate wastewater treatment options. Reid seconded the motion and it passed 6-0.

BUSINESS FROM THE COUNCIL

Konopa said she attended a Millersburg City Council meeting in which they discussed Albany's Call-A-Ride Program proposed expansion. It was well received and they agreed to negotiate with Albany.

Collins asked if there was follow up on the email regarding Mr. Hartman's concern about the Coastal Crossings parking problem (in agenda file). Public Information/ Management Assistant Marilyn Smith said that the City is enforcing the Municipal Code and the owners are receiving tickets.

Olsen asked if citizens aren't watering their lawns because of the cost of water or if there is not enough water being distributed. Public Works Director Diane Taniguchi-Dennis said that people are choosing to conserve water. Christman said that during the Water Task Force meetings there was discussion about allowing some sort of reduced rate when more water was used, for instance in the summer months, but the direction was to prioritize conservation. Dennis said there is plenty of water.

Bedore said he and staff had a meeting with the Signs of Victory Albany Mission about moving its operation from 705 Lyon Street. They considered other sites and he feels it was a constructive discussion.

Bedore attended a Pedestrian and Bicycle Safety Commission meeting and challenged bicyclists to join him on a short ride starting at 9:00 a.m., August 24, in the Costco parking lot. They would go to Timber-Linn Memorial Park to attend the Northwest Art & Air Festival. The cycling event would serve as a kick-off to September's bike commute month.

Hare suggested the Council revisit the ordinance regarding allowing people to follow a process to waive the two dogs per household maximum in the City. He will bring an ordinance and discussion back to the Council.

Smith reported on the clean-up at 330 Marilyn Street.

NEXT MEETING DATE

The next Work Session of the City Council is scheduled for Monday, August 25, 2008, at 4:00 p.m., in the Municipal Court Room, at City Hall, and the next Regular Session is scheduled for Wednesday, August 27, 2008, at 7:15 p.m., in the Council Chambers, at City Hall.

ADJOURNMENT

There being no other business, the meeting was adjourned at 10:08 p.m.

Respectfully submitted by,

Reviewed by,

Betty Langwell, CMC
City Clerk

Stewart Taylor
Finance Director