



CITY COUNCIL MEETING NOTES

CITY OF ALBANY

CITY COUNCIL

Council Chambers

333 Broadalbin Street SW

Monday, November 24, 2008

7:15 p.m.

AGENDA

OUR MISSION IS

*"Providing quality public services
for a better Albany community."*

OUR VISION IS

*"A vital and diversified community
that promotes a high quality of life,
great neighborhoods, balanced
economic growth, and quality public
services."*

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE TO THE FLAG
3. ROLL CALL
4. PROCLAMATION
 - a. Association of Motorcyclists of Oregon Day. [Page 1]
Action: No action needed.
5. SCHEDULED BUSINESS
 - a. Review of Written Testimony
 - 1) SD-05-07, Thornton Lake Estates Subdivision, LUBA remand of City approval of a Subdivision Tentative Plat that would divide 24.20 acres of land into 78 residential single-family lots and two open space tracts. [Pages 2-104]
Action: Motion to approve with conditions the Subdivision Tentative Plat for Thornton Lake Estates that will divide 24.2 acres of land into 78 residential single-family lots and two open space tracts. The subdivision tentative plat that is being approved is the plat that was presented to the City Council at the October 10, 2007, public hearing with the tee intersection, subject to the conditions in the Staff Report, the Supplemental Findings, and the Second Supplemental Findings as adopted in the City Council's January 9, 2008, decision. In addition the motion includes City Council approval with conditions of the Site Plan Review that will allow the property owner to remove 21 trees from the property to construct the subdivision (files SD-05-07 and SP-14-07). Council's approval of these applications is an affirmation of its January 9, 2008, approval decision that was appealed to LUBA and remanded to correct procedural error (LUBA No. 2008-020). The motion is based on the findings and conclusions of the Staff Report, testimony presented at the public hearings, the Supplemental Findings, and the Second Supplemental Finds, all as adopted by the Council's January 9, 2008, decision, as well as the Third Supplemental Finds hereby adopted. The motion passed 4-3, with Konopa, Olsen, and Collins voting no, and the Mayor voting yes.

An Amending motion regarding the condition in the staff report calling for a petition and waiver for the improvement, to instead substitute having the applicant be required to provide funds prior to final subdivision plat improvement as indicated by the formula that Councilor Collins discussed, passed 4-2, with Konopa and Olsen voting no.
 - b. Business from the Public
None.
 - c. Adoption of Resolution
 - 1) Approving exemption from the competitive bidding process for the purchase of library shelving from an existing general services alliance cooperative contract with Technical Furniture Systems, Inc. [Pages 105-106]

Action: Motion to adopt the resolution approving a special procurement method to acquire Library furnishings for the Library project and authorize the City Manager to negotiate and award contracts for shelving, panels, and furniture, passed 6-0. RES. NO. 5706

d. Adoption of Consent Calendar

- 1) Approval of Minutes
 - a) October 6, 2008, City Council Work Session [Pages 107-111]
 - b) October 20, 2008, City Council Work Session [Pages 112-113]
- 2) Setting forth the compensation and reimbursement policy for the Mayor and City Council and repealing Resolution No. 3328. [Pages 114-115] RES. NO. 5707
- 3) Stating intent to apply sustainability principles in the City of Albany. [Pages 116-123] RES. NO. 5708
- 4) Authorizing the Parks & Recreation Department to apply for a grant from PacifiCorp Foundation for general operating support of the 2009 River Rhythms Concert Series and the 2009 Northwest Art & Air Festival and authorizing the Parks & Recreation Director to sign the application. [Pages 124-125] RES. NO. 5709
- 5) Accepting the abstract of votes regarding the ballots cast in the state of Oregon general election held Tuesday, November 4, 2008, regarding candidates for City of Albany offices. [Page 126] RES. NO. 5710
- 6) Approving an additional capital expenditure from the Police Department. [Page 127]
- 7) Approving a liquor license for Grocery Outlet, Inc., 1950 14th Avenue SE. [Page 128]
- 8) Accepting the Bulletproof Vest Partnership Grant from the U.S. Department of Justice that reimburses jurisdictions up to 50 percent of replacement expenses for bulletproof vest. [Pages 129-130] RES. NO. 5711
- 9) Accepting an easement from Robert K. and Elizabeth K. Alexander. [Pages 131-136] RES. NO. 5712

Action: Motion to adopt the Consent Calendar with item 3) pulled for discussion and item 5) updated with the resolution on the dais, passed 6-0.
Motion to adopt item 3) passed 6-0.

e. Award of Bid

- 1) WL-09-03, Ninth Avenue and 24th Avenue Water Line Replacement. [Pages 137-141]

Action: Motion to waive a minor bid irregularity and award the contract in the amount of \$77,439 to the low bidder, Kamph construction Company, Inc. of McMinnville, Oregon, passed 6-0.

f. Report

- 1) Deciding on whether to accept an offer by ODOT Rail to fund crossing improvements on Water Avenue in return for closure of other at-grade crossings in Albany. [Pages 142-144]

Action: Motion to accept an offer by ODOT Rail to fund crossing improvements on Water Avenue in return for closure of Chicago Street and Burkhart Street or Columbus Street (to be decided later), passed 4-2, with Reid and Olsen voting no.

6. BUSINESS FROM THE COUNCIL

Action: Council consensus to defer to the anonymous donor as to the colors for the outside of the new Library.

Motion to authorize the City Manager to enter into a settlement agreement with Workers for a Livable Oregon and Granada Land Company which will require the City to terminate the Urban Renewal project in return for a dismissal of the appeals, passed 6-0.

7. RECESS TO EXECUTIVE SESSION TO DISCUSS REAL PROPERTY TRANSACTIONS AND TO DISCUSS CURRENT LITIGATION OR LITIGATION LIKELY TO BE FILED IN ACCORDANCE WITH ORS 192.660 (2)(e) and (h)
8. RECONVENE
Action: Direction from Council to have a staff report regarding the current YMCA site brought to a City Council Work Session.
9. NEXT MEETING DATE: Regular Session Monday, December 8, 2008
10. ADJOURNMENT

City of Albany Web site: www.cityofalbany.net

The location of the meeting/hearing is accessible to the disabled. If you need special accommodations to attend or participate, please notify the Human Resources Department in advance by calling (541) 917-7500.