

CITY OF ALBANY
CITY COUNCIL (WORK SESSION)
Municipal Court Room
Monday, January 28, 2008
4:00 p.m.

MINUTES

CALL TO ORDER

Council President Sharon Konopa called the meeting to order at 4:03 p.m.

ROLL CALL

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

BUSINESS FROM THE PUBLIC

Mark Spence, 707 Broadalbin Street SW, said he had been meaning to bring this issue to the Council for the last 6-8 months. The Oxford House conversation has triggered it. He promised his neighbors he would come to the Council to represent their concerns. He is not going to speak to the Oxford House specifically, except in one regard, and that is to point out that it would be occupied by a transient group of folks in a neighborhood of family residences. His concern is if that if those types of houses are concentrated in one neighborhood, it would be a hole in the fabric of the neighborhood. He is asking the City to set up an ombudsman to reach out to housing groups such as the Oxford Houses, the Linn Benton Housing Authority, and the state, to survey where the services are now; what concentration levels are good or bad; and where they might best be placed.

Spence believes that Oxford House wants to be a good neighbor. They do not know our concerns and the neighborhood does not know theirs. But they are a global, international organization and the City should step up and proactively engage them in conversation, explaining that downtown Albany already has several of these houses within a six block area and while we support what they are doing, we ask that they look elsewhere. There is an overload of social services in the Montieth and Hackelman area. It is not just an assertion of "not in my backyard"; rather, it is in their front yards, side yards, and backyards in the form of trash, extra people, noise, drugs, etc. Spence said he was surprised by the Council's vote to make a loan to Helping Hands even though Homeless Enrichment and Rehabilitation Team (HEART) said they should not do it. He thinks the City still needs to look at the way homelessness and social services are located in the City. There is a synergy between transients and long-term and short-term homelessness. The geographic symmetry can be seen between the homeless shelter, jail, Swanson Park, and the river. The Hackelman District is right in the middle. Spence said that Police Chief Ed Boyd will say that the rise of homelessness every summer corresponds exactly with the rise in property crime. He invited the Council to walk along the river in the summer time and they will see stripped wire, purses, wallets, and identification cards scattered around. Before the Council loans money, or works on a homeless project, they should demand accountability to see what the money has done previously and what it will do for the future. He recommends that the Council does a survey to see where the social services are, their relation to other issues in town, and try to address them and spread them out. He thinks homelessness and these other issues can be dealt with more effectively if they are not concentrated in one part of town. There is a dynamic that no one has explored yet and it is what has perpetuated the homelessness problem.

Management Assistant/Public Information Office Marilyn Smith said that HEART has not taken on a survey of social services but she will bring it up to the Board at their meeting next week.

Spence said he has already talked about it to the Public Safety Commission. It is about recognizing all the problems and how they interact. He will connect with Smith to speak to HEART.

Ray Hiltz, 3012 Tadena Street, congratulated the Council for the January 23, 2008, meeting. He especially thanked Konopa for how she handled the meeting. There were many unhappy folks in the audience, and the Councilors were professional in answering questions.

Councilor Dick Olsen encouraged the Council to evaluate the concentration of social services. There are several social services close to the downtown such as the homeless shelter, the Signs of Victory Mission, Saint Mary's Soup Kitchen, 3-4 Oxford Houses, and the jail. He has been criticized for taking a stand, but he wants those who are critical to consider if all these services happened to be in their own neighborhood.

Councilor Bessie Johnson agrees with Olsen and added that the Linn County Court House has had to change their hours because of this. The homeless cause damage in the restrooms and sleep inside the building so they now open at 7:45 a.m. instead of 7:00 a.m. It needs to be dealt with in the downtown area, and also along the river. She knows folks want to enjoy the walk along the river, but they do not go because they don't know who they will run into. She thinks we need a different avenue to deal with this.

Olsen said his neighbor said that the state is recommending Albany's downtown as a nice location for these types of homes. It is not good for our urban renewal district or our historic districts.

MUNICIPAL JUDGE ANNUAL REPORT

Judge Robert Scott said the most significant factor from the 2006 report and the 2007 report, is the increase in traffic citations. At the end of 2004, the Council and the Police Department took the position that traffic should be emphasized. Scott said that was a wise decision since many injuries and deaths are the result of accidents. Scott said that since the end of 2004, there has been an increase of almost 3000 in the number of traffic citations issued annually. Municipal Court added one staff person to help process the increased volume. It has been a strain during the last year, with remodeling in the office and training new staff. Still, there is no current backlog. Scott expects that the office will operate more smoothly in 2008. He is curious whether cases will continue to increase at the current rate, or will they level off? He said it is the Police and the private prosecutors that created the dramatic work load for Municipal Court. Scott described the remodel of the office.

Scott said that while traffic citations increased, there were some decreases in warrants issued. There are two reasons for warrants: non-appearance and non-compliance with a court order. He explained the process. The last step is to turn over the account to a collection agency.

Scott said the Court generated over one million in revenue, with \$798,000 being the City's share. This is \$175,000 more than was anticipated. By the end of December, Municipal Court had spent 47 percent of its fiscal year budget, so they are on track.

Scott said there are three long-time employees who have over 61 years of combined experience: Senior Court Clerk Mary Stankey, Court Clerk Cindy Triller, and Court Clerk Cheryl Fryman. They are dedicated, hard working employees. There are four full time employees and two part time employees.

Konopa asked if the Court is putting money into reserves to fund future office expansions. City Manager Wes Hare said that there was a general Facilities Replacement Fund started a few years ago. The allocation of the money was not specifically designated; it could eventually be used for Police and Fire, or perhaps the Library. If Municipal Court needed to expand, Hare is confident they could identify a funding source.

Hare said staff is discussing with Scott a proposal to have the City directly compensate the pro tems. Currently, Scott compensates them directly. It would be a change to the contract, so it will come to the Council for approval. There would be an annual cap to the amount that the City would pay for pro tems when Scott is on vacation or ill. The City would continue to pay all pro tem charges incurred when Scott is at Judge's conferences or on other City business.

TRANSPORTATION SYSTEM PLAN UPDATE

Civil Engineer III Jeni Richardson passed out the comments to Memo #6A and #6B Addenda items (see agenda file).

Richardson said she would like to hear the Council's comments about the technical memorandums that summarized the most recent work on the Transportation System Plan (TSP) Update project. She will also share the comments about the memorandums made by other agencies.

Memo #6A summarizes the first high-level look at the potential road corridor improvements. Staff started with a regional look at bridges and overpasses and ended with a package of local and state road projects.

Memo #6B is a draft multi-modal plan that covers the bike, pedestrian, and transit components of the TSP Update. The projects in this document incorporate comments from the community that staff received during the four open house events held over the last few months.

Richardson said the model output from the road corridor analysis will be used in a more refined analysis of the intersections. With this closer look, a few of the roadway projects from Memo #6A will disappear. The next Memo will be presented to the Council on February 11.

Richardson reviewed the comments by other agencies.

Memo #6A – Roadway Corridor analysis:

1. Correct references to figures on page 3. Should be Figures A-1 and A-2.
2. Add Benton County as the jurisdiction for Springhill Drive in Table 3, page 4.
3. Add 2030 to the legend in Figure 4-1.
4. Describe the regional transportation benefit of extending 53rd Avenue & Ellingson Road to I-5 (page 11, project #2).
5. Correct references on page 13 and 14 from Santiam Highway to Santiam Road.
6. On page 17, reference the need to coordinate with Benton County since their TSP (2001) does not include capacity improvements on Springhill Drive.
7. Add the downtown corridor to Table 9, page 19. Mitigation will be to work with ODOT to designate this as a Special Transportation Area (STA) where the need for appropriate local access outweighs the considerations of highway mobility.

Memo #6B – Draft Multi-modal plan

1. Correct text on page 13 to say that “Bicycling on the shoulders of I-5 through Albany, though not advisable, is legal”.
2. Add text to page 21 that references that the upcoming revision to the Oregon Bicycle and Pedestrian Plan will include additional guide lines for the installation of bike lanes.
3. Continue to work with ODOT Bike division on acceptable alternatives for bikes along Lyon Street and Ellsworth Street. We have recommended shared lane striping (page 24).
4. Add text on page 35 to provide a transit connection to Salem and their service to a dozen cities to the north (via Cherriots and CARTS).
5. Add text on page 35 to support the existing carpool service sponsored by Cascades West Council of Governments (CWCOG) that also accommodates trips north of the Albany urban growth boundary.

Richardson asked if the Council would also accept the comments from the external agencies as well.

Konopa said that Memo #6A still shows a bridge from downtown Albany to Elm Street. She asked, is that still being proposed? Richardson said the last iteration in Memo #6A will be the road improvement package, which will move us to the next step of the analysis. The hypothetical bridge location is included as a place holder. There are serious consequences to removing the placeholder bridge now from the analysis. Konopa asked if the bridge can be included without actually naming a connecting street. Richardson said yes.

Olsen asked, when do regional discussions begin? Richardson said that CWCOG has initiated regional transportation discussions for all three counties in the COG. Olsen wants to know when the meetings are so he can attend. Richardson said they have not been scheduled yet but that as soon as they are, she will inform the Council.

Councilor Ralph Reid said that at the Area Commission on Transportation (ACT) meeting last Thursday, there was a discussion about if there should be a placeholder for the bridge or not. The general consensus was to keep the bridge as a placeholder because otherwise it would never be considered for funding.

MOTION: Councilor Dan Bedore moved to accept the Transportation Memo #6A and #6B; the External Trip memo; and the Addenda. Councilor Jeff Christman seconded the motion and it passed 5-1, with Reid voting no.

PROPOSED SALE OF SURPLUS PROPERTY ON ADAH AVENUE NE

Parks & Recreation Director Ed Hodney referred to the map in the agenda packet. The property in question is in red, and the blue box indicates property that was previously conveyed to Habitat For Humanity in the 1990’s for the purpose of building homes. The Albany chapter of Habitat for Humanity would like to build one or more homes on the Adah Avenue property. The property conveyed in 1990 was authorized because it was consistent with City objectives and policies as judged by the Council at that time. Hodney thinks Habitat’s purposes continue to be consistent with the current Council’s objectives and policies, but ultimately that is for the Council to decide. Linn County values the property at \$46,000 for 4/10 of an acre. He asked the Council, are you still comfortable donating it or do you prefer to solicit buyers?

Christman asked, has Habitat for Humanity built anything else on the parcel? Shirl Kotara, from Habitat’s Site Selection Committee, said there is a two story home on the property already. They could further partition it and build another home, but currently there is not water to the property so the project has been on the back burner. She would like to work out a village-concept on the two lots with 3-4 homes.

Johnson asked, what about the proposed park? Hodney said he considered a park in that area when the City owned all the property. Now it is a much smaller piece, and there is another City-owned parcel in the same area that would serve not only this neighborhood, but others as well. The larger parcel is much more cost effective than trying to establish this smaller site. Hodney said the Adah Avenue site seems more appropriate for housing than for a park.

Johnson asked if the property is on wells and septic. Kotara said one of conditions of the City is to bring water in from Century Drive, at Habitat’s cost.

Konopa asked, could the Resolution state that if Habitat for Humanity does not build the homes then they will reconvey the property back to the City? Hodney said the City would not reconvey the land until the homes were built. The City will mandate that it has to be used for a specific purpose in order to be consistent with our policies.

Reid asked, what is the cost of water connections on Elenor Avenue and Adah Avenue? He doesn’t think we should have to use both streets to bring water to these homes. Hodney will bring back a report for the Wednesday Council meeting. Kotara said they have talked to K & D Engineering about the cost to bring in a water line. They will also offer the surrounding properties the opportunity to connect to the water line.

CONSENSUS: The Council consensus was to gift the property to Albany Area Habitat for Humanity.

AUDIT REPORT AND MANAGEMENT LETTER

Finance Director Stewart Taylor announced that the 2007 audit is completed.

Audit Committee Chair Jeff Christman said the Committee met with Boldt, Carlile & Smith and City staff to review the audit. The three items the Committee noted were minor: internal controls, the ambulance fund, and internal transfers.

The internal controls issue has to do with the flow of information between departments. For example, the process used to notify the Finance Department when assets are sold.

Regarding the Ambulance Fund, the auditors questioned the way we account for time for full-time employees versus the actual time being charged to the ambulance fund. Staff is evaluating it now.

For inter-fund transfers, staff will be changing the statement to better reflect what is actually happening. Taylor said the auditor pointed out that Government Accounting Standards Board (GASB) just wants a general statement rather than the balance sheet that was provided. Also, the unfunded PERS liability and our participation in the bond needs to be explained differently. At the time, we were not participating in the State and Local Government Pool (SLGP) and we used to be rated individually. When Albany joined the SLGP, we should have changed how we reported that obligation. It will be reflected appropriately in the next financial statement. This was an item identified by Government Finance Officers Association (GFOA). We need to properly reflect that liability going forward.

Christman thinks it was a good process to have the Council involved on this Committee.

PROCESS FOR FILLING WARD ONE COUNCIL VACANCY

The Council discussed the process for filling the Ward I vacancy.

CONSENSUS: The Council consensus was to accept applications for Ward I; to set the application deadline for February 7, 2008, at 5:00 p.m.; to have staff do a news release with this information; and to discuss the applications following the work session on February 11, 2008.

Smith said there is a Council application on the website. The completed application can be returned via mail, fax, or hand delivery.

COUNCILOR COMMENTS

Christman said the Audit Committee decided to have Boldt, Carlile & Smith perform an audit on transient room taxes. This will be the first time, so all the vendors will be audited. In the future they will be audited randomly. The plan is to complete the audit at the end of February.

Johnson may have to leave the Wednesday Council meeting early.

Bedore said that he, Hare, Christman, and Johnson attended a seminar on board policy, strategic planning, and performance management by the League of Oregon Cities. He learned that Albany's Strategic Plan is actually very good. Our Plan lists goals in a broader sense than in the model presented. The speaker suggested that objectives should be tasks that can be accomplished in one year. Discussion followed.

Konopa said a resident complained about nutria in their neighborhood. Hare said the City paid for nutria trapping along the canal not too long ago, though he is not sure how effective it was. Private contractors are expensive. State law does allow them to be killed. Smith explained that in the Draperville neighborhood, bow hunters offered to help a resident rid his property of nutria by using them for target practice. The resident estimated that there are 3,000 to 4,000 nutria in that three-street neighborhood. Smith said the City will trap and remove nutria on City property, but not on personal property. Smith said it is legal to use bows and arrows on the nutria so long as the arrow does not leave the property and the property owner has given permission. That area of town is a natural wetland, which is prime nutria habitat. Discussion followed.

CITY MANAGER REPORT

Hare said that he would like for Special Projects Coordinator Bob Woods to discuss with the Council performance measurements that are now underway and their integration into the Strategic Plan and the budget process.

Hare said the City received the \$910,000 check from PepsiCo, as provided for in our contract. He passed out copies of the check to the Council (see agenda file).

Hare said that on Friday, he attended a community wide meeting with 16 churches for a project called Love, Inc. It is a national program that has been adopted in Corvallis and has been proposed for Albany. This initiative proposes faith-based institutions to combine their resources. For example, one church would specialize in providing food, another in clothing, and another in furniture. By working together, we could tackle the needs more effectively. The

City is not directly involved but may work with Love, Inc. in some capacity. They network with other nonprofits as well. The City is not ignoring the issue of homelessness; they are actively working on it. Hare said that later this week, the City will be working with Helping Hands to meet their compliance deadline of February 15 for the maximum number of residents. Helping Hands has asked for an extension. Hare wants to work with them but thinks it is pointless to continue to extend the deadline. There is a possibility that Red Cross has emergency overflow for the remainder of the winter. The problem is that if overcrowding continues, the City is knowingly allowing the Albany Development Code to be violated. It is a huge liability. Our only concession is that we are providing shelter for people that would otherwise be under a bridge during this cold weather. The City's goal is to work towards a solution for safety and the need for shelter.

Hare said Love, Inc. could augment Helping Hands because they tend to focus on families, while Helping Hands tends to be for single males who may not be a good fit for the Love, Inc. program. Some will want help getting off the streets, but others will not.

Konopa said that Helping Hands is helping people to maintain their lifestyle of homelessness when it would be better to launch them toward success and independence. They need case managers, as that is the key to turning people around. She is familiar with Love, Inc.

Hiltz asked to speak again. Hiltz said he spoke to Kim Sass from HEART, and she said they are not ready yet to help Helping Hands because they are too new and not organized. Hiltz said that Pastor Bailey of Helping Hands said he has 44 staying there who are ready for transitional housing and to find jobs, but they have no place for them to transition to. Eventually HEART will be able to help, but currently that is part of their dilemma.

Reid said, the roof is on their new building. How much longer do they need? Hare said they have estimated it will be completed April 30, but staff is concerned they still may not meet the Code by that date.

Public Works Director Diane Taniguchi Dennis passed out a Linn County Oregon map showing the Albany to Lebanon Bikeway site plan (see agenda file). Chuck Knowles of Linn County notified the City of their intent to submit a grant application to create a 10-foot wide multi-use path to run from Grand Prairie Road, alongside the Albany Santiam Canal, into Lebanon. The first phase of the grant is to notify the granting agency of their intent to apply. If the state is interested, the full application is due May 2. Dennis is asking for Council input because of operational security, safety, and easement concerns about putting a bike and pedestrian path immediately adjacent to the canal in the existing canal easements. Our current canal easements are written for the operation and maintenance of the canal and this path would be a different use than originally intended. A path in the current easement represents a security and safety concern with having direct public access to the canal. There would be a need for significant public involvement with the owners who abut the canal because many would be concerned about their privacy and security if a path were created. It would likely take the acquisition of additional right-of-way (ROW) and/or easements to locate a path adjacent to the existing canal easements. The grant application did not consider the need for additional easements or ROW. It could take years of negotiation with property owners along the canal because of the likely initial property owner opposition. Discussion followed.

Dennis will tell Linn County that the Council does not feel it is timely to proceed now, but is willing to discuss alternatives. The Council is interested in the vision but thinks it is too soon to proceed. Hare does not think they would be successful in the grant process without the ROW issue settled.

ADJOURNMENT

There being no other business, the Work Session adjourned at 5:42 p.m.

Respectfully submitted,

Mary A. Dibble, CMC
Deputy City Clerk

Reviewed by,

Stewart Taylor
Finance Director

