

CITY OF ALBANY
CITY COUNCIL (WORK SESSION)
Municipal Court Room
Monday, June 9, 2008
4:00 p.m.

MINUTES

CALL TO ORDER

Mayor Dan Bedore called the meeting to order at 4:00 p.m.

ROLL CALL

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

Councilors absent: None.

BUSINESS FROM THE PUBLIC

City Manager Wes Hare introduced the new Community Development Director, Greg Byrne.

Councilor Jeff Christman arrived at 4:02 p.m.

AMC TITLE 18 COMPLIANCE REPORT

Assistant Building Official Melanie Adams said the compliance staff has been very busy. She asked if the Council had any questions.

Councilor Floyd Collins asked, what kind of reception do you generally receive when you respond to a complaint that has been made? Adams said that for the most part, people are cooperative. Sometimes they are passive-aggressive, though the majority of people do follow through in fairly timely fashion. Collins said, it seems that the staff is gaining cooperation by education. Adams agreed and added that staff is very good to educate about what the Code says and to work with citizens in an agreeable way. Collins commended Adams and her staff.

Byrne said that Adams gave him a two-hour tour which included several sites. He is impressed that they took a measured and educational approach. The first contact is very positive, but it is also very important that staff has the ability to take the next step if the problem is not brought into compliance.

Councilor Bessie Johnson said the old skating rink sign along Salem Avenue is still standing. Adams will check into it. City Manager Wes Hare said it could be that the new tenant, the ReStore, plans to use the sign. Johnson commended them for a job well done.

Bedore asked for the status of the fence along the railroad. Adams said the City Attorney's office is handling that and has not been getting a response from the railroad. Discussion followed. Collins suggested the City build our own fence along the property line. Hare will have staff check into it.

NINTH AVENUE PARKING REMOVAL REQUEST

Transportation System Analyst Ron Irish explained that shortly after the Helping Hands shelter moved into the building on Ninth Avenue, they asked for a cross walk and the City agreed to put one in. The crosswalk is not far from the curved off ramp from 99E and has experienced many close calls for pedestrian and vehicle collisions. Police say sight distance is a key factor, which is somewhat limited by parked cars on Ninth Avenue. Removal of parking may help to reduce the risk. The current plan as described in the staff agenda was forwarded to Helping Hands for their input.

Christman asked if there is parking available to the east. Irish said yes, and there is parking across the street as well.

MOTION: Collins moved to adopt the Resolution authorizing on-street parking restrictions at 615 Ninth Avenue, and Konopa seconded it. The motion passed 5-0 and was designated Resolution No. 5611.

REQUEST FOR ALTERNATE CONTRACTING METHOD AND EXEMPTION FROM COMPETITIVE BIDDING

Civil Engineer III Peter Harr explained that the North Albany Lift Station is a companion to the plant project. The primary goal is to offload, by force main, the interceptor sewer which is overloaded and has hydraulic problems. This force main would serve the North Albany Pump Station and deliver overflow to the Wastewater Treatment Plant. It would help to reduce much of the flow from the existing interceptor sewer and is required via a stipulated order from the Department of Environmental Quality (DEQ). It must be operational by the end of 2009.

Harr said that due to the importance and complexity of the project, which includes boring under the river, staff thinks an alternate contracting method is desirable. It is still a competitive process. Staff believes this is a prudent approach.

Harr said Craig Massey from CH2MHill is the project engineer and is in the audience to answer questions.

Harr said staff is still looking at a number of route options, which he described. Generally they are leaning towards the northerly route, but the contractor may be able to bring insight and construction expertise that may help finalize the choice. The drawings in the packet would be used to select the general contractor and during the design phase they would be involved.

Public Works Director Diane Taniguchi Dennis pointed out that in the alternatives listed, the route avoids the golf course. This is because the owner is not willing to let us go through it at this point. Discussion followed about the pros and cons of boring under the golf course. Dennis also noted that the project would try to avoid damage to walnut trees and to fir trees along North Albany School.

Councilor Sharon Konopa said that the funding source is listed as the revolving fund loan. She asked, are there any System Development Charges (SDCs) being contributed to the project? Dennis said yes, in the sense that the revolving loan money is being paid back by SDCs. We are also looking at distributions, as it is currently not in the methodology. The master plan said we would build a wet weather pump station, which is a deficiency in the plan. Rather than creating a pump station just for wet weather, we are updating this project to solve the problem in a different way. The Council will see the whole sewer SDC updates in the future.

Konopa asked, what is the total cost of the project? Massey said that boring the route will cost about \$3.7 million and the pump station upgrades are \$450,000.

Johnson asked, is there another alternative to boring under the Willamette River? Massey said no, it must go under the river. They will be using the same technology used by the gas company in their boring. Dennis explained that not going under the river would require pumping over bridges and a force main which is much more complicated than this alternative. Massey explained further that the reason this alternative can work with the North Albany Pump Station is because the new route will avoid having to pump over the Willamette River using the Lyons Street Bridge, which considerably reduces the hydraulic energy to get this flow to the Wastewater Treatment Plant. Discussion followed. Collins thinks they should put in valves, even if they are rarely or ever used.

Konopa asked, will we be able to see how much SDCs there are before we award the contract? Dennis said staff will try to get those calculations to the Council before the bid is awarded. Dennis clarified that the project is not actually growth related but it is an existing deficiency to this wet weather station, so staff has struggled with the application of SDCs. Discussion followed. Dennis said there are three reasons to expand the project: summertime capacity (growth related), wet weather (not growth related), and the DEQ requirement.

Councilor Ralph Reid arrived at 4:28 p.m.

MOTION: Johnson moved to approve the alternate contracting method for project SS-07-04, North Albany Lift Station; and to set a public hearing for June 25, 2008. Collins seconded the motion and it passed 6-0.

NEW SCHOOL ROADWAY DISCUSSION

Assistant Public Works Director/City Engineer Mark Shepard introduced Ed Fitzpatrick, Monica Anderson, and Janet Pardee from Greater Albany Public Schools (GAPS), and Attorney Ed Schultz.

Shepard said that ten months ago the City approved a conditional use for the roadway to be 32-feet wide with 11 foot travel lanes and two five-foot bike lanes. GAPS took the conditions of approval and submitted them to the state for wetlands and water quality permits.

Shepard reviewed the questions and answers that have been raised so far by the Council, as outlined in the staff report.

Shepard reviewed Options A, B, C, and D, as outlined in the staff report.

Konopa said, on page 2 of the staff report, Marion Street is reported as a minor arterial with a 32-foot road width. This happened after the 1997 Transportation System Plan (TSP) as a result of neighbors working to keep trucks from using it as a thoroughfare, so it is unique. Price Road is a major collector at 34-feet and Clover Ridge Road is a minor collector at 34-feet. She asked, if we want to keep streets widths down, why are we widening Waverly Drive? Isn't that a contradiction? What is the intent? Irish said, one is a collector and one is an arterial. We must balance access and mobility. The volume of a street is set by land use regulations, while how the street is to behave is set by the City. The wider we make a street, the more we will be emphasizing mobility.

Konopa thanked staff for comparing street widths from other schools. Almost all are 36-feet wide, so she thinks 32-feet is too narrow. The bike lane should be six feet. If we increase the width, can we make the property owners pay the difference? City Attorney Jim Delapoe said, we can assess specially benefited property through the local improvement district (LID); but when we have already gone through the land use process and decided what the infrastructure requirement developments were, including that a 32-foot wide street was appropriate, we will be hard pressed to justify why benefited property owners should pay for a 36-foot wide street instead. This discussion should have been an appeal. Konopa pointed out that if staff suggested a 32-foot wide street which is against our policy,

they should have come to the Council and asked. Delapoer said, if staff had anticipated Council concerns, certainly they would have; but now we have a land use approval with certain things already set.

Konopa asked, was there a variance for 36 -feet to 32-feet? Irish said that came up during the Planning Commission meeting and that by adopting it, a variance was not required. Delapoer recalled that there was no opposition to the variance at the meeting. Councilor Dick Olsen said that if he knew about it, he would have appealed.

Dala Rouse was in the audience and spoke on behalf of the Planning Commission. She said road width was discussed when the Comprehensive Plan was upgraded. When the Brandis development came to the public hearing, they did require a variance for road width and it was sprung on the Planning Commission, but there was nothing in the staff report about the variance. Rouse said she asked Irish and other Planning staff. Ultimately the Brandis development was withdrawn, but she said it is likely the Planning Commission would not have approved it with the narrower street.

Collins said, there are three pending questions: What do we do with this before us today? What do we do without design codes? And, if we eliminate school parking how does it impact capacity in neighborhoods? Some of these questions can be resolved now and others can be directed to staff for further study. He asked, for required parking, why are we cutting down seven trees at Fairmont School to make room for parking when they have enough? It is not consistent. Collins thinks a six-foot bike lane is reasonable. We are moving from the standard urban design street to a nonurban standard with bioswales, which requires more right-of-way (ROW). Our code does not give us urban and nonurban standards. The Council needs to direct staff to study the impacts and have developers get more ROW. Then the Planning Commission can take specific actions to make the developer ask for a variance, not staff. Also, staff should look at access control on arterials and collectors.

Fitzpatrick said, we have been in contact with City staff since the last City Council meeting. If we widen the street and increase storm water capacity and systems significantly, we will need another permit. The preferred method is a bioswale because cartridges are expensive and waste is concentrated so they require regular maintenance and disposal. Bioswales can be accommodated with a 32 or 34-foot street, but not a 36-foot street. Increasing the ROW for the bioswales is complicated because it will impact the wetlands. It took six months to attain all the permits prior to the Brandis development withdrawal, and then it took another four months to get the road permitted. For GAPS, any increase in ROW will mean that the school will not be able to open in the fall of 2009.

Olsen asked, is this the only arterial going north and south in this area? Shepard said it is the only collector between Scrael Hill and Century Drive. Olsen said, we would be controlling speed by congestion, which is not good. Now is the time to put in a wide street. He thinks anything less than a 40-foot wide street is way too narrow to serve the whole area.

Hare pointed out that data indicates parents in Albany will not let their kids walk to school because of traffic speed. A narrower street and a wider sidewalk will encourage kids to walk to school. He is not sure what we would gain by narrowing the sidewalk and increasing the width of the street, which would discourage student foot traffic and contradicts the goal of the Safe Routes To School program, of which the Council has been very supportive in the past.

MOTION: Johnson moved to approve construction Option A, as outlined in the staff report, and Christman seconded it. The motion failed 2-4 , Konopa, Collins, Reid, and Olsen voting no.

MOTION: Konopa moved to approve construction of the street to a width of 36-feet and five-foot sidewalks and Collins seconded it. The motion passed 4-3 with Johnson, Christman, and Reid voting no.

Bedore said he voted yes because he considered the action a reasonable compromise although it may not produce the best outcome.

Collins would like staff to refer additional parking and access requests to Community Development.

Discussion followed about whether or not the Council should be receiving notices of all decisions, especially regarding street width.

3815 SPICER DRIVE PROPERTY ACQUISITION

Assistant City Engineer Jeff Blaine said 3815 Spicer Drive was previously identified as needing to dedicate ROW. The appraisal is for a greater area than was technically identified in the original street alignment because the property owner preferred the narrow triangle to be included. The appraisal also assumes the property will be on City sewer rather than septic.

Christman asked if the property owners are agreeable. Blaine said yes; in fact, they approached the City. They are pleased with the appraisals.

MOTION: Johnson moved to direct staff to proceed with the purchase of property at 3815 Spicer Drive with TSDC funds. Christman seconded the motion and it passed 6-0.

COUNCILOR COMMENTS

Christman asked when the Council will be getting an update on temporary sign regulations. Hare will find out the status of the report.

Bedore said the National Guard Welcome Home event on Sunday was very nice. Demobilization will be on Wednesday. They had been in Iraq for a year.

Bedore said he was at a bike shop in Eugene and spoke with some bikers who participated in Albany's bike race this spring. They said it was one of the best races they have been in and they are trying to move a championship race to that course. They said the Albany community outpouring of support was great. They would like to see more of our restaurants open for the event. Overall, it was very well received in the bike community.

CITY MANAGER REPORT

Hare said the Councilor laptop discussion is coming to a future work session.

Dennis reported that a contractor fell 16-feet while working on the hydroelectric plant. He fell on his back under a turbine and was difficult to reach. Albany's Fire Department did a stupendous job extricating him with specialized equipment from a precarious position. It was a smooth rescue. Dennis said our Fire Department was first rate in this difficult extrication.

ADJOURNMENT

There being no other business, the Work Session adjourned at 5:53 p.m.

Respectfully submitted,

Mary A. Dibble, CMC
Deputy City Clerk

Reviewed by,

Stewart Taylor
Finance Director