

CITY OF ALBANY
CITY COUNCIL (WORK SESSION)
Municipal Court Room
Monday, August 11, 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.

BUSINESS FROM THE PUBLIC

Tanya Kramer, 2975 Highway 20 NE, has three issues to discuss: guard rails, a stagnant creek, and citations.

Kramer said there have been three fatalities due to traffic accidents on “dead man’s curve.” She said the article in the *Democrat-Herald* blamed the accidents on “the pond”. It is not a pond, but a slough that runs from Thornton Lake underneath the road. She talked to ODOT, the Albany Police Department, and the City Manager’s Office and was told by all three that there would have to be some kind of agreement to put up guard rails. She has called ODOT three times about a memorial on the road because when the balloons fly up, trucks hit their brakes, creating a dangerous situation. The memorial should be removed; she is sympathetic to the family, but it is dangerous. The neighbors do not allow any signs to be posted because it is a distraction to drivers.

Kramer said the *Democrat-Herald* was at the site today. ODOT said that the creek is the possession of the property owners so they are responsible to clean it up. If the neighbors clean it, they would be trespassing. Kramer said she has six horses and her neighbor has three horses. With stagnant water and the West Nile virus carried by mosquitoes, Albany could potentially be in trouble. There is a lot of scum on the surface which is a big concern.

Kramer said her final concern is that there is an arsonist at the Operation Icebreaker property at 3083 Highway 20 NW. The Fire Department has been called eleven times and the occupant was cited for three of the calls. Our taxpayer dollars can’t pay for other things, and if North Albany catches on fire we are in trouble. She has three fields which are totally brown and if the neighbor continues setting fires outside, there could be a major fire. She talked to her insurance carrier. The fire district has no control over the area and cannot issue citations. Albany Police Department cannot either. They got together with the District Attorney to try to pass a law so that if a person is in a non-burn area, they get a citation. She said the neighborhood needs the Council’s help with the Thornton Lake slough.

Councilor Dick Olsen arrived at 4:03 p.m.

City Manager Wes Hare said he is aware of most of the issues Kramer referred to, except the creek. The guardrail warrants conversation with ODOT. There have been citations issued for the fires; he will look into what the ordinance requires.

City Attorney Jim Delapoer clarified that his office, not the District Attorney, is pursuing the charges.

LIBRARY UPDATE

Library Director Ed Gallagher introduced Architect Paul Frankenberger. The City’s webpage has a slideshow of the progress of the Library project which is updated weekly. Gallagher invited the Council to visit the site.

Frankenberger said the project is going well. It was awarded at \$2 million and is at about \$540,000 so far. He is feeling good about the project and the contractor. The completion date is the end of January 2009.

USE OF SEWER ECONOMIC DEVELOPMENT FUNDS

Utility Engineer Chip Ullstad said National Frozen Foods (NFF) has requested funding assistance for an evaluation of wastewater treatment options to better meet their needs and potentially the needs of other existing and future industrial customers. CH2M-Hill will conduct the study for about \$46,000. Staff recommends this is a proactive effort to retain existing industry and securing future industries. Formal Council action is scheduled for the Council meeting on August 13, 2008.

Councilor Sharon Konopa thinks this is a worthwhile project and anything that can be done to help reduce the load on the Wastewater Treatment Plant (WWTP) should be supported. She asked, will Oremet be able to utilize the options as well? Ullstad said probably not, because the characteristics of their wastewater are different from NFF. Konopa said she heard that the poplar trees Oremet is using to mitigate environmental impact may not be working. Ullstad is not sure of the status of that project, but he said that Oremet has paid System Development Charges based on full discharge to the City’s wastewater system.

Albany City Council Work Session
Monday, August 11, 2008

Konopa appreciates that NFF will often hire people that can't get jobs elsewhere. It is fulfilling a need for the community.

Olsen asked, does NFF have a high biosolids discharge (BOD)? Ullstad said yes, especially with corn and squash processing.

Public Works Director Diane Taniguchi-Dennis said NFF leases a portion of the land used for irrigation of their process effluent. As the development extends to the southern part of the Urban Growth Boundary (UGB) in this area, leasing of agricultural property immediately south of the UGB has become more difficult. In 2003 NFF started the process to renew their lease for property historically used for spray irrigation. NFF is on the last two years of their lease extension and it will be problematic if they are unable to continue to use this site for spray irrigation. In 2007, they started to study wastewater treatment options and began discussion with the Department of Environmental Quality about the feasibility of those options.

Councilor Floyd Collins said, this is an opportunity to be proactive. Usually as a government the City simply reacts to supply and demand, but in this case the City can evaluate at the front end efficient ways to offload the amount of wastewater going to the WWTP. He fully supports the request.

OREGON GOVERNMENT ETHICS LAW TRAINING

Tammy Headrick of the Oregon Government Ethics Commission distributed a handout (see agenda file). Headrick said Councilors are unique public officials because they have additional financial disclosures required in annual and quarterly statements. She is traveling throughout Oregon to educate and train public officials about the new ethics laws.

Headrick started a PowerPoint presentation (see agenda file).

Headrick suggested having an Oregon Attorney General Public Meetings and Records Manual available for all Executive Sessions, as Executive Session violations is one of the most common complaints her office receives. The other frequent complaint is about prohibited use.

Headrick said many of the areas discussed today will be revisited during the 2009 legislative session. Discussion followed.

Delapoe suggested that the Council and staff begin to use the City Manager's Office staff as a clearing house for invitations they receive. The benefit would be that as an organization, the City would become more educated and if a Councilor did get questioned for a possible ethics violation, there would be a paper trail which could substantially mitigate a fine. Discussion followed.

COUNCILOR COMMENTS

Konopa asked, is street sweeping done in-house? Hare said currently it is not, but staff is looking into that option. Collins said that having clean streets falls under a general governmental purpose, so perhaps the City should not be limited to funding from street sources. Public safety, appearance, etc. are also necessary in addition to maintenance. Also, ODOT should be paying a proportionate share for Albany streets. Staff's analysis should have costs fully defined for different service levels. ODOT was reimbursing Corvallis for street sweeping at three times the rate they were reimbursing Albany.

Konopa thinks the streets should be swept at least once a month.

Olsen said he attended a picnic at Grand Prairie Park on Sunday. He is concerned that the water flow through the creek and lake was very low. Staff thinks it may be because the siphon was being turned on and off. Staff will look into it.

Councilor Bessie Johnson encouraged the Council to write to their representatives about the new ethics laws, especially about having to list relatives on applications. Several Commission and Committee members have resigned due to these new requirements.

Bedore attended the League of Oregon Cities meeting on telecommunication. Cities revenues are declining as landlines decrease and cell phone usage increases. The phone company pays most of the right-of-way fees, while cell phones which are plugged into phone lines do not pay. The proposed solution is a tax on gross revenues for all telecommunications. It is intended to be revenue-neutral for cities. The goal is not to increase revenues but to protect the revenues we have now. The proposal will be introduced not in this legislative session, but the next one.

CITY MANAGER REPORT

Hare will be at a "Big Look" meeting in Madras on Friday.

Albany City Council Work Session
Monday, August 11, 2008

ADJOURNMENT

There being no other business, the Work Session adjourned at 5:59 p.m.

Respectfully submitted,

Mary A. Dibble, CMC
Deputy City Clerk

Reviewed by,

Stewart Taylor
Finance Director

G:\Mary\CCWorkSession\ccwks 08-11-08.MTS.doc