

CITY OF ALBANY
CITY COUNCIL (WORK SESSION)
Albany Boys & Girls Club
1215 Hill Street SE
Monday, September 8, 2008
4:00 p.m.

MINUTES

CALL TO ORDER

Mayor Dan Bedore called the meeting to order at 4:02 p.m.

ROLL CALL

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

FACILITY TOUR

Executive Director Ryan Graves gave a tour of the Albany Boys & Girls Club (Club) facilities from 4:03 p.m. to 4:20 p.m.

Councilor Dick Olsen arrived at 4:05 p.m..

Graves distributed a Larry Lassen Toyota flyer regarding their long-time support of the Club (see agenda file).

REALIGNING AN ACCESS EASEMENT TO THE OLD NORTH ALBANY SEWER TREATMENT PROPERTY

Civil Engineer III Gordon Steffensmeier described the parcel which is crossed by the City's access easement for the old North Albany sewer treatment plant. Ralph and Diane Nauman live across the street from the easement and are requesting to realign the access easement to allow for the placement of a horse barn and a maintenance shed. Steffensmeier described the flat spots on the fairly steep terrain. Staff feels either the current easement or the realigned easement would provide sufficient access for the City. The aerial of the property is in the staff report.

Councilor Sharon Konopa asked, how high will the buildings be? Nauman said the inside ceiling would be 16 feet. Konopa asked, would it be 20 feet from the property line, which is the minimum? Nauman said yes.

Bedore asked, will the proposed location protect the neighbor's view? Nauman said yes, and explained that one house would not see it and the other house has no windows on that side.

Konopa asked if the Naumans talked to any other neighbors which might have a view of the horse barn and shed. Nauman said the others would not see it. They did have a neighborhood meeting with all of them.

Bedore noted that a letter by Ken and Karen Marshall dated September 8, 2008, has been submitted into the record (see agenda file). Bedore said the Marshalls' concern is if in the event the change of access is granted, that the Naumans would follow the proposed site plan. Nauman responded that they would. Bedore asked, can we make that a condition of approval? City Attorney Jim Delapoer said it can be conditioned contractually with the easement, but the Council does not have land use authority. It would have to be a private contract based on the easement.

Councilor Floyd Collins said he talked to other neighbors who prefer the parcel to be developed because it is just a field right now. He sees no problem in granting the request. Councilor Bessie Johnson agreed.

Delapoer said that if the Council wants approval to be conditioned on a covenant that would enforce the terms that are offered, that language should be included in the motion. Nauman said they would not agree to the restrictions because it could prevent them from selling it later. He explained that they actually don't need the City's easement; they were just trying to be good neighbors by moving the horse barn and shed even further from the homes in the neighborhood.

Councilor Ralph Reid asked, do we need the sewer treatment site, or could we sell it to the Naumans? Staff replied that it is actually owned by the North Albany County Service District (NACSD).

MOTION: Johnson moved to direct staff to work towards approval of the realignment of the access easement. Collins seconded the motion and it passed 6-0.

Staff will bring a resolution to a future meeting.

WATER SERVICE OUTSIDE THE URBAN GROWTH BOUNDARY

Assistant City Engineer Jeff Blaine said this item has come to the work session per the Council's request to consider potential policies for water service extension to properties outside the urban growth boundary (UGB).

Blaine described two policy options and four additional criteria, as outlined in the staff report.

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Blaine suggested the City do some public outreach if the Council chooses to require additional connection fees or annexation and UGB expansion agreements; and allow a grace period so that those property owners that want to can connect under the current policies. Staff also would like Council authorization to begin discussions with Benton County about the dissolution of the NACSD.

Bedore asked, why would we allow a window for some to connect now before imposing the new standards? Collins provided the history of the current NACSD connection policy. Based on the history, some existing property owners expect connection eligibility under the old policy.

Councilor Jeff Christman noted that in July 2007, following the request by the Brown's to connect their property on Scenic Drive to City water, staff brought the Council a proposal similar to the one being proposed tonight. The changes being discussed tonight are actually less restrictive than those Council considered in July 2007. If we accepted staff's suggestion then, we wouldn't be dealing with the same issue now. Christman pointed out the similarities between the two staff proposals.

Bedore asked, do we want to initiate dialogue with Benton County about our policies and tightening up restrictions first? Linn County prohibits connection, but Benton County does not. Bedore agrees with Christman, but he said there are some additional issues before us tonight that were not present in July 2007.

Olsen agreed with Christman that this is a softer iteration of the July 2007 policy. However, he wants to have discussions with Benton County first, before adopting the new policy. He doesn't mind if the City sells water but he does not want North Albany to be engulfed with traffic which cannot be supported by infrastructure.

Konopa asked, is it possible to meet with Benton County before staff brings back a resolution? Collins agreed with Konopa that we would have more clout with Benton County if we talked to them before adopting a new resolution. Hare said staff will try to meet with Benton County in the next six weeks to discuss this as well as the dissolution of the NACSD.

The consensus of the Council was to have discussions with Benton County first and that discussions should involve the entire Council.

CALAPOOIA BREWING COMPANY REQUEST FOR HILL STREET

Transportation Systems Analyst Ron Irish explained that the Calapooia Brewing Company approached the City for help with customer parking. They used to use an empty lot with the owner's permission, however the lot has been sold. Staff suggested changing Hill Street to a one-way street and adding diagonal parking spaces.

Bedore asked, what did surrounding property owners say about the proposal? Irish said they were noticed but staff has not received any responses.

Laura Bryngelson, owner of Calapooia Brewing Company, said she spoke with the residence which is the closest and their concern is that foot traffic will increase in front of their home. The sidewalk in front of their home has ash trees in the easement and it has caused damage to their sidewalk, which increases their liability. If the Council approves the parking spaces on Hill Street, the owner wants the City to help replace the sidewalk. Bryngelson offered to help pay as well. She said this will help the owner because currently their driveway is difficult to see and the changes would make it easier to identify. The property owners across the street have expressed no concerns to her.

Collins asked if ash trees are approved for parking strips. Staff will look into it.

Irish described the breakdown of costs.

Collins suggested the City be responsible for signs and striping, and that the owner be responsible for sidewalk repairs.

Konopa would like a wider area to be noticed about the recommended changes. Johnson agreed.

MOTION: Konopa moved to notify surrounding property owners about the tentative decision; that following notification, to proceed forward with restriping Hill Street between 1st Avenue and Water Avenue; and that a condition of approval is that the property owners must make sidewalk repairs. Christman seconded the motion and it passed 6-0.

EAST THORNTON LAKE NATURAL AREA PROJECT

Parks & Recreation Director Ed Hodney said that City Tree Commission member Mark Azevedo and property owner Byron Hendricks are in attendance.

Hodney and Azevedo followed the *East Thornton Lake Natural Area Project* presentation outline in the agenda packet.

Following the presentation, Hodney noted that Azevedo and his group of supporters have given much of their time and effort to this project. Hodney thanked them for their work.

Hodney said the Oregon Watershed Enhancement Board (OWEB) grant could fund up to 75 percent of the fair market value of the property. The value of the property has not been identified yet. Hodney discussed using the Trust for Public Lands to negotiate with Hendricks to establish land value for the grant application; the deadline for grant submittal is October 20 so discussions would need to start soon. The City would most likely be the title holder, and we would want to enlist the services of a land trust group, such as the Greenbelt Trust to manage the property to achieve the conservation objectives. The source for the 25 percent match still needs to be determined. Options are City funds, gifts, donations, or other grants. Azevedo said he has already been approached by a donor who committed \$10,000 and wishes to remain anonymous.

Azevedo said plans could include a small outdoor picnic park located on the North Albany side of the property, behind the old Peacock house. The small park would also include an educational kiosk and a trailhead.

Hodney said the City owns another parcel close to this proposed site, but it does not make sense to develop both the East Thornton Lake parcel and the City-owned parcel as parks. It may be possible to sell the current City parcel to cover some of the cost to acquire the nature area site on the lake.

Collins supports the idea. The history which Azevedo uncovered lends to the desire to preserve this property and its historical culture for our community.

Hendricks said he supports the interest the group has in his property. He offered a sales price awhile ago, but he has some concerns that a current appraisal may not meet those standards given the current market. But, he is a willing seller, if a price can be agreed upon.

Christman asked, what kind of maintenance cost will there be in the future? Azevedo described the several phases as outlined in the agenda packet. The selected land trust will fund the maintenance of the property. OWEB requires a land trust overlay on the site and the land trust would be responsible for maintenance. Corvallis has eight properties that are part of the Greenbelt Land Trust and this is their standard procedure for projects such as this.

Reid is pleased that Azevedo is proceeding in this direction. Azevedo is an example of how community members can get involved in preservation. He thanked them for following through. Olsen is also in favor of the project and finds the historical perspective very intriguing.

The Council is in favor of staff drafting a grant application for OWEB. The Council does not want to commit financially yet, other than staff time.

DOWNTOWN PARKING REGULATION MODIFICATION

Irish said Davis Glass has requested that the last three spaces on the south side of 2nd Avenue west of Montgomery Street be designated as "30-minute customer only" by Parkwise.

Christman said he supports Davis Glass because it is a local business, but he will be voting no on principle. Albany needs to have a parking plan and piece-mealing it like this will lead to a mess. He said, we as a Council tend to be reactive instead of proactive. We need to have good plan in place because it may be many years before a parking structure is complete.

Konopa said, we have a parking plan, which is what Parkwise is implementing. Occasionally, modifications may be necessary. She supports the request; Davis Glass is a local business and has been at that location for years.

Reid and Bedore agree with Christman, that we need long term-parking.

Hare said that Albany has been working on long-term parking. He said he has dealt with more parking issues in the smaller cities in which he worked than he has here in Albany, so overall he thinks our parking plan must be working fairly well. He agrees with Konopa that downtown Albany is a dynamic place with a changing mixture of businesses and as a result, changes in parking needs. He doesn't think having flexibility now while continuing to plan for long-term parking needs are incompatible. He supports the request.

Discussion followed.

MOTION: Konopa moved to adopt the Resolution and Collins seconded it. The motion passed 4-2 with Johnson and Christman voting no, and was designated Resolution No. 5654.

KNOX BUTTE SIGNAL REQUEST

Jerry Wolcott from Oregon Department of Transportation (ODOT) said the City's request to have a signal at the Knox Butte off ramp was considered by ODOT. ODOT is not ruling it out but wants to continue evaluating to make sure it is the appropriate treatment for that intersection. The study would not take place until after the construction is complete.

Collins said it is a long-term request, not just during construction. Wolcott said ODOT is concerned about safety and will have flaggers at that location 24-7, which is a less expensive alternative than a signal.

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Collins is disappointed in ODOT's response because he thinks it is based on cost analysis and not what we need to do to protect our citizens.

Wolcott said the traffic study will look at the intersection separate of the construction phases. ODOT considers it two separate issues.

Hare asked, what triggers the difference between ODOT assigning a four way stop or flaggers for the site? Wolcott is not sure but will find out.

COUNCILOR COMMENTS

Reid said Caldwell, Idaho, recently experienced a structure which fell and opened up an old creek that they did not know existed. Since then they have been restoring the creek and buying up property around it. The creek is 15-20 feet wide.

Johnson asked, will the future Lowe's store impact the improvements planned for Oak Street for the incoming Kinder Park? Hodney said, the park improvements include bicycle and pedestrian safety for now. A second public review of Oak Street is scheduled for Thursday, September 11, at 6:00 p.m. at City Hall. Hodney had the Kinder Park Illustrative Master Plan with him and gave a copy to Johnson (see agenda file).

Bedore said the Psychiatric Supervisory Review Board Siting Governor's Task Force met for the fourth time. They created a matrix from all the different interest groups which he will forward to the Councilors. Hare said, the concerns identified by the Albany Council surrounding this issue will be addressed administratively and legislatively.

CITY MANAGER REPORT

Hare said the city of Millersburg voted to have Call-A-Ride service in their city. Albany and Millersburg staff will be meeting on Wednesday to discuss details and price proposals. Formal agreement would come back to the Council for approval.

Hare asked if the Council had any suggestions for the Oregon Sesquicentennial Celebration. The Council had none.

ADJOURNMENT

There being no other business, the Work Session adjourned at 6:10 p.m.

Respectfully submitted,

Mary A. Dibble, CMC
Deputy City Clerk

Reviewed by,

Stewart Taylor
Finance Director