

CITY OF ALBANY  
CITY COUNCIL (WORK SESSION)  
Municipal Court Room  
Monday, October 6, 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, and Dick Olsen.

Councilors absent: Councilor Sharon Konopa.

BUSINESS FROM THE PUBLIC

There was no business from the public.

TRANSPORTATION SYSTEM PLAN UPDATE

Civil Engineer III Jeni Richardson said she has revised memos 6A and 6B. Memo 6C will stand unchanged for now although there have been some additions to the project list which she will explain. The memos will be distributed to the Council at the conclusion of the work session (see agenda file). She also will hand out two large maps at the end of the meeting (see agenda file).

Richardson said Oregon Department of Transportation (ODOT) and Department of Land Conservation and Development (DLCD) play a key role in approving the City's list of Transportation System Plan (TSP) projects. In the past ODOT has expressed some concern about the proposed state highway projects, and both DLCD and ODOT expressed some concern about the regional bridge concept. In early September, City staff met to discuss these concerns.

Richardson said, ODOT's concern about the intersection projects along Highway 99E and Highway 20 is related to the use of Metropolitan Planning Organization (MPO) versus non-MPO congestion standards. Richardson explained that Albany is developing a transportation plan that establishes a project list for the year 2030. In ODOT's terminology, we are considered a non-MPO today and won't become a MPO until we reach 50,000 population, which is projected for sometime around the 2010 census. ODOT has established congestion standards for the state highway system which is used to determine what future improvements are needed. These standards recognize that it becomes more difficult and expensive to add capacity to the highway system once businesses are established, so they lower the congestion standard and allow a bit more congestion on state highways once a city exceeds 50,000 in population. In ODOT's rulebook, a city is either a non-MPO or an MPO; so we can't use the MPO congestion standards until after we become an MPO with the 2010 census. Richardson said it is futile to develop a list of state highway improvement projects in our 2030 TSP that will be tossed out in 4 or 5 years when we become an MPO and update the TSP.

Richardson said that ODOT and DLCD recognize this in principle, so City staff met with them to discuss how a rule called Action 1F.5 could be applied to add a reasonable amount of additional capacity, but to not include unreasonably expensive projects that won't ever be constructed. All state highway intersection project modifications are highlighted on the list.

At the meeting they also discussed ODOT and DLCD's concern about a placeholder project for a future regional bridge. They understand that the benefit of a new bridge crossing is to relieve congestion from the downtown Highway 20 corridor; and they also understand the cost of not building a bridge is probably more than the cost of building a bridge. However, there still needs to be a regional discussion about the bridge location and shared benefit, even though a new bridge crossing will likely not be constructed before 2030. In light of this, Richardson said, they asked the City to develop the TSP without the bridge placeholder project but with all the other work that needs to be done and some reasonable improvements that will avoid unacceptable congestion in 2030. An example is the addition of turn pockets on Lyon Street and Ellsworth Street between 1<sup>st</sup> Avenue and 3<sup>rd</sup> Avenue, to free up the right hand lane from Ellsworth Street onto Hwy 99E. These modifications are highlighted on the list which is in the packet of information the Council will receive.

Richardson said, based on the discussion, the City received an informal nod to modify and to continue to work on the TSP while the agencies run the discussion up the chain of command. The City runs some risk, but she considers the risk low and believes that it is best for the community to stop studying alternatives and to begin to wrap up the TSP and develop a new transportation SDC methodology.

Richardson said, at the local street level, staff identified a need for additional capacity on Waverly Drive between Queen Avenue and Grand Prairie Road. Neither of the two options presented at the Open House were favorable since one required removing on-street bike lanes and the other required purchasing quite a bit of right-of-way (ROW). So staff went back to the drawing board and developed a modified project that leaves the bike lanes and works within the existing ROW. This project is highlighted and described on the project list.

Transportation Systems Analyst Ron Irish used a map of Waverly Drive and Grand Prairie Road to describe previous designs (see agenda file). There was a need for two through travel lanes, which led to a five lane section for the whole route. After neighborhood meetings, staff decided we could get by with lengthening drop lines on both sides. Most drivers avoid that lane or use it just to pass other vehicles so lengthening it might encourage drivers to use the lanes more evenly. It would then transition to four lanes, two southbound for Waverly Drive, one northbound lane, and one turn lane. The merge would be further north and would impact 27 and 28 intersections with Waverly Drive. So, it imposes turn lane movement restrictions with medians. Irish described how specific neighborhoods would exit. This maintains the bike lane, but the disadvantage is the rerouting for residents. This design plan is being presented to the public for comment now.

Councilor Floyd Collins asked, do projections increase past 2030? Does the Council have the option of removing bike lanes from Waverly and rerouting them through residential neighborhoods? Irish said a future Council would have a similar option to what we have right now, but in order to achieve five full lanes on Waverly Drive it would be necessary to use 10 foot wide travel lanes. He doesn't think it can get to five lanes without moving curbs.

City Manager Wes Hare said, the optimal design is not so much black top but instead connectiveness in communities. He asked, do we have any other options? Irish said, our options for parallel connections are limited because the neighborhoods are already built out.

Richardson said, all the improvement projects discussed so far are represented on these two maps which show auto projects and non-auto projects. Each project on the map has a project number next to it that can be found on the accompanying spreadsheet along with a project description.

Richardson described the new information, which includes project costs and a first cut at prioritization. Projects are prioritized into near-term or high priority projects that are expected to happen in the next five years. Mid-term projects also have a high community or system value and staff is hopeful that funding will be available in the following five year period. The remaining projects are either long-term needs or an improvement that is project-driven by future development, future funding opportunities, or future studies. An example might be the canal esplanade, a desirable project without current funding, or the I-5 interchange improvements to be identified with the I-5 EIS work.

High priority projects are shown in red on the map and the spreadsheet; mid-term projects are orange; and long-term project are lavender. There are big and small projects in each category. Near-term auto projects include the 53<sup>rd</sup> Avenue extension and also some signal modifications to improve safe traffic flows around 14<sup>th</sup> Avenue and the Heritage Mall. Near-term non-auto projects include several multi-use path improvements and also some bike signage to improve safe facility use.

Richardson said, this information will be taken out to the public over the next several weeks. In addition to the typical Open House format, staff will reach out to specific audiences and hold Focus Group meetings with the Chamber of Commerce, senior citizens, neighborhood groups, etc.

Collins said that a Ward I resident that serves on the Bike & Pedestrian Advisory Commission has requested several improvements for bicycles. He asked, are those incorporated into this plan? Irish said, not yet but they will be discussed next Tuesday. Collins asked Irish to keep him and Councilor Dick Olsen apprised.

Olsen asked, is there anything that can be done to improve Gibson Hill Road? Students walk on a very narrow shoulder. Irish said the TSP includes a project showing Gibson Hill Road as an urban upgrade. At the same time, as part of the TSP, the Council has asked for a prioritized list of all public improvements needed in North Albany. The question for Gibson Hill Road will be whether to build the street with curb/gutter/sidewalk to an urban street standard, or instead build the street to a rural standard with a separated sidewalk and no curb and gutter. Hare added that the direction staff has been headed is to suggest a pedestrian pathway separate from the roadway, because we may get some funding for a pathway. If we wait for a fully improved road, it will be expensive; we do not have available funding; and a local improvement district would be necessary but likely very unpopular.

Richardson thanked the Council for their input.

Councilor Christman noticed an audience member that arrived and wished to speak. He asked the Mayor if Business From the Public could be reopened. The Mayor agreed.

#### BUSINESS FROM THE PUBLIC CONTINUED

Bill Sheretz, 794 Montclair Drive, said his wife is hairstylist in town. He is concerned about the proposed revisions to the sign code. He said he has been at the last two planning commission meetings. Four citizens spoke urging liberation or modification of portable signs, addressed in AMC Section 13.682, and all in attendance of the meeting seemed to favor the revisions.

#### INVESTMENT POLICY & MARKET UPDATE

Finance Director Stewart Taylor explained that the City hired Davidson Fixed Income Management (Davidson) through the Request For Proposal process to review the City's investment policy and represent the City at the Oregon Short term Fund Board meetings. Deanne Woodring, the City's Investment Advisor from Davidson, presented the

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revisions to Albany's investment policy to the Oregon Short Term Fund Board on October 1. She is here today to describe the revisions and to give an update on the current investment market. The investment policy is scheduled for adoption by the Council at the next Council meeting.

Woodring distributed a document titled Davidson Fixed Income Management City of Albany – Policy Changes (see agenda file).

Woodring gave an overview of procedures being focused on for the management of public funds: making the safety of principal the highest priority, ensuring adequate liquidity, and achieving investment return objectives.

Woodring said Albany used to have discretionary management of investments, but Taylor wanted to take a more active and cooperative role. Now, she and Taylor consult and interact on a regular basis. It gives accountability back to Taylor so he can explain to the Council the investment decisions being made. There will also be a procedure manual to explain why and how investments are made, as well as the new investment policy.

Woodring said the new policy limits allocation to a maximum exposure in the market of 20 percent. The state allows 35 percent, but Davidson advises that it be lower. Bedore asked, is that a result of the market or is this traditionally Davidson's strategy? Woodring said, it is our strategy.

Woodring described other changes, as outlined in her report and the City staff memo.

Collins asked, how does Albany compare to other municipalities? Woodring said Oregon's approach is changing. Albany is probably the first city to have an advisor, who will usually have a more conservative approach than what the law allows. Taylor said that other cities have consulted the Short Term Fund Board and are becoming more strategic by limiting their exposure and extending investments in stable funds. It seems to be a trend. An average maturity of 1.5 percent is considered conservative.

Christman asked if the Council can get monthly and annual reports. Taylor said he gets a monthly and quarterly reports from Woodring which he can pass on to the Council. Also, given the volatile state of the current market, staff will report to the Council more frequently.

Hare asked Woodring to speak to the troubled bond market and if she has a sense of how long it will last. Woodring said, we are in a serious capital crisis which may last for awhile. Issuing bonds may be more difficult. There is not a quick fix, not even the proposed bailout. Taylor said Seattle Northwest has recommended to several entities that they defer the sales of bonds for the time being. Hare explained that Albany has had many large projects that were dependent on bonds; we are fortunate that we are in pretty good shape right now, but there are projects we have envisioned for the future that may take longer to come to fruition.

Olsen asked, can we sell bonds locally like we did years ago? Woodring said, not likely; the industry has changed and the number of those who issue bonds have greatly decreased.

Councilor Ralph Reid said in the near future we will be borrowing for CARA. Taylor said a line of credit renewal with Bank of America has been scheduled for October.

#### COMMUNITY APPEARANCE AND CODE ENFORCEMENT

Management Assistant/Public Information Officer Marilyn Smith introduced members of the Code Enforcement Team and others who have been involved in community appearance projects: Fire Marshal Mike Trabue, Deputy City Attorney Matt Jarvis, Building Official Manager Melanie Adams, Parks & Recreation Director Ed Hodney, and Environmental Services Technician II Heather Slocum.

Smith said it is a challenge to keep our residents happy but stay within the limits of the Albany Municipal Code. We can't be the "pretty police" although that is what some people want, and expectations of the public have changed to think that we can. The staff memo has examples of properties that are not dangerous but are "unattractive". Staff does not have an effective way to deal with these types of complaints and is asking for Council direction. Smith asked the Council, what do you want our community to look like and what should we change, in terms of the Code and/or practices, to achieve it?

Adams gave a Power Point presentation which showed several properties that, although unattractive, were not in violation of the current Code (see agenda file).

Collins asked, can the City put a lien on the property by using the owner of record registered at the county? Adams said yes, but sometimes even that doesn't work because a property can be transitioning between owners. City Attorney Jim Delapoe added that our lien would be in last position anyway. The City needs to assess the risk of adding liens and evaluate how effective it would be, since our lien would not have priority.

Smith said the best way to get neighborhoods cleaned up is by neighborhood participation. An example is the very successful Hackleman neighborhood cleanup. Hodney agreed that community participation is far more productive than neighbor against neighbor complaints about issues our codes do not address anyway.

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Slocum said that during organized cleanups of the river, folks approach her because they are aware of unattractive properties and don't know what to do. They are willing to pitch in and help, if the City would organize it. They want to help, but they do not know where to start.

Collins said neighborhood participation is the best way to go and could be organized with minimal staff time. Penalties should be our last resort. He agreed the Hackleman district clean up was a good experience.

Bedore said there are still residents that will be unable or unwilling to help clean up their properties. We need to maintain our standards but still be flexible for those who are unable to help. We could do a general cleanup or do more focused cleanups in areas identified by complaints received by Code Enforcement and Code Compliance.

Hare said this problem is not unique to Albany. We need to have enforcement but it's too expensive to do it on every property.

Olsen said his observation is that the ability to pay fees decreases as the "junkiness" of a property increases. People feel despair. Yards are dried up because our water rates are so high. Lowering our water rates would greatly improve the looks of our communities. He thinks many of these people are at their wits end.

Councilor Bessie Johnson suggested the City work with the County Corrections Department to have continuous supervised cleanups for at least some of the neighborhoods that are complained about regularly.

Collins thinks there is a fine line between neat and ugly, and he is not sure the government should be getting involved. When we are in a position to enforce the Code that is fine, but it is much better to get the community involved in helping each other.

Bedore said his preference is for the Code Squad to focus on the properties in violation of the current Code, and use the community clean up concept if the resident wants help cleaning up their property. But for others, it is a lifestyle choice and we cannot impose our lifestyle choice on someone else.

**DIRECTION:** The Council directed staff to work within the current code and try to expand volunteer cleanup efforts.

Smith announced that on Tuesday, October 14, there will be volunteer action training from 9:00 a.m. to 1:00 p.m., at CSC, at 250 Broadalbin St. SW

Slocum said last year there were volunteer action workshops for Albany residents and teachers, to provide training for folks who want to get involved.

Community Development Director Greg Byrne said the temporary signs discussion will be coming to the Council in the future. The Planning Commission has given their direction and staff will present that to the Council.

#### STREET SWEEPING UPDATE

Public Works Director Diane Taniguchi-Dennis reported that a City employee has completed two full sweeps of the City so far, so staff has been able to evaluate costs and data.

Assistant Public Works Director/Operations Manager Mike Wolski said the City conducted an Invitation to Bid for street sweeping. They received two bids, for \$198,000 and \$209,000. There is \$175,000 in the budget, which is an increase of 25 percent over what was paid for street sweeping. Staff reevaluated the scope of the project and considered changes, like sweeping every other month instead of monthly. Wolski said they also identified a cost performing the work in-house based on a demand basis only.

Wolski said a City employee was able to sweep the route in the same amount of time that Allied Waste used to sweep it. It is not a full-time job; it takes about three weeks in a month to do two full sweeps of the City. ODOT sweeps the streets owned by the state, but they are not interested in contracting with us. It will be time for leaf pick up soon; the bid amounts for the service were \$23,660 and \$39,000. We think it will cost \$26,000 in-house.

Wolski described the options: hire an employee to just drive the street sweeper, or hire an employee full-time to drive the street sweeper; spot problems in the streets along the route; and be on call by the street crew. The midrange cost for wages, benefits, vehicle maintenance, fuel, leaf removal dumping fees, and capital costs is \$160,000 not including overhead. This estimate includes \$25,000 for sweeper replacement, on a 6-7 year life cycle.

Taniguchi-Dennis said the overhead for street sweeping may be neutral regardless of whether the City contracts it out or perform it in-house. The leaf pick up is another issue. Staff studied what other cities do and found that in Corvallis, the vendor picks up leaves and customers are charged as part of their rates. Our franchise is up for renewal, so we may be able to be address leaf pick up.

Collins thinks that if the cost is similar for in-house versus contracting out, that the City should contract it out. Johnson disagreed, stating that it should be done in-house if the price is comparable. Taniguchi-Dennis commented that the quality of work would be easier to control if it were done in-house.

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#### ICMA BOOK REPORT

Management Systems Director Bob Woods described the ICMA book titled "What Works". Albany's Library and Fire Department were spot lighted in the book. Woods described a story about the police department in Casper Wyoming. They realized that their accident rate was higher than other cities according to ICMA data and it prompted them to investigate why. They identified the problem and implemented an inexpensive fix. This is an example of how asking the right questions helps. Several other cities in our area are included in the book. Albany and Salem were rated "high".

#### RECESS TO EXECUTIVE SESSION PURSUANT TO ORS 192.660 (1)(h) TO DISCUSS CURRENT LITIGATION OR LITIGATION LIKELY TO BE FILED

The work session recessed at 5:53 p.m.

#### RECONVENE

The work session reconvened at 6:12 p.m.

MOTION: Johnson moved to have the Council authorize settlement of the Periwinkle Partnership litigation which involves payment of \$22,500 representing the City's share of the settlement; \$5,000 from the City to pay the Easdale's portion; and up to \$6,000 to assist in Easdale's attorney fees based on documentation of the firm of Weatherford, Thompson, Cowgill Attorneys at Law. Reid seconded the motion and it passed 5-0.

#### COUNCILOR COMMENTS

Johnson said the League of Oregon Cities (LOC) Conference was very good.

Collins said he and Konopa have had several campaign signs lost or stolen. Up to 15-20 percent of his signs are gone.

Bedore said he voted on the Council's behalf at the LOC. He voted yes for the slate of candidates; yes for the Treasurer's report; and no on the condensation of home rule document because they had just got it and did not have time to review it.

Bedore attended the Senior Center's reception for Interfaith Volunteer Caregivers. They provide transportation, yard care, grocery shopping, etc. for the elderly. They get an annual grant from the City and do great work.

#### CITY MANAGER REPORT

Hare said there is a staff memo and resolution requesting to award a contract for the RFID Tracking and Materials Handling System and adopting a Resolution on the dais (see agenda file). It needs to be adopted at the Wednesday Council meeting in order to take advantage of the Oregon Community Foundation Grant dollars for electronic book check out.

Smith will contact the media to notify them of this additional item.

Hare said Library staff did a presentation today to the Gates Foundation for library funding. Eight of our computer stations were funded by them already.

Hare said the ICMA and LOC Conferences were very good. He thanked the Council for allowing him to attend.

Collins asked the status of the Linn Library League and the resolution of support that was signed. He is concerned because the support in the resolution was intended to be time-specific, for the measure on the ballot, rather than ongoing support. Hare said he assumed it is void since the measure failed, but he will look into it. Collins would like to have it come back for discussion.

#### ADJOURNMENT

There being no other business, the Work Session adjourned at 6:21 p.m.

Respectfully submitted,

Mary A. Dibble, CMC  
Deputy City Clerk

Reviewed by,

Stewart Taylor  
Finance Director