

CITY OF ALBANY
CITY COUNCIL (WORK SESSION)
Municipal Court Room
Tuesday, January 13, 2009
6:30 p.m.

MINUTES

CALL TO ORDER

Mayor Sharon Konopa called the meeting to order at 6:30 p.m.

ROLL CALL

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

Councilors absent: None.

BUSINESS FROM THE PUBLIC

There was no business from the public.

TRANSPORTATION SYSTEM PLAN AND DEVELOPMENT CHARGES UPDATES

Civil Engineer III Jeni Richardson noted that over the past few months, the Council has received information supporting the Transportation System Plan (TSP) and the Financial Plan. At this work session, Richardson will:

- review the orange TSP project notebook (see agenda file)
- briefly explain how the financial plan pieces fit together
- provide the reimbursement fee portion of the Transportation System Development Charges (TSDC)
- schedule a special work session to continue work on the Financial Plan

Richardson described the additional handouts: the Transportation Financial Plan Roadmap which provides an overview of how the Financial Plan works (see agenda file) and Maximum Eligible SDC-i and SDC-r (see agenda file).

Richardson explained the organization of the TSP project notebook that contains a single page for each road, bike and pedestrian project identified to meet the needs of today through 2030. The orange notebook contains three maps, a project spreadsheet, and an information sheet about each of the projects. The maps show the road projects, the bike/pedestrian projects, and the functional classification of the 2030 roadway network. The spreadsheet contains all the information on the project sheets. Each project sheet has an ID number, description, priority status, SDC-i eligible percentage, and a location map or illustration.

The TSP project list totals approximately \$350 million.

A portion of the TSP project costs can be attributed to future users of the transportation system and can be included in the improvement fee portion of the new transportation SDC. About half of the TSP project costs can be attributed to growth and the draft SDC-i methodology sets the maximum eligible SDC-i at approximately \$13,000.

As described in the Council memo, Richardson said, staff identified transportation projects built with City funds since 1997 that have a reserve capacity for future system growth and can be included in the reimbursement fee portion of the new transportation SDC. About \$5.6 million is eligible for reimbursement and the draft SDC-r methodology sets the maximum eligible SDC-r at approximately \$415.

Obtaining consensus on an SDC fee methodology (improvement and reimbursement) is necessary before continuing work on the Transportation Financial Plan. Working through Councilor questions and making any modifications will be the first agenda item at the special work session.

Richardson said, developing the financial or funding plan for the TSP is an iterative process. The project priorities, the level at which Council decides to set the SDC fee, and the other revenue sources (new and existing) can all be changed until we are comfortable with the Financial Plan. Working through the funding plan will involve plenty of opportunities for public input.

Staff would like to schedule a work session to work through the SDC methodology first. During the Financial Plan, the Council will review the work through an example and staff will be ready to modify assumptions as necessary.

CONSENSUS: The Council scheduled the work session for January 21, 2009, at 7:15 p.m.

POTENTIAL OAK STREET LOCAL IMPROVEMENT DISTRICT

Assistant Public Works Director/City Engineer Mark Shepard recalled that in September the Council asked staff to research the cost to bring Oak Street between 9th Avenue and Queen Avenue up to urban standards and information

about a Local Improvement District (LID) boundaries and methodologies. Shepard said the staff report is a very preliminary report only, not an Engineer's Report.

Oak Street is classified as a local street. In the Transportation System Plan it will be classified as a collector street. The land use development in this area varies, with medium density residential, a restaurant, and community commercial. The street improvement discussion was prompted by the development of Kinder Park and the construction of a Lowe's store.

Shepard said staff included costs for installation of underlying utilities so the streets would not have to be cut again. There are older undersized water lines which need to be replaced in some areas. The total project is estimated to be \$2.5 million. Shepard described the LID methodology used for the table on page three of the staff report. Assessments were based on trip generation and include storm drainage and sidewalks.

Councilor Dick Olsen asked, will the properties that front both Oak Street and Sherman Street have to pay for improvements on both sides? Shepard said yes, although in the past double-frontage properties have been discounted.

Shepard said, this project is not currently eligible for SDC funding, although the Council could designate funds to lower costs for residents following completion of the project.

Councilor Floyd Collins said the issue is two-fold. First of all, is it time to bring this road up to development? If the answer is yes, then how? Options include an LID or making improvements as development occurs. Collins asked, if Lowe's is approved this summer, how does that impact the timing of an SI or LID? Shepard said Lowe's could potentially make SI improvements beginning this summer; if the City makes improvements through LID construction, it could be the summer of 2010. Land use approval decisions involve timing issues and may dictate what we can require from Lowe's. Discussion followed.

Collins noted that Federal Stimulus Package revenue is another funding option.

Councilor Bill Coburn asked, do you think the street improvements would be necessary if Lowe's were not coming? Shepard said, it depends how we look at it. The road currently functions, however its condition is not good. It needs an oil mat or overlay to at least make it more rideable and the lack of sidewalks presents a safety concern. Coburn asked, who has the biggest impact - Lowe's, Kinder Park, or the neighbors? He thinks Lowe's should be responsible for 9th Avenue to Queen Avenue. City Manager Wes Hare noted that assessments against properties have to be proportional to their impact so Lowe's assessment has to fall within those parameters. Coburn said we should charge Lowe's the maximum possible within the law.

Collins clarified that we can proceed with the LID paperwork but not implement it yet. Shepard said yes, although the downside is the potential lien from the LID would show on a property that is for sale.

Councilor Bessie Johnson thinks we should proceed with the LID now to get the ball rolling.

Councilor Ralph Reid is concerned that the Council has seen many instances of people who were unaware of a remonstrance on their deed. However, they are responsible to know what they are signing. He urged the Council to take the next step and get the process started, so we can be in the position to incorporate Lowe's, or others, into the LID.

Michael Steiler, 1320 Oak Street, has lived in this neighborhood for 20 years. He has talked to a lot of people. He thinks the City made a bad deal when they took the street from the county and didn't require them to bring it up to standards. All he sees is an extra burden. He won't get one extra penny for his house with Lowe's coming in and all the extra traffic they will bring. He is on disability and his wife works in retail. All the neighbors have kids that grew up and left. There are no kids in the neighborhood. He thinks there needs to be a bypass on the road before the park goes in, but the kids are going to use the street just like everyone else. Still, it needs to be done before the park is used. Now, we are adding a Lowe's and he doesn't see why that burden should be on him when the road has just gotten worse. It hasn't been slurry-sealed in ten years.

Dala Rouse, 432 Burkhart Street NE, said that when the Boys & Girls Club came before the Planning Commission, she vaguely remembers the plan including three ball fields. She recalls that for the third field, we gave them time to develop money to build the road, including improvements to both sides of Oak Street - not just their frontage - since they will impact the road in a new way. She asked staff to look into that history. She said, now the City is building two, rather than three, ball fields, so the City is in violation of the original agreement, which gets the City out of building the road.

When Linn County gave the City money for the roads, Rouse continued, the money designated for Oak Street and some others was used on Waverly Drive instead. At the time we did not have transportation SDCs and no other source of funding. When we had an Albany Revitalization Area we improved some streets with those funds. In the 1980's we assessed property owners \$10 per foot because we reasoned that being on an arterial street was already detrimental.

Konopa said, we should also consider the properties that are losing their parking. If they are not benefiting they should not have to pay.

Collins asked, is there urgency to adopt the new SDC methodology? Transportation Systems Analyst Ron Irish said, it is not urgent except that the sooner the Council adopts the plan, the sooner there will be SDC money available. Coburn thinks a new road would have greater benefit to the community, Lowe's, and Kinder Park than to the residents. He thinks we should go ahead with LID but it is not fair for 77 residents to pay for it. The Council has the flexibility to decide what a fair assessment is for residents.

Olsen asked, can we charge Lowe's an SDC first and then a LID? Irish said it is a timing issue which is complicated by the land use decision. He offered that Lowe's is not going to want to delay opening the store because of an unimproved street, nor would ODOT permitting allow for it. Discussion followed.

CONSENSUS: The Council consensus was to direct staff to proceed with the Local Improvement District. The next step is for staff to bring back a resolution to initiate an Engineer's Report.

GIBSON HILL ROAD PEDESTRIAN IMPROVEMENTS PLAN

Shepard said, staff needs feedback on the plan for pedestrian improvements and the final configuration of Gibson Hill Road. Shepard described the four projects completed so far, as described in the staff report and illustrated on Attachment A in the staff report.

The project was divided into four phases and prioritized according to improvements which would be most beneficial for pedestrian students, as illustrated on Attachment B in the staff report.

Reid pointed out that some North Albany residents want sidewalks while others want the area to remain rural.

Coburn is frustrated that Benton County says they have no money. Shepard said they have little to no capital and can only participate by in-kind services. Benton County does not have the timber money that Linn County has.

Coburn likes the idea of phasing, but wonders if there is a way to do it faster than five years. Shepard said, it is a matter of funding. This project has to be balanced with other street funding needs. The sources of capital for transportation projects is the STP funds of approximately \$400,000 from the federal government through ODOT. Usually we collect money for two years and then do a project. Another option is grant money through ODOT, though grant money is becoming less available. Having this project in the CIP will help in the grant process, and it is also listed on the City's list of projects eligible for the Economic Stimulus Plan. Coburn noted that construction bids are coming in very low in this economic market and it would be a shame to miss out on favorable prices.

Konopa said, we will be setting a precedent if we allow streets that are not up to standards. Also, we are setting a precedent if the City helps to pay for North Albany sidewalks whereas Oak Street residents paid for their own.

Collins is concerned for driver safety with the deep ditches along Gibson Hill Road, North Albany Road, and Thornton Lake Drive. Discussion followed.

MOTION: Collins moved to include Phases A,B,C, and D of the Gibson Hill Road Pedestrian Improvements project in the CIP and Johnson seconded it. The motion passed 5-1, with Reid voting no.

GEARY STREET PEDESTRIAN ISLAND

Irish described the installation of a pedestrian crossing on Geary Street near the Heritage Mall. This is a minor arterial street with 12,000 trips per day and a speed limit of 35 mph. Currently pedestrians cross in between the two existing crossings.

Staff proposes two possible locations for the median: just south of the northern driveway access into the mall, or just north of the Geary Street and 12th Avenue intersection. Both options cost about \$25,000. Discussion followed.

Konopa asked, has the Traffic Safety Commission reviewed the plan? Irish said, not yet. Konopa thinks one of the members had a specific concern about this plan.

MOTION: Collins moved to approve the crosswalk at the southern location, including striping and bringing it into ADA compliance, and to use the residual from the Waverly Drive in the Street Capital and Restoration Fund. Coburn seconded it and the motion passed 6-0.

ODOT INTERGOVERNMENTAL AGREEMENT AMENDMENT

Public Works Director Diane Taniguchi Dennis explained that this resolution will allow the City to accept grant money from ODOT. They have requested the City to analyze more intersections at the highway system and this grant money would pay for it.

MOTION: Collins moved to adopt the resolution to accept a Federal Highway Administration State Planning and Research Grant for additional analysis for a transportation system plan, and Johnson seconded it. The motion passed 6-0 and was designated Resolution No. 5723.

REQUEST TO APPLY FOR ODOT 2009-2011 TRANSIT GRANTS

Transit Programs Supervisor Ted Frazier explained that these are federal funds passed through ODOT for senior and disabled services. They will be used to buy new vehicles to replace old vehicles and some operating funds.

Collins asked, where does the City's match come from? Frazier said, the Operations Fund for paratransit. The City applies for this particular grant every two years.

MOTION: Collins moved to adopt the resolution authorizing multiple applications to ODOT for the 2009-2011 Biennium Discretionary Grants for Transit, and Reid seconded it. The motion passed 6-0 and was designated Resolution No. 5724.

ACQUISITION OF RIGHT-OF-WAY AT 3815 SPICER DRIVE SE

Shepard is requesting Council adoption of a resolution approving the purchase of right-of-way (ROW) at Spicer Drive. The City has a letter for an irrevocable request to annex and approval from Linn County. The property owner is willing to sell. This project is in the TSP and CIP. ODOT funded a study to determine the alignment of the road.

MOTION: Johnson moved to adopt the resolution accepting the ROW dedication deed from Jeremy and Melissa Still and Reid seconded it. The motion passed 6-0 and was designated Resolution No. 5725.

COUNCILOR COMMENTS

Coburn commended staff for work on the stimulus package document provided at the January 12, 2009, work session. Other cities seem to be getting on board also.

Collins received a call from the public about a story that ran in the *Democrat-Herald* regarding the proposed building permit fee increase of 20%. Collins is disappointed the article did not present all the information, but rather picked one piece out of a much bigger picture.

Konopa said she changed the dais seating for Council meetings.

CITY MANAGER REPORT

Hare noted that if the Councilors plan to bring a guest to the Millersburg Appreciation Dinner, according to Oregon ethics law they must pay for their guests' dinner.

ADJOURNMENT

There being no other business, the Work Session adjourned at 8:48 p.m.

Respectfully submitted,

Mary A. Dibble, MMC
Deputy City Clerk

Reviewed by,

Stewart Taylor
Finance Director