

CITY OF ALBANY  
CITY COUNCIL  
Council Chambers  
Wednesday, January 13, 2010  
7:15 p.m.

**MINUTES**

CALL TO ORDER

Mayor Konopa called the meeting to order at 7:16 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG

Konopa led the pledge of allegiance to the flag.

ROLL CALL

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

SCHEDULED BUSINESS

Communication

Accepting Derryl James' resignation from the Landmarks Advisory Commission.

MOTION: Councilor Collins moved to accept the resignation of Derryl James from the Landmarks Advisory Commission and send him a letter of thanks for his service to the City. Councilor Reid seconded the motion and it passed 5-0.

Final Decision

SP-37-08, SP-38-08, VR-09-08; making a final decision on the site plan reviews to construct a Lowe's home improvement and garden center and to remove 42 trees and to allow the building area of the proposed Lowe's building to be 152,236 square feet.

Konopa explained that this would be the final decision on three land use applications to construct a Lowe's home improvement and garden center, to remove 42 trees, and to allow the building area of the proposed Lowe's building to be 152,236 square feet when ADC 4.090, Table 1, shows the maximum building area to be 100,000 square feet. The applicants are Conser Homes, Inc., J. Conser & Sons LLC, and Phyllis Perlenfien. This is Albany case files, SP-37-08, SP-38-08, and VR-09-08.

Konopa said that following a public hearing on December 9, 2009, the Council made a Tentative Decision to approve with staff recommended conditions and include some of the applicants suggested changes. The supplemental findings can be found on pages 4 through 20 of the Council agenda packet.

Planner II Janet Morris said the City of Albany staff and the applicant's attorney prepared the supplemental findings and they reflect the testimony and direction of the City Council at the December 9 meeting. On pages 6 and 7 of the Council packet are the findings that clarify the discussion on the building size and the bike path width. So there would be no confusion later, staff has included a motion in the packet to amend Conditions of Approval 3.1 and 4.1, regarding those issues.

Community Development Director Greg Byrne commented that they have met with the applicants and believe they have found a solution that allows the construction to meet all City standards, conform with the Council's requests, and to retain the parking that Lowe's required. The applicants have agreed to submit a revised site plan for approval.

MOTION: Collins moved to approve with conditions the Site Plan Review application to construct a Lowe's home improvement and garden center on 11.54 acres of land located at the southeast corner of Oak Street SE and Ninth Avenue SE, the Site Plan Review-Tree Felling application to remove 42 identified trees from the development site, and the Variance application to allow the area of the Lowe's building to be 152,236 square feet when 100,000 square feet is the standard (files SP-37-08, SP-38-08, and VR-09-09); also that the Council amends Conditions of Approval 3.1 and 4.1 for VR-09-08 to read, "The developer or its successor shall construct a master plan bike path section on the west side of Periwinkle Creek from Ninth Avenue south connected to the existing path on Kinder Park. The path shall be constructed to City standards, which includes 10 feet of pavement and a minimum of two feet of unobstructed clear space on both sides of the paving. Safety fencing shall be constructed as deemed necessary. The final plans for the path shall be reviewed and approved by the City's Community Development and Parks & Recreation Directors. Any changes to the Site Plan to accommodate the pathway shall be reviewed and approved by the Planning Division in accordance with Condition 5.1."; and that the Council adopts the Findings of Fact, Conclusions, and Conditions set forth in the Staff Report, as modified by the Supplemental Findings, including the conditions set forth therein. Councilor Johnson seconded the motion.

Reid thinks Lowe's is aesthetically inconsistent with the surrounding community.

Councilor Christman said that he hopes the applicants follow through on using porous material on the pathway and donating the trees that are cut to the organization represented by Mr. Azevedo.

Johnson disagrees with Reid. She believes it will be a good fit. She had concerns about Pings Restaurant possibly losing part of their property.

VOTE: The motion was voted on and passed 4-1, with Reid voting no.

Konopa explained that within five days of the decision the Community Development Director will provide written notice of the decision to the applicant and any other parties entitled to notice. A decision of the City Council may be appealed to the Land Use Board of Appeals by filing a Notice of Intent to Appeal not later than 21 days after the decision becomes final.

#### Continued Legislative Public Hearing

CP-02-09, amending Ordinance No. 4477, which adopted the Albany Comprehensive Plan, adopting findings; and declaring an emergency.

Konopa explained that this continued Legislative Public Hearing was regarding amendments to the Comprehensive Plan that will revise the text of Chapter 5: Transportation, and adopt the Albany Transportation Plan (TSP), dated October 2009, as a supporting document. The applicant is the City of Albany.

Konopa reopened the hearing at 7:34 p.m.

#### Staff Report

Planning Manager Don Donovan explained that the current version of the TSP that the Council would be working with tonight would, once adopted, supersede the current TSP. There have been numerous meetings of various types on the update to the TSP since work began in 2006. The Planning Commission has been reviewing the TSP as well and has recommended the Council adopt the TSP and the related amendments with one change – they recommend that Timber Street be extended north of Knox Butte Road instead of Expo Parkway. All of the revisions recommended by the Engineering staff and included in the Council packet were posted on the City's web site for public review. State law requires that the TSP be adopted as a supporting document to the City's Comprehensive Plan (Comp Plan). As part of the TSP staff also proposes to update the text in Chapter 5 of the Comp Plan that talks about transportation to reflect changes included in the TSP. The proposed text revisions are included as attachments to the staff report. Also, a couple of maps need to change with the update. These changes are part of the state-mandated periodic review of the City's Comp Plan.

Donovan explained that when staff makes changes to the Comp Plan they are required to explain how the changes meet the review criteria included in the Albany Development Code. Included in the staff review in the Council packet, is an explanation of how the review criteria are met.

Donovan said there have been discussions with Council regarding the Expo Parkway/Timber Street/Century Drive topic since the November meeting with the Planning Commission. In addition, K&D Engineering submitted a letter (in agenda file) regarding this topic for tonight's hearing, on behalf of the Barna family, who own property near Century Drive and Knox Butte Road. Richard Loffelmacher also submitted a letter (in agenda file) that explains how important the Expo Parkway intersection is for development of the Barna property with retail establishments. Glenda Fleming submitted a comment sheet (in agenda file) that talks about South Shore Drive.

Civil Engineer III Jeni Richardson said a copy of the TSP that includes Attachments 1 and 2, has been available on the project website, the libraries, city hall, the Senior Center, and Chamber of Commerce, since late 2009. Attachments 8 and 9 include final revisions discussed at the November public hearing and available for public review. The goal tonight is not to adopt the TSP, but to receive public testimony and direction from Council; to incorporate the revisions in Attachments 1, 8, and 9. Staff believes there is a need for additional neighborhood meetings regarding the Timber Street and Expo Parkway projects, L17 and L18. They also believe there should be more discussion regarding the concerns of the South Shore neighborhood as it pertains to the I-5 Interchange studies S9 and S10, and page 73 in the TSP document. Staff suggests the Council close the hearing tonight except for L17, L18, S9, S10, and the paragraph on page 73, and any other outstanding items that come up tonight, and direct staff to incorporate the comments regarding Attachments 1, 2, 8, and 9 into the TSP, so that the follow-up public hearing can concentrate on those items still outstanding.

#### Testimony

Konopa reminded the audience that if anyone wishes to enter an exhibit into the record as part of their testimony, please briefly describe the letter, photo, or map and then present it to the City Clerk.

John deTar, 3700 SW Philomath Boulevard, Corvallis, representing the Oregon Department of Transportation (ODOT), said with the amendments and updates the TSP now responds to their concerns.

Konopa said that she attended a steering committee meeting with Mr. deTar and ODOT members working on the I-5 Corridor and Interchange Environmental Assessment (EA) project and voiced the City and Linn County's concerns about blocking off Airport Road and Century Drive near the Knox Butte and Hwy 20 Interchanges.

Councilor Collins asked if the resolution of projects L17, L18, S9, S10, and page 73 would be delayed until after the I-5 EA study was completed. City of Albany Transportation Systems Analyst Ron Irish said the City will revisit the TSP 2-3 years down the road at the conclusion of the I-5 EA but that the issues with these specific projects cannot wait for conclusion of the EA and must be completed now.

Councilor Olsen asked if the plan to expand the bridges over the Willamette River from two to three lanes was included in the TSP. DeTar said widening the existing bridges is not a project in the TSP, would not resolve the local or regional issues, and the effect downtown would be significant. Olsen added that a new bridge down river would be a better solution. DeTar said that the location of a future bridge and a funding mechanism have not been identified so it was not relied upon when studying future traffic routes. He said the TSP relies on interim solutions that allow state facilities to meet performance standards and transportation needs, including downtown pedestrian movements.

Reid commented on the need to expand the Highway 99E (Pacific Boulevard) viaduct near downtown and the railroad. DeTar said they are currently addressing the traffic safety issues on Highway 99E to eliminate the weaving patterns and when completed it appears there is sufficient capacity over the bridge through the planning horizon. Reid still had concerns about the overpass capacity.

Collins asked when the corridor analysis from I-5 to Corvallis on Highway 20 would take place. DeTar answered that at this time it isn't scheduled. Collins asked if it was on their priority list to be funded. DeTar said needs are significant, but it is not on their calendar at this time. Collins said if something isn't done between I-5 to Corvallis, state highways through Albany will be continually overloaded. If Albany had no growth, the increased traffic coming from northern Corvallis would continue to drive traffic coming through Albany at even higher ratios. An analysis regarding capacity ratios on Highway 20 needs to be on the priority list.

James Brooks, 3749 Dunlap Avenue, lives in the Knox Butte area and had concerns about not being notified of road changes that would impact his property. Currently there is a lot of open space around his property. He is concerned about the new proposal for a street system that would change that. The neighborhood didn't suggest Timber Street, rather one individual did. It is dangerous to take a recommendation like this and put it into a transportation plan. He asked the Council to slow down and communicate with the property owners. Communication needs to be better. He doesn't scan the paper for Council issues that may impact his property. His expectation is that the City will bring the information to him.

Christman said that is what staff is proposing; to slow down on these projects, including the Timber Street suggestion.

Konopa added that staff will be doing an outreach to the neighborhood.

Matthew Conser, 1010 Airport Road, representing the Conser Group, urged the Council to move the TSP forward. They do have concerns on how the TSP might impact Airport Road and Oak Street.

Jerry Baysinger, 1006 SE Grand Avenue, Suite 300, Portland, encouraged the Council to move ahead with the TSP update. He said it will benefit new development and the Oak Street extension is necessary for safety and to improve connection between Pacific Boulevard and 9th Street. This street improvement will happen with or without the Lowe's development.

Dan Watson, representing K&D Engineering, 710 Thornton Lake Drive, said they had submitted a letter expressing their concerns about not identifying Expo Parkway as a signalized connection to Knox Butte and asked if the Council had any questions. There was none.

Glenda Fleming, 3018 South Shore Drive, said the 1997 TSP shows traffic off of Airport Road would be diverted to South Shore Drive, then on to Bain Street, then on to Santiam Highway. She believes that is a bad plan. There is a pronounced grade at the intersection of Airport Road and South Shore Drive, and traffic moves on Airport Road at 35 to 40 miles per hour. It would have to be choked down to 20 miles per hour to go through the neighborhood and pass an elementary school on Bain Street. The difficulty of turning onto Santiam Highway from Bain Street is also an issue. During TSP open house meetings the neighborhood discussed this concern with staff, but she said the draft TSP has a paragraph at the top of page 73 that says the City would implement whatever route ODOT decides. If Airport Road needs to be closed, it needs to be closed north of the neighborhood at Oakwood Avenue, so that none of the south bound traffic gets diverted to the neighborhood. Although she has been assured that no one wants to cut

through the neighborhood, sentiments may change years down the road. It matters that those words are in the TSP. She would like it changed.

Dick Owen, 810 Cox Street, said he lives a block and half from Airport Road. He said it is a hazardous entryway onto South Shore Drive. There is a safety and sight distance issue over the culvert with a potential for accidents.

Konopa closed the public hearing at 8:23 p.m.

#### Deliberation

MOTION: Collins moved to direct staff to finalize (adopt) all attachments with the exclusion of L17, L18, S9, S10, and the paragraph on page 73 of the Transportation System Plan (TSP). Johnson seconded the motion and it passed 5-0.

Olsen asked, what procedures will staff use to solve the problems of Timber Street and South Shore Drive? Irish explained that staff will hold neighborhood meetings; one for the area around South Shore Drive and one for the area around Expo Parkway and Timber Street, which the Council will be invited to. Staff will receive input, but he suspects not all the residents will agree. There will still have to be a decision made on what the TSP pages should look like. The citizen input will be reviewed and the issues will be brought back to the Council for a public hearing and decision. It may be a two to three month process.

#### Legislative Public Hearing

DC-03-09, amending Ordinance No. 4441, which adopted the Albany Development Code and Zoning Map by amending the Development Code text related to the expiration of land use approvals, modifications to approved plans, increasing notice areas for land use applications, refining definitions for restaurants and bars, adopting findings, and declaring an emergency.

Konopa opened the public hearing at 8:31 p.m.

Planner II Anne Catlin said the amendments include:

##### Article 1, Administration and Procedures:

- Public notice for land use applications: Sections 1.203, 1.330(3), 1.350(2), 1.360(2), and 1.370(2). Some residents have asked to more broadly distribute public notices for land use applications that require notices; and
- Section 1.080, Expiration of Land Use Approvals. Some property owners have asked that the City consider extending the length of time which a land use approval is valid; and
- The entire article includes revisions related to grammar, clarity, and intent.

##### Articles 4, Commercial and Industrial Zoning Districts; Article 5, Mixed Use Village Center Zoning Districts; and Article 22, Use Categories and Definitions:

- Sections 4.050 and 5.060, Schedule of Permitted Uses. Residents have asked that we evaluate where taverns, bars, breweries, and night clubs should be allowed and the review process; and
- Changes to Article 22, Definitions and Use Categories. A new use category, “taverns, bars, breweries, and night clubs” is being proposed related to this request.

##### Article 11, Land Divisions:

- Section 11.060, Expiration of Land Use Approvals. Some property owners have asked that the City consider extending the approval time period so that approved subdivisions do not expire; and
- Section 11.070, Staged Subdivision Development. Clarify language and reevaluate approval time periods.

Catlin said the changes include the Planning Commission recommendations.

#### Testimony

Dirk Olson, 1037 North Albany Road, said he understood that all developments approved between January 1, 2007, and June 30, 2008, will have an extension added to expire June 30, 2011. North Albany’s Citizens in Action supports the Planning Commission’s recommendation. He commented that in his conversations with staff, they indicated that they do not support the extension because of Goal 5 and stormwater concerns.

Catlin commented that the staff report reflects the wrong dates for the extension and that would be corrected as the staff report becomes part of the ordinance.

Konopa asked if Mr. Olson was concerned about subjective language regarding traffic guidelines. Olson said staff told him that there would be traffic code changes that would come to a Council public hearing that would replace the guidelines and he could comment then.

Byrne mentioned that as a result of changes to the TSP there would be other Development Code changes coming to the Council.

Vi Anderson, 914 North Albany Road, said she would like the Council not to support the extension dates discussed. They will produce large increases in traffic volume.

Bill Root, 2364 Valley View, representing North Albany Neighborhood Association (NANA), said the changes allow a few developments to run out to June 30, 2011. They feel it is a compromise due to the economy. NANA supports this as a temporary change.

Corey Barton, 2310 Woodcrest NW, supports the language change regarding bars. He and his family recently moved away from the Elm Street neighborhood partly because of the bar issue.

Mark Spence, 707 Broadalbin Street, said that what the Planning Commission recommended was a more restrictive conditional use regarding taverns and bars. Catlin said staff had recommended "no taverns or bars". The Planning Commission decided that it would be okay with the conditional use process that requires a public hearing. Spence wants the Council to adopt what staff recommended, not what the Planning Commission recommended. The purpose of planning is to get the right types of uses in the right parts of town. The Elm Street area is mostly residential. He is concerned that other properties may be able to be converted to bars or taverns in the area if the language as presented is adopted.

Konopa closed the public hearing at 8:57 p.m.

#### Council Deliberation

Collins asked if the area mentioned on page 265 of the Council agenda, Article 1.070 (4), 750 square feet, is an enlargement of non-residential accessory buildings. Catlin said no; there were different standards in the Code and this section clarifies requirements for residential and non-residential accessory buildings over 750 square feet.

Johnson asked, regarding the possibility of a tavern in a residential neighborhood, where would the public hearing be held and in front of which decision making body? Catlin said it would be the Hearings Board or the Planning Commission.

City Manager Wes Hare said there is always a difference of opinion about what is an appropriate use in a neighborhood. He thought perhaps there could be a neighborhood that would be okay with a "pub" within its boundaries, and historically there has been one in the Elm Street neighborhood. He thinks the Planning Commission recommendation was to cover those possibilities but with a higher level of scrutiny.

City Attorney Jim Delapoer added that one of the criteria that will be looked at to determine if bars and taverns are allowed, is compatibility. That would look at things such as the characteristics of the neighborhood, the configuration of the building, along with inside or outside operations. The ability to go through that process allows for conditions to be set.

There followed more discussion regarding the recommendations about neighborhood taverns and bars, and the process for conditional use, including revising the Schedule of Permitted Uses on page 295 of the agenda.

Johnson said since there would be a public hearing and conditions could be attached, she would be in favor of the Planning Commission recommendation.

Regarding the conditions set on page 268 of the agenda for three years, Konopa asked staff to give an example of what that would apply to. Catlin said the North Albany Village shopping center.

Konopa said the way it is written, if one building is built, their approval would be indefinite. She said considering that planning changes throughout the years, along with Code, she would like it to be within a certain window of time. She asked if the Planning Commission had discussion regarding this. Catlin said no.

Konopa asked if language could be added to change this. Catlin said that is possible. Most applications are for one building but sometimes there is more than one building on a site.

Byrne said typically when a site comes to this step they have already made a substantial investment and are ready for completion. They have installed streets, parking lots, etc. This language is much more tangible than what has been in the Code before. Byrne is more comfortable with this language than what is there currently.

Christman asked if noticing could be expanded past the proposed 1,000 feet. Byrne said that would be an added expense and time commitment for staff.

Collins asked if noticing to 1,000 feet would be for all land uses. Catlin said if you changed it to only 1,000 feet, it would apply to all uses.

Delapoer said the burden to staff could be immense and there is never a complete recovery of costs. There is also the concern about timelines and the constraints the state puts on land use issues. He said the Council could give the Department Director discretion to go farther out.

Olsen asked, regarding page 280 in the agenda, Article 1.330 (5) (d), do they have to be appealed to the Land Use Board of Appeals (LUBA) or can it be the Council? Delapoer said it pertains to limited land use here; that generally would not end at the Council. It would mean more expense for the applicant, because they always have the option to appeal to LUBA.

Olsen asked if the examples that have been lined out (stricken) throughout the document could be retained. Catlin said the examples aren't always valid, but they can be kept in.

Olsen asked, is it only certain people that can appeal these types of procedures on page 280? Catlin reviewed the appeals process. Delapoer said it is addressed in 1.350 (5).

MOTION: Olsen moved to change CUII to N under "NC –Neighborhood Commercial District", Use Category "Taverns, Bars, Breweries, Nightclubs", on the "Schedule of Permitted Uses", on page 295 of the agenda. The motion died for lack of a second.

City Attorney Jim Delapoer read for the first time in title only "AN ORDINANCE AMENDING ORDINANCE NO. 4441, WHICH ADOPTED THE CITY OF ALBANY DEVELOPMENT CODE AND ZONING MAP BY AMENDING THE DEVELOPMENT CODE TEXT RELATED TO THE EXPIRATION OF LAND USE APPROVALS, MODIFICATIONS TO APPROVED PLANS, INCREASING NOTICE AREAS FOR LAND USE APPLICATIONS, REFINING DEFINITIONS FOR RESTAURANTS AND BARS, ADOPTING FINDINGS, AND DECLARING AN EMERGENCY (FILE DC-03-09).

MOTION: Reid moved to have the ordinance read a second time in title only. Johnson seconded the motion and it failed, 4-1, with Olsen voting no. It takes a unanimous vote of the Council for an ordinance to be read twice and adopted at the same Council meeting. This ordinance will come back to the January 27, 2010, City Council meeting for a second reading.

#### Recess

The Council took a brief recess at 9:50 p.m.

#### Reconvene

The Council reconvened at 10:03 p.m.

#### Business from the Public

There was no business from the public.

#### Adoption of Resolutions

##### Establishing ambulance service fees.

Fire Chief John Bradner said a complete report was presented to the Council at the January 11 City Council Work Session. He explained "Bariatric Services" saying that special equipment is needed to transport morbidly obese clients. These clients are increasing. One Ambulance unit has been outfitted with the bariatric equipment.

Olsen asked if the department had a hardship policy for those unable to pay. Bradner said they do have a policy in place for hardship cases and encourage participation in the Fire Med program.

MOTION: Johnson moved to adopt the resolution establishing ambulance service fees and repealing Resolution No. 5276. Collins seconded the motion and it passed 5-0, and was designated Resolution No. 5876.

##### ST-09-03, Oak Street Local Improvement District, accepting the Engineer's Report and Financial Investigation Report and setting a public hearing.

Public Works Director Diane Taniguchi-Dennis explained that the reports were based on the worst case scenario as directed by the Council.

MOTION: Reid moved to adopt the resolution accepting the Engineer's Report and Financial Investigation Report for ST-09-03, Oak Street Local Improvement District (LID), and setting a public hearing for February 10, 2010. Olsen seconded the motion and it passed 5-0, and was designated Resolution No. 5877.

#### Adoption of Consent Calendar

- 1) Approval of Minutes
  - a) December 7, 2009, Work Session.
  - b) December 9, 2009, Regular Session.
  - c) December 16, 2009, Regular Session.
- 2) Accepting a Ready to Read grant from the Oregon State Library for collection development, programs, and materials at both libraries. RES. NO. 5878
- 3) Authorizing an application for a Recreation Trails Program grant from the Oregon Parks and Recreation Department for the proposed rehabilitation of Periwinkle Creek Trail. RES. NO. 5879
- 4) Approving liquor licenses for:
  - a) Wine Depot & Deli, 300 Second Avenue SW, #112.
  - b) Lucky Garden Chinese Restaurant, 2845 Santiam Highway SE.

MOTION: Collins moved to adopt the Consent Calendar as presented. Reid seconded the motion and it passed 5-0.

#### Appointments

##### City Boards, Commissions, and Committees.

MOTION: Reid moved to approve the following appointments to various City Boards, Committees, and Commissions as recommended by the Mayor:

##### ***Albany Arts Commission***

Lynn Whitacre (Mayor's reappointment)

##### ***Albany Bicycle and Pedestrian Advisory Commission***

Jim Lawrence (Mayor's reappointment)  
Terry Virnig (Mayor's reappointment)  
Tim Siddiqui (Mayor's new appointment)

##### ***Albany Budget Committee***

Colleen Keller (Councilor Johnson's reappointment)  
Wendy Kirbey (Councilor Christman's reappointment)

##### ***Building Board of Appeals***

Dan Watson (Mayor's reappointment)  
David Smith (Mayor's new appointment)

##### ***City Tree Commission***

Tom Krupicka (Mayor's reappointment)

##### ***Human Relations Commission***

Kim Whitley (Councilor Johnson's reappointment)

##### ***Landmarks Advisory Commission***

Oscar Hult (Mayor's reappointment)  
Heidi Overman (Mayor's reappointment)  
Erin Johnson (Mayor's new appointment to fill vacant position for term that expires December 31, 2011)

##### ***Library Board***

Heather Huzefka (Mayor's new appointment)  
Georgiann Wheeler (Mayor's new appointment)

##### ***Parks & Recreation Commission***

Mike Graham (Mayor's new appointment)

##### ***Planning Commission***

David Faller, *Ward I* (Mayor's reappointment)  
Bob Kish, *Ward III* (Councilor Johnson's new appointment to fill vacant position for term that expires December 31, 2010)

##### ***Public Safety Commission***

Ray Lusk (Councilor Reid's reappointment)  
Terry Virnig (Councilor Christman's reappointment)

##### ***Senior Center Endowment Committee***

Mary Brock (Mayor's reappointment)  
Connie Lanham (Mayor's reappointment)

***Traffic Safety Commission***

Irene Coburn (Mayor's reappointment)  
Jason Desler (Mayor's reappointment)

Johnson seconded the motion and it passed 5-0.

**BUSINESS FROM THE COUNCIL**

Christman requested staff run an ad in the paper for the vacant Planning Commission position for Ward III.

Hare reported that the City of Albany was selected for a Presidential Forum on Economic Development, from 9:00 a.m. to 12:00 noon, Thursday, January 21, 2010, at the Expo Center.

Collins asked, if Linn County is still talking to FEMA about using their data for the Flood Plain maps, does their data include North Albany? If so, he would like staff to find out if accurate data has been provided. Byrne said that the Planning staff provided the data for the City of Albany for both counties. He doesn't believe the data would change within the boundaries of the City. Collins said under the proposed maps that he saw his property would be under three feet of water even though he had a survey done that shows that he is not under water at all. It cost him extra to have the survey done. Inaccurate data could produce maps that potentially require citizens to spend extra money in order to protect their properties. Byrne suggested staff return with answers to determine if the map they have is a different map than the City has. Collins will consult with staff to see if there is an issue.

Konopa shared a thank you proclamation for the Council's participation in the Veterans Day Parade and the City's grant contribution (in agenda file).

Public Information Officer/Executive Assistant Marilyn Smith reminded the Council of the Human Relations Committee annual Martin Luther King Day observance on Friday, January 29, 2010, at the Library.

Public Works Director Diane Taniguchi-Dennis reminded the Council of the groundbreaking for the Wetlands Project, on February 12, at 1:30 p.m.

Byrne said staff did a "sign sweep" to remove signs illegally posted in the City's right-of-way.

**NEXT MEETING DATE**

The next City Council Work Session is scheduled for Monday, January 25, 2010, at 4:00 p.m., in Municipal Court Room of City Hall. The next City Council Regular Session is scheduled for Wednesday, January 27, 2010, at 7:15 p.m., in the Council Chambers of City Hall.

**ADJOURNMENT**

There being no other business, the meeting was adjourned at 10:26 p.m.

Respectfully submitted by,

Reviewed by,

Betty Langwell, MMC  
City Clerk

Stewart Taylor  
Finance Director