

CITY OF ALBANY
CITY COUNCIL
Council Chambers
Wednesday, February 24, 2010
7:15 p.m.

MINUTES

CALL TO ORDER

Mayor Sharon Konopa called the meeting to order at 7:15 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG

Konopa led the pledge allegiance to the flag.

ROLL CALL

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

Councilors absent: None.

SCHEDULED BUSINESS

Public Hearing

Amending the fee schedule for certain Building Division fees.

Konopa opened the public hearing at 7:17 p.m.

Staff Report

Community Development Director Greg Byrne said the Council has discussed building fees during several work sessions and Council meetings over the last year. The City policy is to charge a reasonable fee to those that use the services to recover the cost of the services. Byrne said staff has worked to keep the impact to residential customers minimal and has performed a market analysis of fees.

Byrne gave a PowerPoint presentation (see agenda file). Byrne gave a financial overview of building inspection revenues, expenses (personnel, central services, and materials & service), and year end balances for each fiscal year from 2006 to 2009. Byrne said the electrical program is by law a separate fund. He provided the same information for the electrical program.

Building Official Manager Melanie Adams described the Building Division's response to revenue shortfall. There is a core group of inspectors with multiple certifications that have been with the City a long time. Their experience and certifications help to keep staff numbers and employee costs low. Adams anticipated the slowdown in building activity so staff began cutting costs early, though they did not anticipate the breadth and severity of the recession. First they used their reserves which were almost \$1 million, to subsidize operations. Next, staff was cut by 50%. Adams said 8.5 FTE positions remain open but not filled. Adams read the list of vacant positions. Elective spending was reduced 75% and with the termination of the bank lease, office space was reduced 75%. Building Division staff took furloughs last year as well, while maintaining customer service five days a week. Staff also shopped out their services to other departments such as CARA, Public Works, and Planning.

Byrne said that for Fiscal Year (FY) 2010-11 he anticipates a shortfall of \$300-400,000. The options are to eliminate programs, supplement the Building Division with money from the General Fund, or raise fees. The first has a drastic impact on service levels and the second is not advisable. Following Council's direction to flesh out the most likely option, staff is here tonight to present a fee proposal.

Adams continued the PowerPoint and gave an overview of the proposal. For residential, the proposal includes an approximately 20% increase to structural fees to cover plumbing, electrical, and mechanical. Each of these components were matched to the market rate. Due to a change in methodology, a base fee was replaced with a minimum fee for mechanical permits so there will be very little increase for the average home owner. Staff is proposing a 50% increase to structural (commercial and industrial) permit fees. Like residential the commercial specialty fees for plumbing, electrical, and mechanical were matched to market average. They have also added options for expedited and after-hours services, early occupancy, and a designated onsite inspector. The slides of the PowerPoint show the Market Analysis' in detail.

The commercial fees were based on \$250,000 valuation for the structure, and a \$20 million "big-box" project; and industrial fees were based on \$7 million valuation. Again, the fees were matched to the market rate.

Per City policy and as directed by the Council, the Building Division should be recovering actual costs. Adams explained what is actually involved in performing the service to help the Council better understand the cost of service. She gave examples which show that the current fee structure is not recovering costs for staff time. For example, staff calculated that it costs about \$130/hr to support an inspector (including all overhead costs). On a recent project, \$4,000 was collected in fees for just one portion of the project, yet the cost to perform the service was about \$6,500. Likewise, for an industrial project currently underway, there have already been 275 completed actions. There was \$32,000 collected in fees for the whole project, but at \$130/hr the cost to perform the service is already at \$27,000, yet the project is only halfway done.

Byrne said the Building Safety Program is an Enterprise Model with a regulatory function. It is regulated by state of Oregon and includes building codes, fee schedules, licenses, and certifications. If the City doesn't provide the regulatory function for the state, it must be provided by another agency; but the customer would still have to pay for a permit and have an inspection in the field. The City could accept the building permit applications and then farm out the work to the county or state, or contract it out. However the fees would inevitably increase for customers, as well as how long they will have to wait for inspections. We would also lose local control over the programs. If we face this \$300-400,000 shortfall, there will certainly be impacts to the community.

Adams said \$300-400,000 is equivalent to about four certified staff. They only have six now. There is a very talented group of employees in the Building Division who have made sacrifices in salaries through furloughs and by covering the work of the vacant positions. If we cannot recover costs the results will be significant losses to the program, such as limited counter hours for customers; limited opportunity for customers to work with design staff; limited ability to answer phone calls; no more same-day inspections; and no more emergency requests. There is a proven correlation in building safety and first-responder safety. Without a building safety program, there will likely be an increase in first responder injuries. Adams spoke to unsafe buildings and the value of the services the Building Division inspectors provide. They look out for basic safety and accessibility. This program is worth preserving. Albany is a growing community that needs representation at the local level.

Fire Chief Bradner spoke in support of the Building Division's fee proposal. The Fire Department feels the Building Division is a partner in public safety and code compliance. Together they have a positive impact and ensure safety for Albany's firefighters and for the public as well. Brander said, he relies on them to assure that during the pre-planning stage there will be adequate fire life safety in the design. It is a partnership. They also address dangerous buildings by contacting the Fire Department when they become aware of one. They also declare buildings as dangerous after a significant fire event. If the Building Division can't do their job, Bradner would be concerned about the safety of his firefighters, and of the work load it would add to his own staff. Bradner is supportive of the proposed increases.

Councilor Floyd Collins asked, since Albany spans two counties, if the City didn't provide permitting and inspection services, would one county or both counties do it? Byrne said it is likely that both counties and the state would provide the service. It would be a patchwork program. Collins said, the advantage of having the City do it is that it is a single entity providing service to Albany citizens. If multiple jurisdictions perform different pieces, different levels of service would be the result. Byrne said having one entity would also eliminate any confusion or competition between entities.

Councilor Jeff Christman asked, if the shortfall for 2010 without the fee increase is expected to be \$300-400,000, then what would the increase do? Byrne said, it would close the gap. It is very difficult to make projections in this economy, but that is his best educated guess.

Christman said, we have seen comparisons to fees in other cities, and for other fees based on covering costs. He asked which was which. Adams clarified that the structural review portion of the program is the heart of the revenue. The structural table is what is covering the majority of the City's costs, as indicated on the "Cost To Perform Service" PowerPoint slides. Most everything else in the proposal is based on other jurisdictions.

Byrne said that there are some tasks the City performs for which there is no fee, such as declaring a building "unsafe" and publishing the notice. The City is legally required to do it but there is no fee involved. Byrne said another task they do not charge for is the time spent with customers. Other jurisdictions charge, but Albany does not want to because they feel it would be dysfunctional.

Testimony

Tom Cordier, 2240 Park Terrace, asked the Council to reduce the tax burden of city government. Recently he talked to Linn County Commissioner Roger Nyquist after International Paper (IP) closed and Linn County lost \$2.6 million in revenues. Cordier said that Nyquist had an article in the *Albany Democrat-Herald* where he described a Linn County policy that says when there is a vacancy, they ask themselves if it really needs to be filled. Cordier said he called Nyquist and said, that policy is inadequate because they need to consider reducing the cost of government all the time, not just when there is a vacancy. Cordier said they had a good discussion and Nyquist agreed with him. They both agreed it was hard to do, though. Cordier said that Nyquist told him that his phone call was the only call he has ever received about wanting

the cost of government to go down. Cordier said that Nyquist said that from inside their organization and outside their organization they get pressure to (provide more services). He took Nyquist's comments at face value.

Cordier said to the Council, I want you to recognize me tonight as a guy that wants the cost of government to go down. He is not in favor of raising fees according to proposals. He suggested that maybe there should not be a Building Division; maybe it should be just a department without top management. He asked, why does it take \$130/hr to support an inspector? What are you doing to drop that figure? Is it salary? Benefits? Pension? What is it? Cordier does not believe the hypothesis that contracting out makes the cost go up. He doesn't believe that, because it depends on many things such as how the contract is written.

Cordier thanked *Albany Democrat-Herald* editor Hasso Herring for writing about several local tax issues. He said, this is bigger than just the issue being discussed tonight. The cost of government is a huge burden on our businesses. For example, Albany's \$650,000 train depot is a good deal since we got grants, but we had to pay staff to write those grants - so is it still a good deal? He said, no - we should let all the grant writers go. The aerial photo updates is another example.

Konopa reminded Cordier to keep his testimony to the public hearing issue at hand.

Cordier said, there are other ways to solve this problem. He learned during the staff report tonight that no one has gone to Corvallis and Benton County to see what combining programs might look like. Why not? He suggested it is because they don't want to know. There has to be other options on the table. Also, to the comments about the proven correlation between safety and first responders, he doesn't know where that information comes from. He didn't hear the cause and effect. It was presented as though there was one, but he doesn't know what it is and he has not read it. He said, it is not a valid argument.

Konopa let the audience know that the City's budget is online for anyone to review.

Denise Whitmire, 621 Bain Street SE, said this is a bad time to be raising fees. She said, when she did an addition (to her house) 7-8 years ago, she thought the fees were reasonable. The inspectors came out several times. She had a new furnace put in, and she had it pulled out so they could crawl under the house. The mechanical inspector came out, looked in her garage at the furnace, made a comment, and then they chatted. The furnace wasn't even hooked up and she thought, this is crazy. With County inspectors, she has been told, it is different. She said, if we are raising fees, I want to know we are getting what we are paying for. Her dog fell through the insulation because the employee never looked at it.

Ray Kopczynski, 1303 Tamarack Court, spoke in favor of the fee increases as outlined by City staff. He wanted to add one small personal item that has credence. In 1995 he came back to Oregon and opened a computer store in Corvallis. He leased a building, hired a contractor, and redid the building for about \$125-150,000. His contractor never told him that they had to kill the project because of a fee increase for one of the inspections. He was at the end of the food chain, and the contractor would be in the middle. Never did a building fee of any type, sideline his entire project. He finds it hard to believe any project would be killed by these fees. They are required to cover basic costs. He is in support of this fee increase.

Dick Owen, 810 Cox Street, said he is a Professional Engineer licensed in the mechanical, electrical, environmental, and manufacturing fields. He is licensed in Oregon, Arkansas, Louisiana, and South Carolina. He has quite a bit of knowledge on building permits and the laws of Oregon and the other states. He appreciates what our Building inspectors do, but he thinks they operate out of their areas (of expertise). They are inspectors, not engineers. In Oregon anything over 4,000 square feet or over 20 feet high from the floor to the roof, requires an architect or an engineer. The engineer's drawings are presented to the City staff for inspection. Owen said, City inspectors are (advising) out of their area when they tell an engineer this or that, after the plans have already been approved by the engineer.

Owen said, staff claims that the biggest (portion) is structural. He worked on the Duraflake project and the head of the state's electrical inspection told the manager to put a switch in where the power comes into the plant. Owen said, if the plant manager had done that, and there was a fire and someone had hit the switch, the whole place would have burned down and firefighters would have been killed. Yet, that is what is being talked about tonight, bypassing the architects and the engineers. Owen said, leave it to the architects and engineers. Inspectors are out of their area with the structural portion. They are good inspectors but if they miss something, the engineer is still responsible according to the state. He added that the plumbing, mechanical, and electrical portions should all be part of the building permit. They should not be separate. It used to be that way in Oregon and it is that way in other states.

John Robinson, 2500 Del Rio Court SE, is a local contractor experiencing difficult times. His business is still off 38% this year and was last year too. He doesn't know when it will turn around. Some experts predict it will be 2012 before we see an increase in construction activity, but no one knows. He said, I want to be very clear; I have no ax to grind. The Building Division staff is great - knowledgeable, easy to work with, and helpful to find solutions to problems. We need a Building Division. His concern is the cost of government continuing to increase, making it difficult on Albany small businesses and drastically

reducing the affordability of living in Albany. As a contractor, he was just handed an increase with the new Erosion Sediment Control Program and a school construction excise tax on residential and commercial projects. He said, we cannot continue to raise rates simply because the volume of building permits is down. That is equivalent to a contractor charging more for building a house or for a remodel, simply because the contractor is building less of them. This is contrary to sound business practice and economic principals. Changes need to be made to live within the income the department derives from building fees. Raising fees cannot be the only avenue to solve this problem. Robinson noted that all City Council memos include a statement about which Strategic Plan theme it relates to. This staff memo says it related to "Effective Government." As an Albany citizen and a businessman, to Robinson, effective government is minimal government.

Robinson said, the goal of government should never be to raise fees just to be in line with other cities. The goal should always be to look for ways to reduce costs - to make Albany be the place where families can afford to live, and where businesses want to locate. Government fees of any type do not promote economic growth, they do just the opposite. Increased fees are the opposite of Albany being an affordable place to live. Albany already has a black eye with our high water rates, which constantly puts us in the headlines. He suggests we stop comparing Albany to Corvallis. We do not have the same demographics and income level. Housing there is more expensive. He asked, why would we want to charge the same fees as Corvallis?

Robinson said, tonight we have heard a term called "market rates." This is a term that does not apply to building fees in Albany. In business, a market rate is a valid comparison when there is freedom of choice on the part of the consumer. That is, there are several providers from which to choose. In Albany, there is no choice. A building permit in Albany must come from the City of Albany. Thus the notion that our rates have fallen below the market is invalid. You can't compare a building permit in Albany to Corvallis because the consumer doesn't have the option. The cost of a Corvallis permit is irrelevant to an Albany resident.

Robinson has three suggestions tonight. First, it would stand to reason that a larger building would require more review time and inspections. He suggests a sliding scale for fees based on the building's size. Maintain affordability for small commercial and residential projects. For example, increase the fees for homes under 2,000 square feet by 5%; for homes over 2,000 square feet by 10%; and establish another fee structure for remodels and additions at a lower cost. Remodels and additions are a large portion of his business. Set various levels of commercial buildings. Big-boxes like Walmart or Lowe's are not going to be built every day and it is unfair to group those in with small retail centers or office spaces. A Walmart or Lowe's has national power and deeper pockets so they will continue to build. Make any increases fair and keep Albany affordable.

Second, Robinson suggests establishing a regional approach to permits as a cooperative effort with Corvallis, and Linn and Benton Counties. Their building permitting is suffering as well. A one-stop convenience for customers would also reduce costs. Each entity would still have control over the permit costs for its jurisdiction, however the administrative function would be handled out of a single office, and each entity would be billed back its actual costs based on volume. He said, I believe this would lower costs for providing the service while maintaining the level of service. He said, this can be done; we only need to look south to the cities of Eugene and Springfield as they seriously consider combining their fire departments.

For his third point Robinson referred to the chart Byrne used to compare increases under three different scenarios. He said, the chart does not accurately reflect the total costs of a project because it leaves out the System Development Charges (SDC) fees. For customers, builders, and developers, SDC fees are also a concern because they are a large expense. He suggests that if there is any increase in building permits, lower the SDCs a corresponding amount for residential and commercial projects so that the total cost of the project remains unchanged.

In closing, Robinson said there is a psychological impact on people when they see an increase of 20% or 50%. They may not even know how much a remodel might cost them but when they hear these numbers, along with all the other news in this economy, it turns them off. Then his phone doesn't ring and he doesn't even get to do a bid. He said he can't even quantify the damage that is done by throwing these big numbers out. We are all interconnected and need each other. He shared a story about a customer and business colleague that changed his plans to build a new home in the city of Millersburg and the trickledown effect it had on several other contractors when the project was canceled. He said, we are all interdependent and related. It only takes a couple of things to happen in government, to impact a lot of people in a lot of different ways.

Adams noted that the City does not have formal agreements with Benton County but they certainly share services when necessary and City staff has had conversations about coordinating services with the other jurisdictions, as Cordier suggested.

Mike Quinn, 4455 Sunset Ridge Drive, said that last year at this time, the Council did not approve a 20% increase. Now it is suggesting a 20-50% increase. A couple of months ago they were talking about a 40%

increase for residential. At least that has dropped. Quinn said, at one of the last meetings a staff person said that they should have shot high and settled for lower because that might have more credence with the public. He thinks the City is in a hurry to get the increase passed because there are large projects looming, such as Lowe's and Walmart. The funding would be good for the Building Division. He is not against the 50% increase in those cases because staff spends more time at those types of sites. He said last year he came before the Council and had two permits he had taken out seven years apart, in 2001 and 2008. There was a substantial difference in the permit cost, yet they were both for the same size house. He said, there have been increases all along. In the past, with a previous Building Division Director, Quinn had conversations about the "rainy-day fund". He said, no one has wanted to address how that disappeared so fast. To the fees, Quinn said staff is trying to coincide with all the other cities. He said, there is an organization called the League of Oregon Cities (LOC), which Quinn said is a networking country club. He would like to see meetings with builders and staff to learn how the fee increases were arrived at, instead of just copying what other towns are doing. He was in Kansas City and a building permit there costs just \$500.

Quinn said the *Albany Democrat-Herald* had a good article, but it did not include water SDCs. Also the water meter is \$2,950, not \$2,200. He just bought one and it took just one hour to hook up. He added up all the fees for a small house he built and it was \$14,520. He said, the 50% reduction in staff has been paraded around for awhile now. Fifteen years ago there were layoffs of the inspectors. He said, if they now only have half of what they used to, that would mean they used to have 20 and personally he has never seen that many working upstairs (in the Building Division). He said, take action, especially now that the "rainy-day" money is gone. Throwing money at it is not the answer. There should be a task force.

Quinn said the City has a fabulous inspection crew that he thinks is great. He thinks the management style that has been brought to the department in the last year and a half is "out there". He has no problem with raising fees but it should be in 5% increases. Regarding the multi-certified people on staff, Quinn said that there were 365 people certified at Chemeketa College that would be happy to come here for \$130/hr. The past Director was paying according to certification but there is some staff that is being paid for certifications they are not using. He suggested the public look at the budget online. He bought three hard copies this afternoon and he is stunned in difference between the FY 07-08, 08-09, and the 09-10 budgets. He said, the City is on a spending spree. He said he had 13 people working for him at one time and now he has just two on his payroll. He has to subcontract out to others. That is reality. He would like to see some reality put into this situation.

Jim Conser, 3439 NW Eagle View Drive, asked Adams for the total number of staff. Adams said there are eight. Conser said, today's economy reminds him of 1985. They had a difficult time in the 1980's and he doesn't know what the City's staff level was at that time, but he suggested they look at it. He said, you should think about planning for more than year to year. As a developer, he used to get acquisition and development (A & E) loans. It used to be that the City of Albany used Bancroft improvements for city lots. In the 1980s the City owned many lots and got out of the Bancrofting business, and the banks got involved with A & E loans. Now, the banks are stuck. Who is going to finance subdivisions in the future for developers? He said the City should be thinking longer term because he doesn't see the housing market coming back for many, many years. He used to have 25 employees and now he has six, three of which are his sons. He is opposed to increasing the fees because he sees it as a new tax on small businesses. It is not true that we can just add it to the cost of the house and get it from the buyer, because there is no relationship between the cost of housing and what you can sell a house for. Repossessions are affecting the sale of new homes. Appraisals are always based on history, looking backwards. With prices falling the market will continue to fall. The major expense for the Building Division is employees. He asked Adams, will you be incurring a major liability from PERS? Adams said she is not qualified to answer that. Konopa said it is not relevant to the subject of this public hearing anyway. Conser said it is relevant, because it is about the cost of doing business. Konopa said that if that is the case, the Council will be hearing about it during Budget Committee meetings. Conser said he is opposed to the proposed fee increase. He thinks it is a new tax at a poor time.

Konopa clarified that when staff explained that the cost of a Building Inspector is \$130/hr it does not represent only wages and benefits. It covers many other overhead costs as well, even items like the cost of the Council and the cost of City Hall.

Janet Steele, President of the Albany Chamber of Commerce, 435 1st Avenue, said that the Councilors should have a letter from her dated February 23, 2010 (see agenda file). She said they are distressed by proposals for 20% and sometimes 50-60% for commercial fees. She thinks the other speakers so far did an excellent job of raising the Council's awareness. She said they understand that the City has lost employees, but the entire community has lost jobs. The community has had a 15-16% employment rate and have not yet heard the impact of IP's closure. She hears every day from businesses. She said, small businesses do not have the monopoly that the City has to charge more, just because it can. It is not the right thing to do. She said, by putting forward the proposal to raise commercial permits, you are sending a message that Albany doesn't care. Stop, rethink, and look at alternatives, and do what is right for the citizens of Albany.

City Manager Wes Hare spoke to Steele's comment that the City is proposing to do this, "just because it can." He said, there isn't personal benefit to raising fees. The idea is that this is the necessary step to take in order to sustain the service levels as they are now. If the City does not raise fees, it is the sincere belief of the Building Division management that they will have to decrease service levels. Obviously there are differences of opinion even in the building community, as we have heard tonight. But the challenge that it is being done out of arrogance or lack of concern for the public, is just wrong. Staff has been talking to the Council for over a year and a half, and the last thing staff wants to do is to subject themselves to the public's disfavor. But the Council should have options in front of them to decrease service levels or increase revenues. We continue to look for efficiencies. Consolidation is an option, but in Hare's experience it typically leads to reduced service levels. For example, the most aggregated fire service is also the highest priced in the state, because they have become such a big unit. Hare said, there is not an attitude here that the City can do whatever it wants and doesn't care about the people.

No one else wished to speak.

Konopa closed the public hearing at 8:43 p.m.

Deliberation

Councilor Dick Olsen asked Adams to summarize the employee numbers. Adams said that they had 15.5 FTEs a few years ago and now they have eight, not including contracted employees. Olsen said he has witnessed the Building Division make cut after cut, and that if there are any more cuts the customers will have to wait for service. Olsen said that those in the audience have not seen all the cuts that have already been made and have not been part of all the discussions, but he has. He is satisfied with the fee proposal.

Christman asked how staff came up with the calculation for the big-box proposed fees. Adams said they added 50% to the current fee. Discussion followed. Christman said he compared the table in Attachment A of the staff report to the PowerPoint presentation slide for big-boxes, but cannot get them to reconcile. Byrne explained that that particular PowerPoint slide was added at the last minute, so he takes responsibility if it doesn't match the table. It is a percentage of the valuation, but to get the exact number he would have to know the number of mechanical appliances, etc. Adams said that for the big-box example on the PowerPoint slide, the difference in the numbers presented is because it compares current fees to proposed fees. It is not going to calculate exactly since it was oversimplified and rounded for purposes of this presentation. The distinction accurately represents the increase being proposed. Christman referenced a staff memo from the February 8, 2010, Work Session regarding the fees for a residential home. Adams said those are actual numbers. Byrne added that those are the figures Hasso Herring ran in the *Albany Democrat-Herald*. The figures included the cost of the water meter.

Councilor Bessie Johnson asked, what is the status of permits so far for 2010? Byrne said, there has been an uptick in residential construction. Last year there were about seven a month, and this year so far it has doubled. They think the increase is being stimulated by the federal tax credit for first time home buyers. When that federal program ends in April, they expect to see a sharp decline. It is difficult to give accurate projections.

Johnson noted that Quinn said he paid \$14,520, not including SDCs for a 1,464 square foot house. She asked, how would that increase under the new fees? Byrne referred to the newspaper article's example. The \$930 total would increase to \$1,116, an increase of \$186, based on the square footage. Johnson said she is uncomfortable with the proposal because it seems the proposed commercial fees are too high compared to the others. She said, not every commercial project is a big-box. She suggested that staff explain to the audience how the "rainy-day fund" was used because there seems to be misconceptions.

Hare explained that the "rainy-day" fund was a year end fund balance that over time had created a surplus. Then when activity declined, the funds were used to maintain service levels. It is now gone. Hare likened it to a personal savings account that gets used up following the loss of income. He said this information was clearly presented by staff during the PowerPoint presentation.

Johnson said, if we do not increase fees the community needs to understand that services will decline.

Collins said, the Council has been discussing this for almost two years. He did not hear one person testify that they don't like the service they get. Not one person said to diminish the service level. So if current levels are maintained, there is a price to pay for that service. The options are to either increase fees, use General Funds to subsidize, or defer the responsibility to other jurisdictions. Moving the service out of the control of the City would have a dramatic impact on service levels and Collins doesn't think the clients, or the client's clients, would be happy with the result. The General Fund primarily supports Police, Fire, and Parks & Recreation. Collins says, he has to ask himself if he is willing to maintain service levels for a select group of clientele by sacrificing those other three services?

Collins said, the testimony received during this public hearing is right on target. The Council has been concerned about the impact to the public for two years also, but there ultimately comes a point when they have to decide, do they want the service or not? He said, if we reduce it we have to live with the

consequences. The last time the Building Division had a rate increase was nine years ago. The rate increase generated that “rainy-day” fund which was consumed over time. It would have been foolish to raise rates when there was a substantial reserve. He said, moving the service to another jurisdiction will not reduce the cost for the customers. For example, if we contract with Benton County, Albany customers will pay the same fees but not get the same service levels. The point is, the cost to the consumer will be the same. So, who gets charged? The general taxpayer through a General Fund subsidy, or the clients who are using the service?

Councilor Bill Coburn said as an electrical contractor he has experience with different fees and permit rates in various jurisdictions. He said that Collins is correct - if the Council disbands Albany’s Building Division, the cost to citizens does not go down; they simply go somewhere else (a county or the state) to pay the same fees. He said, the first question is, does Albany want to have a Building Division? He believes they do. He described the services provided. When Portland laid off half their inspectors the service level dropped dramatically. Inspections that used to take 2-3 days take much longer. One builder has been waiting for a month. Builders can’t afford such delays in their projects. Coburn said he supports Albany having a Building Division and maintaining service levels. Coburn said the second question is how to fund the Building Division. It has to be either fee-supported or subsidized by the General Fund. Coburn said he asked the citizens and learned that they are not willing to subsidize the cost of permits for contractors; they said that the contractors should pay for them. So for Coburn, that means the money should not come from the General Fund. He supports the proposed fee increase.

MOTION: Coburn moved to adopt the resolution amending the fee schedule for certain Building Division fees and Olsen seconded it. The motion passed 4-2, with Johnson and Christman voting no and was designated Resolution No. 5891.

Continued Legislative Public Hearing

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

Konopa said that at this continued public hearing the testimony will be limited to the discussion of two Transportation System Plan (TSP) projects: L17 and L18 related to the proposed extension of Expo Parkway or Timber Street north of Knox Butte Road; and TSP studies S9 and S10, and the text in the first paragraph on page 73 of the TSP related to the study and reconstruction of Knox Butte Road and Santiam Highway freeway interchanges on Interstate 5 and traffic on South Shore Drive.

Konopa called the legislative public hearing to order at 9:12 p.m.

Staff Report

Civil Engineer III Jeni Richardson said following the January 13, 2010, Public Hearing, staff held a neighborhood meeting and individual meetings on the two outstanding items, the Expo Parkway and Interchange projects.

Richardson showed an overhead of page 73 which includes new language. Staff recommends that page 73 states “this Council will not support an Interchange Area Management Plan that redirects highway and commercial traffic through existing residential neighborhoods (e.g. the South Shore Drive neighborhood).”

Staff also recommends that the Council retain the Expo Parkway option to serve the Century Drive traffic and the regional commercial area and indicate that the exact alignment of project L25 will be determined with site plan review.

Finally, staff recommends the City develop a new Timber Street option for L18 to serve future residential properties to the north, with exact alignment to be determined with site plan review.

Testimony

Wanda Scheler, 125 Expo Parkway, handed out a map with transparent overlays (see agenda file). She wants to speak to closing Century Drive and rerouting traffic to Expo Parkway. She said this is an emotional issue for her since her house is on Expo Parkway and she feels she has developed a successful business at this location. She has attended many meetings and let those in control know her concerns repeatedly, and listened to others explain why they don’t want the traffic rerouted through their own neighborhoods. She feels for them and she knows it is hard to make things work out for everyone. However, she said she thinks her argument against rerouting Century Drive traffic down Expo Parkway is justified. Her house is only 30 feet away from what is proposed to be a four lane road, and the entrance to Knox Butte RV Park is 178 feet from Knox Butte Road where they want to place a signal light. If a light were installed there, the normal flow would have cars and trucks lined up at this light, past the entrance of her RV Park. This would make it difficult for fifth wheels and motor homes, sometimes pulling large trailers, to exit and enter the RV Park. The lines of vehicles at the traffic light will also be compounded by traffic coming out of the proposed regional commercial site. Knox Butte Road to the Cox Creek Bridge is

only 515 feet. Oregon Department of Transportation (ODOT) has said that Opal Street is too close and Timber Street is too far, yet there is less than 215 feet from Opal Street to Expo Parkway and there is 482 feet from Expo Parkway to Timber Street, where there is already a light and the City owns the property to the north.

Scheler said, we have worked long and hard over the years to build a business, and it is very disturbing to potentially have our business and our home adversely affected by a major road adjacent to our property, especially when there are other options. They feel we have a business that is an asset to the City of Albany. They pay a large amount of taxes and try to keep the RV Park clean and quiet. When they were planning the RV Park they expected Expo Parkway would someday be connected to Dunlap Street and that is acceptable. However, to convert Expo Parkway to the main road, instead of Century Drive, was not anticipated or deemed compatible with their business. If the final decision is to convert Century Drive to Expo Parkway, she requests a written legal document be drawn up by the City and her attorney stating that the RV Park property from Timber Street west to Expo Parkway can be converted to regional commercial property. That way, if her business fails due to these changes, she would have more options to sell or convert the business to one that is more compatible with a major road. Also, Expo Parkway has residential traffic and cannot take regional commercial traffic. She thanked the Council for considering her request.

Johnson asked Scheler, do you think that a road going by the RV Park would be bad for your business? Scheler said, yes, there is just 60 feet available because of the bridge. Also, if you consider regional commercial traffic using the 515 feet and traffic trying to exit the RV Park, she doesn't see how it would work especially when Opal Street is an option.

Glenda Fleming, 3018 Southshore Drive, said she appreciated that the Council has delayed making a decision. She thought there would be neighborhood meetings but they didn't take place. She thought such meetings would have been very positive, because a lot of people don't like to come to formal City Council meetings. She is concerned that the current TSP plan could route Airport Road traffic to Southshore Drive. It would be devastating to the neighborhood and would not be a permanent solution.

Fleming has two objections to the language in the paragraph on page 73. By saying it is a "recommendation", it provides no assurance at all. Saying that the Council doesn't recommend something is not the same as saying the Council won't allow it. She said, "recommendation" means there is a chance that you will allow cut-through traffic. ODOT can solve the problems without cutting through her neighborhood. She handed out copies of an e-mail she sent to Richardson dated Feb 1, 2010 (see agenda file) with the suggested modified wording: "the City will prevent routing traffic through existing neighborhoods." The other sentence that concerns her relates to Figures 5.1 -2 and 5.2-2 in the ODOT February 2008 Albany I-5 Corridor Refinement Plan. That Plan (and Figures 5.1-2 and 5.2-2) is endorsed as part of the TSP until the Albany 1-5 Corridor Refinement Plan is completed and adopted by the City. She said that she understands that to mean, that the reference document will be in effect until ODOT approves their Corridor Refinement Plan and the City reviews their plan and adopts it. If so, then that sentence means that cut-through traffic would be allowed because these two figures specifically show that traffic on Airport Road would be stopped just south of Franklin Street which is just south of Southshore Drive. It is an inconsistency and Fleming thinks that sentence should be taken out. She thinks saying "cut-through traffic" is sufficient. She understands that there is a fear to say that because ODOT won't approve the TSP, but ODOT doesn't care about destroying neighborhoods. They are concerned about getting their state controlled roads and intersections to conform to their standards. The City's responsibility is to take care of the neighbors. Fleming thinks the Council should do what is best for Albany. She doesn't think they should capitulate to ODOT. Fleming passed out copies of Section 5.0, Selected Alternatives, pages 5-1 to 5-7 (see agenda file).

Staff Response

Transportation Systems Analyst Ron Irish addressed the second part of Fleming's concern about having Figures 5-1-2 and 5.2-2 in the TSP and that they would be a guide for development around the interchanges up to the point when ODOT concluded their Environmental Assessment (EA) discussion and that reference would be part of the City's TSP. Irish explained that it could be a two year window and it was an ODOT requirement to include guidance in the TSP. The City's options were to include the old figures in the TSP or these two figures from the ODOT Corridor Plan. Staff opted for the latter. In both the TSP and the ODOT figures the geometry was the same for the interchange itself, but the TSP figure showed a highlighted line through the Southshore Drive neighborhood that connected a cut off at Airport Road. While it didn't specifically say it was going to route traffic through the neighborhood, that heavy felt line implied it – whereas the ODOT figure did not include that line. In staff's judgment they had to include some figure and the ODOT figures made more sense. Irish said, the figures will only serve as a guide for development during this interim two year period and almost by definition they are not going to see interchange changes in that two year period because the purpose is to try and decide what they should be. From a practical standpoint, it likely doesn't matter which figure is in there because it is such a small window of time.

To Fleming's suggestion to remove the word "recommended" from the paragraph on page 73 and instead simply state that it won't happen, Irish said it is true that staff was concerned that ODOT would read that as

though the City was drawing a line in the sand. It challenges ODOT to something that they will likely object to, and it provides the neighborhood with the perception that the City has said no to a decision that is not really the City's decision to make. Irish said, the fight is still before us in the EA. Fleming's suggestion would be giving the neighborhood a false assurance that the discussion is over, when it is not.

To Scheler's comments about RV traffic, Irish said that during the development of the TSP staff had the consultant look at queue lengths at Knox Butte at the build out of the TSP in year 2030. The queue length was 200 feet. It made it close to the first driveway but not the second driveway, and that was only if all the regional commercial traffic was using Expo Parkway. It could impede exiting movements from RVs turning out of the park onto Expo Parkway, and traveling south to Knox Butte. Those movements are occurring against traffic to the regional commercial site. The traffic volumes are about 7,000 to 8,000 Average Daily Trips. Irish said, this not a place where we would want large, slow moving, non commercial drivers making left turns. The TSP proposes access for exiting movement from the park to Timber Street and onto Expo Parkway.

One suggestion Scheler had is to shift the Expo Century Drive connection to Opal Street. Irish said, it is true there is just a couple of hundred feet difference, but it does make a difference in how it functions. Those 200 feet gets closer to the interchange than either the ODOT design standard for signal spacing at an interchange or the federal highway standard for spacing. By choosing Opal Street the City would once again be picking a fight with ODOT on a standard with no supporting analysis, and the City would lose. ODOT will not approve a signal with an intersection any closer to the interchange than Expo Parkway. They would say the TSP is invalid. The City does have the ability in the EA process to encourage ODOT to look at Opal Street instead of Expo Parkway and if ODOT agrees that Opal Street makes more sense than Timber Street and agrees to get a design exception from the federal highway administration, staff would incorporate that into the EA. Irish feels the City will have much more leverage to push for Opal Street if it waits and makes that appeal during the EA discussions, when they have the ability to consider the design during a public process, as opposed to doing it in the TSP when ODOT has no incentive to do so. The way staff is proposing the TSP leaves Opal Street open as a possibility that can be addressed in the EA process.

No one else wished to speak.

Konopa closed the public hearing at 9:37 p.m.

Deliberation

Collins referred to two letters: the first is from Rob Waite (see agenda file) and the second is from James Brooks and Mike Newman (see agenda file). Collins asked Irish to address the letters and also the right-out only onto Century Drive.

Irish said Waite's letter concerned Cameron Street. He used an overhead to orient the Council. Waite was responding to a picture in the paper that shows a collector road to Timber Street north and connecting to Cameron Street. Waite said that connection would remove parking from the road, commercial vehicle trips would get lost in the neighborhood, etc. Irish said the road is classified as a minor collector and the project shows that some on-street parking would be retained, there would be bike lanes, and it would likely be zoned single family to the north. The volumes of traffic would be fairly low, low enough to function as a residential street. Cameron Street was a collector street when it was built. Minor collector streets look like residential roads; the only difference is that they carry slightly higher traffic volumes than the rest of the neighborhood when the area is fully built-out. The pavement is a little thicker, but volumes are not so high that the City can't retain the on-street parking and driveway accesses. From an aesthetic view it looks like other streets in the neighborhood and that would continue to be the case. The third option, which includes the Timber Street to Cameron Street connection and the Century Street connection, would alleviate many of the potential concerns that Waite brings up such as cut-through trips and commercial traffic, by keeping them separate. Irish pointed out that the original plan only had one north-south collector road, and a direct collector link between the Cameron Street neighborhood and the regional commercial site. The current plan with the Timber Street to Cameron Street connection runs through nothing but residential property. So the potential for having lost commercial traffic is reduced more in the current plan than in the original plan. To think this will be a major road, is not the case.

Konopa mentioned that the East I-5 Vision Plan did show Cameron Street connecting to Knox Butte and that was before there was any development on the east side.

Collins recalled the neighborhood meeting at City Hall and the timing of the improvements that was discussed along with the revised road that would serve regional commercial, and the potential extension of Timber Street. Collins said Newman owns the parcels from the end of the City-owned parcels to the end of Cameron Street. His comment was that he had no intent of seeing that develop and the City has no intent of pushing Timber Street through until the area develops subdivisions. Collins said the City is not the driver of that, the development of the parcel is.

To Waite's issue about selecting the option for regional commercial, Collins said that is driven by a site plan review by the property owner or developer, or if the EAs are completed and ODOT wants to close Century Drive; then ODOT has to come up with the an alternative which could potentially be Opal Street or Expo Parkway. Collins said there is no immediate driving force for either project and the reality is that they are at least 2-5 years out based on development pressure. All are subject to site plan review at the time they occur. The property owner or ODOT become the drivers, not the City.

Irish spoke to the right-in, right-out turn at Century Drive next to the interchange. At the neighborhood meetings residents along Century Drive said they were concerned about any disconnection of Century Drive from Knox Butte because it would be all out-of-direction travel for them. Based on that staff, would like ODOT to try to maintain the southbound right-in, right-out movement. Such movements technically don't require signals so there is a possibility we can maintain some level of access to Century Drive at or near its current location, so long as it doesn't involve left turns. Collins said, if the City was successful in that case, but not with Opal Street, there would at least be a right turn from Century Drive onto Knox Butte, and it would alleviate some of Scheler's concerns about traffic volume at her location. Irish agreed that it would.

Coburn is on a design committee for ODOT's EA process, and they will be meeting next week. He will advocate for the right-in, right-out movement.

Konopa said when it comes to Southshore Drive and Airport Road, it seems like the City has no teeth in the way it is currently worded. Irish explained that if staff were to change the wording to what Fleming suggests, there is a chance the ODOT might not object now; but, during the EA they will not feel bound by it either. But if the City waits until the EA phase, there may be a chance. If done now, the City is daring ODOT to have the argument now when we don't need to - and giving the neighborhood a false sense that the issue is settled, when in fact it is not.

Konopa is very concerned about what is in the TSP because she has experienced ODOT sticking to what is in the TSP with other projects. She prefers that the text say that the City Council "discourages", rather than using the word "recommends." Konopa feels the wording in the subsequent sentence implies that we are accepting ODOT's figures, which shows that Airport Road is closed off. Discussion followed.

Councilor Ralph Reid asked, can we close City streets? Irish said yes, but Airport Road is not a City street; it is under ODOT's jurisdiction.

Irish said, staff is on different committees. ODOT is painfully aware of the City's position. The City has an inordinate amount of influence in the EA process, more so than other venues, because we have to adopt the EA into the TSP. If ODOT ignores the City's position to such an extent that they create discord and cannot come to an agreement, then ODOT won't be able to get funding for improvements to the interchange. During the EA process, ODOT will be motivated to come up with a design that we can both live with. There are very few projects where both the City and ODOT have to be happy, and this is one of them. It will take two years to complete.

Konopa said that in a meeting with ODOT last week she asked if they had seen the new language in the TSP. She said the ODOT representative suggested to her that the City keep the language flexible; but Konopa wants to protect neighborhoods.

Olsen asked if ODOT would be put off if it said "Albany reserves the right to close off Southshore Drive from Airport Road." Irish said he doesn't think they would be put off by that. Discussion followed about how cut-through traffic from Costco might impact neighborhoods. Irish said that at this point however, staff needs to see the interchange before determining where those cut-through trips might occur.

Hare pointed out that we are all on the same team; the question is, what is the best way to do it? The City has put Irish in charge and he has exercised good judgment. Hare is confident in Irish's judgment. Which tactic will get the City to its goal, is an open question.

MOTION: Collins moved to amend the language on Attachment D of the ordinance by inserting the sentence "Controlling the traffic on residential streets is within the jurisdiction of the City of Albany."; and Olsen seconded it.

In the next sentence, staff suggested the words "endorsed as" be stricken. The motion maker and the seconder were agreeable.

VOTE: A vote was taken on the motion to amend the language on Attachment D of the ordinance by inserting the sentence "Controlling the traffic on residential streets is within the jurisdiction of the City of Albany." and in the next sentence deleting the words "endorsed as". The motion passed 6-0.

City Attorney Jim Delapoer read for the first time in title only, "AN ORDINANCE AMENDING ORDINANCE NO. 4477, WHICH ADOPTED THE ALBANY COMPREHENSIVE PLAN, BY ADOPTING THE FEBRUARY 2010 TRANSPORTATION SYSTEM PLAN; BY REVISING TEXT IN

CHAPTER 5 OF THE COMPREHENSIVE PLAN; REVISING COMPREHENSIVE PLAN PLATE 12; DELETING COMPREHENSIVE PLAN PLATE 13; ADOPTING FINDINGS; AND DECLARING AN EMERGENCY.”

MOTION: Reid moved to have the ordinance read a second time in title only and Collins seconded it. The motion passed 6-0.

Delapoer read the ordinance a second time in title only.

MOTION: Reid moved to adopt the ordinance and Collins seconded it. The motion passed 6-0 and was designated Ordinance No. 5729.

Konopa explained that a decision of the City Council may be appealed to the State Department of Land Conservation and Development as prescribed in state law.

Collins thanked staff, recognizing that this was a major portion of the Comprehensive Plan.

Public Works Director Diane Taniguchi-Dennis acknowledged that Irish and Richardson were adept at listening to the community’s concerns and addressed a variety of issues. This accomplishment is due to their hard work.

Business from the Public

There was no business from the public.

First Reading of Ordinances

Creating the Airport Advisory Commission, establishing membership criteria, appointment procedures, terms, and duties.

City Attorney Jim Delapoer read for the first time in title only, “AN ORDINANCE CREATING THE AIRPORT ADVISORY COMMISSION, ESTABLISHING MEMBERSHIP CRITERIA, APPOINTMENT PROCEDURES, TERMS, AND DUTIES.”

MOTION: Reid moved to have the ordinance read a second time in title only and Collins seconded it. The motion passed 6-0.

City Attorney Jim Delapoer read the ordinance for a second time in title only.

MOTION: Reid moved to adopt the ordinance and Collins seconded it.

Christman noted that the ordinance contains the verbiage that the Council has been discussing over the last couple of months. The Commission will have representation by folks that have a real interest in the Airport. He pointed out that there have been changes from the original ordinance.

Johnson said she is still not satisfied because she feels the Commission members should be required to be Albany taxpayers.

VOTE: A vote was taken on the motion and it passed 5-1, with Johnson voting no and was designated Ordinance No. 5730.

Konopa asked if applications for the Airport Commission should be advertised in the newspaper. The Council was agreeable.

Levying assessments against property specifically benefited by sewer and water connections and the assessment of sewer, water, parks, and transportation system development charges for property described as Tax Lot 3800, Parcel 11S-03W-17AA, site address 2476 Bain Court SE; and declaring an emergency.

City Attorney Jim Delapoer read for the first time in title only, “AN ORDINANCE TO LEVY ASSESSMENTS AGAINST PROPERTY SPECIFICALLY BENEFITED BY SEWER AND WATER CONNECTIONS AND THE ASSESSMENT OF SEWER, WATER, PARKS, AND TRANSPORTATION SYSTEM DEVELOPMENT CHARGES FOR PROPERTY DESCRIBED AS TAX LOT 3800, OR PARCEL 11S-03W-17AA, AND SITE ADDRESS 2476 BAIN CT SE; AND DECLARING AN EMERGENCY.”

MOTION: Reid moved to have the ordinance read a second time in title only and Johnson seconded it. The motion passed 6-0.

City Attorney Jim Delapoer read the ordinance for a second time in title only.

MOTION: Reid moved to adopt the ordinance and Johnson seconded it. The motion passed 6-0 and was designated Ordinance No. 5731.

Levying assessments against property specifically benefited by sewer and water connections and the assessment of sewer, water, parks, and transportation system development charges for property described as Tax Lot 3900, Parcel 11S-03W-17AA, site address 2502 Bain Court SE; and declaring an emergency.

City Attorney Jim Delapoer read for the first time in title only “AN ORDINANCE TO LEVY ASSESSMENTS AGAINST PROPERTY SPECIFICALLY BENEFITED BY SEWER AND WATER CONNECTIONS AND THE ASSESSMENT OF SEWER, WATER, PARKS, AND TRANSPORTATION SYSTEM DEVELOPMENT CHARGES FOR PROPERTY DESCRIBED AS TAX LOT 3900, OR PARCEL 11S-03W-17AA, AND SITE ADDRESS 2502 BAIN CT SE; AND DECLARING AN EMERGENCY.”

MOTION: Reid moved to have the ordinance read a second time in title only and Collins seconded it. The motion passed 6-0.

City Attorney Jim Delapoer read the ordinance for a second time in title only.

MOTION: Reid moved to adopt the ordinance and Johnson seconded it. The motion passed 6-0 and was designated Ordinance No. 5732.

Amending Ordinance No. 5719, segregating in-lieu-of assessments for interceptor sewer and collector sewer against property described as Tax Lot 1600, Parcel 10S-04W-25; and declaring an emergency.

City Attorney Jim Delapoer read the ordinance for the first time in title only, “AN ORDINANCE AMENDING ORDINANCE NO. 5719, SEGREGATING IN-LIEU-OF ASSESSMENTS FOR INTERCEPTOR SEWER AND COLLECTOR SEWER, AGAINST PROPERTY BEING DESCRIBED AS TAX LOT 1600, OF PARCEL 10S-04W-25, AND DECLARING AN EMERGENCY.”

MOTION: Reid moved to have the ordinance read a second time in title only and Johnson seconded it. The motion passed 6-0.

City Attorney Jim Delapoer read the ordinance for a second time in title only.

MOTION: Reid moved to adopt the ordinance and Johnson seconded it. The motion passed 6-0 and was designated Ordinance No. 5733.

Adoption of Consent Calendar

- 1) Approval of Minutes
 - a) January 25, 2010, Work Session.
 - b) February 8, 2010, Work Session.
 - c) February 10, 2010, Regular Session.
- 2) Certifying properties exempt from taxes:
 - a) Songbird Village. RES. NO. 5892
 - b) Periwinkle Place. RES. NO. 5893
 - c) Park Rose Properties. RES. NO. 5894
- 3) Applying for a Land and Water Conservation Fund grant from the Oregon Parks and Recreation Department for the renovation of Henderson Park playground.
- 4) Approving liquor licenses for:
 - a) Yong’s Inc., D/B/A Momiji Japanese Restaurant, 641 Hickory Street NW.
 - b) House of Noodle, 2025 Santiam Highway SE.

Item 3) was removed from the agenda prior to the meeting at Hare’s request. A revised agenda was distributed prior to the meeting.

Johnson requested for item 1a) to be removed.

MOTION: Coburn moved to adopt the Consent Calendar with item 1) a) removed for discussion. Reid seconded the motion and it passed 6-0.

Johnson said that the last paragraph on page 1 of the draft January 25, 2010, Work Session minutes, includes the sentence “Johnson said that she is concerned with the employees who remain having a heavy workload and service levels going down because of it”. She said to remove “going down because of it” and insert “expected to be the same.”

MOTION: Johnson moved to adopt item 1a) with changes and Reid seconded it. The motion passed 6-0.

Personnel Request

Fire Department position restructuring.

Bradner is requesting approval to convert four Firefighter/EMT day positions to three Firefighter/EMT shift positions, and convert one contract, part-time clerk to a permanent, part-time Clerk III.

Brander thanked the Council for their consideration of this request. He said it will save money and appropriately compensate an employee who has been filling a critical role in the organization for 4.5 years.

The request would convert four 48 hour day positions to three 56 hour shift positions. Currently the day positions fill in for the shift positions when necessary. Given the amount of time it takes to train those employees to the point where they can work on their own, Bradner has discovered that they spend 68% of their time in the shift position anyway. Making this change would reduce overtime by about \$50,000, in addition to the \$61,000 cost savings that is outlined in the staff memo.

Reid said, you have four slots now. He asked, would this make it only three? Bradner said it would go from four 48 hour positions to three 56 hour positions. Reid suggested the City retain the fourth slot and keep it vacant instead.

Christman asked, does the \$50,000 referred to in the staff memo include overtime? Bradner said no; overtime savings would make the total about \$110,000.

Johnson said, transitioning from 12 hour days to shift work is hard on employees. She asked, how do they feel about it? Bradner said they are working mostly in the shift positions already. Johnson asked, is the clerical position full-time? Bradner said no.

Reid suggested that of the four Firefighter/EMT day positions, three be converted to Firefighter/EMT shift positions and one be retained as a vacant Firefighter/EMT day position; and convert one contract, part-time clerk to a permanent, part-time Clerk III.

MOTION: Christman moved to approve the Fire Department position restructuring as outlined in the staff report, passed 6-0. Johnson seconded it and the motion passed 6-0.

Collins said, this is an example of what the City Manager and Directors are doing by looking at operations and finding more effective ways to do it.

BUSINESS FROM THE COUNCIL

There was no business from the Council.

CITY MANAGER REPORT

Hare will be attending the regional water meeting with Benton County Commissioners. He will report back at the next Council meeting.

Finance Director Stewart Taylor has been attending the Benton County taxing districts meetings on a regular basis.

NEXT MEETING DATE: Regular Session March 10, 2010
Work Session March 22, 2010

ADJOURNMENT

There being no other business, the meeting was adjourned at 10:25 p.m.

Respectfully submitted,

Mary A. Dibble, MMC
Deputy City Clerk

Reviewed by,

Stewart Taylor
Finance Director