

CITY OF ALBANY  
CITY COUNCIL  
Council Chambers  
Wednesday, April 14, 2010  
7:15 p.m.

**MINUTES**

**CALL TO ORDER**

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

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Cub Scout Troop 334 led the pledge of allegiance to the flag.

**ROLL CALL**

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

**PROCLAMATION**

Child Abuse Prevention and Awareness Month.

Konopa read a proclamation declaring April 2010 as Child Abuse Prevention and Awareness Month and April 7 as the Day of Hope. Konopa mentioned that a fundraiser was held for the ABC House.

**SPECIAL PRESENTATION**

Arbor Week.

Parks & Facilities Maintenance Manager Craig Carnagey provided a PowerPoint of the Albany Urban Forestry Program (in agenda file).

Kristin Ramstad, representing the Oregon Department of Forestry, presented to the Council the Tree City USA Award, the 16<sup>th</sup> presentation to the City of Albany. To receive the award a city must meet four standards: have a proclamation and presentation, spend at least \$2 per capita (can be in volunteer time), pass a public ordinance, and have a Tree Commission.

Tree Commission Chair Tom Krupicka and Vice-Chair Mark Azevedo gave an overview of the Arbor Week activities.

Chava Neuhaus, South Albany High School Wood Shop teacher, explained how the volunteers and students have worked together to educate and produced projects that are both useful and beautiful. She said the skills the students learn will stay with them the rest of their lives whether they seek a career in wood products or not. The following students from South Albany High School explained how they are using the information they received during Arbor Week and showed some of their projects:

- Mike Leonard
- James Brady
- Ben Ross

Jeff Hawkins, West Albany High School Wood Shop teacher, explained how Arbor Week was integrated into the West Albany High School curriculum. The following students from West Albany High School explained how they are using the information they received and the value of the program for them personally:

- Sam Costner
- Shaver Davenport
- Michael Grimm
- Levi Hafner
- Kiley Grieve

The students from West Albany presented picture frames with photos from the program in appreciation to Mike Doolittle, Mark Azevedo, and Mayor Konopa.

Carnagey reviewed the sheet regarding the 2010 Arbor Week Statistics (in agenda file). He introduced and recognized the following community participants:

- Pete Kenagy - Kenagy Tree Farms
- The Esplins - Buena Vista Arbor Care Co.
- Mike Doolittle - Logs-to-Lumber
- Gary Olsen
- Cascade Timber Consulting
- Brad Withrow-Robinson - OSU
- Joseph Majeski - OSU
- Jeff Hawkins - West Albany High School
- Chava Neuhaus - South Albany High School
- Chris Watts

- Bodie Dickerson - FOMAT
- Robin Galloway - 4 H Wildlife Steward  
Coord. - OSU Extension Services
- Dick Miles, David Smith –Tree  
Commissioners
- Melissa Straughan - Waverly School
- Jody Obermeyer - Takena School
- Timber Ridge School - Katie Hobson
- South Shore School - Chris O'Connell
- Starker Wood Products
- Weyerhaeuser
- Rick Barnett - Programming
- Stefanie Coons - Programming
- Heather Slocum - Environmental Programming
- Matt Harrington - Graphics
- Wayde Burrese - Urban Forestry
- Park Maintenance - Transport, Equipment
- Tari Hayes - Administrative Support

Mike Doolittle commented on the merits of the program and praised his employees and the schools for their participation.

Brad Robinson, OSU Extension Program, praised the program and said that they were impressed with the results and are in the process of creating similar programs through the OSU Extension service.

Konopa commented on the volunteers and the students and said the City was proud to be a partner in the program.

## SCHEDULED BUSINESS

### Communication

#### Accepting Scott Whitney's resignation from the Planning Commission.

MOTION: Councilor Reid moved to accept the resignation of Scott Whitney from the Planning Commission and send a letter of appreciation for his service to Albany. Councilor Johnson seconded the motion and it passed 6-0.

### Business from the Public

No one wished to speak.

### First Reading of Ordinances

#### 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 3700, Parcel 11S-03W-17AA, site address 2454 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 3700, OF PARCEL 11S-03W-17AA, AND SITE ADDRESS 2454 BAIN CT SE; AND DECLARING AN EMERGENCY."

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

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

MOTION: Reid moved to adopt the ordinance. Coburn seconded the motion and it passed 6-0, and was designated Ordinance No. 5738.

#### 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 4100, Parcel 11S-03W-17AA, site address 2550 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 4100, PARCEL 11S-03W-17AA, SITE ADDRESS 2550 BAIN COURT SE, AND DECLARING AN EMERGENCY."

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

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

MOTION: Reid moved to adopt the ordinance. Coburn seconded the motion and it passed 6-0, and was designated Ordinance No. 5739.

#### Adoption of Consent Calendar

- 1) Approval of Minutes
  - a) February, 24, 2010, Regular Session.
  - b) March 22, 2010, Work Session.
  - c) March 24, 2010, Regular Session.
- 2) Approving liquor licenses for:
  - a) Cappies, Inc., D/B/A Cappie's Brewhouse, 211 First Avenue NW
  - b) Forsman, Inc., D/B/A Ma's Dairy Farm, 3411 Pacific Boulevard SW

MOTION: Coburn moved to adopt the Consent Calendar as presented. Johnson seconded the motion and it passed 6-0.

#### Award of Bids

##### ST-10-04, Broadalbin Street Promenade Phase I.

City Manager Wes Hare explained that the project was first introduced 15 years ago in response to a sidewalk widening request from a business in the downtown area. It has gone through lengthy discussions with several agencies. He gave a history of involvement by the Central Albany Revitalization Area (CARA), Albany Downtown Association (ADA), Landmarks Advisory Commission, and downtown businesses. He said this project didn't just pop up.

Urban Renewal Manager Kate Porsche said in addition to the numerous stakeholders in the project, staff has been working on it for over a year. It was a solution for businesses downtown and for the Americans with Disabilities Act (ADA) accessibility issues, which included the curbside ramps and the sidewalks. It is in the Urban Renewal Plan and scored highest in the category of "public space improvements" at the open house that CARA held. She used downtown Portland as an example of how public improvements can revitalize the core of a downtown area for private investments. This Promenade project is a first step in that direction to make downtown Albany a special and unique space.

Civil Engineer III Chris Cerklewski reviewed the costs for the project. If the project doesn't go forward, there will still be some expenses on this block. He said there is a temporary ramp on the sidewalk that needs to be replaced. There have been complaints about the wheelchair ramps, they will need to be repaired. There would be engineering costs that have already taken place. Also, the water main would need to be replaced, which would cost around \$50,000.

Coburn asked, is wheelchair curbs unique to this part of the City? Cerklewski said there are many similar wheelchair curbs in the City but, there have been specific complaints regarding these ramps.

Hare said the City would like to focus on these ramps first because they pose a threat to people.

Councilor Olsen asked, regarding the \$50,000 for the waterline, is that for the full block or for half a block? Cerklewski said it is for the full block.

Olsen asked, will the sewer line be replaced? Cerklewski said yes, the sewer line is in poor condition. It is clay pipe with brick manholes. It is the original sewer, over 100 years old, for the downtown area. Replacement protects the street investment against sinkholes and other possible problems. The cost for the sewer line is \$49,000.

Councilor Christman asked, is the \$50,000 that is already spent reflected in the bid? Cerklewski said yes.

Johnson asked, are all costs being reimbursed by CARA? Cerklewski said yes, except the Water Fund will reimburse CARA \$30,000 for the water improvements.

MOTION: Johnson moved to award the contract for ST-10-04, Broadalbin Street Promenade Phase I, to the low bidder Mid-Valley Gravel Co. of Philomath, Oregon, in the amount of \$327,268. Olsen seconded the motion and it passed 4-3, with Councilor Collins, Coburn, and Chrisman voting no.

Konopa said she supported this project because it is an investment in the community. The money for this project comes from CARA and will not affect the City budget. She understands there has been opposition asking for Albany to stop spending, but if government stops spending the economy will not revive and more jobs will be lost. She believes this project will support the economic base in the community.

Johnson asked, what is the approximate finish date? Cerklewski said June 25. The contractor has incentives within the contract to meet that date. Every day he is over, a fine will be imposed.

Oscar Hult, Manager of the ADA, said the Arts Commission is working on the annual Crazy Days and was anxious to include the Promenade in its plans. They will bring in a chalk artist to discuss his art and provide demonstrations for children and adults. It is the second weekend in July.

#### Adoption of Resolution

##### Amending parking restrictions along the east side of Broadalbin Street between First and Second Avenues.

MOTION: Collins moved to adopt the resolution amending parking restrictions within that area of downtown Albany where parking on public parking lots and streets is enforced and managed by the Albany Downtown Association. Johnson seconded the motion and it passed 5-1, with Coburn voting no, and was designated Resolution No. 5901.

##### ST-10-05, Mountain View Drive Rehabilitation.

Cerklewski explained that this project will rehabilitate the pavement on Mountain View Drive between Waverly Drive and approximately 400 linear feet east of Bartley Drive. The existing deteriorating pavement and crushed aggregate base will be rehabilitated and capped with a two-inch asphalt overlay.

MOTION: Collins moved to award the contract for ST-10-05, Mountain View Drive Rehabilitation, to the low bidder Kerr Contractors, Inc. of Woodburn, Oregon, in the amount of \$213,744. Christman seconded the motion and it passed 6-0.

#### Appointment

##### Appointing Glenda Fleming to the Planning Commission.

MOTION: Olsen moved to appoint Glenda Fleming to the Planning Commission. Collins seconded the motion and it passed 6-0.

#### BUSINESS FROM THE COUNCIL

Johnson commented on the census gathering and returning forms by April 16.

Olsen was surprised that the bids for construction projects didn't come in lower, considering the economy.

Konopa asked the Council to note the "Economic Development Preparedness" event on Thursday, April 29, at the Linn Fair and Expo Center. It will include government and business leaders throughout Linn & Benton Counties.

Hare said that he met with representatives from Business Oregon, which is the new name for the State Economic Development Department, regarding site certification of the Oak Creek Industrial Property (the old SVC property). The good news is that most of the work is done in order to move toward certification of that site.

Hare announced that the Oregon Veteran's Hospital will be located in the city of Lebanon. Hare believes it will benefit Albany with jobs.

#### RECESS TO EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION OR LITIGATION LIKELY TO BE FILED IN ACCORDANCE WITH ORS 192.660 (2)(h)

The Regular Session was recessed into Executive Session at 8:47 p.m.

#### RECONVENE

The Regular Session was reconvened at 10:07 p.m.

#### NEXT MEETING DATE

The next City Council Work Session is scheduled for Monday, April 26, 2010, at 4:00 p.m., in the Albany Municipal Court Room, in City Hall. The next Council Regular Session is scheduled for Wednesday, April 28, 2010, at 7:15 p.m., in the City Council Chambers, in City Hall.

#### ADJOURNMENT

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

Respectfully submitted by,

Betty Langwell, MMC  
City Clerk

Reviewed by,

Stewart Taylor  
Finance Director