

CITY OF ALBANY
CITY COUNCIL WORK SESSION
City Hall, Municipal Court Room
Monday, August 23, 2010
4:00 p.m.

MINUTES

CALL TO ORDER

Mayor Konopa called the meeting to order at 4:00 p.m.

ROLL CALL

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

BUSINESS FROM THE PUBLIC

There was no business from the public.

JACKSON STREET VACATION REQUEST

Assistant Public Works Director/City Engineer Mark Shepard provided a map (in agenda file) showing the property that is being considered for vacation. It is at the north end of Jackson Street. It is a City right-of-way that staff believes the City no longer needs. The City does have a water line in the area and there is an overhead utility. If the Council agrees, the Council would initiate the vacation process and the City would only vacate to the center line or back of the sidewalk, whichever is furthest east.

Councilor Johnson asked what center line Shepard was considering. Shepard said the center line of Jackson Street.

Konopa asked, could 14th Avenue ever be connected to Jackson Street? Shepard doesn't believe so, because of the geometry of the street and there is a pedestrian lane there.

Councilor Reid commented that the adjoining properties are currently maintaining that right-of-way.

Councilor Collins was concerned about what the City was getting in return for giving up an asset. There followed discussion about giving up public right of ways generally.

DIRECTION: Council directed staff to have the property owners initiate the vacation process.

Collins asked staff to investigate charging fair market value for vacations. He would like an analysis brought back for Council discussion.

NORTH ALBANY WATER SERVICE REQUEST

Shepard said the property owners at 3258 NW Countryman Circle, Tim and Linda Dodson, have submitted a request for an additional water service to property they own in North Albany. The property requesting the water service is outside of the City limits and the Urban Growth Boundary (UGB). The Dodsons want to subdivide their existing 5 acre parcel into two properties and build a smaller home on the new parcel to move into for retirement. They want to connect to City water due to concerns about the water quality of the groundwater and potential impacts to Mrs. Dodson's health. The health issues they have faced are what is motivating them to want to connect to City water rather than drill a well in order to serve their new lot. Staff cannot approve the request since they do not meet the criteria for additional water service outlined in Resolution 3363 regarding water service for properties outside the City limits in North Albany. Shepard said granting the request would not reduce water quality for others in the area. In the past the Council has asked for an Irrevocable Request for Annexation from the property owner. Currently in the area most properties are on City water, some are on wells.

Councilor Coburn said he sees no problem, as they already have water and everyone else in the area has City water.

Konopa reviewed some history of water systems outside of the UGB and was concerned about allowing this exception when not allowing others.

Johnson believes wells could be drilled for them to get their water. She agrees with Konopa that if the Council agrees, it would set a precedent.

Coburn doesn't think the City is setting a precedent. He said the City has a big Water Treatment Plant and should be in the business of selling water. The Council has always taken this issue on a case-by-case basis. He is not a fan of Resolution 3363.

Councilor Olsen commented on Benton County continuing to allow building with no regard for basic water services. He is frustrated with the fact that the City continues to get these requests with no input regarding the previous planning.

Reid feels that adding more hook-ups would put pressure on the water line going across the Willamette River. He is concerned about the pipeline going to the area and would like to look at doing something with Adair Village. He is not in favor of granting this request.

There was continued discussion regarding Benton County and planning that limits development along Albany's UGB.

Collins doesn't see any substantial action from Benton County and he too is frustrated.

Councilor Christman agrees with Coburn that the City is in the business of selling water. It is his understanding that the City ratepayers are subsidizing water extended outside the City. He thinks the current surcharge should be raised. He is in favor of this request.

MOTION: Coburn moved to grant the request for an exception from Resolution 3363 based on extenuating circumstances. Christman seconded the motion.

Reid would like a map showing where all the water services are in that area of North Albany.

Linda Dodson spoke, saying that they understood that owners dumped radio-active material on the uphill property from them. That makes them very concerned about the groundwater. She feels this is a unique situation.

Konopa commented that when the City planned the new Water Treatment Plant, it was for growth within the boundaries. Expansion would be faster if the City continues to sell water outside the city limits.

Collins commented that the property was purchased in 1985, well before Resolution No. 3363.

VOTE: A vote was taken on the motion and it failed 3-4, with Reid, Olsen, Johnson, and Konopa voting no.

Council members requested maps and other information on water service outside the city limits and in or outside UGB. Public Works Director Diane Taniguchi-Dennis said staff can start to map who is served, who isn't being served, and who has the potential to be served in those areas.

There followed Council discussion regarding water capacities.

DEQ 1200-C PERMIT REPORT

Assistant City Engineer Jeff Blaine explained that Albany has an Erosion Prevention and Sediment Control (EPSC) program to help protect the public storm drain system and water of the state from pollution generated by construction-related activities. The Department of Environmental Quality (DEQ) also has their version of an EPSC program. The Environmental Protection Agency (EPA) requires the DEQ to have oversight over construction-related activities that disturb more than one acre, or smaller projects that are part of a common plan of development that originally disturbed more than one acre, e.g. home construction within a large subdivision. DEQ has managed this oversight through what is known as a 1200-C Permit. Registration under the DEQ 1200-C permit has the same general requirements as Albany's EPSC permit. It requires submittal of a permit application and fee, development of an EPSC plan, implementation of Best Management Practices, and continual monitoring, inspections, and reporting. In many ways the City's program and DEQ's program are redundant. In recognition of the redundancy, DEQ is proposing that in communities with qualifying EPSC programs, like Albany, projects under five acres be automatically covered under the 1200-C program by relying on the City's program. In order to participate in this new process, the City would need to enter into an Intergovernmental Agreement (IGA) with the DEQ. Staff recommends participating as it would represent a significant benefit to Albany on its capital projects and to the development community. For the City of Albany it would capture almost all street construction projects and 60% of private projects. If the Council is interested in pursuing this further, staff will bring a draft IGA to the Council in September for their consideration.

Collins said he was in support of the program.

Coburn asked if he understood correctly that the DEQ would not get involved, only if it were 5 acres or more. Blaine said yes. Coburn had some concerns about a developer being able to understand the issues, or being able to enforce them. He doesn't think that anyone knows or understands the issues. Blaine said the City is not taking on any of the responsibilities of the DEQ.

It was Council consensus to have staff move forward.

ALBANY TRANSIT SYSTEM REPORT

Airport and Transit Manager Chris Bailey provided a power point including the Kittelson report (in City archives). Bailey said that Kittelson says things can be improved and funded with an increase in fees. But some people in the community have no other option but to ride the public buses and are usually the poorest of the population. Staff will implement as many upgrades as funding will allow.

Collins asked if staff was continuing talks with the school district regarding the bus barn.

Reid was concerned about mixing public transit with school buses.

Coburn asked if there were concentrations of people and where do they generally ride buses to.

Bailey said they are reviewing the Kittelson report, continuing talks, and asking the same questions.

COUNCILOR COMMENTS

Reid mentioned that campaign signs had been erected before they are allowed by Albany ordinances. Public Information Officer/Executive Assistant Marilyn Smith said the Code Squad would be handling those complaints.

Reid was concerned that the Federal Legislature was considering raising the weight load requirements of semi trucks. He isn't sure Albany's streets could take the continuing increase in weight.

DIRECTION: After discussion the Council consensus was to have the Mayor write a letter to the Federal Legislature regarding the impact on Albany, if the weight load for semi trucks is increased.

Konopa reminded everyone to be back to City Hall for the Special Session at 7:15 p.m.

ADJOURNMENT

There being no other business, the meeting was adjourned at 6:00 p.m.

Respectfully submitted by,

Reviewed by,

Betty Langwell, MMC
City Clerk

Stewart Taylor
Finance Director