

CITY OF ALBANY
CITY COUNCIL
Council Chambers
Wednesday, August 10, 2011
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

Konopa led the pledge of allegiance to the flag.

OATH OF OFFICE FOR NEW WARD II-A COUNCIL MEMBER

City Clerk Betty Langwell administered the oath of office to Ray Kopczynski, newly appointed Ward II-A Council member.

ROLL CALL

Councilors present: Jeff Christman, Ray Kopczynski, Floyd Collins, Dick Olsen, Bill Coburn, and Bessie Johnson

SCHEDULED BUSINESS

Communications

Accepting resignations from Roz Keeney and Heidi Overman from the Landmarks Advisory Commission.

MOTION: Councilor Johnson moved to accept the resignations of Roz Keeney and Heidi Overman from the Landmarks Advisory Commission, and send them a letter of thanks for their service. The motion was seconded by Councilor Coburn and passed 6-0.

Business from the Public

Richard Owen, 810 Cox Street, felt the City was corrupt by violating the 4th amendment of the Constitution of the United States. He felt the City had "seized" the Draper property at 337 6th Avenue. He said the City can't take a person's property and Albany should build Mr. Draper a new four tenant building.

Adoption of Consent Calendar

- 1) Approval of Minutes
 - a) June 20, 2011, City Council Work Session.
 - b) July 11, 2011, City Council Joint Meeting with Benton County.
 - c) July 18, 2011, City Council Joint Meeting with Linn County.

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

Award of Bids

W-08-01, Valley View Reservoir seismic improvements.

Public Works Director Mark Shepard said the Engineer's estimate was \$553,000. All the bids came in higher than the estimate, primarily due to the addition of interior painting of the reservoirs. The painting was not identified in the original project scope but during design the need to paint the interior of the reservoirs was identified and included in the project. It will minimize the need to take the reservoirs out of service in the future and will realize some economy of scale for completing the work at one time. After discussion staff determined that the bid results were indicative of the actual projects costs.

Councilor Collins was concerned about the downward trend of revenue in the Water Fund and the funding of this project. Shepard explained that several projects were completed below their budgeted amount in FY 2010-2011 and estimated revenues were very conservative, which has resulted in a higher than anticipated beginning balance in the Water Capital Projects Fund. The higher beginning balance is available to cover the additional project cost of \$255,600. He speculated that water revenues were down because of a wet and cold spring, residential and commercial water conservation, and a high volume of foreclosed property. But, having received more than had been budgeted provided the City with a larger beginning balance.

There followed discussion regarding comments in the paper about using water operating funds for capital projects.

MOTION: Collins moved to award W-08-01, Valley View Reservoir seismic improvements, in the amount of \$591,000 to the low bidder, Legacy Construction Inc. Coburn seconded the motion and it passed 6-0.

WL-11-01-B, Broadway Reservoir mixing improvements.

Shepard explained that improvements to the City's largest reservoir are required to correct missing inadequacies and improve water quality. Improvements include modification to the existing inlet/outlet piping, installation of pipe supports, mixing valves, and other piping improvements. He said they anticipate it will come in under budget.

Coburn was concerned that the company would be responsible considering they bid so low. Shepard said they are considered responsive and responsible. Staff will be monitoring them carefully.

MOTION: Collins moved to award WL-11-01-B, Broadway Reservoir mixing improvements, in the amount of \$150,670 to the low bidder, Elk Mountain Construction of Sandy, Oregon. Coburn seconded the motion and it passed 6-0.

Approval of Intergovernmental Agreement

ST-12-01 Jackson Street Reconstruction – Surface Transportation Program fund exchange.

Shepard explained that in this exchange the state gives "State of Oregon funds" to the City in exchange for Federal funds. The state funds have fewer strings attached and are easier to administer for the City. The percentage of exchange and terms were negotiated through the League of Oregon Cities with the Oregon Department of Transportation. He said due to the estimated cost of the project, the full amounts from 2008 and 2009, and a portion of the 2010 fund exchange programs will be used on the Jackson Street Reconstruction project.

City Manager Wes Hare said the cost of administering and conforming to federal requirements is much more than the 6% charge for the exchange.

MOTION: Coburn moved to authorize the City Manager to execute an intergovernmental agreement with the Oregon Department of Transportation (ODOT) to exchange Federal Surface Transportation Program (STP) funds for state funds. Johnson seconded the motion and it passed 6-0.

Reports

Receiving Code Enforcement Team Fourth Quarter Report for Fiscal Year 2010-2011.

Building Official Manager Melanie Adams reported on the demolition of the Draper house, thanking the Police for their help. She mentioned that as the house was demolished, they uncovered a lot of dry rot including in the main interior area of the house. Rehabilitation would have been more expensive than originally thought.

Hare mentioned that the Draper's were losing the house before the City stepped in; they were being foreclosed and their lender, Fannie Mae, had considered tearing it down themselves.

Johnson asked if there was any progress on Woodland Square. Konopa said there has been some movement and it looks like it may be sold. An offer has been received and accepted on the property.

November and December 2011 Council Meeting Dates.

The following meeting schedule was acceptable to the Council:

November 2011 Meeting Schedule

- Wednesday, November 2 7:15 p.m. Regular Council Meeting
- Monday, November 7 4:00 p.m. Work Session
- Wednesday, November 9 7:15 p.m. Regular Council Meeting
- Monday, November 14 No meeting
- Wednesday, November 16 5:15 p.m. CARA & ARA Meetings
- Monday, November 21 No meeting
- Wednesday, November 23 No meeting
- Monday, November 28 No meeting

December 2011 Meeting Schedule

- Monday, December 5 4:00 p.m. Work Session
- Wednesday, December 7 7:15 p.m. Regular Council Meeting

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- Monday, December 12 4:00 p.m. Work Session
- Wednesday, December 14 5:15 p.m. CARA & ARA Meetings
7:15 p.m. Regular Council Meeting
- Monday, December 19 No meeting
- Wednesday, December 21 No meeting
- Wednesday, December 28 No meeting

Appointments

Landmarks Advisory Commission.

MOTION: Collins moved to appoint Kate Foster and Camron Settlemier to the Landmarks Advisory Commission. Councilor Kopczynski seconded the motion and it passed 6-0.

BUSINESS FROM THE COUNCIL

Dog ordinance work group update.

Konopa explained that this work group would be reviewing the Dangerous Dog Ordinance. She has appointed a cross section of citizens interested in the subject that could provide input for discussion. They will also be drawing on the expertise of consulting professionals from the medical field and a volunteer veterinarian from the Oregon State University Vet School. They could have gotten a local veterinarian but didn't want to put them in an uncomfortable position in the community.

Hare suggested the work group also draw on the expertise of staff, such as the Police and City Attorney.

Collins suggested the group's recommendation be back in front of the Council shortly after Labor Day.

MOTION: Collins moved to ratify the appointment of Councilors Dick Olsen and Floyd Collins, Mayor Sharon Konopa, lay members Larry Holverson, Max Frederick, and Mark Azavedo, to the Dangerous Dog Ordinance Work Group. Kopczynski seconded the motion and it passed 6-0.

Other business.

Johnson congratulated Mark Shepard on his promotion to Public Works Director. She also asked if Hare could check on getting air conditioning in the Audio/Video room, and if Council meetings are going to continue on past 9:00 p.m., that they take a short recess.

Collins said he heard from a constituent that a disabled lady living on 7th Street has a perpetual garage sale. He asked, can the City issue a permit if there is a hardship? What are the options? Staff will investigate.

Kopczynski said that because he is unfamiliar with local companies, could the construction company location be added to the Bid Tab in the agenda. Public Works will implement.

NEXT MEETING DATE

The next scheduled Work Sessions are Monday, August 15, 2011, and Monday, August 22, 2011, in the Municipal Court Room, at City Hall, at 4:00 p.m.

The next scheduled Regular Session is Wednesday, August 24, 2011, in the Council Chambers, at City Hall, at 7:15 p.m.

ADJOURNMENT

There being no other business, the meeting was adjourned at 8:05 p.m.

Respectfully submitted by,

Reviewed by,

Betty Langwell, MMC
City Clerk

Wes Hare
City Manager