



**NOTICE OF PUBLIC MEETING**

CITY OF ALBANY

CITY COUNCIL

Council Chambers

333 Broadalbin Street SW

Wednesday, November 9, 2011

7:15 p.m.

**AGENDA**

**OUR MISSION IS**

*"Providing quality public services for a better Albany community."*

**OUR VISION IS**

*"A vital and diversified community that promotes a high quality of life, great neighborhoods, balanced economic growth, and quality public services."*

Rules of Conduct for Public Meetings

1. No person shall be disorderly, abusive, or disruptive of the orderly conduct of the hearing.
2. Persons shall not testify without first receiving recognition from the presiding officer and stating their full name and residence address.
3. No person shall present irrelevant, immaterial, or repetitious testimony or evidence.
4. There shall be no audience demonstrations such as applause, cheering, display of signs, or other conduct disruptive of the hearing.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. ROLL CALL

4. SCHEDULED BUSINESS

a. Business from the Public

b. First Reading of Ordinances

- 1) Levying the assessment of a Transportation System Development Charge for property described as Tax Lot 1300, Parcel 10S-03W-33DC, and site address 1203 Century Drive NE; and declaring an emergency. [Pages 1-3]

Action: \_\_\_\_\_ ORD. NO. \_\_\_\_\_

- 2) Amending AMC 6.18, Dangerous Dogs. [available Wednesday]

Action: \_\_\_\_\_ ORD. NO. \_\_\_\_\_

c. Adoption of Resolution

- 1) Establishing parking restriction on Cascade Heights Drive. [Pages 4-10]

Action: \_\_\_\_\_ RES. NO. \_\_\_\_\_

d. Adoption of Consent Calendar

1) Approval of Minutes

- a) September 26, 2011, City Council Work Session. [Pages 11-14]

- b) October 26, 2011, City Council Regular Session. [Pages 15-17]

2) Accepting an overtime reimbursement from the California Department of Justice, Bureau of Narcotic Enforcement. [Pages 18-19] RES. NO. \_\_\_\_\_

3) Authorizing the city of Albany to submit a grant application for Oregon Department of Transportation Connect Oregon IV grant funds and a commitment to provide the required local match for the North Albany Park and Ride. [Pages 20-21] RES. NO. \_\_\_\_\_

4) Approving an extended property tax abatement agreement with W.R. Grace for extended enterprise zone benefits. [Pages 22-25] RES. NO. \_\_\_\_\_

Action: \_\_\_\_\_

5. BUSINESS FROM THE COUNCIL

6. NEXT MEETING DATE: Work Session December 5, 2011

Regular Session December 7, 2011

7. ADJOURNMENT

City of Albany Web site: [www.cityofalbany.net](http://www.cityofalbany.net)

*The location of the meeting/hearing is accessible to the disabled. If you have a disability that requires accommodation, please notify the Human Resources Department in advance by calling (541) 917-7500.*

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO LEVY THE ASSESSMENT OF A TRANSPORTATION SYSTEM DEVELOPMENT CHARGE FOR PROPERTY DESCRIBED AS TAX LOT 1300, OF PARCEL 10S-03W-33DC, AND SITE ADDRESS 1203 CENTURY DR NE; AND DECLARING AN EMERGENCY.

WHEREAS, the Transportation System Development Charge is intended to assess charges for future expansion or capacity increases to the system, and is aimed at providing additional levels of services to the existing road network; and

WHEREAS, these charges will be assessed on the property described as Tax Lot 1300, of Parcel number 10S-03W-33DC, and site address 1203 Century Dr NE. (See attached **Exhibit "A"**)

NOW THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: The Transportation System Development Charges and the assessment for the same will be levied according to the provisions of Albany Municipal Code, Chapter 15.16.

Section 2: The total cost of the Transportation System Development Charge is \$7,270.25.

(See attached assessment sheet)

Section 3: The City Recorder is hereby directed to enter a statement of the assessments as provided above in the docket of the City liens and give notice thereof as provided by law.

Section 4: Inasmuch as this ordinance is necessary for the immediate preservation of the peace, health, and safety of the City of Albany, Oregon, an emergency is hereby declared to exist; and this ordinance will be in full force and effect immediately upon passage by the Council and approval by the Mayor.

Passed by the Council: \_\_\_\_\_

Approved by the Mayor: \_\_\_\_\_

Effective Date: \_\_\_\_\_

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Owner of Record

Ramasurdial Premsingh  
Joyce Premsingh  
1203 Century Dr NE  
Albany, OR 97322

Property Description

Acreage: 0.44 acres  
1203 Century Dr NE  
10S 03W 33DC 01300

Assessment Description

Transportation SDC  
Amount: \$7,270.25  
Acct # stsd2011-0001-000

Report Total: \$7,270.25





TO: Albany City Council

VIA: Wes Hare, City Manager  
Mark Shepard, P.E., Public Works Director *MWS*

FROM: Jeff Blaine, P.E., Assistant Public Works Director/City Engineer *JB*  
Ronald G. Irish, Transportation Systems Analyst *RGI*

DATE: October 26, 2011, for the November 9, 2011, City Council Meeting

SUBJECT: Cascade Heights Parking Removal Request

RELATES TO STRATEGIC PLAN THEME: ● A Safe City

Action Requested:

Staff recommends Council consider restrictions to on-street parking on the east side of Cascade Heights Drive from Quarry Road 80 feet to the north. A resolution is attached for Council action should you choose to implement the restriction.

Discussion:

Staff has received a request (attached) from the Cascade Heights Homeowner's Association for a parking restriction on the east side of Cascade Heights Drive that would extend from Quarry Road north 80 feet. The first 20 feet of that area already has yellow curb; the request would extend the restriction another 60 feet. The request cites congestion, parking, and safety issues that occur in the area during the summer and fall when sports events are held at North Albany Middle School.

Cascade Heights Drive is classified as a local street. The first 320 feet of the street north of Quarry Road north has a curb to curb width of 28 feet with on street parking restricted along the west side of the road and the first 20 feet on the east side. Attachment A shows the existing and proposed parking restrictions. The remainder of the street has a curb to curb width of 32 feet and no on-street parking restrictions. The yellow curb along the west side of Cascade Heights Drive dates to the approval of the Covey Run Subdivision and is a result of the road's 28-foot curb to curb width. The 20 feet of yellow curb on the east side of Cascade Heights and alterations to the placement of parking restriction signs along Quarry Road are both the result of previous Traffic Safety Commission (TSC) recommendations.

Previously the TSC has twice considered neighborhood requests to extend the length of yellow curb along the east side of Cascade Heights Drive, but in both cases declined to forward a recommendation to Council for the change. Their decision was based on the absence of a crash pattern at the Cascade Heights/Quarry Road intersection and a determination that having vehicles parking along the east side of the road would help to keep speeds down near the intersection. There have been no reported crashes at the intersection within the past 10 years. The existing parking restrictions provide for a full 28 feet of street width on Cascade Heights at the intersection to accommodate turn movements. Vehicles parking along the east side of the road north of the intersection occupy about eight feet of the road, leaving two unobstructed 10 foot travel lanes. A photograph provided by the neighborhood (attached) shows three vehicles in that exact situation.

Albany City Council

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October 26, 2011, for the November 9, 2011, City Council Meeting

Staff does not believe that extending the yellow curb on the east side of the road would offer appreciable operational or safety benefits for vehicles or pedestrians, but neither would it result in creation of a problem. Approval of the parking restriction would result in the loss of two on-street parking spaces. The adjoining lot is 624 Quarry Road. The home faces Old Quarry Road and does not take any access from Cascade Heights Drive. A letter was sent to the owners of the property on September 21, 2011, asking if they had a concern over the requested yellow curb. An e-mail response was received in support of the change (see attached).

Budget Impact:

None.

RGI:prj

Attachments (5)

RESOLUTION NO. \_\_\_\_\_

RESOLUTION ESTABLISHING PARKING RESTRICTION ON CASCADE HEIGHTS DRIVE

WHEREAS, the Cascade Heights Homeowners Association has requested that Council extend the length of the on-street parking restriction on the east side of Cascade Heights Drive north of Quarry Road; and

WHEREAS, an increase in the length of the on-street parking restriction would reduce the likelihood of congestion and blockages at the entrance into the Cascade Heights neighborhood.

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby authorize the following parking restriction:

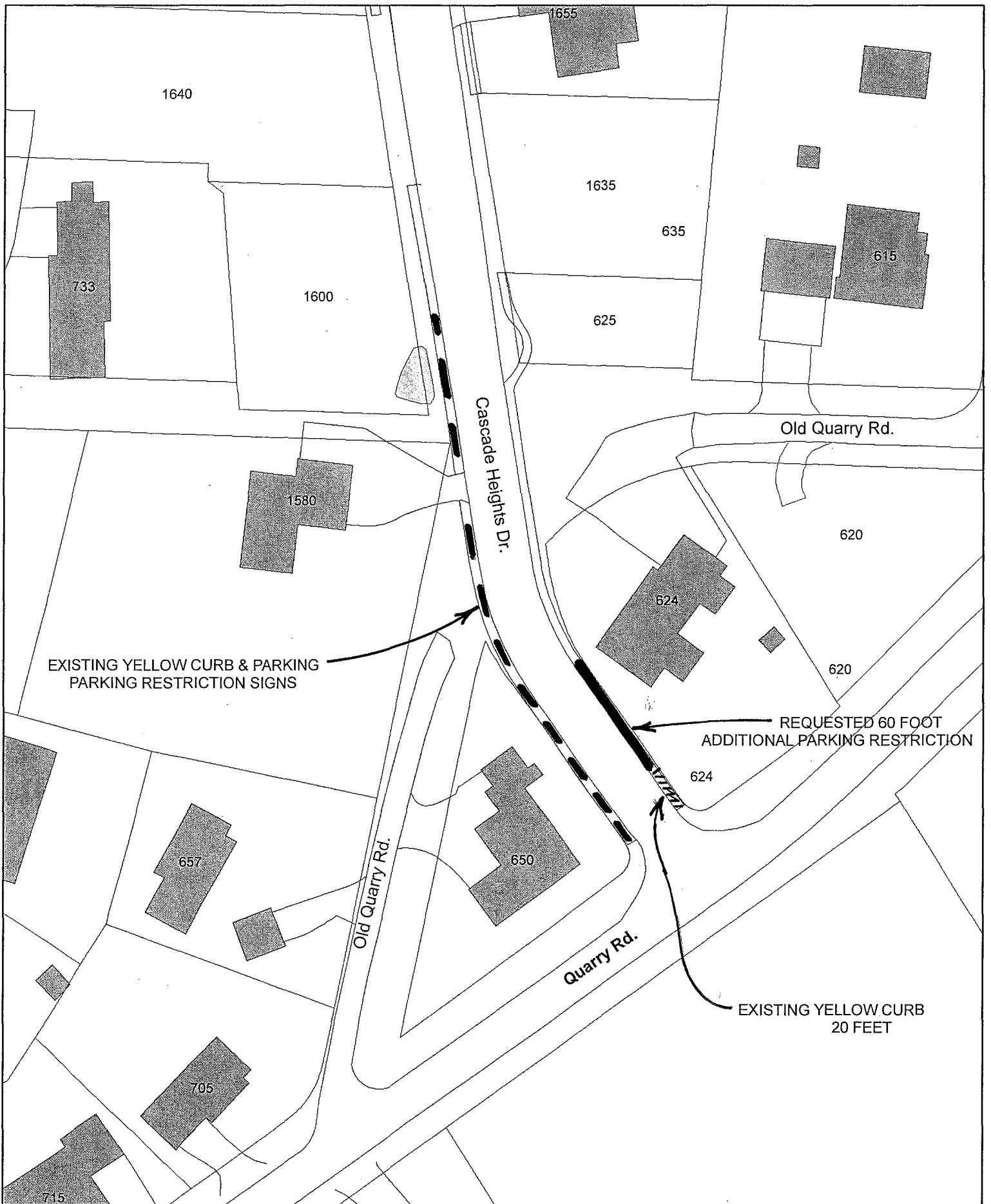
1. A 60-foot extension of the parking restriction on the east side of Cascade Heights Drive north of Quarry Road, resulting in a restriction with an overall length of 80 feet.

DATED AND EFFECTIVE THIS 9<sup>th</sup> DAY OF NOVEMBER 2011.

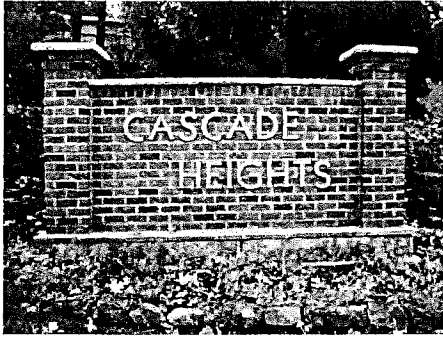
\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



CASCADE HEIGHTS PARKING REMOVAL REQUEST



# Cascade Heights Homeowners Association

To: Albany City Council

Re: Cascade Heights Drive

The Cascade Heights Home Owners Association would like to formally request consideration for an additional 60ft. of yellow curb paint for restriction of parking on the east side of Cascade Heights Dr. beginning at the stop sign on Quarry Rd. Presently there is 20 ft. of yellow curb marked north of the stop sign on the east side of Cascade Heights Dr. The HOA would like to request an additional 60ft. be added for safety reasons.

During the summer and fall, sports events at North Albany Middle school result in heavy pedestrian traffic and vehicle parking along Quarry Rd. just west of Cascade Heights Dr. entrance. The HOA has addressed some of these issues on Quarry Rd. with Benton County who has jurisdiction over the signage of this road. The repeated major hazard that occurs is that parking on Cascade Heights Dr. is very close to the stop sign area coming off Quarry Rd. onto Cascade Heights Dr. Vehicles and pedestrians are suddenly in view and in harms -way. This is somewhat a blind corner in addition to the roadway being narrower in this section than it is further up Cascade Heights Dr. This is further



FYI

Re: -

Cascade Heights Drive near  
intersection with Quarry Rd -

Cory Coley

**Irish, Ron**

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**From:** Roger.Collette@CH2M.com  
**Sent:** Wednesday, October 26, 2011 6:48 AM  
**To:** Irish, Ron  
**Subject:** CASCADE HEIGHTS PARKING REMOVAL REQUEST

Good Morning Ron,

I apologize for the delay in responding to your letter, and realize that it may be too late for meaningful input to your request to extend the yellow curb along Cascade Heights. I have been out of town on travel and your letter became buried on my desk.

As a resident along the road in question and also having to travel up Cascade Heights during soccer season, I strongly encourage the extension of the yellow curb and think it would be better to extend it further than the proposed 60 feet. With the rise of the road as well as the curve, coupled with the narrowness of the road at that point, it can be a very unsafe situation. Drivers can't get a good view of oncoming traffic then toss in the small children and families around the parked vehicles you have a dangerous scenario brewing. My recommendation would be to extend the yellow stripe even further towards the crest of the rise (near the first mail box). That would eliminate two factors contributing to compromised field of views and would move some of the pedestrian street traffic away from the intersection.

Thank you for letting us know of this change and welcome additional questions or comments.

Regards,  
Roger

**Roger G. Collette, PE**  
Electrical and Communications  
Discipline Practice Leader  
CH2M Hill - CVO  
541-768-3402 (Office)  
[roger.collette@ch2m.com](mailto:roger.collette@ch2m.com)

CITY OF ALBANY  
CITY COUNCIL (WORK SESSION)  
Municipal Court Room  
Monday, September 26, 2011  
4:00 p.m.

**MINUTES**

CALL TO ORDER

Mayor Sharon Konopa called the meeting to order at 4:02 p.m.

ROLL CALL

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

Councilors absent: None.

BUSINESS FROM THE PUBLIC

There was no business from the public.

ECONOMIC DEVELOPMENT STRATEGY DISCUSSION

City Manager Wes Hare said the staff memo was put together in response to discussions about economic development. He used a white board to illustrate that each time an idea is presented to the City, they try to consider all the other community players that would be impacted. In the case of economic development, the City is just one partner in the community. Other partners include: federal agencies, hospitals, counties, Albany Downtown Association (ADA), Oregon State University (OSU), Council of Governments (COG), state economic development, Albany Visitors Association (AVA), Linn Benton Community College (LBCC), Albany Millersburg Economic Corporation (AMEDC), Albany Chamber of Commerce (ACC), businesses, Greater Albany Public Schools (GAPS), and the Historic Albany Revitalization Project (HARP).

On the dais were two documents: Labor Market Information from *Worksource Oregon* (see agenda file) and an e-mail from William Summers, Workforce Analyst/Economist, to Management Assistant/Public Information Officer Marilyn Smith (see agenda file).

Hare said his recommendations are stated on page 3 of the staff memo. The recommendations include having AMEDC take the lead to coordinate economic development for the community.

Pam Silbernagel from COG, and John Pascone from AMEDC, presented information about economic development to the Council in May. They considered the "big picture" for a healthy community, and getting money in that wasn't in the community before.

Silbernagel said that when she asked the Council in May what a good indicator would be, the Council replied that jobs was the primary target; both up-scaling quality of current jobs and attracting new jobs. Silbernagel said the next step is for the Council to discuss their vision of how this will be done.

Silbernagel said that Hare's suggestions in the staff memo are good. She wants to discuss the Council's focus. What does a future economy look like, especially in terms of small business? What types of jobs do they want to attract? What do they want to see down the road?

Hare said, there have been some significant efforts in the community, particularly in infrastructure, to prepare for future businesses and to work with existing businesses.

Michael Waldock, the Historic Albany Recovery Program (HARP) Team Leader, reported that HARP takes the initiative for new ideas. They use interns assigned to projects and each project has a godparent in the community.

Waldock played a short video about HARP in which the project godparents introduced themselves (copy of video in the agenda file.)

Waldock said that HARP is dependent on the community. The office is at 201 1<sup>st</sup> Avenue. People are welcome to call or visit. He said that people do walk in with ideas.

Silbernagel led the Council in a discussion. The questions posed were: what is economic development? Who are the partners? What do they provide? How do we count or measure impact?

Councilor Floyd Collins said he sees the value in attracting, maintaining, enhancing, and growing businesses. He suggested they add utilities to the list of partners.

Hare reminded the Council that Barbara Bessey from LBCC's Small Business Development Center (SBDC) Program made a request for assistance for small business development a few months ago. The Council chose to delay that discussion until now.

Konopa thinks Albany needs an expanded commercial base.

Councilor Ray Kopczynski works at the employment office. He has seen the number of jobs available in the community increase. Silbernagel said they are also seeing that trend in small business lending.

Councilor Jeff Christman agrees that they should work with the other partners, but it is important that the Council has oversight of the \$4 million. They need to make sure that the jobs being created are within the City of Albany from a tax standpoint, and also for other growth and potential possibilities. He wants the Council to concentrate on how to work with other agencies to attract jobs to Albany.

Hare said a good example is that right now there is a significant Albany business that wants to expand. They are considering staying in Albany and are looking for a low interest loan. The only unanswered question is, how much. They will want some sort of response soon as to whether the Council is interested in creating a low interest loan fund. This could retain jobs in Albany and increase investment in Albany. They would add 20 additional jobs at \$40,000 annually. Hare supports this opportunity.

Kopczynski said it is the same sort of thing that is done with Central Albany Revitalization Agency (CARA) funds.

Silbernagel started a list of possible evaluation criteria for loans, such as: the number of jobs, wages, if it is inside city limits, traded sector jobs, etc. Discussion followed.

Councilor Bill Coburn doesn't want to put conditions on it at this point. He thinks parties should come and talk to the Council if they have an idea.

Silbernagel suggested that they consider giving some boundaries to City staff so that there is a way to say no, outside of the media's eye. Konopa agreed that there should be a policy to administer the program.

Christman is concerned that if they choose hard, firm criteria it could mean missing out on a huge opportunity. For example, Microsoft started out of a garage. He thinks we can have some framework, but not too many. They should consider wages and city limits, but he doesn't want them incorporated into a policy.

Hare suggested creating a review process to indicate how the priorities are set, but keep the review process as open as possible. This is the same method CARA uses and generally they have experienced good success from this type of process.

Kopczynski agreed. He said, flexibility is key.

Silbernagel explained that businesses need to make decisions in 30 day timeframes, so the process should be expedient.

Collins added the list of criteria: what is the investment back to the community in taxes, and what is the availability of utilities.

Collins agrees with Christman that it should be in the city limits; but if it were a regional facility based on their size, it should also be considered. Another criteria is the amount of the funding gap, and if the gap is at the front end or tail end of the project. Another consideration is how long the jobs will be here.

Pascone said there could be variables based on each particular project. Pascone said for the existing business Hare referred to, there is a lot of competition for the site and they are looking all over the world. He would like to keep them in Albany. He said, we should maximize our dollars. Discussion followed.

Silbernagel added "risk" to the list of criteria.

Christman is not in favor of giving forgivable loans. The rest of the Council concurred.

Hare said the Council needs to address LBCC's request for \$20,000 for the Small Business Development Center (SBDC) Program. In his opinion, it builds goodwill and interagency cooperation. The downside is risk, in that the businesses this goes to support may not be successful. He does not think it is an unreasonable one-year investment.

Konopa agrees that one year is reasonable. The program has been successful so far but she does not want Albany to provide its ongoing support.

Hare said Corvallis used to support it with funds they received as a Metropolitan Planning Organization (MPO). Albany may have the opportunity to be an MPO. He said, Albany could fund them for one year until getting the MPO status clarified, then look at it again next year.

Staff will prepare a resolution of support for the SBDC Program.

Silbernagel asked the Council if they are ready to have this conversation with other players and if so, who?

Pascone thinks the time is good to start this. AMEDC will be doing a business survey again and the time is right for this discussion.

Kopczynski thinks they should talk to all the partners in the beginning to make sure they are not duplicating efforts (in the community).

Collins supports using a rapid response team with a collaboration of agencies.

Konopa likes having all the agencies involved in the rapid response but wants the Council to make the decisions about the PepsiCo Settlement money, because they need to be careful with that one-time resource. Collins agreed that the rapid response team would not be making the decisions about money, but rather they would be available to answer questions. Discussion followed about the role of the rapid response team.

Christman thinks it is important that the group is not too large. He is protective over who is in the group because ultimately, the Council is responsible to the citizens for how the PepsiCo Settlement funds get spent.

Silbernagel asked if the Council wants to focus on "quality-of-life" agencies or "trade" sector agencies to be part of the group. The Council was generally supportive to start with the "trade" sector agencies; not to exclude the "quality-of-life" agencies, but to figure out where they might fit in, with the focus being on the "trade" sector jobs.

#### POLICE AND FIRE FACILITIES UPDATE

Hare said, how much we allocate to economic development has an effect on what we do with two large capital projects: the police and fire facilities.

##### *Fire Department*

Fire Chief John Bradner said that after their last presentation to the Council, the consultants, ZCS Engineering, told Bradner that they would be negligent if they were to recommend having a building with a large footprint on a small piece of land. Their discussion then turned to putting a small substation downtown and putting a larger station at a new location. The idea is presented in the staff report as the Existing Fire Station 11 Split Facility Review, on page 4. The staff report asks for Council approval to perform consultant services related to this option.

Christman said he is not sure what they would be getting for the \$8,000-10,000 cost for the study. Bradner said they have not yet done a thorough seismic evaluation. They have shared initial reactions about the seismic condition of Station 11, but they have not performed a detailed evaluation to see if it makes sense to rehabilitate or build new. Also the fee would include looking at additional sites for the fire station.

Christman asked, can we skip the portion where they evaluate the structure seismically, and instead have them start looking for other property? This might save money.

Hare said, we should settle on a site that provides what we need for several years-out, rather than trying to do two separate sites.

Kopczynski pointed out that if they had a substation at the current location downtown, they would still have to do an additional station elsewhere.

Hare said he met with the GAPS Superintendant and they are not very interested in selling off a part of Central School.

Councilor Dick Olsen thinks they should get another assessment of the cost to rehabilitate Station 11. Hare said that they did that already: the original study in 2000 was just for seismic retrofit, not including asbestos removal, American with Disabilities Act (ADA) access, electric, or power, and it cost just under a million. Those costs would increase the 2.5 to 4 times by now. When ZCS evaluated the 2000 report they concurred with that, believing it would be about \$4.5 million to retrofit the building now. Hare said there also remains the problem of access in and out of the station, with fire engines blocking traffic. It will only get worse as traffic on that street increases.

Olsen said he is concerned about historic Albany. Discussion followed about options for getting property near Station 11.

Bradner said that two engineering firms have already said that to restore Station 11 would be like constructing a new building inside the old building, thus reducing the usable space. Staff is already critically cramped there, so having a smaller footprint just exacerbates the problem.

Christman said ZCS has already said that the downtown site won't work and have considered the other options in the downtown area, and they say it is not feasible. He asked, so why would we spend more money to have them try to force it to fit there?

Hare asked, how much more money does the Council want to put in to looking at another site outside of downtown, versus continuing to consider the current downtown site with its limitations? We have spent \$20,000 so far for a preliminary analysis and they said that that site is difficult to meet the goals that we identified for them. It is a cost-benefit decision for the Council.

Konopa asked, have we considered looking at moving equipment out of Station 12 and into the bus barn, and moving the bus barn elsewhere? Bradner said they considered moving the bus barn about ten years ago when Collins was the Public Works Director. They decided it wasn't a good option. Discussion followed.

Christman pointed out that even if those ideas worked at Station 12, it doesn't resolve the problems at Station 11. Christman doesn't like the split-facility idea (Option 1) in the staff report and Central School is not interested in selling property (Option 2); so he thinks they should save money by not pursuing them further. He supports Option 3, to find another location to build. It is a better use of the money.

Olsen described a Seattle Fire Department that had been restored. He wants staff to find out what Seattle did to restore their building.

Hare pointed out that the concerns at Station 11 are more than just seismic. There is also roof and electrical issues.

#### *Police*

Hare said staff needs direction for police facilities. There is a plan for construction, they have the land, and they are ready to go. He thinks it can be done for approximately \$8 million. He recommends writing a design-build contract for a budget within that range.

Collins doesn't think they can build both police and fire facilities and wants to know what the priority is between the two, but feels they can't do that evaluation until they have firm decisions about Fire Station 11. He wants to know the site and the cost for the fire facility, then he can make a decision between the two.

Coburn said, if that's the case then he wants to have a short timeframe so that the Council can take advantage of the construction market window right now.

The discussion will continue at the September 28, 2011, Regular Session.

#### COUNCILOR COMMENTS

Councilor Bessie Johnson is going to the League of Oregon Cities (LOC) conference and hopes more of the Councilors can attend. It provides good networking and learning opportunities.

Collins said the farewell service for the late Councilor Ralph Reid Jr. will be at 11:30 a.m. on Thursday at the Airport.

Konopa said that she and Urban Renewal Manager Kate Porsche are going to meet with the members of the Eagles Lodge to dispel some rumors.

Konopa has been appointed by Governor Kitzhaber to be on the Rapid Rail Council to look at high speed rail instead of rapid rail. She wants to make sure it stays on the Union Pacific line.

#### CITY MANAGER REPORT

There was no report.

#### ADJOURNMENT

There being no further business, the Work Session adjourned at 6:21p.m.

Respectfully submitted,

Reviewed by,

Mary A. Dibble, MMC  
Deputy City Clerk

Stewart Taylor  
Finance Director

CITY OF ALBANY  
CITY COUNCIL  
Council Chambers  
Wednesday, October 26, 2011  
7:15 p.m.

**MINUTES**

CALL TO ORDER

Mayor Konopa called the meeting to order at 7:17 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG

The Linn Benton Young Marines led the pledge of allegiance to the flag.

ROLL CALL

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

PROCLAMATIONS

Red Ribbon Week.

Mayor Konopa read a proclamation declaring October 23-31, 2011, as Red Ribbon Week, in Albany, Oregon.

The Linn Benton Young Marines provided red ribbons to the Council, staff, and audience with an explanation (in agenda file) that the dedication of the last week of October is in recognition of Kiki Camarena and a vision of a drug free America.

SPECIAL PRESENTATION

Oregon Association of Municipal Recordors "Recorder of the Year" Award.

Past President of the Oregon Association of Municipal Recordors Karin Johnson presented Albany City Clerk Betty Langwell with a plaque recognizing her as the 2011 Recorder of the Year.

SCHEDULED BUSINESS

Business from the Public

There was none.

First Reading of Ordinance

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 10S-04W-36BB; and declaring an emergency.

City Attorney Jim Delapoer read for the first time in title only "AN ORDINANCE 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 10S-04W-36BB; AND DECLARING AN EMERGENCY."

MOTION: Councilor Coburn moved to have the ordinance read a second time in title only. Councilor Kopczynski seconded the motion and it passed 5-0.

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

MOTION: Coburn moved to adopt the ordinance. Councilor Johnson seconded the motion and it passed 5-0, and was designated Ordinance No. 5765.

Adoption of Consent Calendar

- 1) Approval of Minutes
  - a) September 12, 2011, City Council Work Session.
  - b) September 28, 2011, City Council Regular Session.
- 2) Accepting an easement for public utilities and access from Jean Leone Lovell Trust. RES. NO. 6052
- 3) Adopting an updated Investment Policy and repealing Resolution No. 5947. RES. NO. 6053

- 4) Adopting Financial Policies and repealing Resolution No. 5970. RES. NO. 6054
- 5) Readopting the Risk Management Policy and repealing Resolution No. 5963. RES. NO. 6055
- 6) Opting in to the recreation immunity provided by HB 2865 when allowing public use of unimproved right-of-ways. RES. NO. 6056
- 7) Authorizing the Parks & Recreation Director to sign an Intergovernmental Agreement with the Oregon Department of Fish and Wildlife for a Thornton Lake turtle study and management plan.

Konopa explained that a correction for spelling in the September 28, 2011, minutes was on the dais.

Johnson pulled item 7) for discussion.

MOTION: Coburn moved to adopt the Consent Calendar with item 7) pulled for discussion, and the corrected September 28, 2011, minutes. Kopczyński seconded the motion and it passed 5-0.

Regarding item 7), Johnson thinks the money should be spent in a different way. She doesn't agree with this study and will vote against it. She asked for an itemization of what the City has spent on this project.

MOTION: Councilor Olsen moved to adopt item 7) of the Consent Calendar. Kopczyński seconded the motion and it passed 4-1, with Johnson voting no.

#### Reports

##### Accepting Disadvantaged Business Enterprise (DBE) Policy for transit projects.

Airport and Transit Manager Chris Bailey explained that this policy is project specific. In order to receive funds from the Federal Transit Administration (FTA) the City is required to develop and adopt a policy on the use of DBE contractors.

Coburn asked where the six policy statements on page 98 of the agenda originated from. Bailey said they are boiler plate language statements that the FTA accepts.

Councilor Christman asked, what is the purpose or goal of the policy? Bailey said the goal is for the City to have in writing that disadvantaged businesses will receive fair treatment when competing for City projects directly funded by the FTA. Christman believes this is an example of government requiring too much documentation.

MOTION: Kopczyński moved to accept the Disadvantaged Business Enterprise Policy for transit projects. Johnson seconded the motion and it passed 4-1, with Christman voting no.

##### Receiving Code Enforcement Team First Quarter Report for Fiscal Year 2011-2012.

Executive Assistant/Public Information Officer Marilyn Smith explained that the report is short and focuses on the arson cases. She mentioned that the City has received the judgment on the Jefferson Court case and will bring it to the Council at a future meeting.

#### BUSINESS FROM THE COUNCIL

Kopczyński thanked Smith for responding to inaccurate blogs regarding City business.

City Manager Wes Hare said that he and Finance Director Stewart Taylor had met with the Linn County Assessor in order to review the assessed property values in Albany. Hare explained that they were told there is a "maximum assessed value" that is calculated but not shown on the statements that property owners receive. Therefore, some property owners can't calculate their property taxes with the information provided on their tax statements. This calculation, the compression of the Police and Fire Levy, and the expected decrease in property values, has resulted in a loss to the General Fund of revenue greater than was anticipated. Hare thinks the issue of greatest concern is not the loss this year, but that the trend will likely get worse before it gets better. The City will have to deal with a lower revenue stream than was projected over the coming few years. He said the Council will receive a full report with options next Wednesday.

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

This item was canceled.

#### NEXT MEETING DATE

The next scheduled Regular Session of the City Council is on Wednesday, November 2, 2011, at 7:15 p.m., in the Council Chambers of City Hall. The following scheduled Regular Session of the City Council is on Wednesday, November 9, 2011, at 7:15 p.m., in the Council Chambers of City Hall.

Albany City Council Regular Session  
Wednesday, October 26, 2011

The next scheduled Work Session of the City Council is on Monday November 7, 2011, at 4:00 p.m., in the  
Municipal Court Room of City Hall.

ADJOURNMENT

There being no other business, the meeting was adjourned at 7:50 p.m.

Respectfully submitted by,

Reviewed by,

Betty Langwell, MMC  
City Clerk

Stewart Taylor  
Finance Director



TO: Albany City Council  
VIA: Wes Hare, City Manager  
FROM: Edward Boyd, Chief of Police  
DATE: October 28, 2011, for November 9, 2011, City Council Meeting  
SUBJECT: Accept Overtime Reimbursement from California Bureau of Narcotics

RELATES TO STRATEGIC PLAN THEME: 

- An Effective Government
- A Safe City

Action Requested:

City Council authorization for the Albany Police Department to accept a \$1,912.63 reimbursement for Detective overtime from the California Department of Justice Bureau of Narcotic Enforcement.

Discussion:

In June 2010, the California Department of Justice Bureau of Narcotics Enforcement (BNE) conducted an investigation involving a major methamphetamine distributor who was operating between the San Francisco Bay area and Albany, Oregon, where the suspect resided. On June 14, 2010, the suspect was arrested in possession of five pounds of methamphetamine. Subsequently, investigators seized \$13,400 in currency and other evidence consistent with the sales of methamphetamine. After the arrest, a BNE case agent contacted Albany Police Detectives to assist in furthering the investigation. Albany Police subsequently served a search warrant at the suspect's residence and seized further methamphetamine and evidence of drug sales. On June 22, 2011, Albany Police sent a letter requesting \$1,912.63 overtime reimbursement for our services. Albany Police received the reimbursement on October 24, 2011.

This investigation has since been adjudicated and the aforementioned \$13,400 in currency was administratively forfeited for distribution to the appropriate sources.

Budget Impact:

This will increase City General Fund Revenues by \$1,900 and our Police General Fund Investigation Expenditure line item by \$1,900.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION IN SUPPORT OF ACCEPTING OVERTIME REIMBURSEMENT FROM THE CALIFORNIA DEPARTMENT OF JUSTICE, BUREAU OF NARCOTIC ENFORCEMENT (BNE).

WHEREAS, the California Department of Justice BNE has reimbursed the City of Albany Police for drug interdiction assistance; and

WHEREAS, the City of Albany Police Department assigned five detectives/officers to assist on the methamphetamine distribution investigation; and

WHEREAS, acceptance will increase General Fund Revenues by receiving reimbursement for overtime costs where Albany Police personnel participated in the California Department of Justice BNE drug interdiction investigation.

NOW, THEREFORE, BE IT RESOLVED that the Albany City Council does hereby state that drug interdiction is a priority; and

BE IT FURTHER RESOLVED that the Albany City Council authorizes the Albany Police Department to receive funds from the California Department of Justice, BNE for detective overtime reimbursement; and

BE IT FURTHER RESOLVED that the following appropriations be made for Fiscal Year 2011-2012:

<u>General Fund:</u>	<u>Line Item</u>	<u>DR</u>	<u>CR</u>
Revenues	100-10-1002-47012		\$1,900
Police, Investigation Expenditures	100-30-1301-62218	\$1,900	

DATED AND EFFECTIVE THIS 9TH DAY OF NOVEMBER 2011.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



TO: Albany City Council  
VIA: Wes Hare, City Manager  
Mark Shepard, P.E., Public Works Director *MWS*  
FROM: Chris Bailey, Airport and Transit Manager *Chris Bailey*  
DATE: October 26, 2011, for the November 9, 2011, City Council Meeting  
SUBJECT: Permission to Apply for Connect Oregon Grant Funds

- RELATES TO STRATEGIC PLAN THEME: ● Great Neighborhoods  
● An Effective Government

Action Requested:

Staff requests that Council authorize, by resolution, submission of an application to the Connect Oregon IV grant program to fund construction of Phase II of the North Albany Park and Ride.

Discussion:

The City obtained federal transportation grant funding to design and construct a Park and Ride facility in North Albany. The initial design was estimated to cost \$1,001,934 including contingency. This amount exceeded the amount of funding available from the initial federal grant. Staff requested the consultants redesign the facility to one which could be constructed within the remaining budget. The current design includes parking for 13 vehicles and is now referred to as Phase I of the Park and Ride at an estimated total cost of \$612,000. There is sufficient funding remaining to construct Phase I and it is expected to be released for bid in early 2012.

Phase II of the project would create 14 additional parking spaces and add additional amenities, essentially restoring the project back to the original design. The estimated total cost for Phase II is \$145,000. This grant application would request funds for Phase II of the Park and Ride.

The Oregon Department of Transportation has \$40 million available for grants or loans for air, marine, public transportation, and rail projects through Connect Oregon IV. These grants have a 20 percent match requirement; therefore the amount requested from Connect Oregon IV would be \$116,000 with the City match amount of \$29,000. City match funds will come from the Street Capital fund.

Budget Impact:

Fund 402-50-1111

FY 2012-2013

Revenues:

Connect Oregon IV	\$116,000
Transfer In from Street Capital	\$29,000

Expenditures:

Project Engineering	\$45,000
Project Construction	\$100,000

CB:prj

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AUTHORIZING THE CITY OF ALBANY TO SUBMIT A GRANT APPLICATION FOR OREGON DEPARTMENT OF TRANSPORTATION CONNECT OREGON IV GRANT FUNDS AND A COMMITMENT TO PROVIDE THE REQUIRED LOCAL MATCH.

WHEREAS, the Oregon Department of Transportation has announced the availability of \$40,000,000 in Connect Oregon IV grant funds; and

WHEREAS, a local match of 20 percent is required; and

WHEREAS, a receipt of these funds will supplement funding already secured for the design and construction of the North Albany Park-and-Ride facility; and

WHEREAS, this Connect Oregon IV grant application will request \$116,000 for costs associated with design and construction of Phase II of the North Albany Park-and-Ride and the City of Albany's local match will be approximately \$29,000.

NOW, THEREFORE, BE IT RESOLVED that the City of Albany approves and endorses the submittal of a grant application to the Oregon Department of Transportation for the purpose of designing and constructing Phase II of the North Albany Park-and-Ride.

DATED AND EFFECTIVE THIS 9TH DAY OF NOVEMBER 2011.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



## Memo

Date: November 1, 2011

To: South Santiam Enterprise Zone Co-Sponsors  
Linn County, City of Albany, City of Lebanon, City of Millersburg

From: John Pascone, President

Subject: Request for Approval: W.R. Grace/Synthetec  
Agreement for Extended Enterprise Zone Benefits

### Reason for Request

W.R. Grace/Synthetec has submitted an Enterprise Zone Authorization Application and has requested Extended Benefits beyond the regular three year tax exemption. Regulations require that the company enter into an Agreement with the city and other enterprise zone sponsors. In order to qualify for the additional two years, the company must pay 150% of Linn County's Average Annual Wage to the new employees.

### Description of Project

The project is \$14.7 million which includes \$700,000 for building improvements and \$14 million for machinery and equipment. The investment will increase manufacturing capacity for an existing customer product line and add a new customer product line.

The projected number of new jobs created with this new investment is 7 and hopefully more.

The approval of all co-sponsors is needed; the City of Albany will sign the Agreement.

Thank you for your support.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION APPROVING AN EXTENDED PROPERTY TAX ABATEMENT AGREEMENT BETWEEN THE CITY OF ALBANY, A COSPONSOR OF THE SOUTH SANTIAM ENTERPRISE ZONE, AND W.R. GRACE

WHEREAS, W.R. Grace is upgrading a building and investing in equipment; and

WHEREAS, W.R. Grace intends to add seven new employees; and

WHEREAS, W.R. Grace anticipates providing average pay and benefits to these employees equal to or greater than 150 percent of the Linn County average, as required under ORS 285C.160; and

WHEREAS, W.R. Grace, which is located in the city of Albany, has applied to extend the property tax abatement for which it qualifies through its inclusion in the South Santiam Enterprise Zone; and

WHEREAS, the City of Albany has requested support of this agreement from the other cosponsors of the South Santiam Enterprise Zone; and

WHEREAS, the City of Albany is a cosponsor of the South Santiam Enterprise Zone.

NOW, THEREFORE, BE IT RESOLVED that the Albany City Council, representing the City of Albany, which is a cosponsor of the South Santiam Enterprise Zone, hereby approves the Extended Abatement Agreement attached as Exhibit A.

DATED AND EFFECTIVE THIS 9TH DAY OF NOVEMBER 2011.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

## Agreement for Oregon Enterprise Zone Extended Abatement

## AGREEMENT WITH THE SOUTH SANTIAM ENTERPRISE ZONE SPONSORS TO EXTEND PROPERTY TAX EXEMPTION TO FIVE CONSECUTIVE YEARS IN TOTAL FOR CAPITAL INVESTMENT BY WR Grace

The sponsors of the South Santiam Enterprise Zone comprising the governing bodies of the Cities of Albany, Lebanon, Millersburg and Linn County (hereinafter "The Zone Sponsor") and WR Grace (hereinafter "The Firm") do hereby enter into an agreement for extending the period of time in which The Firm shall receive an exemption on its investment in qualified property in the South Santiam Enterprise Zone contingent on certain special requirements, under ORS 285C.160 (2003).

The Zone Sponsor and The Firm jointly acknowledge: that subject to submission and approval of an application for authorization and the satisfaction of other requirements under ORS 285C.050 to 285C.250, The Firm is eligible for three years of complete exemption on its qualified property; that nothing in this agreement shall modify or infringe on this three-year exemption or the requirements thereof, and that this agreement becomes null and void if The Firm does not qualify for these three years of the exemption.

The Zone Sponsor extends The Firm's property tax exemption an additional two years on all property that initially qualifies in the South Santiam Enterprise Zone in the assessment year beginning on January 1, 2012 and, thus, sets a total period of exemption of five consecutive years during which statutory requirements for the standard three-year enterprise zone exemption must also be satisfied and maintained.

## CONFIRMATION OF STATUTORY PROVISIONS

In order to receive the additional two years of enterprise zone exemption granted herein, The Firm agrees herewith under 285C.160(3)(a)(A) that for each year of the entire exemption period, all of The Firm's new employees shall receive an average level of compensation equal to or greater than 150 percent of the county average annual wage, in accordance with the specific definitions and guidelines in Oregon Administrative Rules (OAR), Chapter 123, Division 65 (123-065-41##), which provides that:

1. Such compensation may include non-mandatory benefits that can be monetized;
2. The county average annual wage is set at the time of authorization, except as pursuant to ORS 285C.160(4), according to the 2009 Linn County average annual wage rate of \$34,826 for which 150 percent equals \$52,240.

3. Only employees working at jobs filled for the first time after the application for authorization but by December 31 of the first full year of the initial exemption and performed within the current boundaries of the South Santiam Enterprise Zone are counted; and
4. Only full-time, year-round and non-temporary employees engaged a majority of their time in The Firm's eligible operations consistent with ORS 285C.135 & 285C.200(3) are counted, regardless if such employees are leased, contracted for or otherwise obtained through an external agency or are employed directly by The Firm.

LOCAL ADDITIONAL REQUIREMENTS

For The Firm to receive the additional two years of enterprise zone exemption granted herein, The Zone Co-Sponsors and The Firm agree that there are no additional requirements, in addition to statutory requirements under ORS 285C.160(a)(B).

ACCEPTING FOR THE CITY OF ALBANY, A ZONE SPONSOR OF  
THE SOUTH SANTIAM ENTERPRISE ZONE:

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ACCEPTING FOR WR Grace:

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The other Zone Sponsors; City of Millersburg, City of Lebanon and Linn County approve this Agreement by passing separate Resolutions. Copies of which are attached.