

CITY OF ALBANY  
CITY COUNCIL WORK SESSION  
Boys & Girls Club of Albany  
1215 Hill Street SE  
Monday, June 6, 2011  
4:00 p.m.

**MINUTES**

**CALL TO ORDER**

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

**ROLL CALL**

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

Councilors absent: None.

**BUSINESS FROM THE PUBLIC**

There was no business from the public.

**FACILITY TOUR**

At 4:04 p.m. the Council left the Boys & Girls Club Board Room with Executive Director Ryan Graves for a tour of the new dental room.

Graves said that four years ago, Dr. Mike Goger along with the Boys & Girls Club and other agency representatives sent out grant requests for funding. The culmination of that effort is the dental clinic that the Councilors are touring today. The project is a partnership of the Boys & Girls Club of Albany, the United Way, Greater Albany Public Schools, and Samaritan Health Services. The clinic offers cleanings, fluoride treatments, and fillings. Children who have more serious dental conditions are referred to specialists.

The clinic is open to kids at the Boys & Girls Club and also sees adults on Tuesdays. Graves said that adults receiving care have background checks conducted. Children don't have to be Club members to use the dental services, though the Club does offer scholarships to new patients who cannot afford to join. They also have a Parent Education Center where they hope parents will continue their contact with the Club.

Councilor Bill Coburn arrived at 4:13 p.m.

Graves spoke about other ongoing or coming-soon projects in the works at the Boys & Girls Club, such as certified teachers tutoring students at night; offering meals; a Teen Center; and a new technology center being donated with state lottery dollars.

The Council returned to the Board Room and resumed the Work Session at 4:16 p.m.

**REVISED ALLIED WASTE RATE PROPOSAL**

Allied Waste (AW) General Manager Mike Huycke said the memo in the Council packet includes the rate schedule that was revised to incorporate the Consumer Price Index (CPI), as requested by the Council during the last Work Session.

Huycke said that Councilor Bessie Johnson expressed concern that using the CPI may guarantee a rate increase each year. Also Councilor Floyd Collins had asked what the rate would be today if the schedule had been indexed according to the CPI each year, starting with 2009. Huycke said they projected the CPI over the last few years and the result would be 6.3 percent for 2012.

Collins said that based on what he learned from the Public Utilities Commission (PUC), AW's rate of return is consistent with the other utilities.

Huycke reviewed the AW memo in the Council packet. Their request is for a 6% rate increase this year and a 4% next year; then in 2013 they would add 2% to the CPI. Assuming the CPI is 1.5%, the rate of return would be 6% over five years.

Huycke would like to have the Council approve the rate schedule in its entirety; then each year they would do a financial review and if it exceeds 9% they would forgo the rate. The landfill would also not exceed a 4% increase each year.

**MOTION:** Coburn moved to accept this rate proposal. There was no second. This item will be at the Regular Session so does not require action now.

Councilor Ralph Reid Jr. said he looks at the cost of building a cell (at the landfill) as a part of doing business. He does not think it should be set apart. Huycke said the depreciation rate is tacked on. The air space has a short life span and the payback from the cell will come back from the next cell that is installed. They are depreciated over many years. Reid said, but the air space is eventually reusable. Discussion followed.

Collins noted that the proposed schedule shows year three with CPI plus 2%. He asked, when does it fall to just the CPI? Huycke said that happens in year four. Collins said there is no provision for the City to reopen negotiations, which he does not support. Also, if fuel costs drop below \$4 a gallon, how would the rates give credit for that? He understands that there is some compensation under CPI, but how do we address using the \$4 gallon for fuel that was used in the projections? Huycke said that it would be accounted for in a cap on the rate of return.

Councilor Dick Olsen is concerned that folks can't afford an increase in rates. Huycke pointed out that AW is still competitive compared to other cities, as illustrated in the Rate Comparison page of the AW memo.

Johnson said she does not support this schedule because there isn't an opportunity for the Council to review the rates on an annual basis. Even if this schedule were adopted she wants AW to come back to the Council each year to discuss the proposed increase.

Konopa recalled that the City and AW considered using the CPI a few years ago because they both agreed that it would simplify the process of the rate reviews, which is time consuming for AW and the Council.

Huycke explained that AW has been forgoing an increase for some years but the problem is that they will dig themselves into a hole. What this proposal would do is to get AW stable again and then would allow for increases based on the CPI.

Councilor Jeff Christman pointed out that in year 2014 and each year after, the schedule does come to the Council for review.

Coburn said that AW is asking for a reasonable rate of return and they are asking the Council to decide what that is. A reasonable rate of return is different for different industries, such as electrical, lawyers, newspapers, etc. He thinks that a 4.3 % rate of return is pretty slim. Their dilemma is that if it is not profitable to cover their risk, they may decide not to do business in Albany. Coburn said that some Councilors may believe that another vendor will come in and do it cheaper, but he doesn't agree; it could be much more expensive. Coburn wants to help AW because they have been good partners in the community. He doesn't think what they are asking for is unreasonable for this kind of work, in consideration of their investment in equipment and the risk they take. He wants to work with them.

Johnson is still concerned about the perception of the community if the Council gives AW automatic increases every year. She agrees that they do a good job and are good community players.

Olsen thinks they need to get Council approval at least every other year. Huycke said that the agreement states that AW will come to the Council every year with the CPI.

Huycke said that Collins brought up a good point about fuel costs as a rate driver. He suggested they could add language to cap the rate of return in the agreement. It is in the CPI language, but not the agreement. Discussion followed.

Council direction was to have AW make revisions to the agreement and have the City Attorney review it.

Huycke pointed out that the delay would make the effective date sometime in August, so the 6% would be based on an eleven month period instead of a full year.

This item will come to the June 22, 2011, Regular Session.

#### BUSINESS FROM THE PUBLIC

There was no business from the public.

#### ACCEPTING FEDERAL PASS-THROUGH GRANT FOR LOCAL EMERGENCY EXERCISE

Fire Chief John Bradner said that retired Fire Chief Darrell Tedisch chairs the Local Emergency Planning Commission (LEPC). The Fire Department applied for a grant from the State Marshal's Office for an outside consultant to do hazard materials release training. The LEPC does not have a way to receive or distribute grant funds so the Fire Department we will be acting as a pass through. It does not involve any matching grant money from the City. They will use an Intergovernmental Agreement (IGA) to pass the money through.

This item will come to the June 8, 2011, Regular Session as an amendment to the 2011-12 Approved Budget.

## INSURANCE SERVICES OFFICE RATING

Bradner said that in October 2010 an Insurance Service Office (ISO) rating was performed for Albany. Bradner read background information about ISO:

ISO collects information useful in many aspects of insurance underwriting. Information on municipal services helps the communities with their efforts to manage and mitigate their risk.

ISO perform the evaluations as a service to the insurance industry and do not charge a fee to the communities.

ISO evaluates municipal fire-protection efforts in communities throughout the United States. A community's investment in fire mitigation is a proven and reliable predictor of future fire losses. Insurance companies use this information to help establish fair premiums for fire insurance — generally offering lower premiums in communities with better protection. Many communities use the ISO rating as a benchmark for measuring the effectiveness of their fire-protection services.

Bradner explained that as a result of the initial evaluation in October, Albany's ISO rating dropped from a three to a four. There is a process whereby we can figure out where to make changes and try to improve our score. Bradner wanted to bring this to the Council's attention.

Bradner handed out a document titled "ISO Comparison 2001 to 2011" (see agenda file) to show where points were lost. Bradner was part of both evaluations and he saw a difference in the two evaluators; this time was definitely more in-depth than the evaluation done ten years ago, so he thinks that is part of the reason for the scores. There are three areas for the public classification review: receiving and handling of fire alarms, the Fire Department, and the water supply system. Bradner explained why the ISO rating dropped from the previous rating:

### Receiving & Handling Fire Alarms (Dispatch)

- Increased total number of emergency calls
- Fewer Dispatchers per call (ISO says they should staff with six and their average staffing is about 3.25.)
- Lack of monitoring for integrity of circuits (Auto system detects faults and failures and sends an audible and visual signal that the circuit has gone down. It was inaccurately reported in the last evaluation that Dispatch had one, when they did not.)

### Fire Department

- Increase in the number of required staffed engines and aerial ladder companies (ISO says that we should staff five engines and two ladders; this is an increase from the last evaluation. Currently we staff three engines and one ladder company.)
- From a Fire Suppression perspective we have stayed basically the same while our community has grown (Over the last 10 years we have added a full-time medic unit and additional coverage toward another medic unit.)
- Station Distribution (ISO says that we should have a fifth station to cover our community.)

### Water Supply

- In order to get full points fire hydrants would need to be inspected and flushed twice annually. (We only inspect annually.)

The fourth component is divergence, which recognizes any disparity in the effectiveness of the fire department based on the water supply. For example, even the best fire department will be less than fully effective if it has an inadequate water supply. Similarly, even a superior water supply will be less than fully effective if the fire department lacks the equipment or personnel to use the water. The divergence factor mathematically reduces an agency's preliminary scores if the fire department and water-supply scores are out of line with each other.

The Fire Department's ability to respond is rated at 50% and the water system is at 40%.

Bradner said that the bottom line is what an ISO rating means for the community. If we are unable to get the rating back to 3, where it has been since 1976, it is hard to say what it might do to insurance rates. He did some research by calling agents and underwriters and learned that there won't be a whole lot of change but perhaps a 1-5 % increase for some property owners. It varies by insurance companies since some don't use the rating at all; some use it only as a portion of determining rates; and yet others use it solely to set rates.

Bradner is still working with the ISO evaluator to see where they can get additional points and increase their ISO rating. Konopa asked, are rural areas part of this rating? Bradner said they don't look at individual districts; they consider whether or not you are within 1,000 feet of a fire hydrant or five miles of a fire station.

Collins asked, would a fire station in Millersburg have helped our rating? Bradner said yes; it would count towards the score. Collins pointed out that the community ends up paying one way or the other (through the cost of a fire station or through their home owners insurance).

Olsen asked what the ISO rating is in other cities. Bradner said that Corvallis was rated six months ago; they had been a two and were dropped to a four. They appealed and got it back up to a three. Eugene is rated a two, and Lebanon is rated a four. Olsen asked, if we had another ladder truck would we be rated a three? Bradner said yes, because we lost points for not having one in reserve.

Coburn asked, if the 911 Dispatch had a circuit indicator, would that have helped? Bradner said yes, though that is under Linn County's control. We contract for 911 services and if they did get a circuit indicator they would likely pass the cost on to us. Bradner pointed out that the memo in the Council agenda shows what items earn how many points.

#### BIKE PARK REPORT

Parks & Recreation Director Ed Hodney said that Johnson was an active participant in the Bike Park Task Force and asked for this update.

Hodney said that the Parks Master Plan does not call for a bike park; it was something that grew out of the community. Parks & Recreation staff facilitated the Task Force which included kids, parents, and Johnson. The Task Force had a series of meetings and about 15 months ago they were at the point where they could recommend a location and a concept for the bike park. They presented their ideas to the Council and at that time were recommending using space at Timberlinn Park. The Council felt the best option was next to the skate park at Hackelman Park. Several months and many meetings later, the Task Force refined the concept and came up with a cost estimate of \$250,000 - 600,000. During that process Parks staff saw some waning of participation. The Task Force asked the Council to approve the use of the skate park by bikes and the Council agreed so long as it didn't generate conflicts. Hodney said there have been very few issues; the bikers and skaters tend to get along well.

The current status is that there is still a conversation on-going but there are not as many participating as there was initially; and the kids that were primary participants don't seem to be interested in the fund-raising stage. Given his limited City staff and other competing fund raising activities in Albany, Hodney doesn't have the means to lead the bike park fundraising effort. It is supposed to be led by bikers and other volunteers. Also, the grants that are available will not be enough to pay for the project. Hodney said it is tough to get grants because they are more competitive now and also often require local matching funds. In his opinion, it is not a realistic project for now; it is not dead, but it is dormant. It needs to be reinvigorated by people who want to move forward, the kids, and also needs some cash to be a match for the program.

Konopa is pleased to hear that at least in the meantime the skaters and bikers are able to share the skate park.

Johnson recalled that it left off at the point that the kids needed to make presentations at local venues and unfortunately due to the economy, it just dropped. She feels the kids needed help to take it to the next step. Hodney said he had two of his staff assigned to the Task Force and his understanding is that when they started talking about fund raising activities, there weren't enough kids to roll up their sleeves and get the work done; instead they were leaving it up to the adults to do. In his view there has to be more energy behind it from the users (the bikers).

Johnson said she has heard from community members that the City staff doesn't feel it is important enough and are not willing to do it. She thinks the City puts energy and time into other projects such as the East Thornton Lake Natural Area (ETLNA), but this project could be for kids of all ages. Hodney said, if the Council wants staff to pick up the project and take the lead, they will; but in his opinion there isn't enough interest in this to make it a success at this point.

Konopa thinks it is a good goal but there are trends when it comes to sporting events. With the current economy and fundraising for other projects and goals, it would be hard to add another.

Hodney said that if Johnson is talking to folks that are still interested in the bike park, they should meet and see if there is enough interest to get it going again. Johnson said she doesn't know. Hodney said he would like to work with Johnson to make those connections and if they reinvigorate the project, then his staff will pursue it.

#### SCHOOL DISTRICT FUNDING REQUEST

City Manager Wes Hare pointed out the memo in the Council packet regarding the recent request from Greater Albany Public Schools (GAPS) that the City purchase science materials for them at a cost of \$780,000. Hare said if the Council is considering that, they need to discuss the funding source.

Collins said the City isn't going to solve GAPS' funding issues but if there is short-term funding that we can use to gain an asset for the City in the long-term, the Council should consider it. In other words, trade cash for assets.

Johnson agrees that the City can't solve GAPS' problems; she pointed out that GAPS students aren't all from Albany, they come from other cities too. Collins added that 70% of the district (Albany tax payers) should not have to pay 100% (all of the cities that feed GAPS). That is why he wants to pay cash for an asset, and it is up to GAPS how they want to spend that cash.

Hare thinks that the concept that Hodney came up with, to purchase partial use of the gym at Timberidge School for City Parks & Recreation programs, fits within Collins' concept.

Hodney explained that the Capital Improvement Program (CIP) lists the gymnasium project which proposes using \$800,000 in System Development Charges toward purchasing capacity in a gymnasium. He suggests that we buy portion of the Timberidge School gym to solve their cash flow and also to meet City objectives to provide recreation programs for the community.

Hare thinks this is a good direction because any other resource the City might use, like the PepsiCo settlement, comes at the expense of something else we had planned for. In this case it does not, because Parks SDCs were already ear-marked for this use.

Konopa does not think there is support from the Council to just give GAPS cash, but there may be support to trading cash for an asset.

Christman said he thinks the first question is if there is even a desire by the Council to help GAPS in some capacity. He doesn't want to send staff off to work on it until the Council answers that basic question. Discussion followed.

Hare said he has heard the Council say that it does support purchasing an asset and does not support giving outright cash. For staff it would be helpful for the Council to narrow the scope of assets they are interested in purchasing.

Christman said there are multiple assets to consider and he would like a basic white paper of what the options are. He also considers Central Albany Revitalization (CARA) money as a potential funding source.

Olsen said that we have a CARA program going already and he objects to redirecting CARA money to another agency. He said, our own library has needs - so why would we give CARA money away?

Coburn said that he would like a history lesson on CARA to set straight some of the comments he has heard from Linn County Commissioner Roger Nyquist. Discussion about CARA funding followed.

Hare pointed out that the contributions to the school district are backfilled by the state; so in other words a city brings more money into the community with an urban renewal district because of the equalized formula that the state uses for school funding.

Collins thinks that the question about using CARA funds should be answered in the white paper so the misinformation can be corrected in a public document. He does not want to use PepsiCo settlement money because the Council already decided it would not be used for City operation and maintenance expenses; so why give it to GAPS for theirs? He said, it would be a violation of our own principal.

Konopa said, we do not have to answer to Nyquist. She has asked to meet with him three times and he has not done so. Collins agrees that we shouldn't have to answer to Nyquist but there is a rumor out there in the community that we need to correct.

Johnson does not want to use CARA money or PepsiCo money for this; she would rather use it to build a police station for Albany.

Reid said that Albany has programs we need to fund too and we have our own shortfalls due to state legislature. He said, now everyone wants everyone else to bail them out. He suggested that if and when all the agencies are willing to bring their money to the table and are willing to start dividing it up, then he will discuss it. In the meantime, why should Albany, because we established CARA and have litigated with PepsiCo, let them dip into our funds?

Even though there was agreement that CARA or PepsiCo money should not be used, Collins would like for staff to address them in the whitepaper anyway so that the City does not have to address them again.

The Council directed staff to write a memo exploring the purchase of gymnasium capacity, Deerfield Park, and future Fire Station 11 property from GAPS; and explaining why CARA, PepsiCo Settlement, or General Fund monies should not or cannot be directed to GAPS.

#### COUNCILOR COMMENTS

Collins said that Nyquist asked him if Albany wanted to add anything to the agenda for the next joint meeting of the Albany City Council and Linn County. Collins suggested he add the Oak Creek Refinement Plan and the International Paper negotiations.

Konopa said they got a nice letter about the state police from Chris Brown, thanking Albany for the plaque.

Konopa received a letter from the Albany Downtown Association (ADA) regarding Medical Marijuana Clinics or Dispensaries in the City of Albany (see agenda file). Discussion followed.

CITY MANAGER REPORT

There is a Joint Work Session with Benton County on July 11, 2011, and a Joint Work Session with Linn County on July 18, 2011.

ADJOURNMENT

There being no further business, the Work Session adjourned at 6:30 p.m.

Respectfully submitted,

Reviewed by,

Mary A. Dibble, MMC  
Deputy City Clerk

Stewart Taylor  
Finance Director