

CITY OF ALBANY
CITY COUNCIL WORK SESSION
Municipal Court Room
Monday, April 7, 2014
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 Bill Coburn, Floyd Collins, Bessie Johnson, Rich Kellum, Ray Kopczynski, and Dick Olsen.

Councilors absent: None.

BUSINESS FROM THE PUBLIC

Janet Steele, Albany Area Chamber of Commerce (Chamber) President, distributed a letter from the Board of Directors stating their unanimous support of a one-year moratorium on medical marijuana dispensaries. The Chamber Board of Directors represents approximately 550 businesses within the community. Steele said the Chamber has worked for many years on a drug-free workforce campaign and also recently started a Workforce Task Force. The number one issue the Task Force is facing is not being able to find qualified drug-free workers that have the necessary skill sets needed. Steele said a one-year moratorium will give the community time to better understand the ramifications of what will come about from dispensaries.

REPUBLIC SERVICES (RS) ROUTES AND HOURS REPORT

Kevin Hines, RS Division Manager, discussed route starting times. He said there was a concern from a customer about the 6:15 a.m. start time in their neighborhood. He said the truck serving that neighborhood has been rerouted to a different area for that time period. Typically, employees begin pre-trip checks at 6:00 a.m., and those take 10-20 minutes, so they begin their routes around 6:20-6:30 a.m. Hines explained that the first hour of routes is the most efficient because there are few vehicles and pedestrians on the roads. He said the routing schedule changed 10-15 years ago from five eight-hour days to four ten-hour days.

Councilor Bill Coburn asked if RS has considered offering document shredding. Hines said RS used to do it, but it is more of a noncore business and decided to go back to what they do well. Management Assistant/Public Information Officer Marilyn Smith said there is a free shred day on April 19 in the Ray's Market plaza.

Councilor Dick Olsen asked if industrial and commercial zone routes begin earlier. Hines said that they typically begin at 5:00 a.m. for industrial and commercial areas.

Hines asked the Councilors to forward any phone calls regarding garbage service to him.

REVIEW REQUEST FOR PROPOSAL FOR 401 MAIN STREET SE

Economic Development and Urban Renewal Director Kate Porsche said Assistant Public Works Director/Operations Manager Chris Bailey is out sick today, but Bailey did most of the work on this. Staff have been working on a Request for Proposals (RFP) for the old church property. She discussed the RFP document included in the agenda packet. Page four of the RFP outlines what must be included in the proposals submitted. Porsche directed the Council to page ten; this section was customized to fit the needs of the project and explains how proposals will be evaluated. The intended property use and financial plan will be strongly considered. She said the property is in the Central Albany Revitalization Area (CARA) boundary and she has already talked to 3-4 interested parties who may be submitting RFPs. She said there is a question included in the RFP asking if an individual plans to use CARA funding.

Porsche said she is seeking direction from Council to see if they wish to sell the property and be done with it or if they want to drive some specific use of the property in the future. If Council wants to have a specific use, there is the potential to structure the deal in a manner similar to CARA projects. She said one option is to make the loan interest forgivable if the property houses a certain type of business.

Councilor Bessie Johnson asked, can we tell people what they can do with the property if they buy it? City Manager Wes Hare said part of what staff is trying to sort out is the number of conditions to put on the sale of the property. He said the Council can say they wish to sell the property to whoever will pay the most or Council can say they want to see what the potential owner will do with the building. Johnson said she would like to see the building saved, but understands if that isn't possible due to cost constraints.

Councilor Rich Kellum said he is concerned with how this project may overlap with CARA. Hare said there is a separation of processes between CARA and the City. He said there is a separate budget and deliberation process for

CARA. However, it doesn't preclude the Council from talking about working with CARA. Porsche said if the City received an RFP stating that they would need CARA funds to make the project work, it would still be a policy question for the CARA Advisory Board. She said the Landmarks Advisory Commission (LAC) would also need to approve exterior alterations.

Kellum said he wants to make sure that anyone who submits an RFP knows what the zoning is for the area. Porsche said the zoning information is included in the RFP.

Coburn said it is appropriate to go the route of collecting proposals. He said it is not about telling a potential purchaser what to do, but finding something that is compatible with the City's plan. He would like to see the building saved and looks forward to seeing what happens.

Councilor Ray Kopczynski said he is concerned about what will happen if someone's proposal hinges on the use of CARA funding and the CARA Advisory Board doesn't approve the use of funds. He wondered if it would be good to include information in the RFP about other resources, such as CARA funding, being available to a potential buyer.

Konopa said the way the RFP is worded, someone could choose to move the church or keep it on site. Porsche said it is possible someone could move it, but it really isn't economically viable. She said the good news is the building can stay where it is. It's in a high traffic area that has great visibility. Johnson asked what the property's assessed value is. Porsche said the real market value is \$48,450. Olsen asked if there will be a minimum amount of money requested. Porsche said no, but a full financial plan will need to be submitted with all RFPs.

Councilor Floyd Collins agrees with putting the RFP out there and seeing what we get back. He feels uncomfortable telling people what they have to do with the property if they want to buy it. Olsen said the Council doesn't have to accept a proposal to tear the building down. Porsche said the LAC can put a one-year stay on demolition of a historic structure.

Porsche said staff is planning to have RFPs due on May 22 and then coming back to Council for award in late June. Collins voiced concerns about this interfering with Main Street repairs. He would like the RFPs to include a schedule of proceeding to avoid potential conflicts. Public Works and Community Development Director Mark Shepard said a buyer would have to go through several processes after the actual sales transaction; but staff can add the wording so there won't be a conflict.

Konopa asked if staff will reach out to the historic structure organizations to let them know about the RFP. Porsche said yes.

MEDICAL MARIJUANA DISPENSARIES ORDINANCE DISCUSSION

Deputy City Attorney Sean Kidd said he worked on the ordinance after the vote at the last Council meeting. He included an explanation in the moratorium ordinance of what and why the Council is choosing this.

Kellum said he thought we are choosing one of the ordinances. Konopa said that is correct, but we don't know which way it will go on Wednesday night. She said, we haven't voted on the ordinance yet, we've only had the first reading. Collins asked Konopa what the procedure will be for Wednesday night. Konopa said Council will have a second reading and from there the Council will deliberate. If that ordinance is approved, there will be no discussion on the second ordinance. If it fails, the Council will consider the second ordinance. Kidd said the main issue in the regulatory ordinance is keeping the dispensaries 300 feet away from residential zones. He said if Council chooses regulations, they are not bound by the May 1, 2014, deadline. He said if the Council chooses a moratorium, it would need to be done by May 1, 2014.

Kopczynski asked if it is possible to have a conditional use permit for existing dispensaries. Kidd said if the Council goes with a moratorium, he doesn't believe the Council can do that. He said it will be up to the District Attorney's office and the state to determine if a business is a dispensary. He said the conditional use permit would need to be allowed for everyone, not just one group or business.

Hare said a city can't impose different regulations for what it perceives to be different kinds of dispensaries. He said the Council can't say it is okay for one dispensary and not the rest. He said what staff has tried to do with the regulatory ordinance is protect residential zones.

Kopczynski asked if the rewriting of the ordinance would allow Canna Kitchen to stay in their location. Kidd said yes, they would be able to operate in their current location. Discussion followed.

Konopa asked that the regulatory ordinance is included for Wednesday's meeting.

SOUTH ALBANY HIGH SCHOOL TURF PARTNERSHIP PROPOSAL

Parks & Recreation Director Ed Hodney said the Council has received a request from supporters of South Albany High School Athletics to become a financial partner in the installation of artificial turf. He said the request is for the City to provide \$20,000 per year for up to eight years. He is requesting feedback from the Council regarding the request.

Kellum asked if someone from the athletics club or school is available to talk about the request. Hare said Greater Albany Public Schools Superintendent Maria Delapoer called him to discuss the project and conveyed that the District is in full support of it. He said she would be at tonight's meeting, but she is out of town. Hodney said this is a project he would fully support. He said the Parks & Recreation programs won't directly benefit from the project, but would have a chance to use the field. Kellum said Albany is in the middle of the grass seed capital of the world. He doesn't think funding this project is the right thing to do.

Kopczynski asked how much has been raised so far. Hodney doesn't have the number, but knows the school district is contributing \$35,000 per year toward the debt service payment. Kopczynski said it sounds like if the group has more time to keep looking for funding sources they could get it done on their own in a year or two. He said, the Parks & Recreation budget has had issues, so how will this funding be prioritized? Hodney said the bottom line is he would have to get creative and do some fundraising on his own.

Collins said his understanding is this request is being driven by a group of supporters. He said this will likely generate a request from West Albany High School. Collins said he feels like the project is getting ahead of itself.

Olsen asked what is done to the field to prepare it for the artificial turf. Hodney said they have to establish good drainage under the artificial surface. Olsen said it sounds like once the decision is made, you are committed to having that turf. Hodney said high schools all over the valley are switching to AstroTurf.

Hare said the Council is a little overdue for a joint meeting with the Albany School Board. This would be a good topic to discuss with them. He mentioned that there have been advances with artificial turf. Konopa said she was approached with this idea while she was at the grocery store. She said one of the comments she has heard is that it would be more attractive for South Albany High School since the two high schools no longer play football against each other. The field will make it more attractive for students to play for South.

Coburn said he is concerned about committing to eight years of funding for this project. He said there is no financial plan indicating where the money will come from so he wouldn't be comfortable voting for this.

Johnson said she was surprised to learn that AstroTurf doesn't cause as many injuries as she believed it would. The main concern she read about was the potential toxicity of AstroTurf. She said if the Council agrees to help with this project, it will open up the gate for other requests. She said the funding is not available for this.

Collins said he would be willing to consider in-kind opportunities after discussing this project with the School Board.

Council's consensus was to not move forward with the funding request. Konopa asked to have this item included with the next joint school board meeting.

Trey Mork, 2196 Geary Street, #1, said he was a South Albany student. He thinks AstroTurf is a good idea for South Albany High School because they get left out of things compared to West Albany. He said it will provide inspiration for the students to play on the field.

Conner Buford, 33153 Germanium Lane, said he looks at this from a versatility perspective. He said there are many different uses for AstroTurf.

REQUEST TO AMEND ADOPTED STRATEGIC PLAN

Collins said he is requesting an amendment to the Strategic Plan. He said there was confusion in the community about specifying an election date of May 2015. He said the proposed language will make it clear that the Council is going to wait for the Public Safety Facilities Review Committee's (PSFRC) recommendation.

MOTION: Collins made a motion to amend Section II, "A Safe City," Goal 1, Objective 13, of the adopted FY2014 through FY2018 Strategic Plan, as outlined below. Kellum seconded the motion.

“Objective 13: Review the recommendations of the Public Safety Facilities Review Committee relating to the need for and associated financing of replacement of Fire Station 11 and/or the Albany Police Department building.”

Johnson asked for the Strategic Plan to be listed as a separate item and not included on the Consent Calendar. Coburn said he doesn't like the word "or." He said he would be fine with the language if it said "...replacement of Fire Station 11 and the Albany Police Department building." He also doesn't like that the objective is open-ended. He said one way to accomplish goals is to have a timeline. He agrees that May 2015 is a bit presumptuous and there is value waiting to hear what the PSFRC to say, but he would like to see a timeline related to the goal.

Smith said the PSFRC is hoping to have a recommendation by the end of June. Konopa said the Strategic Plan can be amended after the PSFRC makes their recommendation. Hare said the Strategic Plan is a way to communicate to citizens and ourselves of what our goals are. He said it is okay to have some uncertainty about the dates. The PSFRC has already indicated they are in support of a new fire station.

Albany City Council Work Session
April 7, 2014

Olsen agrees with the amendment as presented. Collins said his intent was not to presuppose any conclusion of the PSFRC. He said Council asked the PSFRC to take on this task, and we need to let them do the work.

Kopczynski said the PSFRC minutes are a fascinating read. Olsen asked if they are available online. Collins said yes.

Kellum said the Council has taken a lot of care to stay out of this process. Council may not agree with the PSFRC when they are finished, but we need to stay out of the way.

VOTE: The motion passed 5-1, with Coburn voting no.

COUNCILOR COMMENTS

None.

CITY MANAGER REPORT

None.

ADJOURNMENT

There being no other business, the meeting was adjourned at 5:35 p.m.

Respectfully submitted,

Reviewed by,

Diana Eilers
Administrative Assistant I

Stewart Taylor
Finance Director