

CITY OF ALBANY
CITY COUNCIL
Council Chambers
Wednesday, February 11, 2015
7:15 p.m.

MINUTES

CALL TO ORDER

Mayor Sharon 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.

ROLL CALL

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

Councilors absent: None.

SPECIAL PRESENTATION

Unit Citation, Lifesaving, and Citizen Awards.

Fire Chief John Bradner recognized outstanding individuals for going above and beyond to save others. These people performed heroic acts and the Fire Department and the citizens appreciate them. Bradner presented the following awards:

Civilian Certificate of Appreciation: Robert Smith and David Wright

Bradner said Smith and Wright pulled an individual out of the Willamette River on August 29, 2014. They saw a woman jump from the bridge and used their boat to pull the person out. They performed CPR and drove her to Tadena Landing where medics took over her care.

Civilian Award of Bravery: William Plata

Civilian Certificate of Appreciation: Lilia Plata

Medal of Honor: Salem Firefighter Luke Barr

Bradner said the Plata's were driving along Geary Street when they noticed smoke coming from a house. They called 911 and roused the inhabitants as best they could. Barr was off duty when he drove by and saw the commotion. He forced entry on the door and he and Plata notified the residents. Barr suffered second degree burns.

Albany Fire Department B - Shift Unit Citation: Battalion Chief Kevin Anderson; Firefighter/EMT Adam Bird; Firefighter/EMT Josh Bottemiller; Firefighter/EMT Brady Hallock; Apparatus Operator Doug Ketelson; Firefighter/EMT Dylan Kiger; Fire Lieutenant Chris LaBelle; Fire Lieutenant Ron Lake; Fire Lieutenant Steve Lehman; Apparatus Operator Levi Lindsey; Fire Lieutenant Pat Traeger; Apparatus Operator Pat Wetherford; and Firefighter/EMT Ray Wooldridge

Bradner said on September 5, 2014, the Timberhill neighborhood in north Corvallis experienced a wild land fire. It exceeded Corvallis' ability to respond so they called for mutual aid. B-Shift worked tirelessly to save many lives and homes that night. They were put to work protecting a large apartment complex that the fire was barreling down upon. The fire was just about to take over the complex but B-Shift was able to deploy their resources in such manner as to protect every structure.

Challenge Coin: Battalion Chief Kevin Anderson

Bradner said Battalion Chief Kevin Anderson led the crews that night and made some split second decisions that saved homes and potentially lives. He will receive the Fire Department's first Challenge Coin to signify going above and beyond.

Konopa thanked all the recipients for their heroism. She said, Albany is thankful for our public safety and grateful for the brave acts of these citizens.

PROCLAMATION

Congenital heart defect awareness month.

Konopa read the proclamation for congenital heart defect awareness month as provided in the agenda packet.

Konopa said that many families have been faced with this medical issue.

SCHEDULED BUSINESS

Legislative Public Hearing

Declaring a street name change for a public street dedicated and named on the Edgewood Estates Subdivision Plat in Linn County, and declaring an emergency.

Konopa said, the next agenda item is a legislative public hearing regarding a proposal to rename two public streets. The applicant is the City of Albany.

Konopa opened the legislative public hearing at 7:33 p.m.

Staff report.

Infrastructure Analyst Mike Leopard said the Council will be considering the renaming of two public streets in the Edgewood Estates subdivision, east of Waverly Drive and south of Grand Prairie Road. It was platted in 1975 and included the dedication of these two streets which dead ended at the property to the east. The two streets were named Wilt Court and Bartley Place. The typical convention for naming streets uses suffixes such as Court and Place to represent streets that have no outlet. Such streets usually terminate in cul-de-sacs or other types of turnarounds at the end. These two do not have any type of turnaround because these streets were expected to extend to the adjacent land when it was developed.

Leopard said that recently the adjacent land was platted as the Vreeland subdivision. This new subdivision includes rights-of-way that connect to Wilt Court and Bartley Place as shown on page 13 of the agenda packet, which is a composite of the two adjacent subdivisions. Because these two streets will now be through streets that will not dead end, the designations of Court and Place are not appropriate and could cause confusion for emergency services, postal carriers, and visitors.

Leopard said staff became aware of the naming conflict while the platting the new streets. The streets that were platted with the Vreeland Estates subdivision, which make these connections, will be given the appropriate naming of Wilt Avenue and Bartley Street to properly designate that they are not dead ends. The Oregon Revised Statutes (ORS) require that the Planning Commission make a recommendation to the City Council for any City street renaming proposal. The City Council then holds a public hearing on the issue. The only criterion in the statute is that the Council determine that the renaming is in the best interest of the City.

Leopard said that last week the Planning Commission held a public hearing and voted to recommend to the Council the proposed renaming. This will change the addresses of six properties. Those owners were notified by mail in advance of the public hearing. No one spoke at the hearing but staff did receive one letter after the hearing, on page 15 of the packet. Ordinances regarding the change are in the Council packet. If the Council denies the recommendation, staff will prepare a resolution and bring it back to the Council.

Councilor Ray Kopczynski asked about the map on the dais (see agenda file). Leopard said that map was prepared by Fire Marshal Mike Trabue.

Trabue said that during the Planning Commission, he made a comment that he was attempting to change the name from Place to Street, without changing the actual address numbers; but he misspoke. That is not correct; the developer wanted to assign numbers to the lots this week, and in that process Trabue found another issue on the existing Bartley Place which will result in a change of the address numbers. This is what the map on the dais indicates.

Trabue displayed maps on the overhead projector (see agenda file). He said the streets were named according to the City standard that existed in 2004. The proposed ordinance would cause the new addresses to fit within the current grid. There are four in yellow that would also change house numbers.

Konopa asked why they were numbered that way in the beginning. She asked, if Bartley is changed to the higher number, why not do that on Wilt also? Trabue said that address numbers increase from west to east, and north to south. The addresses on Wilt are fine because they were properly numbered according to the grid, east to west, and do not require a number change. Discussion followed. Konopa thinks it will be confusing for this neighborhood. Trabue said this way is the least impact to the most properties.

Councilor Rich Kellum asked if the City assigns the numbers. Trabue said yes. Kellum asked if it is then up to the homeowners to make all the address changes. Trabue said yes, that is correct. Kellum asked if the City has a

system that makes it easier for the homeowners since it would be the result of a City action. Trabue said there is not a method built into the system to compensate the homeowners; the City tries to work with them to minimize as much impact as possible. Kellum asked if the City can do something to alleviate the inconvenience. City Manager Wes Hare said the Council can do that, though they may be setting a precedent. He hasn't heard of a Council doing that, but this Council could choose to.

Councilor Bill Coburn said he doesn't understand the numbering system. He thinks this will be difficult and he has a hard time supporting this.

Councilor Bessie Johnson said this has happened to her personally; and she also saw from her previous work how difficult it is for residents. She thinks if it doesn't have to be done, they should not do it; but the Planning Commission recommended it. She agrees it is a pain.

Konopa said, for those wishing to testify there is a signup at the table.

Konopa said there was no one signed for this item on the signup sheet (see agenda file).

Konopa asked if anyone in the audience would like to testify. There was no one.

Close: The public hearing was closed at 7:50 p.m.

Coburn said he reread a letter in the agenda packet from Dr. Kyle and Haley Rutledge, and he thinks they make a compelling argument. He wonders if when they wrote the letter, they realized their address would also change. Trabue said at the Planning Commission, staff did not know they would need to change the house number. Staff didn't know until Monday when the developer wanted to assign specific addresses to the lots. Then the issue was discovered.

Kopczynski asked why the new developer takes priority on numbering schemes over what is already in place. Trabue said it is not a matter of priority; the streets were originally going to be dead ends. The developer wants to put the streets through, which prompted them to look at the grid to see how the streets would work. They tried to make it work in the existing layout but the problem with Bartley is that the house addresses are east-west even though it starts to project north-south, because it wasn't going to go that far and would dead end. Now that it is projected to go out, they will have to change the numbers.

City Attorney Jim Delapoer said Konopa asked him if the City needs to re-notify the homeowners if the City changes house numbers. He doesn't think legally they need to for house numbers, although the Council may choose to do so. House numbers are assigned administratively by staff, so the Council doesn't customarily get involved. The decision tonight is for the street names, not the numbers. Staff is correcting misinformation; but really the issue before the Council is just the street name.

Kellum said this would not be happening if it weren't for houses being built next door; and if that is what is causing it, then maybe they should pay for it. Delapoer said he is not sure how the City could make the developer pay within the existing land use code. He said, we can't impose an additional cost on them for this. He suggested that if the Council doesn't like the recommendation, to just leave the street names as they are. As to renumbering, that is an administrative decision unless the Council tells staff to not renumber. Staff will follow the Council's direction.

Collins said in the last twelve months the same issue happened on Ermine Street. Leopard said yes; it also happened with North Albany Road. Collins asked what the impact was to those homeowners. Leopard said they changed their addresses. He noted that whether just the street name changes, or the house number and the street changes, the homeowner would go through the same process to make changes.

Councilor Floyd Collins said in his opinion, the big driver for this is public safety response. He asked if there is a way to flag the homes if they were to stay mis-numbered. Trabue said yes, though he hesitates to rely on technology. He described how the numbering scheme helps public safety to respond to emergencies; not changing this would create an anomaly. Collins said it is a public safety issue; he asked, do we want our police and fire to respond to the right house or get lost?

a) Wilt Avenue SE.

City Attorney Jim Delapoer read the ordinance for the first time in title only: AN ORDINANCE DECLARING A STREET NAME CHANGE FOR A PUBLIC STREET DEDICATED AND NAMED ON THE EDGEWOOD ESTATES SUBDIVISION PLAT, IN LINN COUNTY; AND DECLARING AN EMERGENCY.

MOTION: Johnson moved to have the ordinance read a second time in title only and Kopczynski seconded it. The motion failed 5-1, with Kellum voting no. It takes a unanimous vote of the Council for a second reading in the same meeting. This item will come back to the February 25, 2015, Regular Session.

a) Bartley Street SE.

City Attorney Jim Delapoer read the ordinance for the first time in title only: AN ORDINANCE DECLARING A STREET NAME CHANGE FOR A PUBLIC STREET DEDICATED AND NAMED ON THE EDGEWOOD ESTATES SUBDIVISION PLAT, IN LINN COUNTY; AND DECLARING AN EMERGENCY.

MOTION: Johnson moved to have the ordinance read a second time in title only and Kopczynski seconded it. The motion failed 5-1, with Kellum voting no. It takes a unanimous vote of the Council for a second reading in the same meeting. This item will come back to the February 25, 2015, Regular Session.

Kellum asked if folks would be notified if their numbers change. Leopard said yes.

Business from the Public

Pat Ryan, 6615 Abraham Lane, is a contractor. He recently did work for the City of Albany. It was a difficult project involving plan changes and a significant increase in the cost of the project. He said it has led to late payment issues. He spoke about a law in the state Oregon that has become effective recently, and is missed by many public bodies. He said ORS 279c.570 limits any organization that is public from failing to communicate promptly if they have an issue with payment. He read from the ORS and submitted it for the archived file (see agenda item). He said payments have to be made within 30 days, no matter who the agency may be. He said he did work in Albany and is awaiting payment. He said there was a payment reduced without explanation. He said the City should pay within 30 days.

Coburn asked when the law went into effect. Ryan said five years ago.

Hare said, we do make every effort to pay promptly. Ryan suggested it wasn't paid due to budget problems. Delapoer added that in 38 years of doing work for the City, he has not seen bills delayed for budgetary problems or staff wanting to retaliate against a contractor. All Public Works projects are budgeted and payments are made promptly unless there is a legal justification for a delay due to an issue with the work. It is not correct that the City would not pay for budgetary reasons.

Assistant City Manager/Public Works and Community Development Director Mark Shepard said there is more to the story. There are issues the City is trying to iron out with the project. Staff is not ignoring the issue or choosing not to pay; that is not the case.

Ryan said in his opinion, the Council approved the contract but since then there has been a 30% increase. It is more than 25%. That is the sticking point because the budget was recently to be reduced 22.6%. He said he has received different responses as to what the contract is worth. Shepard said staff is working through the issue; he asked Ryan to meet with him so they can discuss it further.

Konopa said she is pleased that staff acts as good stewards of the City's money and waits to pay a contractor until the project is complete. Ryan agreed with Konopa.

First Reading of Ordinance

2) Amending the Albany Municipal Code Title 7.90 Secondhand Dealers and Transient Merchants; repealing Ordinance No. 5837 and declaring an emergency.

Delapoer read the ordinance for the first time in title only: AN ORDINANCE AMENDING THE ALBANY MUNICIPAL CODE TITLE 7.90 SECONDHAND DEALERS AND TRANSIENT MERCHANTS; REPEALING ORDINANCE NO. 5837; AND DECLARING AN EMERGENCY.

MOTION: Johnson moved to read the ordinance for a second time in title only and Kopczynski seconded it. The motion failed 3-3 with Councilor Dick Olsen, Kellum, and Collins voting no. It takes a unanimous vote of the Council for a second reading in the same meeting. This item will come back to the February 23, 2015, Work Session; and the February 25, 2015, Regular Session

Olsen said he noticed a change that may have occurred in 7.90.010, which results in a scrap metal recycling business not being able to sort out stuff that could be recycled if it is part of the regulated properties. He gave some examples of items that could not be resold under the proposed change.

Olsen said he visited with Jay Burcham from Burcham's Metals to discuss this; he said that if the Council is worried about stolen items, they have security cameras and take license plates and identification numbers. If something looks suspicious, Burcham calls the police. Olsen doesn't know why the Council wants to do this. He wants this to be reconsidered.

Kellum said this proposed change bothers him too. Burcham's was the driving force behind fixing the scrap industry. This is not a lucrative business for the people stealing things. He also met with Burcham and they discussed having to throw away an item even though it was functional. Once it is broken down, there is no

possibility the victim will get it back; whereas if it is not disassembled, at least maybe they can get it back. He thinks they need to make a distinction.

Olsen said most of his personal stuff is used; for those in the community who can't afford new stuff, he thinks it would be too bad if they wouldn't have opportunity to buy used items from dealers like Burcham's.

Coburn said, when we first considered this last year, he thought it included a sunset clause after one year, unless the Council continues to vote it. He changed his thinking on that, but at the same time he thought they would try for a year and then make adjustments. So he was surprised when a few months later, they are already suggesting changes. He said some make sense, such as ammunition. Coburn said he too struggles with this issue as it applies to scrap dealers.

Police Chief Mario Lattanzio said it would not mean that Burcham's could not conduct his business; it just means if it is regulated property that they would hold the item for 14 days, notify Albany Police Department (APD), and then sell it like any other secondhand dealer. Lattanzio said this was brought to APD's attention by another secondhand dealer who asked why Burcham's didn't have to comply with the new regulations. This would level the playing field if another scrap metals dealer comes in. This is not to single a particular group out, rather APD is asking they report it if they are selling regulated property. If they are taking it down to base component, then they would not have to report it. Discussion followed.

Delapoer said it is unfortunate that this change is being tied to a specific business. He advised that as the Council writes their codes, the rules should apply to everyone regardless of who they are. When APD set up this system they endeavor not to talk about how individuals conduct business, but rather if a scrap dealer should be exempted from the law if they are not dealing in scrap.

Hare said the only difference is that Burcham is gathering the information, but not reporting it to APD, whereas others are. Hare said Burcham is saying that it is not worth his time to report, which is his choice.

Olsen wants to modify the ordinance. Konopa suggested discussing this further at a Work Session.

Coburn said that ammunition makes sense. As to the scrap, he is not hearing there is a problem with people selling stolen property to the scrap dealers; rather he is hearing that a secondhand dealer is complaining that it is not a level playing field. He said, if APD could demonstrate there is a problem, then he could get behind it.

Delapoer said that tying the decision to a particular business' practice is not a good idea. It doesn't prevent someone else who wants to open another business from being able to skirt the law by not reporting to APD. If the Council believes there is a value in having folks who buy things secondhand report on it, then they should require it be reported.

Collins suggested that Lattanzio could change page 3, Section 6.c.(4), to drop "...is returned to base component and not resold as regulated property". If they did that, they would be a secondhand dealer and they would report.

Adoption of Resolutions

- 1) Calling a measure election to submit to the electors of the City the question of amending the City Charter to authorize up to \$18 million dollars of general obligation bonds to finance public safety projects; declaring intent to reimburse expenditures; and providing for related matters.

Konopa noted that there was a revised resolution on the dais (see agenda file), with the cents per thousand reduced from 31 to 29.

Hare said, this represents the recommendation of the Public Safety Facilities Review Committee (PSFRC), to lower what was initially a \$20.3 million bond proposed in November of 2013, and is now being proposed as an \$18 million bond measure to fund improvements that would include a new police and fire station.

MOTION: Collins moved to adopt the revised resolution on the dais calling for a measure election and Kopczynski seconded it.

Collins pointed out that in the Resolution they are calling for not-to-exceed \$18 million; and any subsequent modification to the budget that may be associated with the project. He said, we have authority to go up to \$18 million but we don't necessarily need to sell \$18 million in bonds. If we do sell \$18 million, we could put money into reserves. So, there are future decisions that may be made that could affect the number that we are dealing with. This just gives us authorization up to, but not to exceed, \$18 million.

Taylor clarified that the motion is specific to the revised resolution on the dais. Collins said yes and the seconder was agreeable.

Collins said the next action is to see a presentation from the architect and the two affected departments on February 25, 2015. It will be reflective of the input from the community and revision of budgets with some potential consideration of other issues.

VOTE: A vote was taken on the motion and it passed 6-0 and was designated Resolution No. 6383.

2) Accepting the Engineer's Report and Financial Investigation Report for Crocker Lane and Valley View Drive Local Improvement District (LID) and setting a public hearing.

Civil Engineer III Gordon Steffensmeier said the last time he presented was at the December 8, 2014, City Council Work Session. This was originally going to be three projects: Bloom Lane, Valley View Drive, and Crocker Lane. At that Work Session, they eliminated Bloom Lane.

Steffensmeier handed out two letters that staff received after the staff report was finalized for this agenda packet: Rose Dougherty (see agenda file) and Joe and Candi Jurosky (see agenda file). He pointed out that the Jurosky's are on the corner of Bloom Lane and Crocker Lane, and are not in the LID boundary but nevertheless have concerns. Dougherty's letter explains that she thinks it is unfair that many of the people on the east side of Crocker Lane would not be assessed.

Steffensmeier said initially they considered doing separate LIDs for each project. When they put the financial investigation together it began to make sense that they should not do it that way because many of the properties would be in two LIDs. Instead they combined them into one LID boundary with one financial investigation so that the impact on each property is shown at its maximum. He pointed out that page 45 of the agenda packet, the column for "Total Market Value – Land and Improvements" shows several properties at \$40,000. He said those are last year's numbers when the lots were vacant with no houses. The true value is more in the range of \$175,000 – 250,000.

Steffensmeier said most of the report is the same that was presented in December, except that they will be combining the two LIDs into one LID. They added the two properties on Valley View Drive that the Council requested to connect the project up to Hillcrest Street.

Kopczynski asked, when staff reran the numbers for the lots that are no longer vacant, did it change the overall value? Steffensmeier said it doesn't change the project cost, it just changes the percentages. Collins said the assessments are more secure since they are not just assessing bare land, rather land with improvements.

Johnson asked if it includes Bloom Lane. Steffensmeier said there are three on the north side of Bloom Lane. About ten years ago, those three were one single property that fronted Bloom Lane; they signed a Petition and Waiver of Remonstrance for both Bloom Lane and Crocker Lane when they got their partition approved, so they are included in the Crocker Lane LID. Discussion followed.

Hare said there has been discussion about the fairness of assessing just the immediately benefited property owners, since the subdivisions didn't have to pay; he pointed out that they did pay, either indirectly or directly, so it is not correct to say that. Steffensmeier agreed and said that Dougherty's letter suggested that only some built curb and gutter, but that is not correct. The Tuscony subdivision improved 135 feet and the Crocker Heights paid for 180 feet. There have been some improvements made on east side of Crocker Lane.

Delapoer noted that this is a quasi-judicial process. What the Council should be deciding on tonight is receiving the engineer's report, deciding if they want to go ahead with the project, and holding a public hearing. At the public hearing, citizens can tell the Council why they think the methodology is right or wrong. If the Council starts evaluating individual property situations tonight, then the public is not present to hear the Council's considerations on their particular property. Delapoer is uncomfortable with the Council deliberating before the public hearing as it could create a procedural mistake. Discussion followed.

Shepard said, if the Council has issues with the way the LID is laid out now, they likely don't want to take it to a public hearing; so if that is the case, please tell staff. Barring no specific changes, it should proceed to the public hearing. Delapoer agreed, and added that tonight's discussion should be about the scope of project rather than individual properties. The focus should be on the general proposal. Shepard added that they could also consider tonight if the City should participate in the cost of the LIDs, and if so, at what level.

Collins wants the City's participation under all four options in the staff report to be discussed at the public hearing.

Johnson asked if at the public hearing they could still choose to include or exclude certain streets in the LID. Delapoer said yes; although if they significantly modify the proposal, they may want to hold another public hearing. Delapoer reviewed the LID process.

Johnson said she thinks LIDs are unfair at times. For example, Oak Street property owners didn't have to pay anything. She thinks they should be more consistent. Collins disagreed with Johnson's statement, explaining that Oak Street was paid for using Linn County road transfer money, and the Council is the one that made the choice to pay a portion of the LID on their behalf. He said, we do so few LIDs, but this is not an unusual process. They decide: what are the improvements; what are the estimated costs; who benefits; and what were the conditions of approval through the land use process. The City has decided to use petition and waivers. It is a major financial discussion at the time when development takes place, to decide if they build half-street improvements, build streets in piece meal, or allow them to be deferred to some point in the future when it makes sense to do a bigger project. He sees this as not unusual from what has been done in the past. It is consistent with past practices and allows folks an opportunity to weigh in. He thinks they should move forward.

MOTION: Collins moved to adopt the resolution and Kopczynski seconded it.

Collins said, what are the alternatives? Having development with no improvements or no future options for development? If so that would be committing the City as a whole, 20 years down the road, to pay for improvements that benefit specific properties that everyone else would have to pay for. He said, do we ask people to pay for the benefit they received at some point in time, or decide that all road improvements will be bond issues which are subject to general elections? Hare said Collins made a good point and added that there is a misperception that the City has money they guard for their own purposes. The money the City has custody of is the public's money; the issue is, how to get the most value and how to do it most equitably for the citizens as a whole.

VOTE: A vote was taken on the motion to adopt the resolution and it passed 6-0 and was designated Resolution No. 6384.

Adoption of Consent Calendar

- 1) Approval of Minutes
 - a) December 3, 2014, City Council Regular Session.
- 2) Relinquishing a 20-foot wide storm drainage and sewer easement to WR Grace and Co. Conn, Synthetech, Peltier Real Estate Co., Albany Self Storage LLC, and MTI Partners LLC. RES. NO. 6385
- 3) Accepting an easement from Micheal D. Newman and Roberta D. Newman. RES. NO. 6386
- 4) Adopting revisions to the Public Records Request Policy, F-05-08 and the Public Records Request Form, and repealing Resolution No. 6300. RES. NO. 6387

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

Reports

Oregon Department of Transportation Intergovernmental Agreement (IGA) for maintenance of the crosswalk across Ellsworth Street at Eighth Avenue.

Shepard gave the history of the crosswalk. ODOT said it had to be removed. There were issues about the speed study, and ODOT agreed to do posting after the crosswalk issue is worked out. City staff thinks the crosswalk provides enough benefit and is used often enough that it is worth the City taking over its maintenance. The City's cost to maintain it will be marginal.

Coburn asked if the state will change the signs. Shepard said yes; they agreed to change the speed from 20 to 25 mph. Konopa said signage has helped.

MOTION: Coburn moved to direct the City Manager to sign the IGA with ODOT for crosswalk maintenance at Ellsworth Street and Eighth Avenue. Kopczynski seconded the motion and it passed 6-0.

2013-2014 Audit Report.

Kopczynski said the Audit Committee had their annual meeting. He said staff changes in the Finance Department have resulted in a new procedure that allows the City to use a standardized process. It is more efficient to get the data to the end user.

MOTION: Kopczynski moved to accept the Audit Report. Johnson seconded the motion and it passed 6-0.

Hare said that the audit report is a critical document that too often becomes somewhat routine. He commended the Finance Department for achieving the standards set out in the City's Strategic Plan for reporting excellence, as dictated by the Government Finance Officers Association. Hare credited Taylor with having a clean audit despite changes in staff, and generally keeping the City's finances in good order. He said the Finance Department does a great job. Kopczynski noted that some of those improvements helped the City's bond rating.

BUSINESS FROM THE COUNCIL

Coburn noted that the signs for Lowe's are up.

Collins said the Port of Portland is being shut down and there is a looming threat of losing cargo business from major shippers. There are two letters being sent to the President and our congressional delegations, asking those offices to assist in getting the contract dispute resolved in order to get the shipping back to the west coast ports. He wants the Council to sign on to those letters or draft their own letter. He said, we will see impact to the local economy; the goods that go out of the Port of Portland are agricultural-related from our region. It will have an impact on both major manufacturers and small businesses. He said, we should not be taking a position on the merits of the dispute, but a position on the resolution of the dispute to get the Oregon economy back on track.

Olsen asked if other cities or counties have signed the letters. Collins read those who have signed the letter so far. Discussion followed.

MOTION: Collins moved to authorize the City Manager to sign the letter regarding the Port of Portland or to draft his own. Kellum seconded the motion and it passed 6-0.

Staff will draft a letter (see agenda file).

Shepard spoke to Ryan's comments about payment for the project he is doing for the City. He gave an update on the Vine Street Bank repairs. The original contract came to the Council, and then staff asked for an increase in excess of 10% which the Council also approved. As staff is closing out the project, there are costs the contractor is asking payment for. Staff doesn't necessarily agree with some items but they are working through the process. The City is working with the contractor; it is not a matter of not wanting to pay or not having the money to pay. Collins asked if the City uses the retainage payment process. Shepard said yes; he is not sure the exact issues for this project, but the City could pay the portion that is not under dispute.

RECESS TO EXECUTIVE SESSION TO DISCUSS REAL PROPERTY TRANSACTIONS IN ACCORDANCE WITH
ORS 192.660 (2)(e)

The Regular Session recessed to Executive Session at 9:24 p.m.

RECONVENE

The Regular Session reconvened at 9:41 p.m.

Coburn said that Burcham's is the only scrap metal recycler in the City. He is not sure someone would open another one in the city limits with all the land use laws.

Konopa distributed a letter from Edgar Hahn (see agenda file). She said he was going to read it but had to leave. She thinks it should be forwarded to the Human Relations Commission, but Hahn didn't want to do that. He asked that the Council read it and Hahn will return in a few weeks.

NEXT MEETING DATE: Work Session: February 23, 2015
 Regular Session: February 25, 2015

ADJOURNMENT

There being no other business, the meeting was adjourned at 9:43 p.m.

Respectfully submitted,

Reviewed by,

Mary A. Dibble, MMC
City Clerk

Stewart Taylor
Finance Director