

CITY OF ALBANY
CITY COUNCIL WORK SESSION
Municipal Court Room
Monday, April 6, 2015
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 Floyd Collins, Bessie Johnson, Rich Kellum, Ray Kopczynski, and Dick Olsen.

Councilors absent: Councilor Bill Coburn

BUSINESS FROM THE PUBLIC

Tom Cordier, 2240 Park Terrace NW, suggested that a professional independent study be conducted to determine if it would be cost-effective for the City of Albany to contract its police services with Linn County. He said this option should have been raised during the Public Safety Facilities Review Committee. He asked the Council to engage with Linn County to have a discussion about merging.

FIRE LINE CHANGES

Assistant Public Works Director/City Engineer Jeff Blaine discussed private fire protection service charges. He said these are separate fees charged to properties that have an additional connection to the water system to feed private fire suppression systems. It is a legacy fee that was brought over from PP&L. When the City took over the water system, the utility as a whole began to pay for all of the public hydrants throughout the City and continued to charge for private connections. In 2013, staff identified several billing concerns and asked Council for direction. Council directed staff to continue charging the fee for the fire lines and to conduct an audit of the existing accounts. The audit has been completed and staff has identified 136 private fire protection connections in Albany's water system. Of those, only 70 are being billed and nine of those are being billed incorrectly. Blaine said the discrepancy could be due to several factors including receiving incomplete information from PP&L, and new fire lines weren't added to the billing system when errors were identified.

Blaine said there are several options for moving forward ranging from adding the 66 customers into the system and sending them back bills to doing away with the fire service charges altogether. He said his opinion is that the charges should be eliminated or repurposed. He said having adequate fire flows in the system ready to serve a property is part of the basic service we provide as a utility. Through System Development Charges, each new customer who connects to the water system pays their fair share of system capacity which includes fire protection. Staff proposes to stop charging the fire line fees following the June billing cycle, issue refunds to anyone who has been overcharged, and not back bill those who weren't charged or who were under billed. In addition, there is the potential to have the fee be repurposed. He said the Fire Department has a funding gap for one of their important programs. There is the potential to consider renaming the fee and keeping it identified in the water rate resolution. The Fire Department can develop their program and bill customers based on the audit results.

Blaine said, through the audit, staff discovered deficiencies in some of the connections on other things like backflow devices that are used to protect water quality. He said Water Superintendent Karen Kelley will bring the issue forward at a future City Council Work Session meeting.

Councilor Rich Kellum asked if the fee individuals have been paying is covering an expense such as maintenance. Blaine said no, it is a ready-to-serve charge.

Fire Chief John Bradner said staff needs to ensure that the systems are maintained appropriately and adequately. Currently, the fire code requires building and property owners to periodically test and maintain fire protection systems and requires reports documenting testing and maintenance be provided to the Fire Department. The required maintenance is usually performed by third-party contractors hired by the property owner. The contractor's report is kept onsite for review by a Deputy Fire Marshal during the property's periodic fire safety inspection. Due to staff reductions and the growth of the community, there has been an increased duration between Fire Code compliance inspections. The revenue generated from this fee would allow the Fire Department to hire an administrative support employee to facilitate the program, ensure that adequate and equitable fees are charged, and maintain complete records.

Bradner said staff recommends keeping the same fee schedule charged by the water utility. He said the City of Bend funds almost their entire life safety division with the same type of fee.

Councilor Floyd Collins asked if we will have adequate tests on private fire hydrants and fire lines as well as backflow devices. He asked how staff will ensure that an industrial customer isn't tapping into the private fire line for domestic purposes. Blaine said staff will still have the snoopers meters which are read by utility billing to make sure there is no water theft. Bradner said the third party agency will test the private portion of the system.

Councilor Dick Olsen asked if a property owner can opt out of having the connections. Blaine said most property owners choose to have them because it is less expensive. Olsen asked if they can opt out of not having a sprinkler system once they have it. Bradner said it depends on what is required in the fire code. If it is required in the code, this fee ensures that the system continues to be maintained.

Kellum spoke about fire insurance. He said his insurance company inspects his building and the sprinklers over flammable materials every other year. He said insurance carriers will demand those types of systems are inspected. Fire Marshal Mike Trabue said it is inconsistent and depends on the insurance carrier. He said some of the larger corporations receive regular maintenance, but it doesn't mean the repairs are actually made as suggested. Collins said his concern is that he doesn't want the Fire Department hooking up to a fire hydrant that doesn't work. He said there has to be a way to verify what is happening on the private lines. Bradner said utilizing the system this way gives staff a greater opportunity to require reports to be submitted to the Fire Department. Collins asked if the City has the right to specify the materials used for private fire line services such as hydrants and valves. Trabue said yes, the hydrants and the connections are specified by the City of Albany. Collins said materials can change between public and private businesses and could lead to a failure. Blaine said staff isn't proposing any change in how we determine where public and private hydrants go.

Konopa said this item will come back for Council consideration at a future meeting.

LINN-BENTON COMMUNITY COLLEGE (LBCC)/INDUSTRY PROPOSAL UPDATE

City Manager Wes Hare said Council met with representatives of local industries and LBCC a couple of months ago. He said the Council expressed a desire to go forward with participating and funding a workforce program, but asked staff to meet with LBCC and the representatives to create an agreement. Hare distributed a draft agreement [see agenda file.] Hare said it is an agreement, but it is not a legally binding contract. He believes the industries and LBCC are committed to honoring the principles, but there is nothing that could be enforced in a court of law.

Kellum shared his experience of instructing welding classes. He said he wants the people who are going to use the program to be unanimous about how much funding is really needed. He would like a change in the agreement to show that the seven local industry representatives will check and verify with their technical experts about what is really needed. He said he wants to ensure that the funds are spent wisely.

Collins said, based on Kellum's comments, it sounds like additional wording needs to be included in Section 2b of the agreement.

Kellum said that is correct, he wants the advisory committee members to consult their technical experts regarding decisions to purchase equipment using City funds for the training programs.

Councilor Bessie Johnson asked if the items listed in the table in the agreement are the only things being included. Collins said these are the items that the City is funding.

Konopa asked Council if they would like staff to bring anything back. Hare said staff could work on adding language to address Kellum's concerns. He clarified that the agreement is not legally enforceable. Oregon Freeze Dry President Jim Merryman said the industry representatives are in agreement with the wording Kellum is suggesting and said the committee representatives will poll the technical experts before making a recommendation. City Attorney Jim Delapoe said the challenge is that the structure of this agreement doesn't allow for internal audits and control. He said there is no way to monitor or enforce the agreement. It relies on the good faith of the industry representatives. He said staff could include wording to address Kellum's concerns. Discussion continued.

Konopa asked staff to bring back language amending the agreement to include Kellum's suggested language. Hare said staff will come back with a resolution to adopt the funding agreement with some language to address Kellum's concern. He said staff will work to get this item back to the Council as quickly as possible. Collins said it is important that we don't lose sight of the bigger picture. He said this equates to a minimum of 250-500 jobs over a five year period. He said this will support the existing industries and will help build this community.

DRAFT STRATEGIC PLAN REVIEW

Hare said the Strategic Plan is updated by staff on an annual update basis. He said the Strategic Plan is part of the budget process and directs staff as we put together the annual budget. There are no significant changes in this year's Plan, and staff is focused on providing the range of services the Council has directed us to provide. He said staff is working to be more precise with the performance measures. He said Information Director Jorge Salinas has done an excellent job of tightening up the Strategic Plan and improving some of the measures. Salinas said he met with the department directors to update the Strategic Plan. He said staff added a target column to measure if the yearly goal has been met for each measure. Some of the measures will be extracted and placed in the Dashboard on www.cityofalbany.net so citizens can see how well the City is doing. Konopa noted that the draft Strategic Plan doesn't include bold and strike indicating changes. Hare said staff can bring back a bold and strike version of the Plan. Council agreed that it would be helpful to have that to review.

Councilor Ray Kopczynski asked about Objective #6 and noticed that the target for Linn-Benton Loop isn't being met by FY2019 and wondered if the target goal may be unrealistic. Assistant City Manager/Public Works and Community

Development Director Mark Shepard said the goal is something staff is aspiring to reach and the ridership of Linn-Benton Loop is continuing to increase. Kopczynski asked if the goal equates to breaking even. Shepard said no.

Collins said he would like to see a semiannual report of how we are progressing toward the target goals listed in the Strategic Plan. Hare said staff can do that.

Johnson asked about relocating the bus storage facility and what the plan is for that. Shepard said it is a goal for both Transit and the Fire Department. He said the Metropolitan Planning Organization is funding a study for a potential bus barn facility. The goal is to get external funding to construct the facility and free up the space for the Fire Department.

Hare said listing projects and programs in the Strategic Plan can be a valuable tool for seeking external funding because agencies want to know if there is a plan in place and what actions have been taken.

Johnson asked about the one percent of funding that is dedicated for art in public buildings and where it is located in the Strategic Plan. Hare said that funding is included in an existing City ordinance and is not part of the Strategic Plan.

COUNCILOR COMMENTS

Collins noted that construction is starting on North Albany Road and Springhill Drive. He said to be prepared for slowdowns and complaints. Konopa asked about a roundabout on Springhill Drive and Quarry Road and if it is temporary or permanent. Blaine said that would be Benton County's decision, but it is being constructed as a temporary roundabout at this point. Konopa said it would be good to have a permanent roundabout in that location. She asked how long the area near the bridge section by East Thornton Lake will be restricted. Blaine said there will only be local access for during the summer. Kellum asked if the base for the roundabout can be left in should it be made permanent. Blaine said it is a possibility.

Konopa distributed a "No on Measure 2-89" document. She said this measure is for Benton County. She received a call from Beta Seed CEO Brian Meyer and he asked if the Council would support the no side on this measure. She said a decision doesn't have to be made tonight, but she would like the Council to take action on Wednesday night at the end of the agenda. If the Council doesn't want to support the measure as a whole, there is a form for endorsing it individually. Konopa's understanding is that once this measure is enacted, a farmer would have to remove their crops within 90 days. She said this would have a huge impact to agricultural industry and research and development.

CITY MANAGER REPORT

Hare said there was a story on the front page of the *Albany Democrat-Herald* about an outdoor restaurant business currently located in the parking lot of the Original Breakfast Restaurant. The outdoor restaurant business was given a 30-day temporary license in accordance with our ordinances and land development code. They are in the process of applying for a 120-day license and there isn't anything that is preventing them from doing that. The business won't have to move, and during that 120-day period, he would advocate for the Council to review the development code as it applies to transient merchants. Staff believes there are some suggestions that make the ordinance a bit more flexible. Hare said staff isn't shutting the business down tomorrow and they will have the opportunity to operate for at least 120 days. Kopczynski asked how far the business would have to move once the 120 days are up. Shepard said they would have to move to a different parcel of property.

Delapoer said transient licenses works best for seasonal items such as plants and Christmas trees. He said it is much harder to understand why we would create special opportunities for mobile businesses that will work 365 days a year and will compete with the fixed businesses that have additional requirements. He said the concept behind transient businesses is that there is something temporary about them.

Hare said Chris Bailey is the Interim Public Works Operations Director and Blaine is the Interim Public Works Engineering and Community Development Director. Hare said this is being done on an interim basis for six months to make sure we are continuing to integrate development services. Salinas's new title is Assistant City Manager/Chief Information Officer. He said Salinas has done an outstanding job for the City and has the ability to assist all of the departments with improving operations. He said the software implementations over the last several years have gone incredibly well thanks to Salinas' skills and the skills of his staff.

There will be a farewell celebration for Shepard from 3:00-5:00 p.m. on April 28 at Operations. The City Council congratulated Bailey, Blaine, and Salinas on their new roles.

ADJOURNMENT

There being no other business, the meeting was adjourned at 5:20 p.m.

Respectfully submitted,

Diana Eilers
Administrative Assistant I

Reviewed by,

Stewart Taylor
Finance Director