



NOTICE OF PUBLIC MEETING
CITY OF ALBANY
CITY COUNCIL WORK SESSION
Council Chambers
333 Broadalbin Street SW
Monday, October 12, 2015
4:00 p.m.

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."*

AGENDA

Rules of Conduct for Public Meetings

1. No person shall be disorderly, abusive, or disruptive of the orderly conduct of the meeting.
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 meeting.

- 4:00 p.m. CALL TO ORDER
- 4:00 p.m. ROLL CALL
- 4:05 p.m. BUSINESS FROM THE PUBLIC
- 4:10 p.m. Stormwater Permitting Update – Mark Yeager [Verbal]
Action Requested: Information, discussion.
- 4:25 p.m. Staffing Requests – Jeff Blaine [Pages 2-4]
Action Requested: Information, discussion, direction.
- 4:55 p.m. Spring Hill and Quarry Roundabout – Jeff Blaine [Pages 5-7]
Action Requested: Discussion, decision.
- 5:05 p.m. Dual left-turn lanes, Highway 20 and Spring Hill Drive – Jeff Blaine [Pages 8-9]
Action Requested: Discussion, decision.
- 5:15 p.m. One Percent for Art Discussion – Jim Delapoer [Pages 10-11]
Action Requested: Continued from September 23, 2015, Council meeting.
- 5:30 p.m. Recreational Marijuana Sales Regulations – Sean Kidd [Verbal]
Action Requested: Information, discussion.
- 5:50 p.m. PUBLIC SAFETY FACILITIES PROJECT UPDATE
- 5:50 p.m. COUNCILOR COMMENTS
- 5:55 p.m. CITY MANAGER REPORT
- 6:00 p.m. ADJOURNMENT

City of Albany Web site: www.cityofalbany.net

The location of the meeting/hearing is accessible to the disabled. If you have a disability that requires accommodation, advanced notice is requested by notifying the City Manager's Office at 541-917-7508, 541-704-2307, or 541-917-7519.



TO: Albany City Council
VIA: Wes Hare, City Manager
FROM: Jeff Blaine, P.E., Interim Public Works Engineering and Community Development Director 98
DATE: October 7, 2015, for the October 12, 2015, Council Work Session
SUBJECT: Staffing Requests

RELATES TO STRATEGIC PLAN THEME: ● Effective Government

Action Requested:

Staff requests that Council authorize two new staff positions, one for Community Development – Building Division, and one for Public Works – Engineering.

Discussion:

This memo provides a brief description of the need for two positions within the Community Development and Public Works Departments. Additional discussion will be provided at the October 12, 2015, Work Session.

Request: Restore 1.0 Full Time Equivalent (FTE) Building Inspector to the Building Division.

Since 2008, Building staff has been reduced by more than 8 FTE; a necessary reduction given multiple years with only modest building activity. However, local building activity is recovering and Building staff can no longer meet required timelines and desired levels of service without adding staff. Three dedicated plan reviewers/inspectors, contract support, and the Building Official are struggling to keep up with demands for service. As an example, in the last three months inspectors have conducted more than 800 inspections each month; approximately 20 percent more than the previous 2-year average. These types of statistics, however, only tell part of the story. Complex commercial projects have been on the rise and the average size home has continued to increase, resulting in more time required per permit.

Staff has absorbed the increased activity by carrying extremely heavy workloads and leveraging efficiencies enabled by the City's electronic plan review program. Additionally, the Building Official, a position that has historically been a dedicated program manager position, has been conducting plan reviews, completing inspections, and providing general customer service. While these measures have helped defer adding staff until we were confident building activity recovered, there is a limit to what can be achieved through efficiency improvements, and overtaxing staff is not a sustainable practice.

The increased building activity and reduced staffing over the last several years has resulted in the establishment of a healthy reserve in the Building Division budget. At the end of FY 2014-15, the reserve was \$1,042,000 and it has continued to increase in the last couple months; an indication that there is capacity to sustain the requested position. Use of Building permit fee revenues are restricted by the state and can only be used on expenses directly related to operating the Building Division. Therefore, by using Building reserves and future permit fee revenues to fund an additional position, the City would not be taking funds away from other potential needs within the City.

Building inspectors' salaries vary by the number of certifications they hold. Based on the required minimum certifications, the estimated cost of this position would be \$55,488 per year plus standard benefits. If a building inspector held every plan review and inspection certification, that cost would increase to \$102,924. All costs for this position will be covered by building permit revenues. (It is

important to note that none of the current building inspectors hold every certification and staff is not intending to fill the requested position with an inspector that holds every certification.)

If Council authorizes this position, staff will take advantage of the recruitment process currently underway to fill a vacancy within the Building Division. In effect, staff will conduct one recruitment process to fill two vacancies, thus realizing efficiencies in the recruitment process. Although this action will not fully restore the Division's capacity to address development activity at pre-recession levels, it will enable the Division to address the most pressing staffing demands at this time.

Request: Restore 1.0 FTE to the Engineering Division, with an Interim Position Title of Engineering Manager.

Similar to the Building Division, the Engineering Division also has been reduced in size due to budget reductions over the years. In addition to the reduced capacity resulting from staff reduction, the Engineering Division faces the imminent retirement of an engineer in a difficult-to-fill management position. This poses additional challenges. There are basic unmet staffing needs for completion of routine work efforts, but there is also a need for some strategic long-term succession planning. This request reflects a strategy to address both short- and long-term needs through the addition of one position.

Despite significantly increasing regulatory complexities and utility management requirements, the regulatory affairs and master planning workgroup has decreased by 1 FTE. Consequently, projects have been deferred and managers throughout the Engineering Division must manage a significant workload of standard staff level projects for this workgroup, in addition to their program management responsibilities. While this has resulted in interim cost savings, it is not without consequences and is not a sustainable practice. Restoring a position to this workgroup is recommended.

Restoring 1.0 FTE position to the Engineering Division as an Engineering Manager would enable some needed succession planning. The current manager of this workgroup (Utility Services Manager) has 34 years of experience with the City in various positions, including serving 7 years as Public Works Director. Through his involvement with the national and state Association of Clean Water Agencies, and his savvy in working with regulators, he has helped influence a number of regulations and requirements to which Albany would have been subjected; resulting in significant cost savings and reduced liabilities under more practical regulations than would otherwise exist. Unfortunately, he has indicated that he will be retiring within the next two years. The significance of losing this level of capability and knowledge cannot be overstated. Examples of upcoming issues/projects requiring this level of experience include negotiating a new discharge permit for the Albany-Millersburg Water Reclamation Facility, negotiating the City's first-ever stormwater discharge permit, and meeting regulatory requirements related to the Canal and the hydropower project license.

Obviously, the void in institutional knowledge, relationship with regulators and other professionals, and overall expertise will not easily be replaced. In order to transition these responsibilities smoothly, staff recommends addressing the current need for additional engineering staff with the addition of an Engineering Manager position on an interim basis. This will ideally enable the City to attract an experienced professional with the necessary skills and abilities to fill the Utility Services Manager position when the time comes. Initially, this position will work in partnership with, and be mentored by, the Utility Services Manager to address current unmet workload demands. Upon retirement of the Utility Services Manager, the requested Engineering Manager will fill the vacancy, and the vacated position will be downgraded and filled at a Civil Engineer III level. In this way, we can provide enough time to adequately train a replacement for the Utility Services Manager and provide needed capacity within the workgroup for both the short- and long-term.

In today's dollars, the cost of the Engineering Manager position will be between \$77,268 and \$95,052 per year plus standard benefits. Once transitioned to a Civil Engineer III, the cost of this position will be between \$67,848 and \$86,580 per year plus standard benefits. These costs will be covered by non-general fund revenues such as Public Works permit fees and utility rate revenues.

Budget Impact:

There is no budget action required at this time to fund the requested positions. The ongoing additional costs in wages and benefits will be reflected in future budgets.

JB:kw

c: Mark A. Yeager, P.E., Utility Services Manager
Gary Stutzman, Building Official

From: Blaine, Jeff
Sent: Wednesday, October 7, 2015 1:44 PM
To: City Council
Subject: Council Action - Springhill and Quarry Roundabout

Councilors,

We have two items related to the North Albany Road project that require near term action from Council. The two items will come through two separate e-mails, with this being the first. My hope is that by providing you this information in advance you would be prepared to make a motion at the October 12th Work Session. The first issue is regarding the temporary roundabout at Spring Hill Road and Quarry Road. During a joint meeting on August 18th, the City Council and the County Commissioners made a motion to keep the temporary roundabout in place with the idea that the County would modify the roundabout in the near future to make it a more suitable permanent structure. Following that meeting both the City and County received a petition to remove the roundabout and restore the intersection to the pre-construction configuration as originally planned. (That attached map was created by Benton County and shows the location of each resident that signed the petition.) Upon further consideration the County has determined that they would like the roundabout removed. However, they have procedural concerns regarding the original motion and won't direct staff to remove it until after the City Council repeals their original motion. This creates the urgency for direction in that the contractor is awaiting a decision. Further delays in this decision could result in weather delays for construction and/or increased costs. An e-mail from Benton County's PW Director that explains their reasoning is provided below.

Albany staff designed the roundabout as a temporary improvement for the construction detour. It was not designed as a permanent improvement. Albany staff would agree that it is a good idea to remove the temporary structure if the County does not have near term plans for further improvements.

Here is the e-mail from Benton County:

Jeff,

It is County staff's recommendation to have the roundabout removed for the following reasons :

- 1. After analysis of the intersection, it only provides 1 of the 3 criteria for a roundabout (those 3 criteria being : improved safety {fewer accidents}, reduced speeds, increased traffic flow). We do not have accidents or congestion problems at this intersection. The current intersection has reduced speeds.*
- 2. We looked into if we should keep the roundabout for speed reduction alone. While it would produce speed reduction, the reality is that speeds, while dangerous, are not causing accidents on this section of Springhill. We believe reducing speeds is only necessary to prevent accidents. There are no other major improvements to reduce speeds so speeding will likely continue; however, we don't anticipate crashes based on historical data.*
- 3. We looked at the cost. The project to circularize the intersection would cost around \$500,000. We are committed to \$500,000 for Gibson Hill Road and \$200,000 for Crocker Lane. This leaves us a small amount for our annual maintenance. Creating a roundabout would prevent us from doing regular maintenance which also includes bridge replacements in the County. We feel road maintenance and bridge replacements are higher priority than the roundabout.*

4. *We looked at logistics. The roundabout would cause a requirement of obtaining some right of way from three property owners. While we believe that will be a challenge, our bigger concern is that circularizing the intersection will cause a reduction in property value to the southeast corner as their proposed driveway (due to construction) will only allow right turns and no left turns due to the proposed intersection geometry.*
5. *If we keep the oval in place, it will be quite some time before we can circularize, and we are concerned about future accidents as well as nuisance of truck brakes and other nuisances to nearby neighbors by keeping the oval in place.*

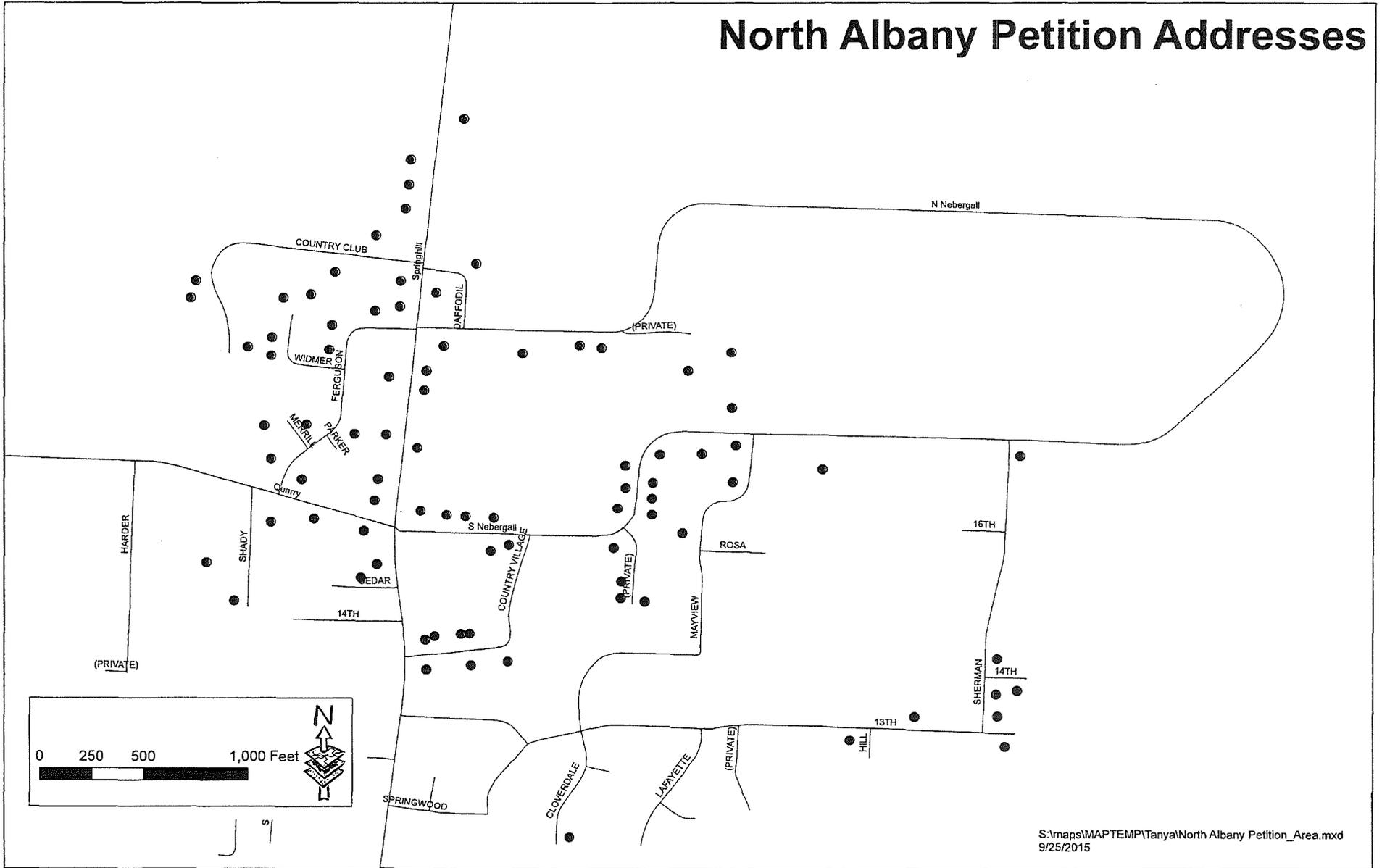
For these reasons, County staff does not recommend keeping the intersection as is and instead putting it back the way it was as a 2-way stop east-west on Quarry and a through road on Springhill.

Through unofficial conversations with County chair Jay Dixon, he agrees with staff recommendation, but wants to see action by the City Council of Albany to repeal their motion from August 18, and then he will ask his fellow Commissioners to do the same.

Thank You,

*Jeff Blaine, PE, CWRE
Interim Public Works Engineering and Community Development Director
Phone: 541-917-7633
Fax: 541-917-7573*

North Albany Petition Addresses



S:\maps\MAPTEMP\Tanya\North Albany Petition_Area.mxd
9/25/2015

From: Blaine, Jeff
Sent: Wednesday, October 7, 2015 3:27 PM
To: City Council
Cc: Bailey, Chris; Lattanzio, Mario
Subject: Council Action - Dual Left Turns at Springhill & HWY 20

Councilors,

This is the second of two e-mails regarding requests for near term Council action on issues related to the North Albany Road project. As stated in the previous e-mail, we are hoping that by providing this information Council will be prepared to make a motion at the October 12th Work Session.

On August 18th the City Council and Benton County Commissioners held a joint meeting. At the meeting, the two agencies made a motion to investigate the feasibility of retaining the dual left turns from Springhill Drive on to Highway 20 that were installed as a temporary measure for the NA Road detour. City and County staff met with ODOT on Monday to discuss the issue. I have provided an e-mail from Ron Irish below that summarizes that discussion. Both City and County staff walked away from the meeting feeling like there is very little chance of ODOT approving the request. The County is not willing to contribute funds to the required studies because they don't believe the request will be successful. However, if the City wanted to fund the studies, the County would support the request to ODOT (It's their road so the official request has to come through them). No estimates have been provided but in previous discussions with Ron he thought the studies might cost \$20,000 or more. At this point we aren't sure if it is even possible to get the studies done before ODOT will require that we restore the intersection. That, however, doesn't mean we still couldn't make a request. ODOT may just require a different process and it would make it more confusing for drivers to change the intersection an additional time. Even if we beat the odds and got to "yes" we would have to identify a funding source for required improvements to the traffic signal which Ron thinks could be more than \$80,000.

Given ODOT's reaction Ron does not recommend pursuing the studies and the formal request to ODOT. However, if this is a high priority for Council and you would like us to move forward, we would need that direction as soon as possible (October 12th Work Session). Ultimately we would also need direction on a funding source for the traffic signal modifications.

Please note: The e-mail below references a reduction in police presence since NA Road has opened. Chief Lattanzio and his staff provided a great deal of assistance during the project. Their help included enforcement, recommending traffic safety improvements, protection of the work zone, and having an overall visible presence. They willingly invested more time on this construction project than I have seen on any of our past projects. Their involvement helped to make the project a success and I have been waiting for an opportunity like this to recognize them.

Ron's Summary of the discussion with ODOT:

Jeff,

Benton County staff and I met with ODOT Monday afternoon to discuss the possibility of keeping the dual left turns from Springhill Road onto Hwy 20. ODOT didn't come flat out and say "no", but they were pretty skeptical and in my opinion the odds of eventually getting to a "yes" answer are very low. Their primary concern is the super elevation of the intersection and its history of having trucks topple over. They want to avoid increase in that frequency and the possibility of it happening when two vehicles are side by side. We offered to maintain the truck detour on

Hickory to help mitigate the risk, but there were concerns that the compliance rate wouldn't be good. ODOT staff have been observing intersection operations over the past couple of weeks, and have noticed the compliance rate drop substantially from what it was during the NA Road closure and detour. I've noticed the same thing. It's probably because of a reduced police presence now that NA Road has opened back up. The current enforcement effort is likely representative of what we can expect going forward.

Benton County remains supportive of the dual lefts, but does not have any funds to commit to the effort. If we want to proceed with a request to ODOT Albany would be responsible for the costs of a study and any implementation costs. If we chose to proceed we have very little time to put a request together. The current dual lefts were approved by ODOT as a temporary traffic control measure tied to our construction project; we would need to submit a formal request to ODOT prior to closing out our construction contract for NA Road.

Based on the result of Monday's meeting a formal request would need to include:

- A performance analysis of the intersection both with and without the dual left turn lanes. That analysis would quantify the operational "benefit" that would be gained by the change.
- An analysis of the intersection's crash history.
- A 3D turning path analysis for dual left turn lanes. The analysis would need to take into account the intersection's cross slope (just over 10%) and model a side by side turn by an oversize WB-67 truck and a log truck.
- A signage and enforcement plan for maintaining a SB truck detour route on Hickory Street.
- An analysis looking at whether dual left turn lanes that forced vehicles into a defined path through the intersection (as opposed to being able to swing wide through the entire intersection) increased the potential for overturning trucks.
- A financial commitment to modify the pole, mast arm, and signal head configuration for the SB movement. A permanent dual left turn lane installation would require one more signal head than currently exists at the intersection, and conversion of one of the existing 3 lens heads to a 4 lens head. The existing pole/mast arm look to be of a 1970's vintage and would need to be replaced to meet design standards. No one provided an estimate, but I'd guess that we'd be looking at something more than \$80K.

If we do turn a request in it will be reviewed by Dorothy Upton, Regional Traffic Engineer. Dorothy would make a recommendation that would then be forwarded to the office of the State Traffic Engineer for a final decision.

Thank You,

Jeff Blaine, PE, CWRE
Interim Public Works Engineering and Community Development Director
Phone: 541-917-7633
Fax: 541-917-7573

AN ORDINANCE AMENDING ALBANY MUNICIPAL CODE CHAPTER 2.96 CONCERNING THE ACQUISITION OF ART FOR NEW CITY BUILDINGS

WHEREAS, AMC Chapter 2.96 mandates appropriation of one percent of the cost of the construction or alteration of any newly constructed or altered public building of the City of Albany, unless otherwise exempted; and

WHEREAS, AMC Chapter 2.96, as it presently exists, does not provide a role for the Albany City Council in the final decision to appropriate funds for art or in the determination of how those funds may most appropriately be expended; and

WHEREAS, the City supports the incorporation of public art into new construction and alteration of City buildings; and

WHEREAS, the final decisions concerning how much money should be appropriated for the acquisition of public art and final decisions concerning its acquisition and placement should be left to the discretion of the Albany City Council.

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

AMC Chapter 2.96 is amended to read as follows:

Chapter 2.96
ONE PERCENT APPROPRIATIONS FOR ART

Sections:

- 2.96.010 ~~One percent~~ **Appropriations** for art.
- 2.96.020 Exclusions.
- 2.96.030 Acquisitions.

2.96.010 ~~One percent~~ Appropriation for art.

(1) All appropriations for the construction or alteration of any building of the City of Albany, except as exempted in AMC 2.96.020, shall **include a sum as determined by the Albany City Council to be appropriate for the purchase of art. This appropriation shall generally be not less than one-quarter of one percent nor more than** ~~contain an appropriation of~~ one percent of the cost of the construction or alteration **of the building and shall be** for the acquisition of works of art that may be an integral part of the building or may be capable of **display within the building, at the exterior of the building or at other locations in the other** City of Albany buildings. **For purposes of this ordinance, "appropriation" shall apply to City funds only and not to funds contributed by gift or grants by third parties.**

(2) When it would not be appropriate to place works of art in a given City building or if artwork placed in that building could not be readily viewed by the general public, **or in such other circumstances that the Albany City Council may deem appropriate**, the funds required in subsection (1) of this section will be used to purchase works of art for placement ~~in~~ **at** other City buildings or facilities that are open to the public. (~~Ord. 5385s/s-1, 1998~~).

2.96.020 Exclusions.

The provisions of this section shall not apply to:

- (1) Any construction, physical plant rehabilitation, improvement, or remodeling project that has an estimated cost of less than \$500,000.
- (2) Indirect construction or alteration costs, such as inspection fees, professional services, interest under construction, advertising, furnishings, soil testing, construction permits, and legal fees.
- (3) Remodeling or renovation projects in which more than 75 percent of the project cost represents improvements to mechanical or electronic systems.
- (4) Projects for construction or alteration of motor pools, heating plants, parking lots, maintenance sheds, roads, bridges, sewer lines, rest room facilities at City parks, water lines, wastewater treatment plants, or water treatment plants.
- (5) ~~Construction project that are underway upon adoption of this ordinance codified in this chapter. (Ord. 5385 s/s1, 1998.)~~

2.96.030 Acquisitions.

- (1) The Albany Arts Commission or **any** other person or agency selected by the Albany City Council, in consultation with the City Manager **and** the affected department or departments ~~and the architect~~ for the particular building, shall **recommend to the Albany City Council the amount appropriate for each City building**, ~~determine the amount available for each City building~~, shall solicit proposals for suitable works of art, and shall **recommend to the Albany City Council the purchase of** ~~contract for and purchase~~ selected works of art for each City building constructed or altered ~~after adoption of this ordinance.~~
- (2) ~~The Albany City Council shall have final authority concerning the amount spent to acquire art, Arts Commission or other person or agency selected by the Albany City Council shall be solely responsible for the placement of the art and acceptance of all works of art acquired pursuant to this chapter section.~~
- (3) To the extent reasonable, the Albany Arts Commission or other person or agency selected by the Albany City Council shall consult with appropriate citizens groups and the affected City department or departments in determining the selection and placement of the works of art.
- (4) Title to all works of art acquired pursuant to this chapter vests with the City of Albany. (Ord. 5385 § 1, 1998).
- (5) **Financial commitment to the acquisition of art pursuant to this chapter shall generally be made only after final construction costs have been determined.**
- (6) **The Albany City Council reserves authority to reduce or eliminate the expenditure for art as necessary or appropriate to address cost overruns or other budgetary restraints.**

ATTEST:

City Clerk

Passed by Council: _____

Approved by Mayor: _____

Effective Date: _____

Mayor