



AGENDA

Wednesday, May 1, 2024

6:00 p.m.

This meeting will be conducted virtually. At 6:00 p.m., Join the meeting here:

<https://us06web.zoom.us/j/83068386417?pwd=c1Fnb3h3TWIWIWlFjNHlWRTY0K3NhZz09>

Meeting ID: 830 6838 6417 Passcode: 763440

Please help us get Albany's work done.

Be respectful and refer to the rules of conduct posted on the website

1. CALL TO ORDER
2. ROLL CALL
3. BUSINESS FROM THE PUBLIC

Persons wanting to provide comments may:

- 1- Email written comments to Debbie.little@albanyoregon.gov, including your name, before noon on the day before the meeting.
- 2- To comment virtually during the meeting, register by emailing Debbie.little@albanyoregon.gov before noon on the day before the meeting, with your name. The chair will call upon those who have registered to speak.
- 3- Prearranged – appear in person at the meeting and register to speak.

4. APPROVAL OF MINUTES

- a. March 6, 2024

5. SCHEDULED BUSINESS

a. Discussion Items

- 1) Legacy Garden
- 2) Possible Amendment Albany Municipal Code 7.98.040 Update- Rick/Jay
- 3) General Tree Issues – Rick
 - Trees near Carousel / Post Office
 - Replanting of removals-near Ferry St on 2nd & 3rd Ave.

b. Action Items

- 1) None

c. Reports and Updates

- 1) Capital Projects Update – Kim
- 2) Program Updates - Staff

6. BUSINESS FROM THE COMMISSION

7. NEXT MEETING DATE: Wednesday, June 5, 2024 - Virtual

8. ADJOURNMENT

This meeting is accessible to the public via video connection. In-person attendance is available. For arrangements, please contact city staff at least 48 hours in advance of the meeting at: Debbie.little@albanyoregon.gov or call 541-917-7778. If you have a disability that requires accommodation, please notify city staff at least 48 hours in advance of the meeting.

Testimony provided at the meeting is part of the public record. Meetings are recorded, capturing both in-person and virtual participation, and are posted on the City website.



MINUTES

Wednesday, March 6, 2024

6 p.m.

REMOTE

Approved: Draft

- CALL TO ORDER: Meeting called to order at 6:01 p.m.
- Members present: Aaron Falotico, Bill Stoneroad, Sharon Konopa, Anna Roller, Nick Anderson, Jill Van Buren (6:06 p.m.)
- Members absent: None
- Staff present: Kim Lyddane, Director; Rick Barnett, Parks & Facilities Maintenance Manager; Rose Lacey, Recreation Programs Manager; Alysia Rodgers, Resource Development Coordinator; Jay Sharpe, Natural Resources Specialist; Debbie Little, Administrative Services Coordinator
- Guests present: Kurt Lango, Katherine Sheie of Lango Hansen Landscape Architects; Joyce Thompson Graham, (formal appointment to the commission is on the March 13 City Council agenda for ratification).
- Business from the Public
None.
- New commissioners were introduced. 6:03 p.m.
- APPROVAL OF MINUTES 6:03 p.m.
February 7, 2024
- MOTION: Falotico moved to adopt the minutes with correction. Anderson seconded the motion, which passed 6-0.
- DISCUSSION ITEMS 6:08 p.m.
- a. Capital Projects
Lyddane reviewed the project report included in the agenda packet.
- Meadow Ridge grand opening is scheduled for April 12, 2024.
 - Timber Linn Soccer Fields project is on hold after bids came in much higher than anticipated. Barnett is working with AYSO on alternative ways to finish the project.

b. Deerfield Park

Kurt Lango and Katherine Sheie shared possible options for updating Deerfield Park. Funding for the project includes applying for a grant through the State of Oregon. Lyddane requested a letter of support from the commission for the grant application. Brief discussion followed.

MOTION: Roller moved for a letter from the commission in support of the project. Van Buren seconded the motion, which passed 6-0.

c. Possible Amendment Albany Municipal Code 7.98.040

Jay Sharpe, City Forester, presented possible updates to the current tree code. Sharpe will review suggestions from the commission and revise recommended updates. Final recommendations will be reviewed by the commission before being presented to the City Council. Brief discussion followed.

d. Tree Issues

Sharpe noted he is working with the utility company regarding necessary tree removals. The utility company is doing the removals and paying to replace the trees removed.

A contractor with background in fruit trees is scheduled to prune the historic apple trees at East Thornton Lake Natural Area. Sharpe is looking into making rounds out of some of the wood for educational purposes for summer camps/ Fun in the Park etc. Brief discussion followed.

Volunteers will be assisting with tree planting at Lexington Park on March 7, 2024.

ACTION ITEMS

7:05 p.m.

a. Chair/Vice-Chair Elections

Nomination: Member Van Buren nominated Member Konopa for the position of Chair. Konopa accepted the nomination. There being no other nominations, Konopa was elected to the position of Chair. Vote 6-0.

Nomination: Member Van Buren nominated Member Roller for the position of Vice-chair. Roller accepted the nomination. There being no other nominations, Roller was elected to the position of Vice-Chair. Vote 6-0.

b. Meeting schedule frequency

Lyddane reviewed the current meeting schedule. No action was taken.

REPORTS AND UPDATES

7:12 p.m.

a. Hiring Update

Lyddane introduced Alysia Rodgers, the new Resource Development Coordinator. Rodgers provided some background information to the commission.

The Recreation Assistant position is in the process of being filled.

b. Staff reports

Lacey provided an update on recreation programs.

- Spring Activate has been mailed.
- Spring registration started March 4, 2024.
- Spring break camp has spots available.
- Scholarships are available for camps and other programs.
- Currently administering a small grant to provide activities specifically geared to the senior population.
- Summer planning for programs and concert performers is currently underway.
- Staff attended the Oregon Festival and Events conference. The department received an award for the River Rhythms concert series, which had to be relocated last year due to the Waterfront construction project.
- Abany Community Pool was closed for a couple days due to a mechanical issue but will reopen tomorrow March 7.

Barnett provided an update on Park Maintenance.

- Park Maintenance staff are busy with spring maintenance as all things are growing.
- The state grant funds the department is applying for could provide around \$450,000 towards the Deerfield Park update.
- Working with AYSO on alternative ways to finish the Timber Linn soccer field project.
- Continuing to work on homeless encampment clean up.

Lyddane noted the Waverly Lake fountain is in the process of being installed and should be completed by the end of the week.

BUSINESS FROM THE COMMISSION

7:09 p.m.

Konopa noted the Waverly Duck needs some minor repairs and paint. She has reached out to a local business to see if they would be interested in assisting in getting the duck repaired and painted.

NEXT MEETING DATE: Next meeting will be Wednesday, April 3, 2024. This meeting will be virtual.

ADJOURNMENT

The meeting was adjourned at 7:30 p.m.

Submitted by,

Reviewed by,

Debbie Little
Administrative Services Coordinator

Kim Lyddane
Parks & Recreation Director

Tree Code Updates

City Code

7.98.020 Definitions.

(1) "Certified arborist" means a person certified by the International Society of Arboriculture as having specialized knowledge, experience, and training related to arboriculture.

(2) "City Forester" means the person designated by the Parks and Recreation Director to be the authorized representative in matters concerning the urban forest of the City of Albany.

(3) "Critical root zone" means the area around a tree where roots are critical to a tree's survival. The critical root zone is estimated and expressed as a circle around the center of a tree's trunk, where the radius is calculated by adding one foot for every one inch of trunk diameter plus the tree trunk's radius; where all tree measurements are consistent with those for establishing tree circumference. For example, a tree with a tree circumference of 6.5 feet would have a trunk radius of 1 foot and diameter of 25 inches. The critical root zone would be a circle with a radius of 26 feet (1 ft + (25 in * 1 ft/in)) from the center of the tree's trunk and have a total diameter of 52 feet.

(4) "Hazardous or dangerous tree" means a tree that is classified as a hazardous or dangerous tree by the Parks, Recreation, and Tree Advisory Commission.

(5) "Person" means any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity, or their legal representatives, agents, or assigns.

(6) "Public trees" means trees located on property designated as a public park and trees located in public right-of-way not defined as street right-of-way.

(7) "Parks and Recreation Director" means the person designated by the City Manager to supervise the Parks and Recreation Department and who is charged with certain duties and responsibilities by this chapter, or the duly authorized representative.

~~(8) "Remove or removal" means to fell or sever a tree or the intentional use of any procedure, the natural result of which is to cause the death or substantial destruction of the tree. Removal does not in any context include normal pruning of trees.~~

"Remove" or "Removal" means to cut down a tree or remove 40 percent or more of the crown, trunk, or root system of a tree; or to damage a tree so as to cause the tree to decline or die. The term "removal" includes, but is not limited to, topping, damage inflicted upon a root system by application of toxic substances, operation of equipment and vehicles, storage of materials, change of natural grade due to unapproved excavation or filling, or unapproved alteration of natural physical conditions. The term "removal" does not include normal trimming or pruning of trees.

(9) "Significant tree" means:

(a) Any heritage, rare, threatened, or endangered tree of any size as defined or designated under state or federal law; or

(b) Any tree designated as significant by the Parks, Recreation, and Tree Advisory Commission by virtue of heritage parameters or size.

(10) "Street trees" means trees located in public rights-of-way within the City.

(11) "Tree" means a self-supporting, perennial woody plant characterized by one main trunk or in some cases multiple trunks, and one main canopy of leaves, usually growing to a height of 15 feet or higher.

(12) "Tree circumference" means the distance measured around the trunk of a tree at four and one-half feet above the mean ground level from the base of the trunk. The circumference of a tree with multiple trunks is determined by adding together the individual trunk circumferences greater than six inches. (Ord. 6006 § 1, 2022; Ord. 5948 § 1 (Exh. A), 2020; Ord. 5495 § 1, 2001; Ord. 5096 § 2, 1993).

7.98.040 Permits required.

(1) A permit shall be obtained from the City Forester, applying criteria developed by the Parks, Recreation, and Tree Advisory Commission, before planting, pruning, or otherwise affecting a street tree.

(2) A permit shall be obtained from the City Forester, applying criteria contained in AMC [7.98.180](#), for the removal of **individual Oregon white oak and Willamette Valley ponderosa pine equal or greater than five and one quarter feet in circumference and all other** individual trees equal to or greater than six and one-half feet in circumference on all property within the city limits of the City of Albany.

(3) With a permit, adjacent property owners may plant street trees so long as the selection, location, and planting of such trees is in accordance with this chapter.

(4) Any street tree planted that does not comply with this chapter may be removed by the City at the direction of the Parks, Recreation, and Tree Advisory Commission. The cost of such removal will be borne by the person or persons who planted the tree.

(5) Permits shall be valid for a period of 180 days following the date of issuance. (Ord. 6006 § 1, 2022; Ord. 5948 § 1 (Exh. A), 2020; Ord. 5495 § 1, 2001; Ord. 5096 § 2, 1993. Formerly 7.98.090).

Development Code

9.203 Definitions. For the purposes of the following sections, these definitions apply:

(1) Critical Root Zone: The area around a tree where roots are critical to a tree's survival. For the purposes of this section, the critical root zone is estimated and expressed as a circle around the center of a tree's trunk, where the radius is calculated by adding one foot for every one inch of trunk diameter plus the tree trunk's radius, and where all tree measurements are consistent with those for establishing Tree Circumference. For example, a tree with a Tree Circumference of 6.5 feet would have a trunk radius of 1.0 feet and diameter of 25 inches. The critical root zone would be a circle with a radius of 26 feet (1ft + (25 in * 1ft/in)) from the center of the tree's trunk and have a total diameter of 52 feet. [Ord. 5947, 1/1/21]

~~(2) Fell: To remove or sever a tree or the intentional use of any procedure the natural result of which is to cause the death or substantial destruction of the tree. Fell does not in any context include normal pruning of trees.~~ [Ord. 5947, 1/1/21]

(2) Fell: to cut down a tree or remove 40 percent or more of the crown, trunk, or root system of a tree; or to damage a tree so as to cause the tree to decline or die. The term "removal" includes, but is not limited to, topping, damage inflicted upon a root system by application of toxic substances, operation of equipment and vehicles, storage of materials, change of natural grade due to unapproved excavation or filling, or unapproved alteration of natural physical conditions. Fell does not in any context include normal trimming or pruning of trees.

(3) Tree: A living, standing, woody plant. [Ord. 5764, 12/1/11; Ord. 5947, 1/1/21]

(4) Tree Circumference: The circumference of a tree is measured at 4-1/2 feet above mean ground level from the base of the trunk. To obtain the circumference of a tree with multiple trunks, add the individual trunk circumferences, which are greater than 6 inches in circumference. [Ord. 5445, 4/12/00; Ord. 5947, 1/1/21]

9.204 Applicability. Except as provided below, Site Plan Review approval is required for the felling of 5 or more trees larger than 25 inches in circumference (approximately 8 inches in diameter) on a lot or property in contiguous single ownership in excess of 20,000 square feet in any zone.

The following activities are exempt from Site Plan Review under this section. Notwithstanding the foregoing, all tree felling activities located within Significant Natural Resource Overlay districts must meet the applicable requirements of Article 6: [Ord. 5764, 12/1/11; Ord. 5947, 1/1/21]

(1) The action of any City official or of any public utility necessary to remove or alleviate an immediate danger to life or property; to restore utility service or to reopen a public street to traffic.

(2) Felling of any tree that is defined as a nuisance under the Albany Municipal Code.

(3) Any felling necessary to maintain streets or public or private utilities within a public right-of-way or utility easement provided the Tree Commission or City Forester approved the proposed tree felling. [Ord. 5445, 4/12/00]

(4) Felling of trees planted as Christmas trees. [Ord. 5635, 1/11/06]

(5) Felling of trees on property under a Forest Stewardship Plan approved by the Oregon Department of Forestry. [Ord. 5635, 1/11/06]

Capital Projects Report

PROJECT	STATUS	PROJECTED COMPLETION DATE	NOTES
Meadow Ridge Park Development		Completed	
Timber Linn Park soccer field improvements	Phase II complete. Phase III bids came in 2-4X budgeted amount. Project paused.	TBD	Partnership with AYSO
East Thornton Lake Natural Area development Ph 1	Design pending. Cost for a 10 car parking lot on the west side of the property estimated at \$400,000.	Development indefinitely delayed, pending O&M funding plan	SDCs, donations, State grant
Henderson Park Playground Replacement		Completed	
Deerfield Park Playground Replacement	Submitted grant to Oregon Park and Recreation Department for \$485,000 to augment the \$750,000 budgeted. Will hear back in September if we will receive funds. Construction summer 2025.	FY24-25	Goal of \$1,000,000 budgeted between CIP and operating budget.