CITY OF ALBANY
CITY COUNCIL WORK SESSION
Municipal Court Room
Monday, November 5, 2012
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 Jeff Christman, Bill Coburn, Bessie Johnson, Ray Kopczynski, Dick Olsen, and Floyd Collins.
Councilors absent: None.

BUSINESS FROM THE PUBLIC
There was no business from the public.

PERFORMANCE MEASUREMENT UPDATE
Management Systems Director Bob Woods discussed the annual Performance Benchmarking Report. He said that one measure, obesity prevention, has been dropped by International City/County Management Association (ICMA). The City has two more reporting areas to complete before it will be compliant in all reporting areas. Those two areas are procurement and facilities management. Woods said that procurement is almost complete; staff just needs to write a couple of reports. He said facilities management reporting has turned out to be more difficult than expected; staff continues to work on it, but he is unsure when it will be ready. Staff used to provide more detailed information about what is being reported, but ICMA has changed their system and staff couldn’t download the data this year. He hopes that ICMA will have that information available later this year. Every year staff gets better at reporting the data and will continue to make the information available for other staff and citizens to use.

Councilor Ray Kopczynski asked if the data will be forthcoming on a regular basis with a six month delay. Woods said he is uncertain because ICMA has changed how they collect the data and they have run into problems because of that. He said that ICMA is working to get the problem fixed. Kopczynski asked how the ICMA national webinar (see agenda file) went. Woods said that he and Information Director Jorge Salinas were unable to log-in. He said it will be rescheduled for a later date.

City Manager Wes Hare said that ICMA’s performance management system helps the City establish standards and be in accordance with best practices. It also helps the City increase transparency. He said a long-term goal is to have all documents available online, and the City is moving in that direction. It is amazing how much citizens can access through our website and staff is continuing to work on this project.

STAFF INTRODUCTION
Hare introduced Melissa Anderson. She is a Planner II in the Community Development department. Her previous position was working as a contract planner in the City of Reedsport. The City Council welcomed Anderson to the City of Albany.

PARKING LOT STRIPING PERMITS DISCUSSION
Hare said that there have been some complaints from business owners in town. He said that parking lot striping permits are required in order to ensure that parking lots are compliant with Americans with Disabilities Act (ADA) requirements. The permit process involves an inspection to verify that the parking lots meet ADA requirements. He said that a permit to restrripe a parking lot is $140-$300 depending on the size of the lot; this is a large cost of the overall project. Hare said that this issue also came up at the Mayor’s Business Task Force meetings. In response to the criticism, Hare thought that City Council might consider subsidizing the permits to some degree. Last year, the total received for striping permits was $5,600. Hare said that Albany was among the first to start the striping permit process and one of the reasons was to address ADA concerns.

Councilor Bessie Johnson asked when Albany started this permit process and if the Council approved it. Hare said that the permit process went into effect several years ago and it was approved by Council. Johnson said there should be another way to do this process.

Kopczynski asked what the inherent costs are for the permit. Building Official Gary Stutzman said that the goal is to ensure the striping meets ADA requirements. He said the first step is to meet the customer at the counter to see if they are in compliance with ADA and to review their lot information. A staff person will then meet the customer onsite prior to striping being done and the amount of time spent at each site varies. Stutzman said the final step is to make a final site visit to make sure the striping was done correctly.
Konopa asked if the permit fee is a flat fee or if it is a sliding scale. Stutzman said that it is based on a sliding scale and is dependent upon how many ADA accessible parking spaces a business has.

Councilor Floyd Collins asked if there wasn’t customer assistance at the counter what would happen if someone striped a parking lot on their own and it didn’t meet ADA standards. Stutzman said that the City, building officials, and property owner could be liable. Collins asked how the City would be liable if the restriping is done without a permit and without staff’s knowledge. Hare said there is the potential for an organization representing disabled people to argue that the City isn’t doing enough to comply with ADA requirements.

Councilor Bill Coburn said that when a building is built, he believes the striping and ramps are built to ADA requirements. He asked if the owner has to meet those requirements when the striping needs to be done. Stutzman said that businesses are required by state statute to be ADA compliant. Kopczynski asked how long a parking lot striping job will last. Stutzman said that it depends on who did the job, but it can last 1-2 years. Coburn said that a contractor should be factoring the permit costs into the striping project. Coburn asked if staff has some suggestions about what to charge for striping permits. Hare said it is a policy question; he could see reducing the fee and subsidizing this activity for a period of time. Kopczynski asked how Albany’s fees compare to other similar communities. Hare said that he is unsure if Lebanon, Corvallis, or Salem requires striping permits.

Johnson asked if the state codes for striping are grandfathered in. Stutzman said no. Johnson asked what the $125 for 1-2 spaces is for. Stutzman said that is for the accessible spaces only. Hare said that the City is not charging an hourly rate; it is roughly proportional to staff’s time.

Collins said the question is if Council wants to have a permit system or not. If Council does want the permit system, then a fee should be set that is reasonable for a variety of purposes. He said the most important part of the process is the inspection portion. If a person has a permit, is inspected to the standards, and is subsequently sued; they have an affirmative defense that they were in compliance with the standards.

Coburn said that from a contractors’ standpoint; they want something for their money. He agrees that the most important piece is the inspection. He said that the owner or contractor may want some guidance as to what the current codes are, and they want a follow-up inspection. Coburn said that he would like to see a flat nominal fee such as $50. This doesn’t cover the costs, but it accomplishes the intent of helping people understand the code and regulations. Kopczynski asked what happens if the striping is done incorrectly. Coburn said that the contractor is expected to know the codes and if the work is done wrong, then they need to correct it. The burden is on the person doing the work to understand the regulations and staff is available to assist with questions.

Johnson asked if businesses such as Albertson’s know they are required to get a permit. Stutzman said that most stripers that work in town know that it is required, but not all the business owners do.

Konopa said that it sounds like staff isn’t looking to change the process. Stutzman said that is correct; staff goes out before any paint is put on the lot in order to help them do it correctly. Collins asked where the subsidy would come from. Hare said that it is building code enforcement and it wouldn’t have to be a general fund cost. Johnson asked what people have been saying about paying the permit fee. Stutzman said that he hears complaints about the $300 fee for five spaces.

Konopa suggested looking at similar communities to see what they are charging, and staff can bring back a recommendation. Coburn said that he doesn’t like using this methodology. Konopa asked if Council feels like the fee needs to be adjusted. Johnson asked why a person would be charged a double fee. Stutzman said double fees are rare and only happen when someone knowingly does work without a permit.

Hare said that the Building Division used to be part of the General Fund. Several years ago, the legislature passed a law that stated building revenues have to be segregated from the General Fund. He said building revenues no longer support all of the activities that they used to.

Kopczynski asked if a $100 fee would be enough for the permit and any remaining amount could be subsidized. Stutzman said that the number of permits being issued is relatively small, so it would be a minor loss of revenue. Johnson said that she agrees with Kopczynski’s suggestion.

Councilor Jeff Christman said the process seems to entail a lot of hand-holding with the business-owner and contractor to make sure it is done correctly. Stutzman said that is correct. Christman asked if an electrical permit requires the same kind of process. Stutzman said not as much. Christman said that this could be an area where service may need to be reduced. He said this would put the responsibility back onto the business-owner. Hare said that we can do that; some cities are not issuing permits and don’t see it as a risk because they may not be hearing from people in their community. Christman said that he doesn’t think there is a risk as long as the City continues to issue striping permits and inspect the finished product. Hare said that is correct. Christman said that the City has only so much money and it is important to provide the essential services first.

Collins said that he agrees with Coburn’s suggestion of a flat fee which would include the permit, counter assistance, pre-inspection, and post-inspection. He suggested that the flat fee be $75 for a restripe permit and that the resolution be brought back to the City Council with this change. Hare said that it is a balance of administering the program and minimizing the City’s costs at the same time. He said staff will use the Council’s feedback as guidance to prepare the resolution and bring it back to a future meeting.
COUNCILOR COMMENTS

Kopczynski thanked Christman for all of his work as a Councilor.

Council discussed where to meet for the Veterans Day parade.

CITY MANAGER REPORT

Hare said that the Building Division has been looking at electronic plan submission software. This would allow contractors to submit their documents electronically. He said there is plan submission software in use in a number of cities within Oregon. Staff is getting requests every week from contractors asking to submit documents electronically. He said that this particular software could be valuable because it makes the process easier on businesses. The software has helped staff in Bend absorb the additional workload. He said that Stutzman and Salinas have been researching the software and a team will be going over to Bend to look at the system and ask questions about it.

Hare said that staff has received an attractive price offer discount from the vendor if Albany and Corvallis purchase this software together, but it would have to be purchased by December. Staff may be coming back to Council to request approval to purchase the software, but he doesn’t know until more research on the software is done. Hare said that Albany’s amount will be $150,000 to $200,000.

Kopczynski asked if Corvallis is receptive to the software. Hare said that Corvallis is analyzing the software as well.

Councilor Dick Olsen asked if a fee would be charged for contractors to submit documents electronically. Hare said that there wouldn’t be a fee; the staff in Bend said that administrative costs went down 30 percent and that is where the payback would come from. Salinas said that the process is streamlined making it quicker. Coburn is curious to know more about the software. He said that it seems like contractors could scan the documents and put them on a CD. He wonders why the software is so expensive. Salinas said some of the advantages of the software include multiple layers to track document changes, additional storage capacity, and it aids people who are analyzing the documents. Hare said that automating processes allows staff to find cost savings. Collins asked if there are other vendors for the software. Salinas said that there are a few, but this particular software is nationally recognized.

Management Assistant/Public Information Officer Marilyn Smith said that on Thursday, November 15, a bus will be taking city officials and others to the unveiling of the F15 jet. The Council discussed the logistics of the event.

Finance Director Stewart Taylor said that he needs a photo of the City Council to include with the Government Finance Officers Association (GFOA) Popular Annual Financial Report. He asked the Councilors to arrive a few minutes early before Wednesday’s Council meeting to have their picture taken.

ADJOURNMENT

There being no other business, the meeting was adjourned at 5:10 p.m.

Respectfully submitted, Reviewed by,

Diana Eilers Stewart Taylor
Administrative Assistant I Finance Director