

CITY OF ALBANY  
CITY COUNCIL WORK SESSION  
Municipal Court Room  
Monday, May 11, 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 Rich Kellum, Bill Coburn, Ray Kopczynski, Dick Olsen, and Floyd Collins.

Councilors absent: Councilor Bessie Johnson was excused.

BUSINESS FROM THE PUBLIC

Rea Graham, 1440 Lawnridge, owner of the Canna Kitchen, read a statement (see agenda file) comparing medical marijuana with alcohol, and requesting a variance from the 300-foot notification limit for marijuana businesses in an industrial zone.

Dan Watson, 710 East Thornton Lake Drive, NW, presented a letter and calculations from a computer flood model of East Thornton Lake (see agenda file). He believes the proposed floodway is wider than it needs to be, affecting owners' ability to use their lakefront property. He asked the Council to direct staff to propose options for a narrower floodway to FEMA. FEMA will approve Council requests as long as they meet FEMA's rules.

Councilor Ray Kopczynski asked if the new bridge to be built on North Albany Road would help flood flow. Watson said the bridge is not an issue.

Interim Public Works Engineering Director Jeff Blaine said Public Works has not yet received Watson's report. There is an appeal process for the FEMA maps. Staff will pass along Watson's concerns to the City's modeling consultant for evaluation. If the floodway can be narrowed, there is no reason not to do so, as long as it meets FEMA's requirements. The intent is to identify a floodway, not to burden property owners.

Councilor Floyd Collins asked about the appeals time frame. Blaine said the process hasn't started yet. Property owners can't send appeals directly to FEMA; they have to go through the City.

Watson thanked Civil Engineer III Jeni Richardson for her help in obtaining the computer model he used in his calculations.

PENDING TSP AND TSDC METHODOLOGY CHANGES

Transportation Systems Analyst Ron Irish said Public Works will bring several Transportation Systems Plan (TSP) project changes to the Council in the next several months. Changes to project descriptions require public hearings; moving money to fund projects does not require public hearings.

The first proposed change is to the Crocker Lane project. The TSP extends from Valley View south to Crocker Lane. The recently approved LID covers the north third of the project; none of it is currently assigned any TSDC funding. Staff proposes to change SDC methodology to shift money into this project. The project will probably be split into two projects: L42-A, the part covered by the LID, and L42-B, the rest of the project. L42-A would be assigned some TSDC funding, and L42-B would not. The intersection at Crocker Lane and Gibson Hill Road is a separate project with its own funding.

The second funding change is to the Lochner Road project, which is funded at 25% in the TSP. The north portion of the TSP project adjoins a pending expansion of the Sno-Temp facility. Sno-Temp will put up cash for their frontage, but additional TSDC funding is needed as well. This project probably will also be split into two projects.

Public Works proposes shifting funds to these two projects from the Dogwood Avenue project, which is funded at about \$500,000. Dogwood will not be built by the City, and there is little interest from developers. Construction of the project is also dependent upon addressing some utility problems.

Public Works will need to modify the Timber Ridge project, based on new information about the Truax Creek bridge, and the presence of wetlands. Staff believes that it is not feasible to build the northern section of the project, between Clover Ridge Road and Somerset Avenue. Deleting that part of the project would free up TSDC funds to be used on other projects.

Collins asked if deleting that section would affect traffic on Clover Ridge Road. Irish said yes. Existing trips would connect to Knox Butte Road by Clover Ridge. The Council discussed possible traffic signals on Highway 20.

Collins asked if deleting the northern section of Timber Ridge would shift through traffic to Somerset. Irish said yes, but in fact that is happening now. Collins expressed concern about increased traffic in a residential neighborhood.

The last project Public Works will need to modify is the section of Somerset Avenue just west of Timber Ridge. Irish said Somerset east of Timber Ridge has the same wetlands issue as Timber Ridge does. He said the main reason for making the connection is to link kids with schools, and that function could be accomplished with local street connections that minimized the need to impact the wetlands.

#### TEMPORARY TRANSIT CHANGES AFFECTING NORTH ALBANY

Transportation Assistant Jon Goldman spoke for Interim Public Works Operations Director Chris Bailey. He said that on June 12, North Albany Road will be closed for construction, and a detour put into place. With current construction, there are already delays along that route, and connections to other routes are also delayed. Running buses on the detour will cause further delays and leave riders along North Albany Road without service. Public Works proposes suspending service on North Albany Road while the road is closed. They will put signs at bus stops and on the buses. They will divert one qualified individual to the Call-A-Ride system. They will discuss transportation options with callers, such as a shuttle with a wheelchair lift on standby for riders who need it. Public Works expects the road to be open again by August 5, 2015.

**ACTION:** The Council directed Public Works to temporarily suspend North Albany Road bus service while the road is closed for construction.

#### RECONSIDERATION OF ORDINANCE NO. 5833 (MARIJUANA FACILITIES).

Konopa said she had intended to have this item delayed to another meeting when all Councilors could be present. The question is whether to consider a variance to the 300-foot rule for locating marijuana dispensaries, or whether to change the Ordinance to apply the 300-foot rule to industrial park zones as well.

City Attorney Jim Delapoer said a variance is a land-use procedure, and can't be used in a non-land-use case. He will change the Ordinance if directed by the Council. Konopa asked, if the City changed the Ordinance, would existing businesses be grandfathered in? Delapoer said yes, if the change were written to do so.

Council discussion followed.

Konopa said the state still has to rule on several issues related to marijuana dispensaries. The Council agreed to wait for the outcome.

#### LEGISLATIVE UPDATE – MAYOR KONOPA

Konopa reported on several bills in the Oregon legislature. She said she submitted a letter of support on her own behalf for HB 3526, the Main Street Rehabilitation grant program.

She asked the Council if they would like to sign a letter of support for HB 5040, funding Amtrak service. If the funding is cut, Albany's train station could be shut down. The only source of funds for passenger rail service is personalized license plates. Konopa will write a letter supporting HB 5040 and bring it to the Council's regular meeting May 13, 2015.

#### COUNCILOR COMMENTS

Kopczynski reminded the Council that the City's Big Pickup is scheduled for Saturday, May 16, 2015.

Collins passed out copies of email confirming Safe Harbor for documents relating to the bond measure (see agenda file).

City Manager Wes Hare said that a replacement is needed for Mark Shepard on the negotiating team working with the City of Lebanon on canal issues. He proposed Delapoer as the replacement. Lebanon is asking Albany to continue discussions under the existing intergovernmental agreement (IGA), which dates to 1986.

**MOTION:** Kopczynski moved to continue to work with Lebanon under the existing IGA. Collins seconded the motion.

Delapoer suggested that the Council wait until after the May 18, 2015 Executive Session to take any action.

Kopczynski withdrew his motion.

Blaine reported that Public Works has Purple Heart City signs to place. He also said the Albany Carousel land use application requires right-of-way on 1st Avenue. A City-initiated Vacation request will be brought to the Council meeting on May 27, 2015.

Engineering Manager Staci Belcastro reported on the recent award of several bids over the engineer's estimate. She checked with other local cities and found that they are having the same results. With the recession ending, prices are rising quickly, and there are fewer contractors competing for projects. Also, Engineering estimates Capital Improvement

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Program projects up to 18 months before bid. Engineers are tracking their budgets carefully and trying to identify gaps before they go out to bid.

CITY MANAGER REPORT

There was no City Manager Report

ADJOURNMENT

There being no other business, the meeting was adjourned at 5:25 p.m.

Respectfully submitted,

Reviewed by,

Allison Liesse  
Accounting Specialist

Stewart Taylor  
Finance Director