

CITY OF ALBANY  
CITY COUNCIL  
Council Chambers  
Wednesday, February 24, 2016  
7:15 p.m.

MINUTES

CALL TO ORDER

Mayor Sharon Konopa called the meeting to order at 7:15 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG

Cub Scout Pack 377 and two Girl Scouts led the pledge of allegiance. The scouts introduced themselves as Cole, Cole, Bryce, and Aiden, and the Girl Scouts as Leslie and Jennifer. Mayor Sharon Konopa thanked them.

ROLL CALL

Councilors present: Mayor Sharon Konopa and Councilors Rich Kellum, Bill Coburn, Bessie Johnson, Ray Kopczynski, Dick Olsen, and Floyd Collins.

Councilors absent: None.

SPECIAL PRESENTATION

Albany Police Department Lifesaving Awards.

Police Chief Mario Lattanzio recognized Officer Robert Ledford for reviving a woman who had stopped breathing after being ejected from a vehicle.

He recognized Lieutenant Travis Giboney and Rose Negrete, a SamFit Health Club member, for providing CPR to a person who had collapsed with a stroke or heart attack, saving his life. The person they saved was in the audience and stood to thank them.

Lattanzio presented plaques and certificates to all three honorees, and medals to the officers.

Konopa thanked the Albany Police Department and Albany citizens for stepping up to help others.

SCHEDULED BUSINESS

Business from the Public

There was no business from the public.

Adoption of Consent Calendar

- 1) Approval of Minutes
  - a) December 2, 2015, Regular Session minutes.
  - b) December 7, 2015, Regular Session minutes.
  - c) January 11, 2016, Work Session minutes.
- 2) Declaration and disposal of surplus property.
- 3) Approving the full on-premises sales, private club, new outlet liquor license application for Albany Post No. 10, The American Legion, Department of Oregon, d/b/a American Legion Post #10 Albany, located at 1215 Pacific Boulevard SE.
- 4) Approving the off-premises sales, additional privilege, liquor license application for Cellar Cat and Company, LLC, d/b/a Cellar Cat, located at 211 First Avenue W, Suite 102.
- 5) Certifying properties exempt from property taxation:
 

a) Songbird Village.	RES. NO. <u>6480</u>
b) Periwinkle Place.	RES. NO. <u>6481</u>
c) ParkRose Properties.	RES. NO. <u>6482</u>
d) 1680-1682 Oak Street SE.	RES. NO. <u>6483</u>
e) 515 Geary Street SE.	RES. NO. <u>6484</u>

MOTION: Councilor Floyd Collins moved to adopt the Consent Calendar as presented. Councilor Bessie Johnson seconded the motion and it passed 6-0.

Approval of Agreement

IT Project Management Services intergovernmental agreement.

Assistant City Manager/Chief Information Officer Jorge Salinas said the Corvallis City Council approved this agreement last week. Staff is seeking approval to enter into the agreement for project management support for

the Corvallis Human Resources system upgrade. Corvallis has highly skilled people in their Information Technology (IT) department, but not much experience with implementation of a project this big. Albany's IT Department is already providing support services for several local libraries and others, lowering taxpayer costs. Under the terms of this agreement, Corvallis will cover Albany's staff costs for the project, and Albany will not subsidize or make a profit from the project.

MOTION: Collins moved to approve that staff enter into an IGA with City of Corvallis for project management support of the Corvallis Financial and Human Resources software upgrade. Johnson seconded the motion.

Councilor Ray Kopczynski asked how many hours of staff time will go to the project, and if it would reduce the amount of time for Albany projects. Salinas said the project will take a few hours of his time and a few from others, but not core IT resources.

Councilor Rich Kellum asked if Albany contracts with other cities at basic cost. City Manager Wes Hare said yes. As examples, he said we contract with Benton County for maintenance work on our fire apparatus; we have shared resources with Linn County on the fueling station; and we have mutual aid agreements with other jurisdictions for police and fire services. This contract offers a unique opportunity to collaborate with Corvallis. Corvallis City Manager Mark Shepard knows how Albany operates and also looks for ways to collaborate to benefit both cities. Albany is currently struggling to hire a fire marshal, and Hare is confident that if we had an emergency need for fire marshal services we could depend on Corvallis. Generally we try to make sure we are not subsidizing someone else's activities. There are times we don't charge for helping other jurisdictions, but we get something back in return. It's common for jurisdictions to do this.

VOTE: A vote was taken on the motion and it passed 6-0.

#### Appointments

##### Reappointing Kim Whitley and Tina Dodge Vera to the Human Relations Commission.

MOTION: Kopczynski moved to reappoint Kim Whitley and Tina Dodge Vera to the Human Relations Commission. Kellum seconded the motion and it passed 6-0.

##### Appointing Chuck Leland to the Transient Lodging Tax (TLT) Ad Hoc Advisory Committee.

MOTION: Collins moved to appoint Chuck Leland to the TLT Ad Hoc Advisory Committee. Kellum seconded the motion and it passed 6-0.

#### Report

##### Draft Santiam-Albany Canal Intergovernmental Agreement (IGA) with City of Lebanon.

Public Works Engineering and Community Development Director Jeff Blaine said he was pleased to be able to bring this to the Council. He, Public Works Operations Director Chris Bailey, and City Attorney Jim Delapoer have spent a lot of time and energy on the agreement for several months. The draft IGAs in front of the Council contain all the items discussed previously and reflect direction received from Council. They are still in draft form only because a few exhibits aren't finished yet.

Lebanon's City Council has unanimously supported the language as it's presented tonight and directed their staff to finish the exhibits and bring the agreement back for formal action. Albany staff hopes to get the same direction tonight.

Blaine said that through the process, he and Bailey have learned a lot about how Lebanon's stormwater system operates, and have built strong working relationships with Ron Whitlatch and Rob Emmons in their Public Works Department. He hopes to be able to sustain these relationships going forward. He said Delapoer has been integral to the success of the project.

Johnson commended the staff of both cities for working hard to come to agreement rather than taking legal actions.

Collins said he would like to advise staff to work on completion of the exhibits and bring back a final draft for approval. The Council concurred.

Councilor Dick Olsen commented that it is a very readable document. He enjoyed reading it.

#### BUSINESS FROM THE COUNCIL

Collins said, following the discussion about allowing children to raise pigs in the City, staff has written an amendment to the Albany Municipal Code (AMC). This amendment is for either an ordinance with an emergency clause (see agenda file) or an ordinance without an emergency clause (see agenda file). He described the amendment and added that he would like to clarify that "four months" means "four consecutive months in a twelve-month period."

The Council concurred to amend the non-emergency ordinance in Section 1 (3) by inserting words as follows: "...up to four **consecutive** months **in a 12 month period** for educational purposes."

Delapoer read the ordinance with the amendment described by Collins, for the first time in title only: AN ORDINANCE AMENDING AMC CHAPTER 6.10, KEEPING OF ANIMALS, TO ALLOW ALBANY RESIDENTS TO TEMPORARILY KEEP JUVENILE SWINE.

There was no emergency clause, so the ordinance will come back to the March 9, 2016, Council Meeting for a second reading.

Councilor Bill Coburn said he would like to add a sunset clause in one year, so the Council can evaluate how well it works. Delapoer read the sunset clause to add to Section 3.

MOTION: Coburn moved to amend the ordinance by including a sunset clause in one year. Kopczynski seconded the motion.

Olsen said he would like to schedule a time to review the ordinance, rather than using a sunset clause.

VOTE: The motion to include the amendment failed 2-4 with Olsen, Collins, Johnson, Kellum voting no.

Discussion followed about other options for reviewing the ordinance. Delapoer advised the Council that they can add the emergency clause to the ordinance after the second reading at the March 9, 2016, meeting, if they want to. The Council desired that both versions of the ordinance, with and without the emergency clause, would be available at the next meeting.

Kellum said a customer who booked the Expo Center last year with 13,000 attendees now says other event centers are offering economic support, such as having the facility rental and some other expenses covered by TLT. Kellum said staff from the Expo Center told him that would amount to \$29,000. Kellum said if the City doesn't get enough from that kind of arrangement, he doesn't think we should do it. If we make that kind of a deal once, then others may start asking, too.

#### Reader Board Sign Near the Airport

Hare said the Council asked staff to report on the sign at the airport. Research uncovered a lease agreement. The City doesn't own the sign, but it is on land owned by the City. In the past the City has leased the land to the owners of the sign, who paid \$42 a year to keep the sign on City property. The electronic message board hasn't worked for some time. The City has had requests to fix it, but the City does not own the sign.

Public Works Operations Director Chris Bailey said the hotel owner, Bal Patel, now owns the sign. He approached Bailey more than once to ask that the airport help repair the sign. She declined, because the airport doesn't have much money and doesn't benefit from the sign. The City used to have a lease with the owner for a small office space in the Fixed Base Operator (FBO) building in order to meet the City's sign code requirements. The Airport Commission is interested in the sign, and has gotten some quotes on repair cost, which turns out to be quite expensive. There are small panels that say Albany Municipal Airport and Expo, but other than that it has not been used to advertise airport events.

Kellum asked if the City pays the sign's electric bill. Bailey said no.

Konopa asked if the lease has an expiration date. Bailey said it the original lease expires in 2030, but she doesn't know if the lease was ever transferred to Patel. The original owners agreed to have the \$42 land lease waived in return for the City receiving advertising time on the message board. Bailey said due to loss of institutional knowledge from transfer of lease from the Wayne Scott to Patel, and transfer of airport responsibilities among staff, the City hasn't enforced its right to advertise on the sign or collect payments.

Kopczynski asked if the City should the try to acquire the sign and fix it up. Bailey said she doesn't think the airport needs the sign. The airport is right on I-5, and there aren't very many airport events to advertise. The sign might be useful for other City events.

Kellum reported some discussion about the possible repair and use of the sign. It's very hard to get ODOT to agree to a sign along I-5. He asked, does the Council want to find out more about cost allocation for repair and use?

Johnson said the City needs to find out if the lease was transferred. Discussion followed.

Delapoer suggested that Council direct him to look at the lease. The sign may have been abandoned on City property, in which case it belongs to the City, or the owner would sign it over to us. He will look at the contract further.

The Council concurred to have the Delapoer look at the lease.

Lattanzio said brush and trees are being cleared from the police property. The Police Department received 90% plans in January, and the contractor is preparing the building permit application. They expect to go to bid for the construction in April. So far, the project is within budget.

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Fire Chief John Bradner said 90% plans have also been submitted, and they expect the permit submissions this week. This project also is on budget. The Fire Department is working with ODOT on the Lyon Street streetscape. The Richard's Cleaners building has been demolished, and the Ralston building was dismantled and the wood has been harvested. The Edward Jones house is on wheels, and will be moved to 5th Avenue and Jefferson Street this Sunday.

Bradner said while the new building is being built, the deputy fire marshals and day staff will move into the Farmers Insurance building on the north side of the property. Emergency responders will be located at 1120 SE Hill Street, which is a good central location. The Department plans to move the crews in May, demolish the old building in June, and start construction in July. There was discussion about where the equipment will be located.

NEXT MEETING DATE: Work Session: March 7, 2016; and Regular Session: March 9, 2016

ADJOURNMENT

There being no other business, the meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Reviewed by,

Mary A. Dibble, MMC  
City Clerk

Stewart Taylor  
Finance Director