

CITY OF ALBANY  
CITY COUNCIL  
Council Chambers  
Wednesday, April 13, 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

Konopa led the pledge of allegiance to the flag.

ROLL CALL

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

Councilors absent: Councilor Bill Coburn and Councilor Bessie Johnson were excused.

PROCLAMATION

Earth Day.

Konopa read the proclamation as outlined in the agenda packet. She said the Procession of the Species parade, to be held Saturday, April 23, is a big event downtown. It coincides with the Farmers Market, and also with an Arbor Day event recognizing Albany as a Tree City, USA.

Linn County Commissioner Will Tucker commended Fire Chief John Bradner. Linn County has recently had several emergency calls at the Courthouse, and Bradner monitors the radios and jogs across street, often being the first responder. He knows the availability of equipment at Station 11 and pulls equipment from other stations if needed. Shane Wooton has also come over sometimes, and Tucker greatly appreciates that they still see themselves as first responders when they know that the Department's standards of service would be affected. They serve the citizens of this community. Tucker doesn't know how many city Fire Chiefs would leave a meeting and pull staff with them to provide aid across the street. He appreciates the investment Bradner and Wooton have made in this community.

Konopa thanked Tucker for commending Bradner. She said he is very humble.

Tucker said that for Linn County's 9/11 memorial events, City staff coordinates with other local communities to ensure that there is enough coverage during the event. Konopa said Albany has a top-notch Fire Department, and we're proud of them.

SCHEDULED BUSINESS

Communication

Presentation of the 2015 Human Relations Commission (HRC) Annual Report by HRC Chair Javier Cervantes.

Human Relations Commission (HRC) Chair Javier Cervantes referred to the annual report in the agenda packet. The HRC does a lot of work in meeting community members. He commended City Manager Wes Hare for his work helping many members of the community who are trying to find solutions to complicated problems. The HRC is open to being given issues that don't rise to the level of City Council's attention.

Cervantes said the HRC has been involved in a number of city projects, festivals, and events, to make themselves visible and show that the City of Albany is responsive to the community's needs in creating a harmonious place to live.

Cervantes said the HRC had some turnover in the last year resulting in new members and a new Chair. He publicly thanked former Chair Kim Whitley for her work previously. The HRC has done ceremonial work around the city such as with the Martin Luther King Jr's birthday event. He thanked Public Information Officer/Management Assistant Marilyn Smith for her help in organizing that event.

Cervantes said they have had issues around those who are English-challenged and getting them resources they need, including translation services. There have been some unfortunate incidents, such as graffiti, and Cervantes said they have had great support from the Albany Police Department. Overall, this has been a responsive community, and the HRC is excited about the Sunrise Park project. The annual Latino Festival is scheduled for September.

Konopa said there is one vacancy on the HRC. Kellum said he is working on an appointee.

Konopa thanked Cervantes. She said, we appreciate the HRC being our outreach to the community.

#### Public Hearing

Authorizing the sale of surplus property on 39th Avenue SW, Assessor's Map No. 11S-04W-24, Tax Lot 200.

Open: Konopa opened the hearing at 7:30 p.m.

Parks & Recreation Director Ed Hodney said that the Council is aware of this action, because it was discussed at a Work Session in March. Hodney described the property and the two lots that would be created for the sale using an overhead (see agenda file). The smaller of the two lots would be sold to owners of an existing home to the north and adjacent to the smaller lot (Swansons). The larger lot would be sold to one of the owners of the adjacent properties to the north (Smith).

Hodney said there was a public notice, it was advertised in the newspaper, and they have received no testimony. He said if the Council decides to proceed with adopting the resolution, they will be authorizing the City Manager to conclude the transaction.

There was no one signed up to speak on the sign up list (see agenda file).

Konopa asked if anyone in the audience wished to speak. There was none.

Close: Konopa closed the public hearing at 7:32 p.m.

MOTION: Collins moved to adopt the resolution and Kopczynski seconded it. The motion passed 4-0 and was designated Resolution No. 6489.

Collins said that what the Council just did was to sell off a portion of land that was a donation from Larry Epping. Epping passed away October 22, 2015. Collins said he had the behavior and character of a gentlemen. He said, we got this land as a gift, and we owe him a debt of gratitude. Konopa said he donated much to our community. Konopa said he supported many of the non-profits in the community also.

#### Business from the Public

There was no business from the public.

#### Second Reading of Ordinance

Amending Albany Municipal Code Chapters 12.01.010, Intent and purpose, and 12.01.040, Definitions, and creating Chapter 12.30, Stormwater utility.

City Attorney Jim Delapoe read the ordinance for the second time in title only: AN ORDINANCE AMENDING CHAPTER 12.01.010 INTENT AND PURPOSE, AND AMENDING CHAPTER 12.01.040 DEFINITIONS, AND CREATING CHAPTER 12.30, STORMWATER UTILITY, OF THE ALBANY MUNICIPAL CODE.

Kellum asked if anyone has made a comment on this issue. Hare said it has been quiet. Hare said that blogger Hasso Herring has written on the issue and there have been comments to his blog. People are concerned about what it will cost, but since that question is not being decided tonight, Hare said there has not been much interest.

Konopa said she only received one email from a person whose property does not drain to a City street. Konopa said she explained to them that even if they are not residential stormwater contributors, that they still do benefit from having a city-wide stormwater system since we need a network of stormwater systems in order to avoid standing water in our streets. She said, everyone benefits from stormwater facilities.

MOTION: Collins moved to adopt the ordinance and Kellum seconded it. The motion passed 4-0 and was designated Ordinance No. 5869.

#### Adoption of Resolutions

Approving an extended property tax abatement agreement for Viper Northwest, Inc. in the South Santiam Enterprise Zone.

Konopa said there was a revised resolution on the dais (see agenda file). The change relates to changing 2015 to 2106.

MOTION: Collins moved to adopt the resolution and Kellum seconded it.

Collins said that items like this often go unnoticed by the general community; he explained that this is being responsive to a local industry, Viper Northwest, Inc., who invested \$2.9 million and looking at adding 23 employees. This action will give them some tax relief, but they will still pay 150% of the Linn County average, or over \$57,000 per job.

Hare added that the Council routinely approves enterprise zone applications. It is a good incentive program for business owners to invest in jobs. Hare said, we do sometimes forget it is an important thing the Council does on behalf of the public, and a fairly significant amount of revenue that is given up in order to help businesses expand.

Collins said, we still get a return on our investment; while we don't tax the original investment the company is making when they are able to hire more employees, we get the benefit from those living and shopping in our community.

Olsen asked how much revenue we have lost through enterprise zones. Hare said it would be hard to say, since Albany has been doing this a long time. We also participate with other jurisdictions and part of the zone, so in some cases Albany may not lose revenue at all. If they are in Albany, then it depends on the assessed value of the improvement.

Collins said if the full \$2.9 million were taxable, it would be about \$20,000 in revenue for this particular industry. Olsen is in favor of this action, he said he was just curious.

Collins said it is one of the few tools we have in our communities and it is important we use the tools available to encourage and keep investment here.

VOTE: A vote was taken on the motion and it passed 4-0 and was designated Resolution No. 6490.

Modifying downtown parking regulations.

MOTION: Kopczynski moved to adopt the resolution and Kellum seconded it. The motion passed 4-0 and was designated Resolution No. 6491.

Adoption of Consent Calendar

- 1) Approval of Minutes
  - a) September 24, 2014, Industry Request Council Ad Hoc Subcommittee minutes.
  - b) January 27, 2016, Regular Session minutes.
  - c) February 8, 2016, Work Session minutes.
  - d) February 10, 2016, Regular Session minutes.
- 2) Approving the following liquor licenses:
  - a) Full on-premises, commercial establishment, change ownership liquor license application for 3 M's LLC, d/b/a La Roca Mexican Restaurant, located at 1727 Hill Street SE.
  - b) Full on-premises, commercial establishment, new outlet liquor license application for ZNE Corp., d/b/a Perfect Pizza, located at 650 Hickory Street NW.

MOTION: Kopczynski moved to adopt the Consent Calendar as presented. Kellum seconded the motion and it passed 4-0.

Award of Bid

MS-16-02-D-110, Demolition of Fire Station 11 Building.

Collins said that on page 52 of the agenda packet, it shows a demolition and abatement project allowance of \$565,000, but we are looking to award a bid for \$201,000. There has been additional work done and he wonders if it came out of the \$565,000. Engineering Manager Staci Belcastro said yes, the total demolition and abatement budget was \$565,000 and includes demolition of four structures and one relocation, and any additional abatement on the site that is required for the dry cleaner. Collins asked, will this bring the project to the point where it is ready for the construction contractor? Belcastro described the tentative schedule and gave an update on the Request for Proposals. They plan to have contracts and bids back by June 21, with Council approval on July 13, and construction to start in late July.

Discussion followed regarding Groat Brothers.

MOTION: Collins moved to award the bid in the amount of \$201,749 to Groat Brothers, Inc., Kopczynski seconded the motion and it passed 4-0.

BUSINESS FROM THE COUNCIL

Kellum said he sent the Councilors an email about what he had learned at Kiwanis about a person who does HD videos.

Kellum said that on Friday, he will have been in business for 32 years. Kellum owns a welding business.

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Kopczynski noted that a set of minutes on the Consent Calendar is from 2014. Smith said that there are times minutes are behind due to employee workload. Occasionally, an older set of minutes is for a body that has dissolved; so when it is evident that it will be the last set of minutes produced, an option is to have them approved by the City Council rather than reconvene the body, because that would simply create another set of minutes requiring approval.

NEXT MEETING DATE: Work Session on April 25, 2016; and Regular Session on April 27, 2016

ADJOURNMENT

There being no other business, the meeting was adjourned at 7:54 p.m.

Respectfully submitted,

Reviewed by,

Mary A. Dibble, MMC  
City Clerk

Wes Hare  
City Manager