

CITY OF ALBANY
CITY COUNCIL
Council Chambers
Wednesday, June 8, 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, Bill Coburn, Bessie Johnson, Ray Kopczynski, Dick Olsen, and Floyd Collins

Councilors absent: None.

SPECIAL PRESENTATION

Fire Department Citizen Awards

Fire Chief John Bradner presented certificates of appreciation from the Albany Fire Department to three individuals from the community who selflessly provided lifesaving actions on emergency scenes (see agenda file). Lin Johnson received a citizen award for rendering lifesaving first aid at the scene of a motor vehicle accident on May 2, 2016. Richard Olson and Paul Massara received citizen awards for assisting when a pick-up truck went into the canal by securing the truck to another vehicle to keep it from being submerged with the driver and his dog inside. Konopa commended and expressed appreciation to the award recipients.

SCHEDULED BUSINESS

Communication

Accepting Jeff Christman's resignation from the Budget Committee

MOTION: Councilor Bessie Johnson moved to accept the resignation and send a letter of gratitude. Councilor Rich Kellum seconded the motion and it passed 6-0.

Public Hearings

Setting rates for wastewater system use and repealing Resolution No. 6427

Open: Konopa opened the public hearing at 7:20 p.m.

Public Works Operations Director Chris Bailey said that staff gave a presentation regarding the proposed sewer rate increase at the May 23, 2016, City Council Work Session; the presentation is posted on the City's website and cable channel. She explained that the City started a process five years ago, working with the Council to set a goal for sewer funding that would make progress in maintaining an adequate basis for sewer capital needs. Sewer rate funds are used to repay debt service, fund the operations and maintenance of the existing system, and invest in capital projects to improve the program. Last year, staff estimated that a 6 percent increase would be needed; however, based on updated analysis and projections of expenses and revenues in the sewer utility, the rate increase can be reduced to 3 percent to be effective July 1, 2016. This increase would generate about \$500,000 for the sewer fund. The average impact would be about \$1.59 per month for a residential customer billed for 6 units of sewer usage and about \$1.75 for a customer billed for 8 units.

Bailey said the five-year sewer capital revenue plan approved by Council has allowed the City to implement an asset management program which has allowed for pipe replacement work that has resulted in better service and reduced emergency repairs; created stability that has allowed for funding of Cox Creek Interceptor projects in the CIP so those necessary capacity projects will be put in place over the next five years; and improved the condition of the City's sewer system. The rate increase does not include funding for other large projects like the Riverfront Interceptor Project or the Wastewater Treatment Plant Solids Project. Sewer rate increases for the next five years are projected to be 5 percent per year; however, that will be reviewed with Council each year prior to implementation.

Staff distributed and reviewed a replacement resolution (see agenda file).

No one had signed up to speak on the sign-in sheet (see agenda file).

Konopa asked if anyone in the audience wanted to provide testimony. No one came forward.

Close: Konopa closed the public hearing at 7:28 p.m.

MOTION: Councilor Ray Kopczynski moved to adopt the resolution with the replacement pages. Councilor Floyd Collins seconded the motion and it passed 6-0. The resolution was designated Resolution No. 6498.

Adjusting System Development Charges and connection charges

- a) Revising water system development charges, reaffirming an appeal fee, and repealing Resolution No. 6428.
- b) Revising transportation system development charges for impacts to the Albany Transportation System, reaffirming the appeal fee, and repealing Resolution No. 6464.
- c) Revising sewer system development charges for connection to the public sanitary sewer system, reaffirming an appeal fee, and repealing Resolution No. 6430.
- d) Revising connection charges for street connections to improved city streets of unassessed properties in the city of Albany and repealing Resolution No. 6431.
- e) Revising connection charges for sewer connections of unassessed properties in the city of Albany and repealing Resolution No. 6432.
- f) Revising connection charges for water connections of unassessed properties in the city of Albany and repealing Resolution No. 6433.
- g) Revising connection charges for storm connections of unassessed properties in the city of Albany and repealing Resolution No. 6434.
- h) Repealing in-lieu-of assessment charges for the North Albany sanitary sewer basin and repealing Resolution No. 6435.
- i) Revising special connection charges for a portion of the Columbus Street sanitary sewer lift station project costs, which are allocated to unassessed properties within the lift station service area, and repealing Resolution No. 6436.
- j) Revising the improvement assurance charges for the non-oversized portion of future arterial and collector street improvements for streets located within the North Albany area, and repealing Resolution No. 6437.
- k) Revising post-construction stormwater quality program fees and repealing Resolution No. 6358.

Open: Konopa opened the public hearing at 7:28 p.m.

Civil Engineer III Jeni Richardson said System Development Charges (SDCs), connection charges and other special charges are in place to ensure that as the community develops, new development helps pay its share of the cost for services. Each year these fees and charges are evaluated for a potential increase based on the Engineering News-Record (ENR) which tracks the cost of construction. The closest index, and one the City has used historically, is the Seattle-regional Construction Cost Index (CCI). The Albany Municipal Code states that increases are made automatically; but it has been Council's long standing tradition to hold a public hearing on the matter.

Richardson said the details of the SDC adjustments are provided in Attachment A to the written staff report and she will touch on three of them. Transportation SDCs for impacts to the Albany Transportation System were originally set up with a five-year ramp that called for annual fee steps in addition to the ENR adjustment; last year was the final year of the ramp and the 2016 proposed fee reflects only the ENR adjustment. The resolution repealing in-lieu-of assessment charges for the North Albany sewer work done in the 1990s is based on the Council's determination that the City has been adequately reimbursed for this project. The resolution revising post-construction stormwater quality program fees recognizes that the construction related fees should be adjusted to keep pace with the changing cost of public improvement projects.

No one had signed up to speak on the sign-in sheet (see agenda file).

Konopa asked if anyone in the audience wanted to provide testimony. No one came forward.

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

MOTION: Collins moved to adopt the 11 resolutions. Kopczynski seconded the motion and it passed 6-0. The resolutions were designated as follows:

- a) Revising water system development charges, reaffirming an appeal fee, & repealing Resolution No. 6428. RES. NO. 6499
- b) Revising transportation system development charges for impacts to the Albany Transportation System, reaffirming the appeal fee, and repealing Resolution No. 6464. RES. NO. 6500
- c) Revising sewer system development charges for connection to the public sanitary sewer system, reaffirming an appeal fee, and repealing Resolution No. 6430. RES. NO. 6501

- d) Revising connection charges for street connections to improved city streets of unassessed properties in the city of Albany and repealing Resolution No. 6431. RES. NO. 6502
- e) Revising connection charges for sewer connections of unassessed properties in the city of Albany and repealing Resolution No. 6432. RES. NO. 6503
- f) Revising connection charges for water connections of unassessed properties in the city of Albany and repealing Resolution No. 6433. RES. NO. 6504
- g) Revising connection charges for storm connections of unassessed properties in the city of Albany and repealing Resolution No. 6434. RES. NO. 6505
- h) Repealing in-lieu-of assessment charges for the North Albany sanitary sewer basin and repealing Resolution No. 6435. RES. NO. 6506
- i) Revising special connection charges for a portion of the Columbus Street sanitary sewer lift station project costs, which are allocated to unassessed properties within the lift station service area, and repealing Resolution No. 6436. RES. NO. 6507
- j) Revising the improvement assurance charges for the non-oversized portion of future arterial and collector street improvements for streets located within the North Albany area, and repealing Resolution No. 6437. RES. NO. 6508
- k) Revising post-construction stormwater quality program fees and repealing Resolution No. 6358. RES. NO. 6509

Adopting the 2017-2021 Capital Improvement Program

Open: Konopa opened the public hearing at 7:33 p.m.

Senior Accountant Jeff Babbitt said the resolution before Council is to adopt the 2017-2021 Capital Improvement Program (CIP). He said the preparation of the CIP is a long process that coincides with the budget process, during which input is received from the various City departments, the City Council, the Planning Commission, the Budget Committee, and the public. Following the April 7, 2016, Joint Work Session, the CIP draft was made available for public viewing. No public comments have been received.

No one was signed up to speak on the sign-in sheet (see agenda file).

Konopa asked if anyone in the audience wanted to provide testimony. No one came forward.

Close: Konopa closed the public hearing at 7:34 p.m.

MOTION: Johnson moved to adopt the resolution. Kopczynski seconded the motion and it passed 6-0. The resolution was designated Resolution No. 6510.

Opportunity to comment on proposed uses of State Revenue Sharing

- a) Declaring the City's eligibility to receive state revenues.
- b) Declaring the City's election to receive state revenues.

Open: Konopa opened the public hearing at 7:35 p.m.

Finance Director Stewart Taylor said the Proposed Budget submitted to the Budget Committee and City Council on May 10, 2016, included receiving state shared revenues and proposed using those revenues to support the transit system in the City of Albany. The requirement to receive state shared revenues includes holding two public hearings. One public hearing was held with the Budget Committee and this is the second opportunity for the Council to receive comments regarding the proposed uses of state shared revenues. After receiving comment, Council is asked to consider two actions, one declaring the City's eligibility to receive state revenues and one declaring the City's desire to receive the revenues.

No one was signed up to speak on the sign-in sheet (see agenda file).

Konopa asked if anyone in the audience wanted to provide testimony. No one came forward.

Close: Konopa closed the public hearing at 7:37 p.m.

MOTION: Kopczynski moved to adopt the resolution declaring the City's eligibility to receive state revenues. Kellum seconded the motion and it passed 6-0. The resolution was designated Resolution No. 6511.

MOTION: Kopczynski moved to adopt the resolution declaring the City's election to receive state revenues. Kellum seconded the motion and it passed 6-0. The resolution was designated Resolution No. 6512.

Adopting the City of Albany 2016-17 Annual Budget

Open: Konopa opened the public hearing at 7:38 p.m.

Taylor said the City's Budget Committee convened and the City Manager presented the Proposed Budget on May 10, 2016. On May 10, 17 and 19, 2016, department directors presented the needs and operating conditions in the various departments. On May 19, 2016, the Budget Committee deliberated and approved the Proposed Budget with one change, to appropriate revenues that became available after the voters had adopted the Public Safety Levy. The change to the Proposed Budget is reflected in the resolution before the City Council. No one was signed up to speak on the sign-in sheet (see agenda file).

Konopa asked if anyone in the audience wanted to provide testimony. No one came forward.

Close: Konopa closed the public hearing at 7:39 p.m.

MOTION: Kopczynski moved to adopt the Approved Budget. Johnson seconded the motion.

Konopa commended staff and the Budget Committee for their work in preparing and reviewing the budget.

VOTE: The motion passed 6-0. The resolution was designated Resolution No. 6513.

Business from the Public

Bill Root, 2634 NW Mountain View, referred to his letter to the editor that was recently published in the *Albany Democrat-Herald*. In his letter, he said that his yard waste container fills up rapidly so he went to Republic Services to see what his options were. The cost for a 32-gallon trash container with weekly trash pickup and every other week yard waste pickup is \$36.62 per two-month billing cycle. The cost for a 90-gallon trash container is \$57.62 per billing cycle. The cost to take a load of yard waste to the compost facility is \$20 minimum. The cost of a second yard waste container is \$17.68 per billing cycle.

Root said that Republic Services told him they had proposed allowing kitchen waste to be put in with yard waste and picked up on a weekly basis for the additional \$2 per month; but the City Council turned that down. Republic Services also told him that they sent a survey to their customers and, of those who responded, 68 percent were in favor of the proposal. To him, that says there is desirability for the service. He reviewed each of his monthly utility bills and made the points that Republic Services is a good buy, even with an additional \$4 per billing cycle, that some people could reduce their expense by converting from a 90-gallon cart to a 32-gallon cart, and that it would benefit the environment to add kitchen waste in with the yard waste and compost it.

Konopa said she understood that the Republic Services customers who responded to the survey were supportive of the idea but were not supportive of the added expense, which is why Republic Services didn't recommend the change.

Kellum said he would be interested to know what percentage of Republic Services customers responded to the survey. If people really want this service, then great; but he hasn't heard that.

Collins said Republic Services is the service provider and it's up to them to tell the City what their customers want. Councilor Bill Coburn agreed with Collins; he suggested that if Republic Services wants to make this change, they should contact City staff to schedule the discussion. Councilor Dick Olsen agreed with Collins and Coburn.

City Manager Hare recalled that Republic Services said the cost would increase customer bills by \$3.00 to \$3.50 per month, and that they would have to charge all customers regardless of whether they wanted the extra service.

Konopa suggested that anyone interested could advocate at the Republic Services level and request that a proposal be brought to the City Council.

Adoption of Resolutions

Revising fees and charges for Parks and Recreation services for FY 2016-2017 and repealing Resolution No. 6440.

MOTION: Kopczynski moved to adopt the resolution. Coburn seconded the motion and it passed 6-0. The resolution was designated Resolution No. 6514.

Authorizing execution of two Intergovernmental Agreements with the City of Lebanon for shared use of the Santiam-Albany Canal.

Public Works Engineering and Community Development Director Jeff Blaine said that this issue has been discussed with the Council many times and staff is excited to be at this point. He advised that the Lebanon City Council has authorized the resolution.

MOTION: Collins moved to adopt the resolution. Kopczynski seconded the motion.

Collins acknowledged the work of Lebanon and Albany city staffs for working together to reach an agreement that is beneficial to both communities.

Kopczynski said that there was compromise on both sides, that this is the way it should work, that it worked well, and that we have a better relationship between the two communities as a result.

Konopa said this was a long standing issue and she appreciates everybody working together.

City Attorney Jim Delapoer credited staff for finding a technical solution that had not previously been considered and that worked for both communities.

VOTE: The motion passed 6-0 and was designated Resolution No. 6515.

Revising fees for Development Code provisions and repealing Resolution No. 6345.

MOTION: Kopczynski moved to adopt the resolution and Johnson seconded the motion. The motion 6-0 and was designated Resolution No. 6516.

Accepting the abstract of votes regarding ballots cast in the election held Tuesday, May 17, 2016, regarding Measure 22-141, Renewal of Ambulance, Fire, and Police Local Option Tax.

Taylor drew attention to a revised resolution on the dais (see agenda file).

MOTION: Kellum moved to adopt the revised resolution and Kopczynski seconded the motion. The motion passed 6-0 and was designated Resolution No. 6517.

Adoption of Consent Calendar

- 1) Approval of Minutes
 - a) March 23, 2016, Regular Session minutes.
 - b) April 11, 2016, Work Session minutes.
- 2) Annual liquor license renewals

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

Award of Bid

SS-16-02, Umatilla Lift Station & Force Main Improvements.

City Engineer Staci Belcastro reviewed the staff recommendation to award a contract for work at the Umatilla Lift Station in the amount of \$235,690 to the low bidder, Pacific Excavation, LLC of Eugene. The project includes installation of new pumps, supporting instrumentation and updates to the existing Umatilla Lift Station. The Engineer's estimate was \$260,000.

Konopa noted that only two bids were received and she asked if staff is seeing fewer bids on projects. Belcastro said this project went out for bids late in the season and included specialized work which may be why more bids were not received. Konopa said she is glad to see the project awarded to a company that has previously worked with the City.

Johnson noted that the original project budget was \$575,000, a huge difference from both the Engineer's estimate and the final bid. Belcastro said she understands that staff was able to identify cost savings during design.

Blaine noted that the requested action includes waiving a minor bid irregularity identified in the bid proposal.

MOTION: Collins moved to approve the requested action to award the bid and waive the minor bid irregularity. Kellum seconded the motion and it passed 6-0.

Approval of Agreement

MS-16-03, Albany Police Station Wetland Mitigation Credits, approving execution of the agreement to purchase wetland mitigation credits between the City of Eugene and the City of Albany.

Belcastro reviewed the recommendation that Council approve execution of an agreement between the City of Albany and the City of Eugene to purchase 2.86 mitigation credits at a cost of \$164,307. This is under the project budget amount of \$205,000. This action is required to secure the wetland permit that is required for replacement of the Police Station. The US Army Corps of Engineers (USACE) and the Oregon Division of State Lands are ready to issue the wetland permit as soon as the purchase is complete with the exception that the USACE still needs the Department of Environmental Quality (DEQ) water certification which is in the works.

Collins said that while he doesn't think there is much choice in the existing regulatory framework, he finds the process of wetland mitigation in the Willamette Valley on prior farm land inside urban growth boundaries (UGBs) to be objectionable.

Konopa agreed with Collins. She said this has been an urban area for many years surrounded by development. Wetlands are essential to water quality; but she questions what good it does to mitigate wetlands to another basin that is 50 miles away. She thinks the regulatory process needs to be revised; but she commended staff for working with the City of Eugene to get this resolved.

MOTION: Collins moved to approve the recommended action. Kopczynski seconded the motion and it passed 6-0.

BUSINESS FROM THE COUNCIL

Johnson said she is looking forward to the industrial tour next week. She found some of the restrictions of the industrial businesses to be interesting, including a requirement that those going on the tour submit a passport or birth certificate. Several Councilors said they didn't have a passport or birth certificate available and would instead provide their drivers licenses as proof of identity.

Hare said the Council had previously indicated that the City's logo could be used in co-sponsoring an event at Linn Benton Community College (LBCC) called "Know Your Rights," provided that the request was coming from LBCC. He looked into it and the request is coming from LBCC so he advised that the City's logo could be used for the event. Konopa noted that she will be speaking at the event.

NEXT MEETING DATE: Work Session: June 20, 2016, and Regular Session: June 22, 2016

ADJOURNMENT

There being no other business, the meeting was adjourned at 8:25 p.m.

Respectfully submitted,

Reviewed by,

Teresa Nix
Administrative Assistant

Stewart Taylor
Finance Director