



**MINUTES**

Wednesday, June 13, 2018  
7:15 p.m. Council Chambers, City Hall

**Approved: July 25, 2018**

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Konopa led the pledge of allegiance.

ROLL CALL

Councilors present: Mayor Sharon Konopa and Councilors Rich Kellum, Bill Coburn, Bessie Johnson, Ray Kopczynski, Dick Olsen, and Mike Sykes

Councilors absent: None

PROCLAMATION

LGBT Pride Month.

Konopa read the proclamation. She noted that the Pride Parade will start at 10:00 a.m. on June 23 at the Linn County Courthouse.

SCHEDULED BUSINESS

**7:17 p.m.**

Human Relations Commission 2017 Annual Report.

Stephanie Newton Azorr summarized the establishment and purpose of the Human Relations Commission. She said commission members have attended at least one activity each month in the last year. She introduced commissioners Chris Equinoa and Alice Brockgreitens.

Continued Public Hearing, Extension of Economic Improvement District in Downtown Albany.

Konopa announced the continuation of the public hearing. She briefly explained the purpose of the District.

Councilor Mike Sykes recused himself.

Accounting Supervisor J. C. Rowley said he had nothing new to report. He said the proposed ordinance authorizes the City to contract with the Albany Downtown Association, if desired.

Konopa asked if anyone wished to speak. No one did.

Close: Konopa closed the public hearing at 7:25 p.m.

City Attorney Sean Kidd read the ordinance for the first time in title only: AN ORDINANCE CREATING AN ECONOMIC IMPROVEMENT DISTRICT IN ACCORDANCE WITH ORS.223.112 THROUGH 223.132; AND DECLARING AN EMERGENCY.

MOTION: Councilor Ray Kopczynski moved to have the ordinance read a second time in title only. Councilor Bill Coburn seconded the motion, and it passed 5-0, with Sykes recused.

Kidd read the ordinance for the second time in title only.

MOTION: Kopczynski moved to adopt the ordinance. Coburn seconded the motion.

Kopczynski noted that the attached exhibits list several parcels with unknown addresses. He asked how parcels with unknown addresses can be taxed. Rowley said subsequent parcels with the same owner pull from Linn County with no attached address.

Councilor Rich Kellum said he thinks the requirement that a property owner actively decline to participate is not right. Rowley said this procedure is per state statute.

VOTE: The motion passed 4-1, with Kellum opposed and Sykes recused, and the ordinance was designated Ordinance No. 5908.

Public Hearings.

Opportunity to Comment on Proposed Uses of State Revenue Sharing.

Open: Konopa opened the public hearing at 7:29 p.m.

Finance Director Jeanna Yeager explained that this is done every year. The City has used the money for transit in the past and plans to continue that use.

Konopa asked if anyone wished to speak. No one did.

Close: Konopa closed the public hearing at 7:30 p.m.

MOTION: Kellum moved to adopt the resolution declaring eligibility to receive state revenues. Sykes seconded the motion, which passed 6-0. The resolution was designated Resolution No. 6695.

MOTION: Sykes moved to adopt the resolution declaring election to receive state revenues. Kellum seconded the motion, which passed 6-0. The resolution was designated Resolution No. 6696.

Adopting the 2019-2023 Capital Improvement Program.

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

Public Works/Community Development Business Manager Jeff Babbitt summarized the Capital Improvement Program (CIP) process.

Konopa asked if anyone wished to speak. No one did.

Close: Konopa closed the public hearing at 7:31 p.m.

MOTION: Kopczynski moved to adopt the resolution adopting the 2019-2023 Capital Improvement Program. Coburn seconded the motion, which passed 6-0. The resolution was designated Resolution No. 6697.

Adopting the City of Albany 2018-2019 Annual Budget.

Open: Konopa opened the public hearing at 7:32 p.m. Yeager mentioned two changes from the proposed budget, related to the Millersburg fire station. The changes were included in the agenda.

Konopa asked if anyone wished to speak. No one did.

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

MOTION: Kopczynski moved to adopt the resolution adopting the Approved 2018-2019 budget. Councilor Dick Olsen seconded the motion.

Kellum said he voted against approving the Proposed Budget in Budget Committee because there is no way to know what are the most important and least important things the City does. We need a system that will give us that information. He will vote no.

Sykes asked Kidd what would happen if the budget wasn't adopted. Kidd said the state requires that it pass. If it doesn't pass tonight, they'll have to come back and redo work, if necessary, to get it adopted. Konopa said if the budget doesn't pass, the City is shut down, and the Budget Committee must be reconvened.

Olsen said, in a Council-Manager government it's the City Manager's job to present the budget. He has faith in Albany's City Manager and thinks the Council should let him run the City as provided for in the Charter. Discussion followed.

VOTE: The motion passed 4-3, with Sykes, Kellum, and Coburn voting no, and Konopa breaking the tie. The resolution was designated Resolution No. 6698.

Opportunity to Comment on the Proposed Community Development Block Grant 2018-2022 Consolidated Plan and 2018 Action Plan.

Open: Konopa opened the public hearing at 7:43 p.m.

Planner III Anne Catlin presented PowerPoint slides (see agenda file). She said this is Albany's sixth year as an entitlement community. She summarized the process for receiving the grant. She said the Council will not be adopting the plans until June 27, 2018, but needs to receive public comment so that can be incorporated into the plans. She mentioned a letter on the dais from the Small Business Development Center at Linn Benton Community College (see agenda file).

Catlin gave some housing statistics and explained the Community Development Commission's (CDC) proposed activities for 2018. She presented accomplishments from the last five years.

Liza Newcomb, of Willamette Neighborhood Housing Services (WNHS), 257 SW Madison Street, Corvallis, said the Community Development Block Grant (CDBG) program is vital to the community. There are people who have to choose among paying the mortgage, fixing a leaky roof, or buying food. WNHS provides low-interest loans with CDBG funds. The organization supports the plans.

Clarice Freitas, 728 Montgomery Street SE, Albany, said she coordinates Linn-Benton Health Equity Alliance, which supports the program. Health begins where we live. A person has to earn \$17.50 per hour to afford a two-bedroom apartment in Albany. Albany has a large Latino population (about one in 12). One in three Latinos lives in poverty. Freitas' coalition would be happy to be a facilitator between CDBG and Latino groups in the community. She thanked the Council for supporting the CDBG program.

Close: Konopa closed the public hearing at 8:05 p.m.

Sykes asked Catlin what percentage of CDBG funds goes to the community and what percentage is overhead. Catlin said about 24 percent is overhead, including overhead of agencies that receive funds. She said considering the number of people we help with the funds, we are being careful with overhead costs.

Coburn asked about the use of CDBG money for park improvements. Catlin said CDBG funds are to be spent to improve the lives of the lower-income community. Discussion followed.

Catlin thanked the Council for their comments. She said that it takes a long time to acquire property to build housing, and the approximately \$400,000 the City receives isn't a lot of money. Some is set aside for rehabilitation loans and homebuyer assistance. Making all amenities ADA-accessible is a federal priority. It takes a couple of years to save enough to be able to buy property.

The Council discussed the possibility of reallocating funds to housing. Catlin said she would put her suggestions into a memo for the next agenda packet (June 27, 2018).

Reopen: Konopa reopened the public hearing at 8:30 p.m.

Tim Vaughn, 532 Baker Street Albany, asked how much of the CDBG funding is state money and how much is city money. Konopa said it's all federal. There is no city match. Vaughn asked why the city wouldn't want to help with funds? Konopa said we have to end up with a plan showing that we spend all of the federal dollars. The spending is tightly regulated. Vaughn asked if the City could match 10 percent. Konopa said the City did match the parks improvement dollars.

Rex Watkins, 507 Burkhart Street SE, Albany, said that years ago the park near him was remodeled, but then it wasn't maintained. He hopes CDBG money won't be used to fix up assets and then let them run down. Government hasn't shown a good record of buying and then maintaining properties, but private property agents are held to a standard. He thinks it would be smarter to use CDBG money for maintenance of homes people own already but can't maintain. He suggested that the CDC put out application forms for 0% loans at the assessor's office.

Close: Konopa closed the public hearing at 8:37 p.m.

#### Adjusting System Development Charges (SDC) and Connection Charges.

Open: Konopa opened the public hearing at 8:38 p.m.

Assistant City Engineer Rob Emmons summarized the history of the SDC process.

Konopa asked if anyone wished to speak. No one did.

Close: Konopa closed the public hearing at 8:40 p.m.

- a) Revising sewer system development charges for connection to the public sanitary sewer system, reaffirming an appeal fee, and repealing Resolution No. 6599.

MOTION: Councilor Bessie Johnson moved to adopt the resolution. Coburn seconded the motion, which passed 6-0. The resolution was designated Resolution No. 6699.

- b) Revising transportation system development charges for impacts to the Albany Transportation System, reaffirming the appeal fee, and repealing Resolution No. 6680.

MOTION: Johnson moved to adopt the resolution. Coburn seconded the motion, which passed 6-0. The resolution was designated Resolution No. 6700.

- c) Revising water system development charges, reaffirming an appeal fee, and repealing Resolution No. 6600.

MOTION: Johnson moved to adopt the resolution. Coburn seconded the motion, which passed 6-0. The resolution was designated Resolution No. 6701.

- d) Revising connection charges for street connections to improved city streets of unassessed properties in the city of Albany and repealing Resolution No. 6602.

MOTION: Johnson moved to adopt the resolution. Coburn seconded the motion, which passed 6-0. The resolution was designated Resolution No. 6702.

- e) Revising connection charges for storm connections of unassessed properties in the city of Albany and repealing Resolution No. 6605.

MOTION: Kellum moved to adopt the resolution. Coburn seconded the motion, which passed 6-0. The resolution was designated Resolution No. 6703.

- f) Revising connection charges for sewer connections of unassessed properties in the city of Albany and repealing Resolution No. 6603.

MOTION: Johnson moved to adopt the resolution. Coburn seconded the motion, which passed 6-0. The resolution was designated Resolution No. 6704.

- g) Revising connection charges for water connections of unassessed properties in the city of Albany and repealing Resolution No. 6604.

MOTION: Johnson moved to adopt the resolution. Coburn seconded the motion, which passed 6-0. The resolution was designated Resolution No. 6705.

- h) Revising Post-Construction Stormwater Quality Program fees and repealing Resolution No. 6608.

MOTION: Johnson moved to adopt the resolution. Coburn seconded the motion, which passed 6-0. The resolution was designated Resolution No. 6706.

Repealing Public Works Fees.

Open: Konopa opened the public hearing at 8:45 p.m.

Emmons said staff doesn't often recommend eliminating fees. He explained that these are being repealed mainly for housekeeping purposes.

Konopa asked if anyone wished to speak. No one did.

Close: Konopa closed the public hearing at 8:46 p.m.

MOTION: Kellum moved to adopt resolutions a, c, and e. Kopczynski seconded the motion, which passed 6-0. The resolutions were:

- a) Repealing 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. 6607. RES. NO. 6707.
- b) Repealing Ordinance No. 5359 that provided for a process to finance Street Improvement Assurance fees.

No action was taken on this item. This item will come back to the June 27, 2018, meeting for a first reading.

- c) Repealing special connection charges for a portion of the Columbus Street Sanitary Sewer Lift Station project costs and repealing Resolution No. 6606. RES. NO. 6708.
- d) Repealing Ordinance No. 5355 that authorized the formation of a special connection charge related to the construction of the Columbus Street Sanitary Sewer Lift Station.

No action was taken on this item. This item will come back to the June 27, 2018, meeting for a first reading.

- e) Repealing a methodology for the development of a system development charge for the transportation system in North Albany and repealing Resolution No. 3423. RES. NO. 6709.

Setting Fees and Charges for Development Code Provisions and Repealing Resolution No. 6609.

Open: Konopa opened the public hearing at 8:48 p.m.

Planning Manager Bob Richardson said it's the City Council's practice to adjust Development Code fees yearly per the Consumer Price Index. This year the increase is 2.59 percent.

Konopa asked if anyone wished to speak. No one did.

Close: Konopa closed the public hearing at 8:50 p.m.

MOTION: Kopczynski moved to adopt the resolution. Kellum seconded the motion, which passed 6-0. The resolution was designated Resolution No. 6710.

Adjusting Utility Rates for the 2018-2019 Fiscal Year.

Open: Konopa opened the public hearing at 8:50 p.m.

Public Works Operations Director Chris Bailey reminded the Council that setting rates for all three utilities at once is a new procedure. The rate changes will go into effect at the usual times.

Konopa asked if anyone wished to speak. No one did.

Close: Konopa closed the public hearing at 8:51 p.m.

- a) Setting rates for wastewater system use and repealing Resolution No. 6598.

MOTION: Kellum moved to adopt the resolution. Kopczynski seconded the motion, which passed 6-0. The resolution was designated Resolution No. 6711.

- b) Setting rates for water use and repealing Resolution No. 6675.

MOTION: Sykes moved to adopt the resolution. Kellum seconded the motion, which passed 6-0. The resolution was designated Resolution No. 6712.

- c) Setting rates for stormwater management services and repealing Resolution No. 6676.

MOTION: Kellum moved to adopt the resolution. Kopczynski seconded the motion, which passed 6-0. The resolution was designated Resolution No. 6713.

Business from the Public.

There was none.

Adoption of Resolutions.

Establishing a Class Special Procurement and Awarding a Special Procurement Contract for Flygt Submersible Mixer Products and Related Equipment with Xylem, Inc.

Civil Engineer III Nolan Nelson said the mixers will improve efficiency at the water reclamation facility. They are enough more efficient that Public Works is getting Energy Trust funding to help with the cost. Xylem is the only supplier, and staff is already familiar with these mixers.

Coburn said he likes the way Public Works keeps coming up with ways to save money and energy.

MOTION: Kellum moved to adopt the resolution. Kopczynski seconded the motion, which passed 6-0. The resolution was designated Resolution No. 6714.

Designating the Albany Enterprise Zone.

Konopa said this item was discussed at the work session Monday, June 11, 2018. There is no report in tonight's agenda packet.

MOTION: Kellum moved to adopt the resolution. Coburn seconded the motion, which passed 6-0. The resolution was designated Resolution No. 6715.

Adoption of Consent Calendar.

- 1) Approval of Minutes
  - a) May 7, 2018, City Council Work Session.

2) Adoption of Resolution

Accepting the abstract of votes regarding the ballots cast in the election held Tuesday, May 15, 2018, regarding Measure 22-172, City of Albany fuel tax. RES. NO. 6716.

MOTION: Johnson moved to approve the Consent Calendar as presented. Coburn seconded the motion, which passed 6-0.

Award of Contract.

**8:56 p.m.**

Approving the award of a professional services contract for consulting on WWTP-13-01, Water Reclamation Facility Solids Handling Improvements Project.

City Engineer Staci Belcastro said staff recommends awarding the contract to Kennedy/Jenks Consultants. They have made a significant up-front effort to provide the capability for Class A biosolids. Public Works expects predesign to be complete by the end of 2018.

MOTION: Kopczynski moved to award the bid to Kennedy/Jenks Consultants in the amount of \$248,616. Coburn seconded the motion, and it passed 6-0.

Award of Contract Increase.

SS-18-06, Vertical Loop Reactors Aeration Line Improvements.

Nelson said the contract increase is due to unpredicted extra work that was found to be required. It's possible that the contract specifications were wrong. One contractor designed the project and also provided inspections. Coburn said he doesn't like the practice of having designers inspect their own work. Belcastro said consultants usually do some special inspections, but staff is on the site every day with general oversight over the project.

MOTION: Coburn moved to approve the increase. Kellum seconded the motion, which passed 6-0.

Award of Bids.

SS-18-01, 2018 Pipe Bursting Projects.

Belcastro said the City received three bids for this project. Emery & Sons was the low bidder at \$1,430,590. The engineer's estimate was \$1,227,750. Public Works negotiated with Emery & Sons to eliminate several pipe sections from the project to reduce the contract price to \$1,130,394.

Kellum asked if anyone else was allowed to bid on the lower-volume project. Belcastro said the reduction was in pipe, so Public Works applied the same reduction to the other bids. Sykes asked the consequences of not doing the eliminated segments. Belcastro said they will go back in the queue for discussion in 2019.

MOTION: Coburn moved to award the bid to Emery & Sons in the amount of \$1,130,394. Kopczynski seconded the motion, and it passed 6-0.

WL-18-01, Peach Tree Lane Area Water Lines.

Belcastro said there were 10 bids on this project. Northcore USA was the low bidder at \$977,561.71.

Coburn asked if the City has worked with Northcore before. Belcastro said they are currently doing another project in Albany. Staff has worked with them before and they are good.

MOTION: Coburn moved to award the bid to Northcore USA in the amount of \$977,561.71. Kopczynski seconded the motion, and it passed 6-0.

Approval of Agreement and Award of Bid.

**9:11 p.m.**

Approving the Acceptance of a Grant Agreement from the Federal Aviation Administration in the Amount of \$648,000 to Complete Apron Rehabilitation (Phase 2) at the Albany Municipal Airport, and Approving a Contract Award to Wildish Construction Co.

Utility Superintendent – Transportation Jon Goldman said the \$648,000 grant covers 90% of the construction costs of Phase 2. There is a \$72,000 city match. Public Works is doing both phases at the same time with different contractors. Staff recommends awarding the contract to Wildish in the amount of \$569,950.

MOTION: Johnson moved to accept the grant agreement and award the bid to Wildish in the amount of \$569,950. Kopczynski seconded the motion, and it passed 6-0, and was designated Resolution No. 6717.

Appointment

Appointing James Jansen to the City Tree Commission.

MOTION: Kopczynski moved to approve the appointment. Sykes seconded the motion, which passed 6-0.

Report

Request to Reclassify a Vacant 1.0 FTE Library Aide Position to a 1.0 FTE Library Assistant Effective Immediately.

MOTION: Kopczynski moved to approve the reclassification. Johnson seconded the motion, which passed 6-0.

BUSINESS FROM THE COUNCIL

**9:15 p.m.**

Johnson said she has received numerous complaints about the back-in parking at the Post Office.

Coburn said he will probably miss the next two work sessions and two meetings, as well as the CARA meeting on June 20, 2018.

Kellum said regarding the back-in parking that some drivers don't understand that 2nd Avenue is one-way on that block. Some people turn the wrong way from Washington Street. Bailey said Public Works plans to move some signs to try to make it clearer.

Sykes asked someone to explain why Public Works uses the Engineering News-Record, which is based in Seattle, as an index to raise fees. Bailey said she will ask Public Works Engineering and Community Development Director Jeff Blaine to contact Sykes.

Konopa said the Council's division on the budget indicates that the Council needs to give some guidance to City Manager Peter Troedsson on the next budget. She suggested having the conversation in November when the Council will meet with the Budget Committee. It's hard to make significant changes during the approval process in the spring.

Troedsson said he will start the discussion before November. He said he met with Linn County Administrator Ralph Wyatt, and the county would appreciate some assistance with Transient Lodging Tax collections. Yeager said it wouldn't take much more time to process county collections than it takes for the City processing. Finance would want an intergovernmental agreement with the county and a fee of 1% to 3% for the service.

Coburn asked for an update on the City's Land Use Board of Appeals (LUBA) appeal. Kidd said oral arguments took place last Thursday. The LUBA board said it needed a one-week extension to July 6. Troedsson said Kidd did a good job representing the city.

NEXT MEETING DATES: Monday, June 25, 2018; 4:00 p.m. Work Session  
Wednesday, June 27, 2018; 7:15 p.m. Meeting

ADJOURNMENT

There being no other business, the meeting was adjourned at 9:29 p.m.

Respectfully submitted,

Reviewed by,

Allison Liesse  
Deputy City Clerk

Peter Troedsson  
City Manager

*Note: Staff handouts referred to in the minutes as (see agenda file) are available on the website in the "Staff Handouts" column.*