



## ALBANY CITY COUNCIL AGENDA

### **Wednesday, April 8, 2020**

This meeting will have remote access. At 7:15 p.m., join the meeting from your computer or iPad by clicking the link below:

<https://www.gotomeet.me/cityofalbany/ccm>

You can use your iPad microphone or dial in using your phone.

Toll free: 1-646-749-3129

Access code: 491-970-829

1. Call to order and pledge of allegiance

2. Roll call

3. Business from the public

*Persons wanting to address the council during "business from the public" should send their comments by email to [CityClerk@cityofalbany.net](mailto:CityClerk@cityofalbany.net). Please include your name and address. Comments will be read aloud during "business from the public."*

4. Adoption of resolutions

a. Supporting Second Amendment rights. [Page 3]

Action: \_\_\_\_\_ RES NO. \_\_\_\_\_

b. Releasing sewer easement, Cox Creek Interceptor improvements. [Pages 4-7]

Action: \_\_\_\_\_ RES NO. \_\_\_\_\_

5. Award/authorization of contracts

a. Awarding contract for Lochner Road improvements, ST-19-02. [Pages 8-11]

Action: \_\_\_\_\_

b. Awarding contract for Ninth Avenue street improvements, ST-20-01. [Pages 12-15]

Action: \_\_\_\_\_

c. Authorizing railroad crossing reconstruction agreement with Albany & Eastern Railroad. [Pages 16-18]

Action: \_\_\_\_\_

d. Approving increase, Vine Street WTP Accelerator improvements, WTP-18-01. [Pages 19-21]

Action: \_\_\_\_\_

6. Adoption of consent calendar
  - a. Appointing Steph Nappa to the Traffic Safety Commission. [Pages 22-24]
  - b. Approval of minutes
    - 1) November 4, 2019, joint work session. [Pages 25-27]
    - 2) January 13, 2020, joint work session. [Pages 28-30]
    - 3) February 10, 2020, work session. [Pages 31-33]
    - 4) February 26, 2020, council meeting. [Pages 34-37]
  - c. Adoption of resolutions
    - 1) Accepting a sewer easement from Michael Clifton. [Pages 38-43] RES NO. \_\_\_\_\_
    - 2) Accepting a sewer easement from Sharon K. Gutierrez. [Pages 44-49]  
RES NO. \_\_\_\_\_
    - 3) Accepting a sewer easement from Nora L. Sonne and the Estate of Donald A. Sonne. [Pages 50-55] RES NO. \_\_\_\_\_

Action: \_\_\_\_\_

7. Extending grant deadline
  - a. Extending the deadline for CTP project spending to June 30, 2021. [Page 56]
8. Business from the council
9. Next meeting dates  
Wednesday, April 22, 2020; 7:15 p.m. regular meeting  
Wednesday, May 13, 2020; 7:15 p.m. regular meeting

10. Adjournment

Due to Governor Brown's Executive Order No. 20-12, prohibiting public gatherings during the COVID-19 pandemic, this meeting is accessible to the public only via phone and video connection.



RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY OF ALBANY, OREGON SUPPORTING THE SECOND AMENDMENT RIGHTS OF THE UNITED STATES CONSTITUTION AND THE ARTICLE 1, SECTION 27 RIGHTS OF THE OREGON CONSTITUTION

This matter came before the City Council for the City of Albany, on the 25th day of March, 2020, at the request of Councilor Mike Sykes.

WHEREAS, The Second Amendment to the Constitution of the United States of America states: “A well regulated Militia, being necessary to the security of a free State, and right of the people to keep and bear Arms, shall not be infringed”; and

WHEREAS, Article 1. Section 27 of the Oregon Constitution states: “The people shall have the right to bear arms for the defense of themselves, and the State, but the Military shall be kept in strict subordination of the civil power”; and

WHEREAS, the City of Albany recognizes the constitutions of the United States of America and of Oregon as the documents that protect and preserve our democracy, liberty, and natural law rights; and

WHEREAS, the overwhelming majority of lawfully owned firearms in Oregon and the United States will never be used in a crime; and

WHEREAS, that certain provisions of existing law have been interpreted and understood not to violate or abridge these rights, including but not limited to prohibition of possession of firearms by certain felons, those who have been prosecuted for criminal behavior including firearms, and those adjudicated mentally ill and a danger to themselves and others.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that the Albany City Council strongly affirms its commitment to the rights and liberties enshrined within the constitutions of the United States of America and Oregon, including the right to keep and bear arms.

BE IT FURTHER RESOLVED that the city council opposes any state or federal law that abridges or is contrary to the provisions of the constitutions of the United States of America and the State of Oregon preserving the people’s right to keep and bear arms.

BE IT FURTHER RESOLVED that the city council strongly supports the right of the people to keep and bear arms as stated in the constitutions of the United States of America and Oregon as interpreted by the United States Supreme Court and Oregon Supreme Court, and opposes any state or federal law that unconstitutionally restricts these rights.

BE IT FURTHER RESOLVED that the Albany City Council remains committed to the removal of firearms from those who have legally forfeited their rights due to conviction of certain felonies and criminal behavior involving firearms and those adjudicated mentally ill and a danger to themselves or others.

DATED AND EFFECTIVE THIS 8TH DAY OF APRIL 2020.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



RESOLUTION NO. \_\_\_\_\_

---

A RESOLUTION DIRECTING STAFF TO RELEASE/TERMINATE A SEWER EASEMENT

Grantor

City of Albany

Purpose

Releasing a sewer easement over an abandoned sewer line, in exchange for obtaining a new sewer easement over a new relocated section of sewer line, SS-17-01, Cox Creek Interceptor Improvements. 11S03W05DA 00400 and 00402

Grantee

Ronald D. Nagel Revocable Living Trust  
Waverly Properties, LLC  
M&M Rentals, LLC

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby direct staff to execute the attached Release and Termination of Easement document.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon passage by the council and approval by the mayor.

DATED AND EFFECTIVE THIS 8TH DAY OF APRIL 2020.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**After Recording Return to:**

City of Albany  
P.O. Box 490  
Albany, OR 97321

Grantor  
City of Albany

Grantees  
Ronald D. Nagel Revocable Living Trust  
Waverly Properties, LLC  
M&M Rentals, LLC

**RELEASE AND TERMINATION OF EASEMENT**

KNOW ALL PEOPLE BY THESE PRESENTS, that THE CITY OF ALBANY, a municipal corporation, does hereby abandon and terminate the following easement, described as follows, to wit:

**Legal Description**

All of that Easement for Public Utilities granted to the City of Albany and recorded in Linn County, Oregon Deed Records **MF 1079-128**. See maps on attached Exhibits A and B attached hereto and made a part hereof.

To Have and to Hold the same unto said CITY OF ALBANY, OREGON and its successors and assigns forever.

IN WITNESS WHEREOF, the CITY OF ALBANY, OREGON has executed this instrument this \_\_\_\_ day of \_\_\_\_\_, 2020.

**CITY OF ALBANY:**

STATE OF OREGON        )  
County of Linn         ) ss.  
City of Albany         )

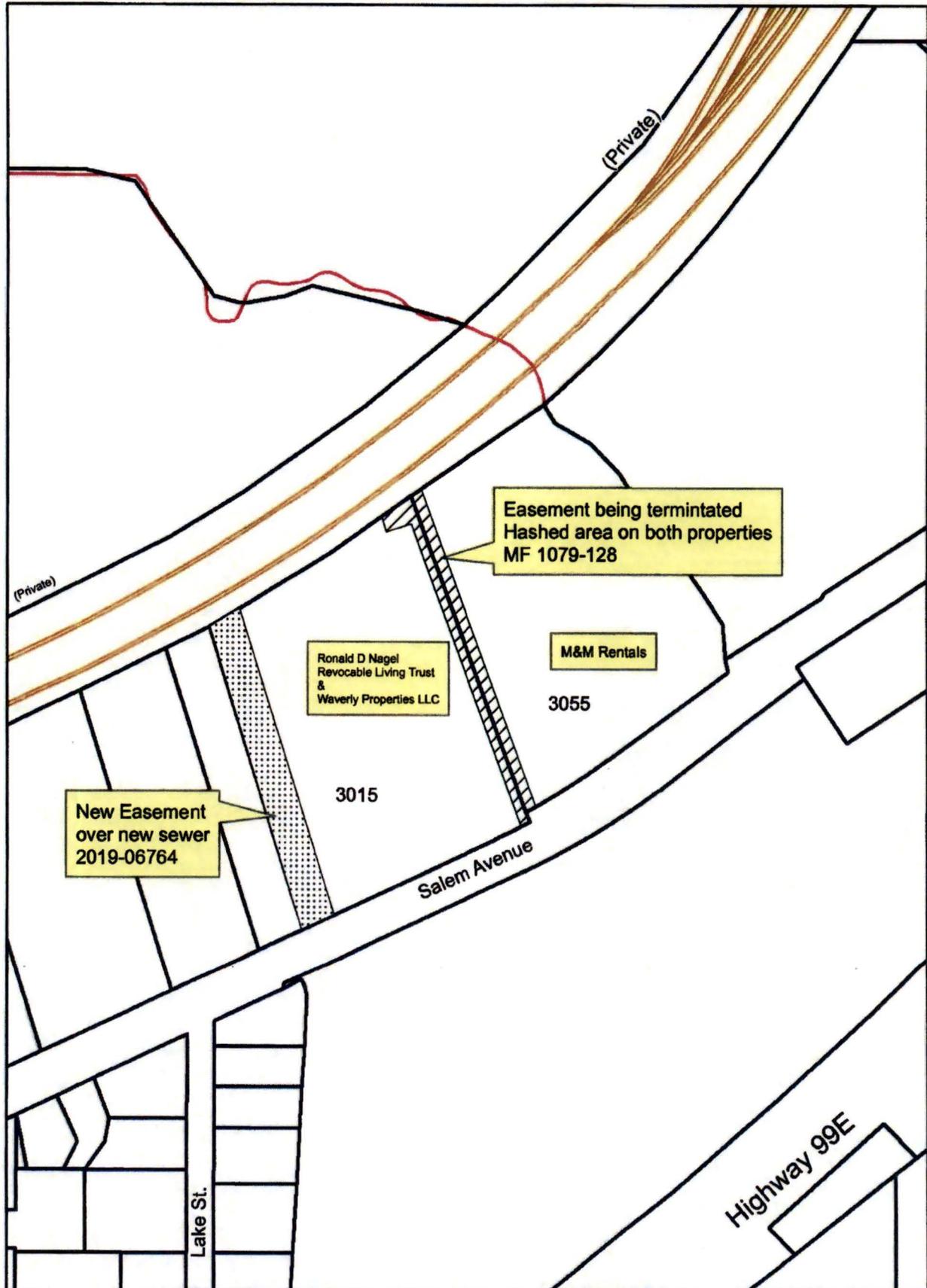
I, Peter Troedsson, as City Manager of the City of Albany, Oregon, pursuant to Resolution Number \_\_\_\_\_, do hereby execute this instrument on behalf of the City of Albany, pursuant to the terms thereof this \_\_\_\_ day of \_\_\_\_\_ 2020.

\_\_\_\_\_  
City Manager

ATTEST:

\_\_\_\_\_  
City Clerk

# Exhibit A - Map of Easement being Terminated

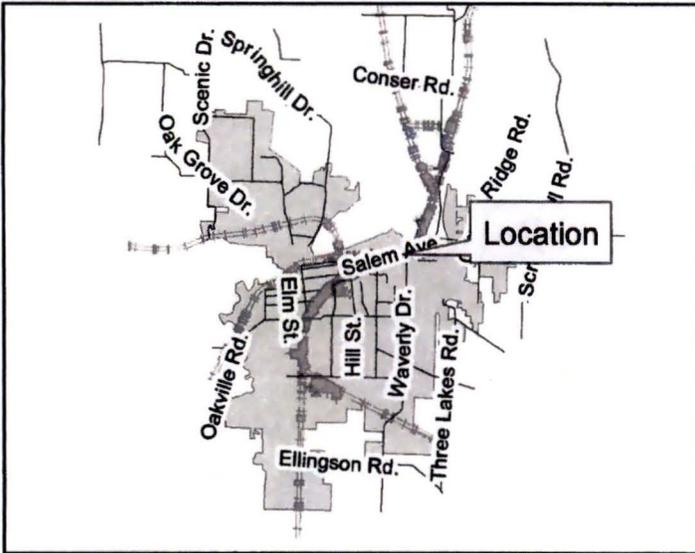


# EXHIBIT B

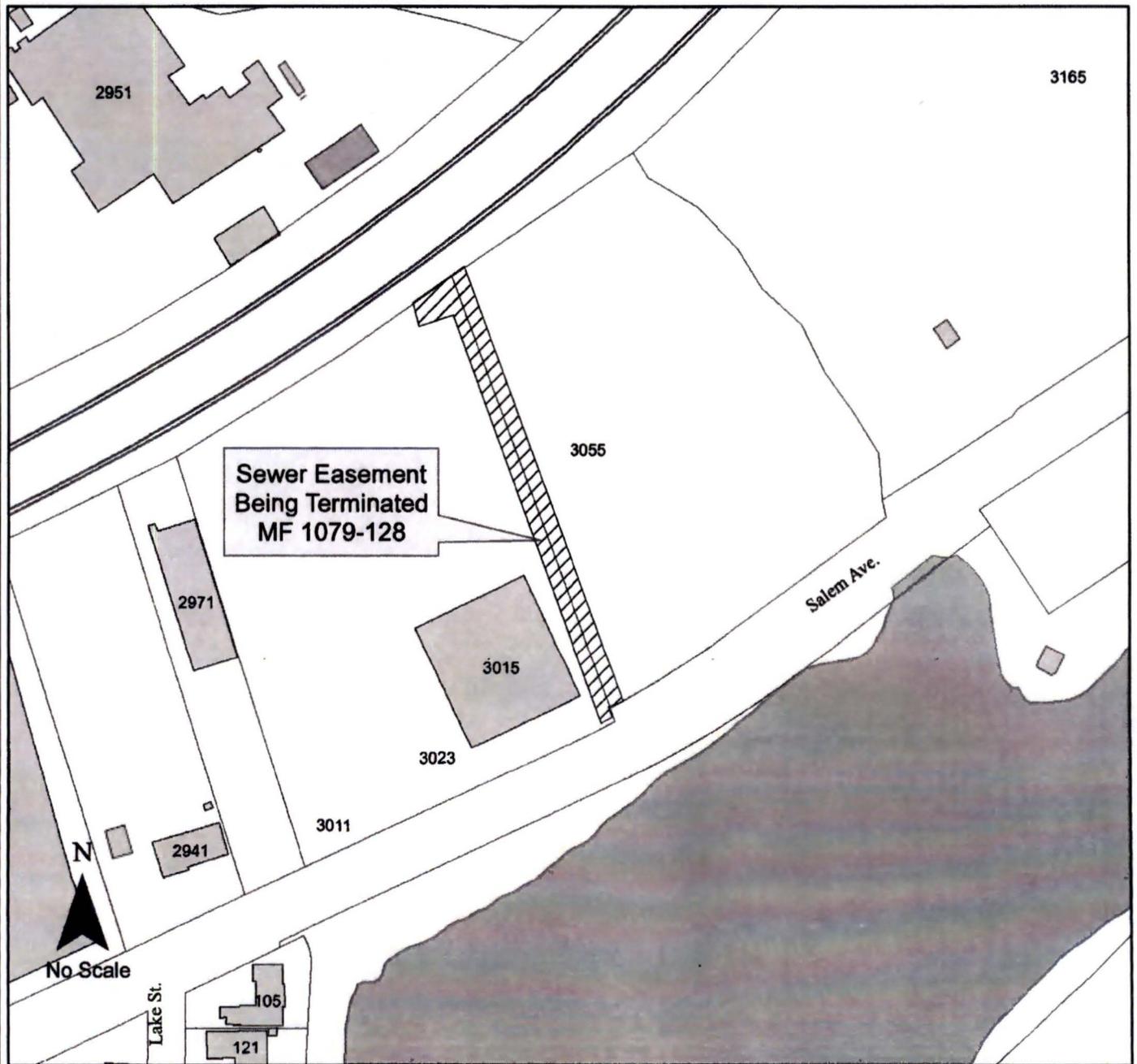
11S03W05DA - 00400

11S03W05DA - 00402

A variable width sewer easement  
being terminated as part of SS-17-01,  
Cox Creek Interceptor Improvements



Geographic Information Services





# MEMO

TO: Albany City Council

VIA: Peter Troedsson, City Manager *PT* 1/3  
Jeff Blaine, P.E., Public Works Engineering and Community Development Director *JB*

FROM: Staci Belcastro, P.E., City Engineer *SB*  
Lori Schumacher, P.E., Civil Engineer II *LS*

DATE: March 25, 2020, for the April 8, 2020, City Council Meeting

**SUBJECT:** Award of Contract for ST-19-02, Lochner Road Improvements  
Relates to Strategic Plan theme: A Safe City, An Effective Government

**Action Requested:**

Staff recommends that Council award this contract in the amount of \$2,407,559.00 to the low bidder, North Santiam Paving Co. of Stayton, Oregon.

**Discussion:**

On Tuesday, March 24, 2020, bids were opened for ST-19-02, Lochner Road Improvements. There were three bids submitted for this project, ranging from \$2,407,559.00 to \$2,823,127.59. The Engineer's estimate was \$3,156,778.00. A bid summary is provided as Attachment 1.

*Project Description*

This project is being constructed in support of a planned expansion at SnoTemp, a cold storage facility located in Albany at 3815 Marion Street, which is expected to create approximately 60 new jobs within five years of completion of the improvements. Improvements include approximately 2,300 feet of full-street reconstruction on Lochner Road along its frontage with SnoTemp, and approximately 200 feet of street reconstruction on Marion Street from the railroad tracks south to its intersection with Lochner Road. A vicinity map is provided as Attachment 2.

In addition to street improvements, this project includes new curbs, sidewalks on both sides of Marion Street, sidewalks on the south and west side of Lochner Road, approximately 200 feet of new 12-inch ductile iron water line, approximately 2300 feet of new storm drain, stormwater quality planters, and a stormwater detention pond. The 162.5 foot-long railroad spur crossing on Lochner Road, and 72-foot long railroad crossing on Marion Street will also be reconstructed in conjunction with this project pending council approval of an agreement with Albany & Eastern Railroad Company (AERC), which is included as a separate item on the council agenda.



*Summary of Estimated Project Cost*

Based on the project bid and anticipated related costs, a summary of the total estimated project cost is shown in the following table. Amounts are rounded to the nearest \$100.

<b>Project Components</b>	<b>Estimated Cost</b>
<b>I. Engineering Costs</b>	
a. Design Engineering	\$100,000
b. Wetlands Permitting and Water Quality Certification	\$130,000
c. Construction Inspection	\$157,000
<i>Engineering Subtotal</i>	\$387,000
<b>II. Construction Costs</b>	
a. Construction Contract	\$2,407,600
b. Contingency	\$240,800
c. Marion Street Railroad Crossing Replacement	\$49,800
d. Lochner Road Railroad Crossing Replacement	\$161,200
e. Street Lighting (Pacific Power and Consumers Power Inc.)	\$35,800
e. Construction Staking	\$45,000
<i>Construction Subtotal</i>	\$2,940,200
<i>Total Estimated Project Cost</i>	\$3,327,200
<i>Project Budget</i>	\$3,669,000
<i>Under/ (Over) Project Budget</i>	\$341,800

**Budget Impact:**

City staff partnered with SnoTemp, Albany Millersburg Economic Development Corp (AMEDC), Business Oregon, and ODOT to identify the funding necessary to construct this job-creating project. Funding in the amount of \$3,669,000 will be from Oregon SPWF Grant (\$300,000), ODOT Immediate Opportunity Fund (\$1,000,000), Oregon SPWF Loan (\$1,769,000), and Transportation SDC (\$600,000).

LS:ss

Attachments: 2

- c: Jon Goldman, Transportation Superintendent
- Kristin Preston, P.E., Wastewater Superintendent
- Jeff Kinney, Water Operations Supervisor
- Seth Sherry, Economic Development Manager

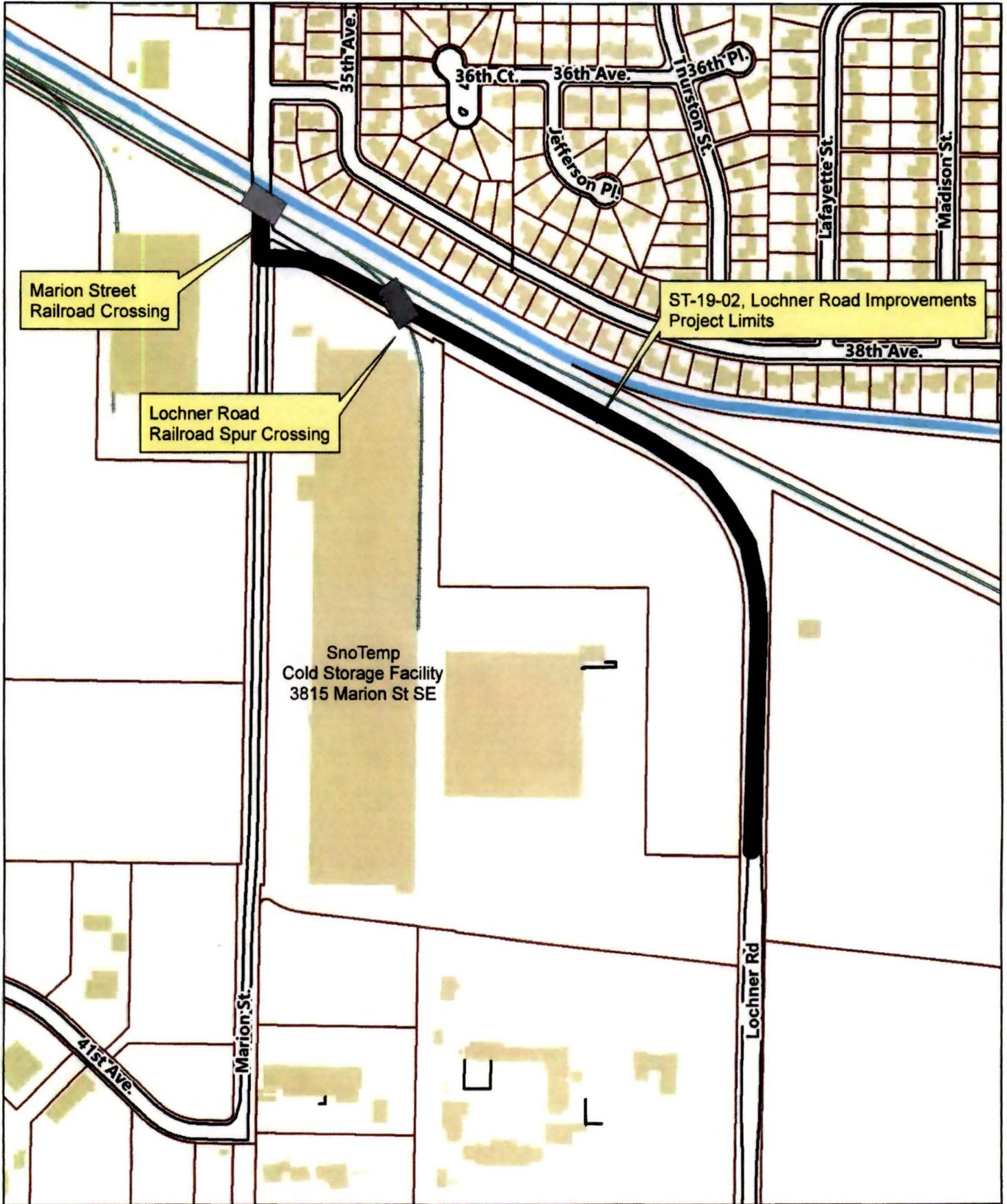


**CITY OF ALBANY, OREGON**  
**Public Works Department**  
**Construction Contract Bids**

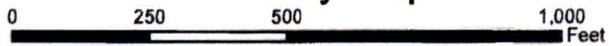
**Project:** ST-19-02, Lochner Road Improvements

**Bid Opening:** Tuesday, March 24, 2020

Engineer's Estimate	North Santiam Paving (Stayton, OR)	K & E Excavating (Salem, OR)	Willamette Valley Excavating (Salem, OR)
\$3,156,778	\$2,407,559	\$2,585,120	\$2,823,127.59



**ATTACHMENT 2**  
**ST-19-02, Lochner Road Street Improvements**  
**Vicinity Map**





# MEMO

TO: Albany City Council

VIA: Peter Troedsson, City Manager *PT 4/3*  
 Jeff Blaine, P.E., Public Works Engineering and Community Development Director *JB*

FROM: Staci Belcastro, P.E., City Engineer *SB*  
 Andrew Monaco, Engineer Associate I

DATE: April 1, 2020, for the April 8, 2020, City Council Meeting

**SUBJECT:** Award of Contract for ST-20-01, Ninth Avenue Street Improvements  
 Relates to Strategic Plan theme: Great Neighborhoods

**Action Requested:**

Staff recommends that Council award this contract in the amount of \$1,387,485 to the low bidder, K & E Excavating, Inc. of Salem, OR.

**Discussion:**

On March 31, 2020, bids were opened for ST-20-01, Ninth Avenue Street Improvements. There were four bids submitted for this project, ranging from \$1,387,485 to \$1,852,108. The Engineer's estimate was \$1,410,070. A bid summary is provided as Attachment 1.

*Project Description*

This project includes approximately 1,900 linear feet of street reconstruction on Ninth Avenue between Broadway Street and Elm Street, including curbs, sidewalk repairs, storm drains, and landscaping. The existing road is heavily deteriorated due to age. In addition, approximately 980 feet of deteriorated 4-inch water mains will be replaced with 6-inch ductile-iron waterlines to avoid cutting the new pavement in the future. Replacing the waterlines will also improve fire protection, increase system reliability and reduce the number of emergency responses required to fix leaks. A project vicinity map is provided as Attachment 2.

*Summary of Total Estimated Project Cost*

Based on the project bid and anticipated related costs, a summary of the total estimated project cost is shown in the following table. The amounts have been rounded to the nearest \$100.

Project Components	Estimated Cost
<b>I. Engineering Costs</b>	
a. Design Engineering & Surveying	\$90,100
b. Construction Inspection & Surveying	\$72,500
<i>Engineering Subtotal</i>	\$162,600



<b>II. Construction Costs</b>	
a. Construction Contract	\$1,387,500
b. Contingency	\$138,700
c. Other Costs (Tree Removal, SWQ)	\$37,100
<i>Construction Subtotal</i>	\$1,563,300
	<i>Total Estimated Project Cost</i>
	\$1,725,900
	<i>Project Budget</i>
	\$1,404,000
	<i>Under/ (Over) Project Budget</i>
	(\$321,900)

**Budget Impact:**

This project will be funded from the Street Capital and Restoration fund (250-40250), and the Water System Capital Projects fund (615-40450). There are adequate reserves in the Street Capital and Restoration fund to cover the estimated overage. Additionally, approximately \$138,700 of the total estimated project cost is contingency funds that are held to deal with changed conditions during construction. While these funds may be required to complete the project, if changes are minimal, much of the contingency can be saved.

AM:ss

Attachment

- c: Kristin Preston, P.E., Wastewater Superintendent (via email)
- Jon Goldman, Transportation Superintendent (via email)
- Jeff Kinney, Water Operations Supervisor (via email)

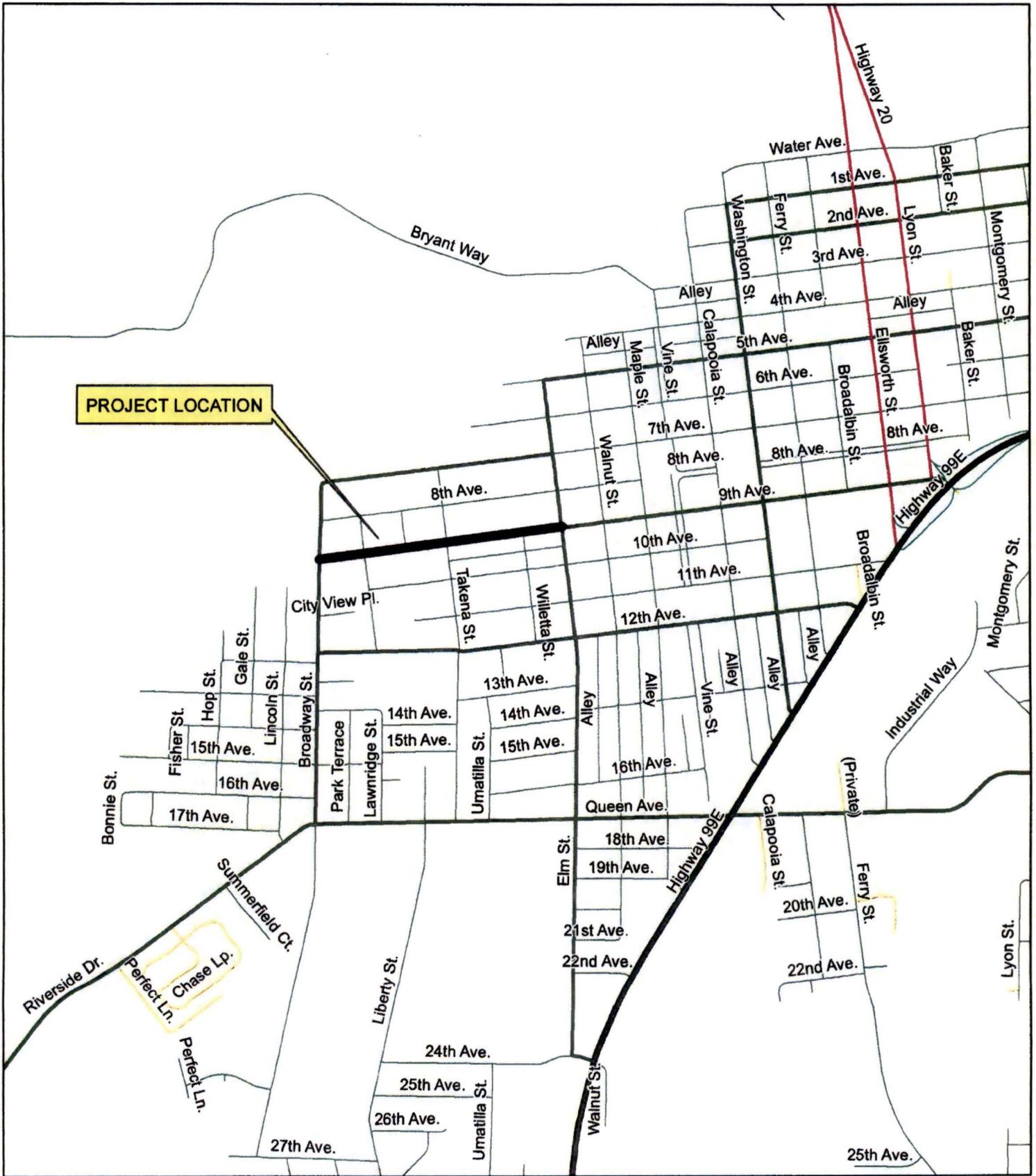


**CITY OF ALBANY, OREGON**  
**Public Works Department**  
**Construction Contract Bids**

**Project:** ST-20-01, Ninth Avenue Street Improvements

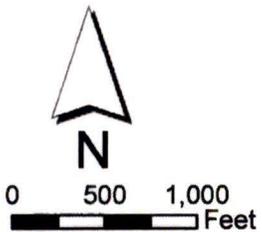
**Bid Opening:** March 31, 2020

<b>Engineer's Estimate</b>	<b>K &amp; E Excavating, Inc. (Salem, OR)</b>	<b>North Core USA LLC (Salem, OR)</b>	<b>Emery &amp; Sons Construction Group, LLC (Salem, OR)</b>	<b>North Santiam Paving Co. (Stayton, OR)</b>
\$1,410,070.00	\$1,387,485.00	\$1,414,056.83	\$1,465,690.00	\$1,852,108.00



## ATTACHMENT 2

### ST-20-01, 9th Avenue Street Improvements Project Vicinity Map





# MEMO

TO: Albany City Council

VIA: Peter Troedsson, City Manager *ATB*  
 Jeff Blaine, P.E., Public Works Engineering and Community Development Director *JB*

FROM: Staci Belcastro, P.E., City Engineer *SB*  
 Lori Schumacher, P.E., Civil Engineer II *LS*

DATE: March 31, 2020, for the April 8, 2020, City Council Meeting

**SUBJECT:** ST-19-02, Lochner Road Improvements  
 Railroad Crossing Reconstruction Agreement

Relates to Strategic Plan theme: A Safe City, An Effective Government

### Action Requested:

Staff recommends that Council, by motion, authorize the Public Works Engineering and Community Development Director to execute an agreement with Albany & Eastern Railroad Company (AERC) for reconstruction of two railroad crossings in the amount of \$210,895.79 in conjunction with ST-19-02, Lochner Road Improvements project.

### Discussion:

The Lochner Road improvements include full-street reconstruction on Lochner Road from its intersection with Marion Street, south 2,300 feet along SnoTemp’s frontage. The project is being constructed in support of a planned expansion at SnoTemp, a cold storage facility located in Albany at 3815 Marion Street, which is expected to create approximately 60 new jobs within five years of completion of the improvements. A vicinity map is provided as Attachment 1.

Reconstruction of the 162.5-foot-long railroad spur crossing on Lochner Road is required in conjunction with the planned street improvements on Lochner Road, and its reconstruction was included in the scope of work for the Lochner Road Improvements project. The estimated cost to reconstruct the spur line that serves SnoTemp is approximately \$161,145.79.

Reconstructing the 72-foot long railroad crossing on Marion Street was not considered during the project development because the street improvements were planned to tie into the south side of the railroad crossing. However, during design, AERC indicated they planned to reconstruct the Marion crossing in five years. AERC does not have the budget to reconstruct the Marion railroad crossing at this time but agreed to accelerate the schedule if the City could cover the cost of materials estimated to be approximately \$49,750.

The total estimated project cost, including the cost to reconstruct the two railroad crossings, is estimated to be under budget by approximately \$341, 800. Staff recommends coordinating reconstruction of the Marion railroad crossing with the Lochner Road improvements. Reconstructing the railroad crossing on Marion Street after the project would require cutting the new asphalt, and the City would have less control of the grades to ensure a smooth ride over the tracks. Coordinating the Marion crossing improvements with the Lochner Road improvements will also minimize future impacts to SnoTemp and the businesses located south of the railroad crossing. This crossing replacement will require a complete shutdown of Marion Street for three days and all traffic needing access to the businesses south of the crossing will be detoured to Ellingson Street and Lochner Road. The detour will not accommodate heavy truck traffic due to the 8-ton weight limit on the bridges over Oak Creek on Lochner Road. In an effort to reduce the impact of having no heavy truck access to the industrial businesses south of the Marion Street crossing, staff requested the shutdown to take place on a weekend and one weekday.



**Budget Impact:**

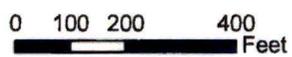
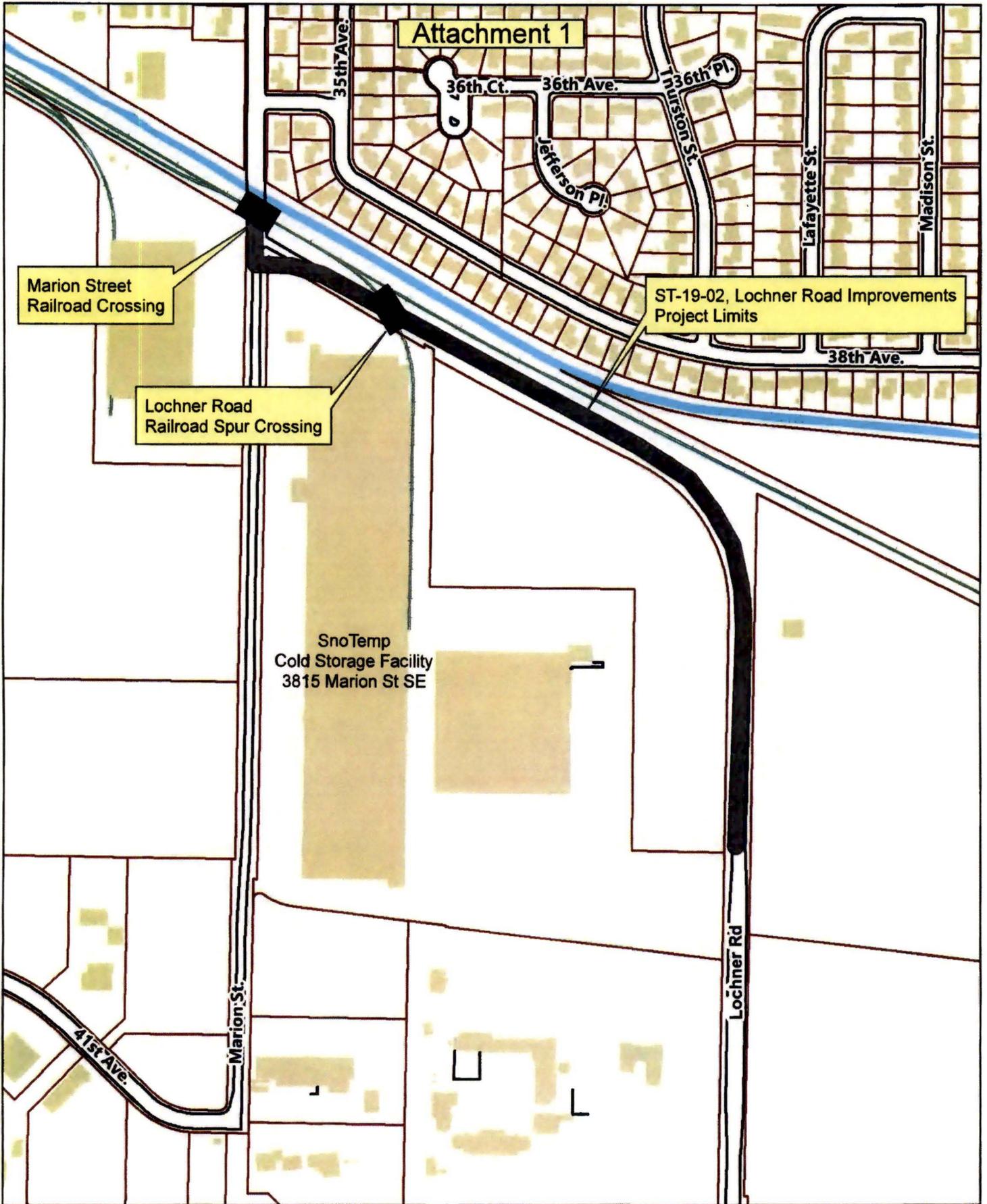
City staff partnered with SnoTemp, Albany Millersburg Economic Development Corp (AMEDC), Business Oregon, and ODOT to identify the funding necessary to construct this job-creating project. Funding in the amount of \$3,669,000 will be from Oregon SPWF Grant (\$300,000), ODOT Immediate Opportunity Fund (\$1,000,000), Oregon SPWF Loan (\$1,769,000), and Transportation SDC (\$600,000). Executing the Agreement would commit the City to paying AERC \$49,750 to reconstruct the Marion Street crossing and \$161,145.79 to reconstruct the Lochner Road spur crossing.

LS:ss

Attachment (1)

Seth Sherry, Economic Development Manager (via email)

Ronald G. Irish, Transportation Systems Analyst (via email)



ST-19-02, Lochner Road Street Improvements  
Vicinity Map  
Railroad Crossing Reconstruction



# MEMO

TO: Albany City Council

VIA: Peter Troedsson, City Manager *PT*  
 Jeff Blaine, P.E., Public Works Engineering and Community Development Director *JB*

FROM: Nolan Nelson, P.E., Civil Engineer III  
 Staci Belcastro, P.E., City Engineer *SB*

DATE: March 24, 2020, for the April 8, 2020, City Council Meeting

**SUBJECT:** WTP-18-01, Vine Street WTP Accelerator Improvements: Construction Contract Increase

**Action Requested:**

Staff recommends Council approve a construction contract increase in excess of 10 percent to McClure and Sons, Inc., for WTP-18-01, Vine Street Water Treatment Plant (WTP) Accelerator Improvements.

**Discussion:**

*Project Description*

On May 22, 2019, council approved a contract with McClure and Sons, Inc. in the amount of \$864,600 to construct the Vine Street WTP Accelerator Improvements. The water plant has two solids contact clarifiers, Accelerator 1 and 2, which promote settling of solids from the water as part of the treatment process. Accelerator is the trade name for the make and model of the two clarifiers. This project included repairs to the two Accelerators. Accelerator 1 is a concrete structure. Work on Accelerator 1 included repairs to the concrete structure, replacement of the existing bridge and catwalk required for maintenance access, and new coating. Work on Accelerator 2, a steel structure, included replacement of the existing tube settlers, cleaning and recoating the steel plate surfaces, and replacement of its drain valve. A vicinity map is provided as Attachment 1.

*Changed Conditions*

There are times when unknown or unforeseen circumstances arise during construction. Since these issues are not in the original contract, they typically are dealt with by issuing a change order to the contractor. Per AMC 2.66.040, council approval is required for any change orders in excess of 10 percent above the originally approved contract amount; however, in order to avoid significant inconveniences to the public and added costs, it was critical to address the issues immediately in the field. As a result, council approval of the change order requested in this memo will result in payment to McClure and Sons for work they have already completed in good faith. Council was advised of the anticipated change orders in excess of 10 percent via email on August 29, 2019, and during a staff report at the February 24, 2020, council work session.

*Quantified Change Orders*

The two Accelerators are always full of water that extends above the tube settlers, so it was not possible to investigate the condition of each structure below the water level without halting production of water for an extended period of time. During construction, once the water was drained from each Accelerator, a number of unforeseen issues were identified that required issuing a change order as summarized in the following paragraphs:



Changed Conditions Accelerator 1 During construction, after draining the water from Accelerator 1, it was discovered that the concrete trough around the perimeter of the structure was in very poor condition. The existing coating had been placed over a grout layer that delaminated once work started. Sandblasting was required to remove the existing coating system and grout layer, and a new drinking water-safe coating system was installed. Removal of the existing catwalk system also revealed extensive corrosion on the steel structure below the catwalk; and additional electrical work was also required to replace wiring and conduit that could not be placed back into service because it had deteriorated. The change order costs attributed to changed conditions discovered in Accelerator 1 are \$72,200.00.

Changed Conditions Accelerator 2 During construction, after draining Accelerator 2, it was discovered that the coating system was failing in places and needed to be repaired. A number of structural repairs to the angle iron and steel walls were also discovered that needed to be addressed before putting the clarifier back in service. The additional work on both tanks had an unintended consequence of extending construction of these improvements into the winter months, requiring heating and dehumidifying equipment in order to properly cure the coating system. The change order costs attributed to changed conditions discovered in Accelerator 2 and construction during winter months are \$78,700.00.

*Summary of Total Estimated Project Costs*

Base on the project bid and anticipated related costs, a summary of the total estimated final project cost is shown in the table below. The amounts have been rounded to the nearest \$100

Project Components	Estimated Cost at Time of Award	Estimated Final Cost
<b>I. Engineering Costs</b>		
a. Engineering	\$20,000	\$15,000
b. Consulting Engineering Services	\$70,000	\$61,600
c. Construction Management	\$15,000	\$10,000
<i>Engineering Subtotal</i>	\$105,000	\$86,600
<b>II. Construction Costs</b>		
a. Construction Contract	\$864,600	\$864,600
b. Change Orders	\$86,500 (10%)	\$150,900 (17.4%)
c. Consultant Inspection Services	\$25,000	\$25,700
<i>Construction Subtotal</i>	\$976,100	\$1,041,200
<i>Total Estimated Project Cost</i>	\$1,081,100	\$1,127,800
<i>Project Budget</i>	\$1,020,700	\$1,020,700
<i>Under/ (Over) Project Budget</i>	\$(60,400)	\$(107,100)

**Budget Impact:**

This project is funded from Water System Capital Projects (615-40450). There are adequate reserves in the Water System Capital Projects Fund to cover the estimated overage.

NN:ss  
 Attachment



WTP-18-01, VINE STREET WTP ACCELATOR IMPROVEMENTS  
ATTACHMENT 1: VICINITY MAP



# MEMO

---

TO: Albany City Council

FROM: Allison Grove, Administrative Assistant I (Confidential)

DATE: March 17, 2020, for the April 8, 2020, City Council Meeting

**SUBJECT:** Appointments to Citizen Advisory Groups

Relates to Strategic Plan theme: An Effective Government

**Action Requested:**

Council ratification of the following appointments:

**Traffic Safety Commission**

- Steph Nappa (Dick Olsen's appointment; application attached)

**Discussion:**

Mayor and Councilor recommendations for any remaining vacancies on the City's citizen advisory groups will be submitted for approval at subsequent city council meetings.

**Budget Impact:**

None.

AG

Attachment



# Citizen Advisory Group Application

**Applying To** Traffic Safety Commission

**Received** February 5, 2020

**Name** Steph Nappa

**In City Limits?** Yes (Ward 1)

**Are you currently employed outside the home?** Yes (Oregon Cascades West Council of Governments)

**List current or most recent occupation, business, trade, or profession:**

transportation planner

**Please summarize what qualifications and experience you have that would apply to this position:**

I received my Master of Community and Regional Planning degree from the University of Oregon in June 2018. The focus of my studies was transportation planning, and I took multiple classes on how to improve the safety of our roads through design and a reduced reliance on the automobile as a mode of travel. Since graduating, I have worked for The Oregon Department of Transportation as a policy fellow and Oregon Cascades West Council of Governments as a transportation planner.

**List community/civic activities in which you are or have been active:**

I have been attending meetings of the Albany Bicycle and Pedestrian Advisory Committee as an interested citizen since I moved to Albany in 2018. I am currently serving on the Task Force for the Albany Parks and Recreation Master Plan, and am an active member of the Democratic Party of Linn County.

**How many Traffic Safety Commission meetings have you attended?**

None

**What is your understanding of the role of a Traffic Safety Commission member and what contributions do you hope to make to the commission?**

A traffic safety commissioner provides recommendations and ideas to the City of Albany regarding methods of improving safety on our roads through the design of our streets and overall transportation system. I hope to provide my knowledge of design solutions that can mitigate accident risks and encourage drivers to be alert and careful in the operation of their vehicles.

**Please describe how your knowledge and experience qualify you to evaluate traffic issues?**

I have over three years of education and work experience specific to transportation planning and traffic facility design. I also have an international perspective of safer road design through a summer study abroad program where I visited Denmark and the Netherlands to learn about their transition from a car-dependent transportation system to one that supports active modes including walking, biking, and transit.

**What are the biggest issues with traffic in Albany?**

Speeding, injuries, and deaths on our roads.

**How can traffic safety be improved in Albany?**

This year has started with multiple deadly crashes on our roadway. Until we see zero fatalities or serious injuries on our roads, then traffic safety needs to be improved. Road design is one of the biggest contributors to traffic safety, as roads with multiple wide lanes encourage speeding, limited crossings make it difficult for pedestrians to reach their destinations, and unprotected bike lanes place cyclists dangerously close to heavy cars.

**Have you reviewed the meeting schedule for this commission and can you commit to regular meeting attendance?**

Yes

**If there are currently no vacancies for this commission, would you like your application kept on file for the remainder of this recruitment period?**

Yes

**How did you hear about this opportunity?**

Albany city website





**MINUTES**

Monday, November 4, 2019

Joint Work Session

Council Chambers, City Hall

**Approved Planning Commission: March 16, 2020**

**Approved City Council: DRAFT**

**CALL TO ORDER**

David Martineau called the meeting to order at 5:15 p.m.

**ROLL CALL**

Council Members present: Mayor Sharon Konopa; Councilors Rich Kellum, Alex Johnson II, Dick Olsen, Bill Coburn, Mike Sykes, Bessie Johnson.

Council Members absent: None.

Commissioners present: Roger Phillips, Dala Rouse, Joann Miller, Diane Hunsaker, Ann Ketter, Larry Tomlin, Ralph Menweg, Kenny Larson.

Commissioners absent: Cordell Post (excused).

Staff Present: David Martineau, Planning Manager; Jeff Blaine, P.E., Public Works Engineering and Community Development Director; Shelley Shultz, Contracting Assistant.

Others: Cathy Corliss, Angelo Planning Group; Janet Steele, ADC Amendments Task Force; Bill Ryals, ADC Amendments Task Force.

**SCHEDULED BUSINESS**

5:15 p.m.

David Martineau gave an update on the Albany Development Code (ADC) Amendments Task Force progress and introduced Cathy Corliss, consultant with Angelo Planning Group.

**Project Update & Overview**

5:17 p.m.

Cathy Corliss provided a brief background on the project purpose and status. Phase 1 focused on residential standards and was completed in June 2019. The Task Force is now working on Phase 2, focusing on commercial and institutional development, with an estimated completion date of June 2020. Phase 3 will focus on land divisions and non-conforming development, scheduled to begin in July 2020, with an estimated completion date of June, 2021.

Phase 2 primarily deals with Commercial and Institutional Site Design Standards (in ADC Article 8). The goal is to identify updates to the ADC, tune up the standards to ensure they are effective, fair and clear, and to provide additional flexibility through the Type II Adjustment process recommended in Phase 1.

Corliss presented the results of community input from Task Force meetings, Open Houses, and the online Community Survey.

**Presentation / Commercial & Institutional Site Design Standards**

5:28 p.m.

Corliss gave a presentation on the current project, Commercial & Institutional Site Design Standards. (see agenda packet).

### Building and Parking Location

5:35 p.m.

The purpose of this section is to promote an attractive streetscape and pleasant pedestrian environment. Code concepts would be to remove unnecessary language, clarify standards and make them more effective, and refine and expand the list of allowed exceptions to parking location requirements for smaller sites.

Community Survey responses indicate that half think buildings should be close to sidewalk with parking behind or to the side, and half think parking location is not important; more would prioritize comfort and convenience for walking over driving or would prioritize both equally.

Discussed the need for different commercial zone types to address the various pedestrian issues. Cathy Corliss said Phase 3 will address these issues; her understanding is that most people want to see more flexibility in Code.

### Street Connectivity and Internal Site Circulation

6:00 p.m.

The purpose of this section is to provide efficient connections and circulation between businesses and nearby properties.

Community Survey responses indicate that the majority like the concept of sites being broken into blocks; a smaller majority think it should only apply to large sites (e.g., greater than three acres). The best solution could be to revise the standards to work better but still require that very large parking lots be broken up visually.

Concern was expressed about street connectivity, internal site circulation, and lack of directional striping (Heritage Mall, BiMart, and Winco properties were cited as examples). Code concepts considered by the Task Force include replacing requirement to mimic street/block patterns with simpler design standards for internal driveways (e.g., require sidewalks and landscape strips) and minor changes to make standards clearer and easier to apply.

Several parking concerns were brought up, but Corliss stated that is not addressed in this Code section – it is addressed in Article 9. Tomlin wants to add permeable surfaces to “parking lot” ideas.

### Landscaping for Large Parking Area

6:15 p.m.

The purpose of this section is to address special landscape standards for large parking areas greater than 75 spaces, minimize visual impact, improve environmental and climatic impacts, and improve pedestrian safety and comfort. Current requirements divide parking area into “pods” separated by walkways and landscape strips, seven percent landscaping plus one tree per eight parking spaces to create a canopy effect.

Discussion ensued regarding trees and lighting. Community Survey question addressed this. Environmental and safety benefit was important to respondents.

### Pedestrian Amenities

6:25 p.m.

The purpose of these standards is for improvements/amenities to make development feel more comfortable by providing human-scaled spaces for pedestrians to stop and relax. Current requirements must provide certain number of amenities, based upon size of building, and select from a menu of options.

Community Survey responses rated the value of amenities differently, with larger street trees, weather protection, and pocket parks or gardens receiving the highest ratings; also showed support of allowing some amenities to count more towards requirement.

### Building Design

6:35 p.m.

The purpose of this standard is to promote and enhance a comfortable pedestrian scale and orientation. Current requirements address ground-floor windows required along frontages adjacent to sidewalks, minimum window coverage on main front elevation, architectural detailing required for building walls visible from street.

Concern was expressed that too many windows create more opportunity for theft and vandalism. There are many factors to consider, and the surrounding area should be taken into account. Some felt that front facades should be very

attractive and inviting with windows for curb-appeal and safety, while others felt architectural details other than windows can serve the same purpose.

Blaine suggested language be drafted to address the issue and get some clarity and consensus.

Community Survey results show ground floor windows are important – add interest, comfort, and safety for pedestrians; window requirement should depend on type of building/use, type of street, or part of town.

### Compatibility Requirements

6:50 p.m.

The purpose of these standards is to ensure compatibility with adjacent uses by limiting impacts such as noise, glare, odor, and visual impacts.

Current requirements limit glare or “light spill” onto adjacent properties, screen “unsightly” exterior improvements, such as trash receptacles and mechanical equipment, screen undesirable impacts such as noise, glare, odors, dust, or vibrations, and provide adequate loading facilities. Coburn wants the Code to specify the desired result, but not be specific on how to achieve it. There are many ways to get the same result, and contractor/owner should be able to choose the best method to accomplish the goal.

Corliss would like to include “Best Practices” in next draft.

Community Survey results show concern about both light spill and screening of unsightly improvements – especially when they impact residential property or views from the street.

### Next Steps

7:02 p.m.

November 2019 – January 2020

- Draft and review Code amendments for Commercial/Non-residential development
- Task Force meeting #12
- Joint PC/CC meeting #5

February – June 2020

- Final revisions to Code amendments for Phase 1 and 2
- Prepare ordinance, staff report, and findings
- PC & CC work sessions and public hearings.

### ADJOURNMENT

7:03 p.m.

There being no other business, the meeting was adjourned at 7:03 p.m.

Respectfully submitted,

Reviewed by,

Shelley Shultz  
Contracting Assistant

David Martineau  
Planning Manager



**MINUTES**

Monday, January 13, 2020

Joint Work Session

Council Chambers, City Hall

**Approved Planning Commission: March 16, 2020**

**Approved City Council: DRAFT**

**CALL TO ORDER**

Mayor Konopa called the meeting to order at 5:15 p.m.

**ROLL CALL**

- Council Members present: Mayor Sharon Konopa; Councilors Rich Kellum, Dick Olsen, Mike Sykes, Bessie Johnson
- Council Members absent: Bill Coburn (excused); Alex Johnson II (excused)
- Commissioners present: Roger Phillips; Diane Hunsaker; Ann Ketter; Larry Tomlin, Ralph Menweg, Kenny Larson; Dala Rouse (arrived at 5:30 p.m.)
- Commissioners absent: Cordell Post (excused); JoAnn Miller (excused)
- Staff Present: David Martineau, Planning Manager; Jeff Blaine, P.E., Public Works Engineering and Community Development Director; Jennifer Sullivan, Administrative Assistant
- Others: Cathy Corliss, Angelo Planning Group; Kate Rogers, Angelo Planning Group; Bill Ryals, ADC Amendments Task Force; Chris Equinoa; Peter Troedsson, City Manager; Ron Irish, City of Albany Engineer; Kristin Smith, Keller Williams Realty; Nina Phillips

**SCHEDULED BUSINESS**

5:17 p.m.

David Martineau gave an update on phase two of the Albany Development Code (ADC or code) amendments project and introduced Cathy Corliss and Kate Rogers, consultants with Angelo Planning Group who will provide the presentation.

**Project Update and Overview**

5:17 p.m.

Corliss reviewed the project's purpose and the status of Phase 2. Phase 1 focused on residential standards and was completed in June 2019. The Task Force is now working on Phase 2 which focuses primarily on commercial and institutional development and site design standards in Article 8. Phase 2 input thus far has included two community open houses and an online survey.

**Presentation / Non-Residential & Commercial Code Concepts**

5:20 p.m.

Corliss referenced the Article 8 Design Standards in the agenda packet which included two copies of the code, one with the changes tracked for easy viewing, and a clean copy with the changes made (see agenda packet). The purpose is to remove inconsistencies and clarify and improve the Commercial and Institutional Site Design Standards, and to build upon previous work (see Cover Memo in agenda packet). Discussion about the affects the amendments will have on development ensued.

Corliss reviewed the Amendments to the ADC Strikeout version and explained the reasoning behind the amendments. The requirements do not have to be clear and objective, instead allowing for discretionary choices. Corliss explained that the language adopted is the same language that was recently adopted for downtown.

Tomlin asked if the code amendments mean that everyone will have to have windows. Corliss advised that it does for new buildings, and possibly for new additions to the front façade of existing buildings. Discussion about window requirements, facades, and pedestrian amenities, pedestrian-scale streetlights, and parking lot clarifying language followed. Larson would like to see a maximum point value placed on the pedestrian amenities section. Corliss advised that on pages 22 – 23 wording was updated to reduce confusion and subsection six was removed because it was redundant.

## Q & A and Discussion

6:35 p.m.

The following key issues were addressed, and further discussion ensued:

1. How design standards will apply
  2. Parking location behind buildings
  3. Window Coverage
  4. Parking lots and drive aisles / Separation of pedestrian and bicycle connection
  5. Public Art
  6. Range of points available
- 
1. How design standards will apply: Blaine summed up design standards by explaining that there are current standards for three different industrial zones, and it was appropriate to not apply the standards to the heavy industrial zone. Konopa said the standards were to make streets more appealing. Tomlin asked if anyone who would use the industrial property has been polled. Kellum said it is not a good idea to make industrial and commercial buildings in the same zone follow different standards. Corliss explained that the amendments are to make the standards easier to meet instead of more difficult and to reduce unnecessary barriers. Blaine asked for approval from the planning commission to propose the design standards amendments to the public.
  2. Parking location behind buildings: Public comment was received. Standards apply to commercial and institutional development in all zones. Discussion ensued about regional parking. Larson said that putting parking in the back of businesses is placing unnecessary barriers. Corliss explained that exceptions have been added. Konopa explained that the goal was to prevent having a sea of parking lots and have more businesses oriented to the street. Kellum said business owners should be polled. Corliss recommends receiving public testimony before further conversation is had. Tomlin said other communities that have businesses closer to the street are seeing success because they are more noticeable. Blaine reviewed the proposals and options.
    - a. Move forward with relaxed requirements.
    - b. Delete unreasonable requirements.
    - c. Move forward with relaxed standards as proposed but explore in more detail later.
  3. Window coverage requirement on the primary façade and the idea of requiring windows will become less restrictive, but not deleted completely. Rouse said that in some instance's windows aren't a good idea and instead recommended allowing additional landscaping. Corliss said 25 percent of the primary façade requires windows. But the secondary façade (where there is not an entrance) does not require windows. Clarification about the secondary façade was provided and Corliss referenced table 8.345-1 to help explain that some secondary facades would be exempted. Larson asked for clarifications regarding businesses that put entrances at 90-degree angles. Corliss said it should be clarified that businesses can choose their primary façade or go by street hierarchy. Larson and Olsen agreed that both options should be provided to the applicant to increase flexibility to businesses. Blaine brought conversation back to the energy code issue and asked Ryals to give his opinion. Ryals said the amendments will make it easier for businesses. Corliss reiterated that they are supposed to be working to amend code to make it easier for businesses, not to remove code. Discussion about requirements and options ensued. Martineau said that more research needs to be done before changing the window percentages. Blaine suggested re-visiting window coverage requirements at a later time. Corliss asked to leave the window amendments like they are for now and allow public comments before making any decisions.
  4. The importance of parking lots, drive aisles, and property connections between buildings were reviewed. Irish talked about pedestrian connections between parking lots and that small parking lot makes it ok for pedestrian

connections to go around the parking lot instead of through the middle. Irish provided clarification about pedestrian paths. Discussion ensued.

5. Public Art: Discussion ensued regarding public art, points associated with it, and who should approve public art. it's approval. Equinoa said the points should be consistent with other point values. Ketter thinks there should be a 10-point maximum. Equinoa and Larson agree, and Larson thinks the art commission should get final approval. The commission agreed that there should be a maximum amount of points for art.
6. Range of points available: Equinoa recommended that points be discretionary up to a point with a 10-point maximum for other pedestrian amenities as well.

### Next Steps

7:48 p.m.

Corliss said she was hoping to leave the meeting with some guidance to prepare a new packet to present to the community for their review and comments.

### ADJOURNMENT

7:55 p.m.

There being no other business, the meeting was adjourned at 7:55 p.m.

Respectfully submitted,

Reviewed by,

Jennifer Sullivan  
Administrative Assistant

David Martineau  
Planning Manager



## ALBANY CITY COUNCIL

### MINUTES

Monday, February 10, 2020  
Work Session  
Council Chambers, City Hall

Approved: DRAFT

#### CALL TO ORDER

Mayor Sharon Konopa called the meeting to order at 4:00 p.m.

#### ROLL CALL

Councilors present: Mayor Sharon Konopa and Councilors Rich Kellum, Bill Coburn, Bessie Johnson, and Alex Johnson II

Councilors absent: Councilors Mike Sykes and Dick Olsen

Deputy City Manager/CIO Jorge Salinas introduced the new Library Director, Eric Ikenouye.

#### BUSINESS FROM THE PUBLIC

**4:00 p.m.**

None.

#### RECLASSIFICATION OF CLERK II POSITION IN PARKS & RECREATION

**4:00 p.m.**

Parks and Recreation Director Kim Lyddane shared some of the duties the Clerk II position has been performing. Lyddane noted that these responsibilities fall under the job description for a Clerk III. Konopa said this item will be considered for action on the February 12 council meeting agenda.

#### WASHINGTON STREET SEWER IMPROVEMENTS

**4:04 p.m.**

Engineering Associate I Andrew Monaco detailed the request to expedite a portion of the Washington Street sewer improvement project. Monaco shared the findings of the investigation into the request. Monaco added there are adequate reserves in the sewer capital fund to cover this portion of the project in advance. Staff recommends the council authorize staff to begin working on this portion of the project during the current fiscal year. The cost is approximately \$120,000.

MOTION: Councilor Alex Johnson II moved to approve sewer improvements as proposed by staff. Councilor Rich Kellum seconded the motion, and it passed 4-0.

#### HIGHWAY 20 CORRIDOR REPORT

**4:08 p.m.**

Transportation Systems Analyst Ron Irish said staff recommends a refinement plan for the Transportation System Plan (TSP). Irish shared the history of evaluations of Highway 20 and noted a study of the Highway 20 corridor has not been supported by the Oregon Department of Transportation (ODOT). Irish said regional partners are interested in performing a study and, as a result, ODOT's position on performing a study has changed. Irish detailed the scope and criteria of a potential study.

The TSP includes a project to examine capacity along the Highway 20 corridor between North Albany Road and Ninth Avenue. The focus would be on what could be done to add capacity to that segment of the highway

during a five to ten-year period. Staff is asking if the council would like a request for proposal to hire a consultant to perform a TSP refinement plan. The refinement plan would identify and quantify the benefits of potential projects, estimate the cost, and prioritize projects. This would provide staff with a list of project proposals to bring to ODOT. The corridor study could be expanded to a full update of the TSP.

Konopa noted she is concerned about the addition of turn lanes on Lyon Street and Ellsworth Street and how those would affect parking.

Councilor Bill Coburn said he supports the proposal of a TSP refinement plan.

Irish said three of the proposed projects are already included in the TSP, including the addition of turn lanes on Lyon and Ellsworth streets. Irish talked about potential benefits and priority of TSP projects.

Discussion followed about ODOT's involvement in a corridor study.

Irish said the next step is to bring an award of contract to the council for approval. A similar study cost \$250,000 in 2010. Irish said he expects to spend a fraction of that amount and take the remainder of the budgeted TSP funds to offer as a match to ODOT for the larger study of the corridor from Corvallis to I-5.

Kellum said he did not feel ready to make a recommendation.

Public Works Engineering and Community Development Director Jeff Blaine said this study and a full TSP update are two separate work efforts. Combining them in a proposal is cost saving. Blaine detailed possible outcomes.

Irish asked if there was any further information the council needed. Johnson II requested a map of the proposed study area. The council decided to postpone making a recommendation to a future meeting.

#### FISCAL YEAR 2020-2021 UTILITY RATE ADJUSTMENTS

**4:36 p.m.**

Blaine shared a presentation (see agenda file). The council will be considering utility rates for the 2020-2021 fiscal year, as part of the annual utility rate review process. Blaine noted staff is looking for guidance about content of a future public hearing.

Blaine explained the process of applying for a discharge permit for the new wastewater treatment plant. Johnson II asked if the City is preparing for the costs associated with the new wastewater treatment plant permit. Blaine said the full cost is still unknown and getting a new permit will take several years.

Blaine shared that the new water treatment plant, membranes will need to be replaced on a routine schedule. Money is being put aside to each year to cover the costs of replacement. Johnson asked if the membranes can be replaced incrementally. Public Works – Operations Director Chris Bailey said they have replaced one cell of membranes each year for four years. It is a performance-based replacement. Discussion followed about operating costs.

The council discussed public perception of utility fees and the general fund.

Coburn recommended staff proceed with a public hearing. Johnson II asked that some of the information in the PowerPoint be shared at the public hearing as a handout.

Blaine asked if the council wanted an ordinance to come back for consideration changing the in lieu of franchise fee from five percent to seven percent. The council said yes.

BUSINESS FROM THE COUNCIL

**5:31 p.m.**

None.

CITY MANAGER REPORT

None.

ADJOURNMENT

There being no other business, the meeting was adjourned at 5:31 p.m.

Respectfully submitted,

Reviewed by,

Allison Grove  
Administrative Assistant I (Confidential)

Jorge Salinas  
Deputy City Manager/CIO

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



**MINUTES**

Wednesday, February 26, 2020

Regular Session

Council Chambers, City Hall

Approved: DRAFT

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Sharon Konopa called the meeting to order at 7:15 p.m. The mayor led the pledge of allegiance.

ROLL CALL

Councilors present: Mayor Sharon Konopa and Councilors Rich Kellum, Bessie Johnson, Alex Johnson II, Dick Olsen, and Mike Sykes

Councilors absent: Councilor Bill Coburn was excused.

Konopa moved the agenda items to accommodate staff and the audience.

ADOPTION OF RESOLUTIONS

- a. Applying for Community Oriented Policing Services grant.

MOTION: Councilor Rich Kellum moved to approve the resolution and Councilor Alex Johnson II seconded.

Councilor Bessie Johnson asked how the city would pay after the grant runs out. Police Chief Marcia Harnden said in the future there may be some flexibility to move people and funds around to meet the requirements of the grant, such as with retirements.

VOTE: The motion passed 5-0 and was designated Resolution No. 6857.

PUBLIC HEARINGS

- a. Increasing FireMed membership fees.

Open: Konopa opened the public hearing at 7:18 p.m.

A signup sheet was available for the public (see agenda file). No one wished to speak. Fire Chief Shane Wooton said staff is requesting the fee be raised by \$5.00.

Close: Konopa closed the public hearing at 7:20 p.m.

MOTION: Councilor Mike Sykes moved to adopt the resolution and Johnson II seconded. The motion passed 5-0 and was designated Resolution No. 6858.

REPORTS

**7:20 p.m.**

- a. Oregon RAIN.

Carole Cummings and Corey Wright, representing Oregon RAIN, gave a PowerPoint presentation. The city has a contract with RAIN for \$10,000 a year for a two-year period, to help boost entrepreneurialism in Albany. They distributed an annual report (see agenda file) and a brochure titled "Entrepreneurial ecosystem impact report for 2019" (see agenda file).

Wright said it takes a community to raise an entrepreneurial and it is a team sport. He highlighted the other partners involved and the value the city receives. He spoke about Nerds Abroad, an Albany business.

Wright described the ecosystem scorecard and talked about engagement. Several events are planned for the next six months. The key to this kind of work is to take a long-term approach. RAIN started in 2014 and has been invited into 20 communities. There is an event on April 30 to bring together rural entrepreneurs and elected officials. Cumming spoke about how RAIN has expanded.

**BUSINESS FROM THE PUBLIC**

**7:32 p.m.**

Ray Kopczynski, 1303 Tamarack Court, read a letter to the council (see agenda file). He spoke about a book by Charles L Marohn Jr., titled *Strong Towns: A Bottom-Up Revolution to Rebuild American Prosperity*. Kopczynski asked the council to read the book and be willing to have conversations about the author's conclusions and ideas. It will please and offend both liberals and conservatives. There is forensic financial analysis that proves the author's theories that small, incremental steps over time will change the whole value system in a community.

**FIRST READING OF ORDINANCE**

**7:35 p.m.**

- a. Increasing sewer and water in-lieu-of franchise fees from five to seven percent.

City Attorney Sean Kidd read the ordinance for the first time in title only: AN ORDINANCE AMENDING ALBANY MUNICIPAL CODE SECTIONS 10.01.070(5) AND 11.01.051 TO INCREASE THE SEWER AND WATER SYSTEM IN-LIEU-OF FRANCHISE FEES FROM FIVE TO SEVEN PERCENT.

MOTION: Johnson moved to read the ordinance a second time in title only and Kellum seconded. The motion passed 5-0.

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

MOTION: Johnson moved to adopt the ordinance and Kellum seconded. The motion passed 5-0 and was designated Ordinance No. 5937.

**AWARD OF CONTRACTS**

**7:37 p.m.**

- a. Awarding contract for water treatment chemicals.

MOTION: Kellum moved to adopt the resolution and Sykes seconded. The motion passed 5-0 and was designated Resolution No. 6859.

ADOPTION OF CONSENT CALENDAR

- a. Accepting Mitch Langjahr's resignation from the TLT advisory committee.
- b. Appointments to citizen advisory groups.
- c. Approval of minutes
  - 1) January 6, 2020, work session.
  - 2) February 12, 2020, regular session.
- d. Adoption of Resolutions
  - 1) Calling for election for public safety operating levy. RES NO. 6860
  - 2) Accepting Fiscal Year 2019-20 State Hazardous Materials Emergency Preparedness grant. RES NO. 6861
  - 3) Applying for Fiscal Year 2020-21 State Hazardous Materials Emergency Preparedness grant RES NO. 6862
  - 4) Granting easement to Grand Prairie Water Control District RES NO. 6863
  - 5) Certifying properties exempt from property taxation
    - (i) Songbird Village. RES. NO. 6864
    - (ii) Periwinkle Place. RES. NO. 6865
    - (iii) ParkRose Properties. RES. NO. 6866
    - (iv) 1680-1682 Oak Street SE. RES. NO. 6867
    - (v) 515 Geary Street SE. RES. NO. 6868

MOTION: Kellum moved to adopt the consent calendar. Sykes seconded and the motion passed 5-0.

REPORTS

- a. 1000 Friends of Oregon – Sean Kidd and Jeff Blaine  
This item will come back to the next council meeting.

BUSINESS FROM THE COUNCIL

**7:39 p.m.**

City Manager Peter Troedsson said that on September 9, 2019, the council heard about potential annexations and hearing dates on June 10 and 24. Some property owners have annexation agreements, and some of the properties are islands. Most are in east Albany.

Troedsson said that Greg Hamann, President of Linn Benton Community College, is thankful for the funding from the city. Hamann had provided a letter for Troedsson to read into the record (see agenda file).

NEXT MEETING DATES

Monday, March 9, 2020; 4 p.m. work session

Wednesday, March 11, 2020; 7:15 p.m. regular meeting

ADJOURNMENT

There being no other business, the meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Reviewed by,

Mary Dibble  
City Clerk

Peter Troedsson  
City Manager



RESOLUTION NO. \_\_\_\_\_

---

A RESOLUTION ACCEPTING THE FOLLOWING EASEMENT

Grantor

Michael Clifton

Purpose

Accepting a 10-foot-wide sewer easement, as part of  
SS-19-03, 2019 sewer point repairs.  
11S03W05CC 12100

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby accept this easement.

DATED AND EFFECTIVE THIS 8TH DAY OF APRIL 2020.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

## EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 13 day of September, 2019, by and between Michael Clifton, hereinafter called Grantor, and the CITY OF ALBANY, a Municipal Corporation, herein called "City."

### WITNESSETH:

That for and in consideration of the total compensation to be paid by the City, the grantor has this day bargained and sold and by these presents does bargain, sell, convey, and transfer unto the City of Albany, an easement, including the right to enter upon the real property hereinafter described, and to maintain and repair public utilities for the purpose of conveying public utilities services over, across, through, and under the lands hereinafter described, together with the right to excavate and refill ditches and/or trenches for the location of the said public utilities and the further right to remove trees, bushes, under-growth, and other obstructions interfering with the location and maintenance of the said public utilities.

This agreement is subject to the following terms and conditions:

1. The easement hereby granted consists of:  

A 10-foot wide sewer easement for City of Albany utilities over an existing sewer line. See legal description on attached Exhibit A and easement maps on attached Exhibits B and C.
2. The permanent easement described herein grants to the City, and to its successors, assigns, authorized agents, or contractors, the perpetual right to enter upon said easement at any time that it may see fit, for construction, maintenance, evaluation and/or repair purposes.
3. The easement granted is in consideration of \$1.00, receipt of which is acknowledged by the Grantor, and in further consideration of the public improvements to be placed upon said property and the benefits grantors may obtain therefrom.
4. The Grantor does hereby covenant with the City that they are lawfully seized and possessed of the real property above-described and that they have a good and lawful right to convey it or any part thereof and that they will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.
5. Upon performing any maintenance, the City shall return the site to original or better condition.
6. No permanent structure shall be constructed on this easement.
7. The existing building within the easement can remain. If it is removed, demolished, or destroyed, no new permanent structure can be placed within the easement.

IN WITNESS WHEREOF, the Grantor has hereunto fixed their hand and seal the day and year written below.

**GRANTOR:**

**Michael Clifton**

  
\_\_\_\_\_  
**Michael Clifton**

STATE OF OREGON            )  
County of Linn            ) ss.  
City of Albany            )

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of September, 2019,  
by Michael Clifton as his voluntary act and deed.

  
\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires: 10/25/2020



**CITY OF ALBANY:**

STATE OF OREGON            )  
County of Linn            ) ss.  
City of Albany            )

I, Peter Troedsson, as City Manager of the City of Albany, Oregon, pursuant to Resolution Number \_\_\_\_\_, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

\_\_\_\_\_  
City Manager

ATTEST:

\_\_\_\_\_  
City Clerk

**EXHIBIT "A"**

**Legal Description**  
10.00' wide Sanitary Sewer Easement  
for  
City of Albany, Oregon  
located over  
401 Denver Street SE  
Tax Lot 12100, Assessor Map 11S-3W-05CC

A 10.00 foot wide strip of land located over that property conveyed to Michael Clifton by Statutory Warranty Deed recorded in MF Volume 1543, Page 108 in the Linn County, Oregon Deed Records, said strip of land being more particularly described as follows:

Beginning at the southeast corner of Lot 40 of Block 11 of "Bryant's Addition to the City of Albany", a subdivision recorded in the Linn County Book of Subdivision Plats; thence South 88°30'00" West, along the south line of said Lot 40, a distance of 10.00 feet; thence North 01°30'00" West 76.60 feet to a point on the north line of said Lot 40; thence North 65°14'50" East, along said north line, 10.88 feet to the northeast corner of said Lot 40; thence South 01°30'00" East 80.90 feet to the Point of Beginning.



RENEWS: 12/31/19

August 7, 2019  
10' WIDE SS EASEMENT - CLIFTON  
(19-145) JJC:ls  
File Ref: z:/projects/2019/19-145/surveying/documents/Clifton easement.doc

**LEGEND:**

L1 = COURSE DATA, SEE "LINE DATA" 10.00' WIDE SANITARY SEWER EASEMENT  
V. = VOLUME  
PG. = PAGE

**LINE DATA  
(SANITARY SEWER EASEMENT)**

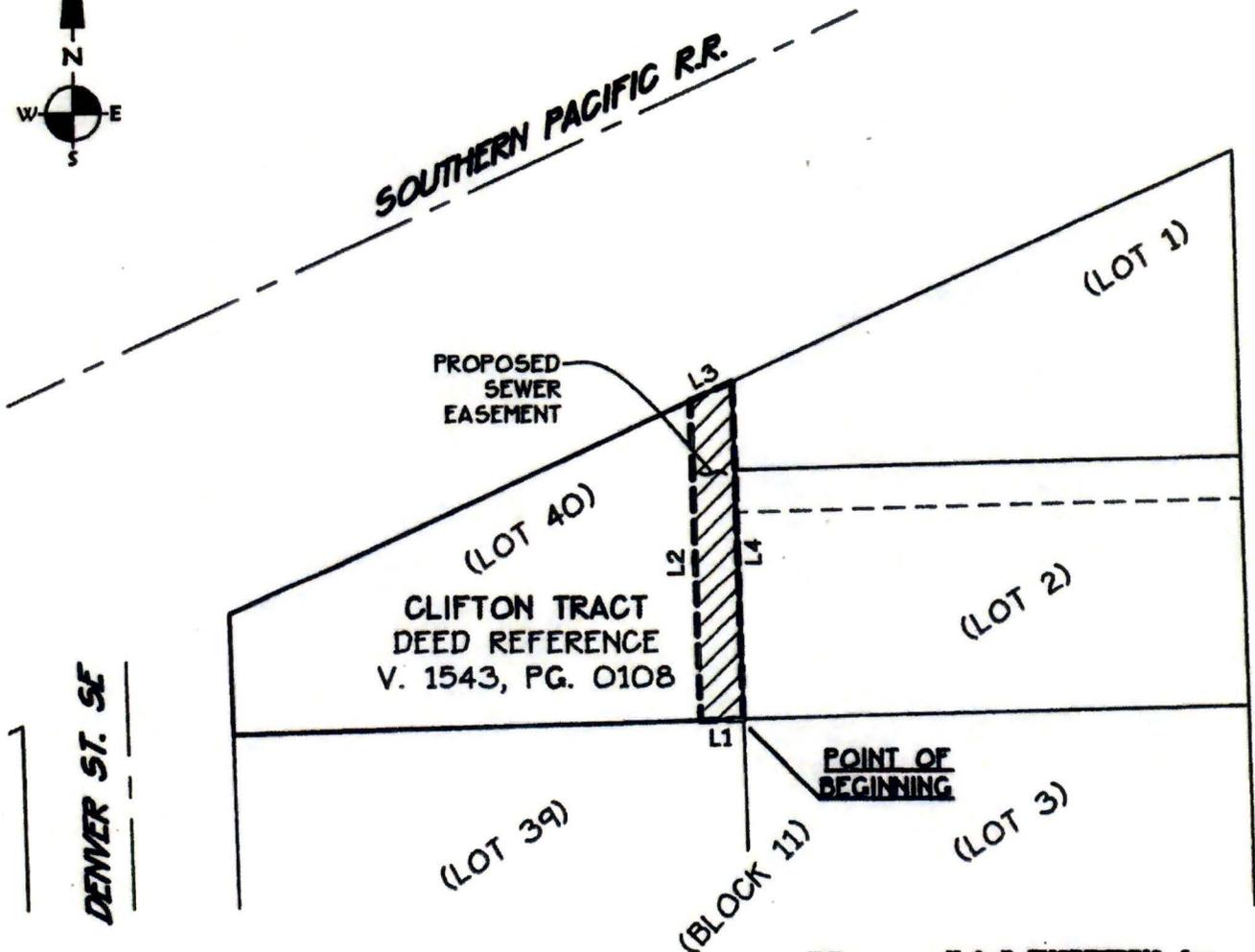
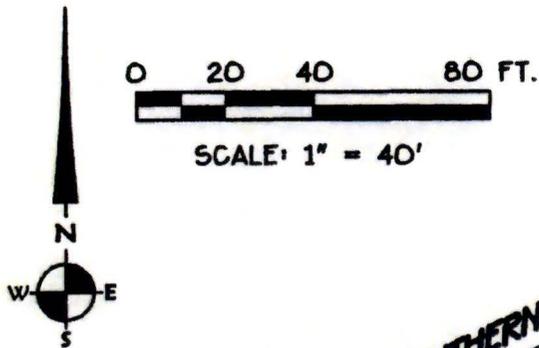
L1 = N88°30'00"W 10.00'  
L2 = N01°30'00"W 76.60'  
L3 = N65°14'50"E 10.88'  
L4 = S01°30'00"E 80.90'

**EXHIBIT "B"**

FOR  
**CITY OF ALBANY**  
LOCATED OVER  
401 DENVER STREET SE,  
TAX LOT 12100, MAP 115-3W-05CC,  
LOT 40, BLOCK 11 OF  
"BRYANT'S ADDITION TO THE  
CITY OF ALBANY"  
IN THE

CITY OF ALBANY, LINN COUNTY, OREGON

AUGUST 6, 2019



Date: 8/6/2019 Time: 15:21  
Scale: 1"=1(P5)  
File: dvg\2019\19-145\19-145\_ex.dwg (George)

**K & D** **K & D ENGINEERING, Inc.**  
570 N.W. Hickory Street P.O. Box 785  
Albany, Oregon 97001  
(541) 938-2888

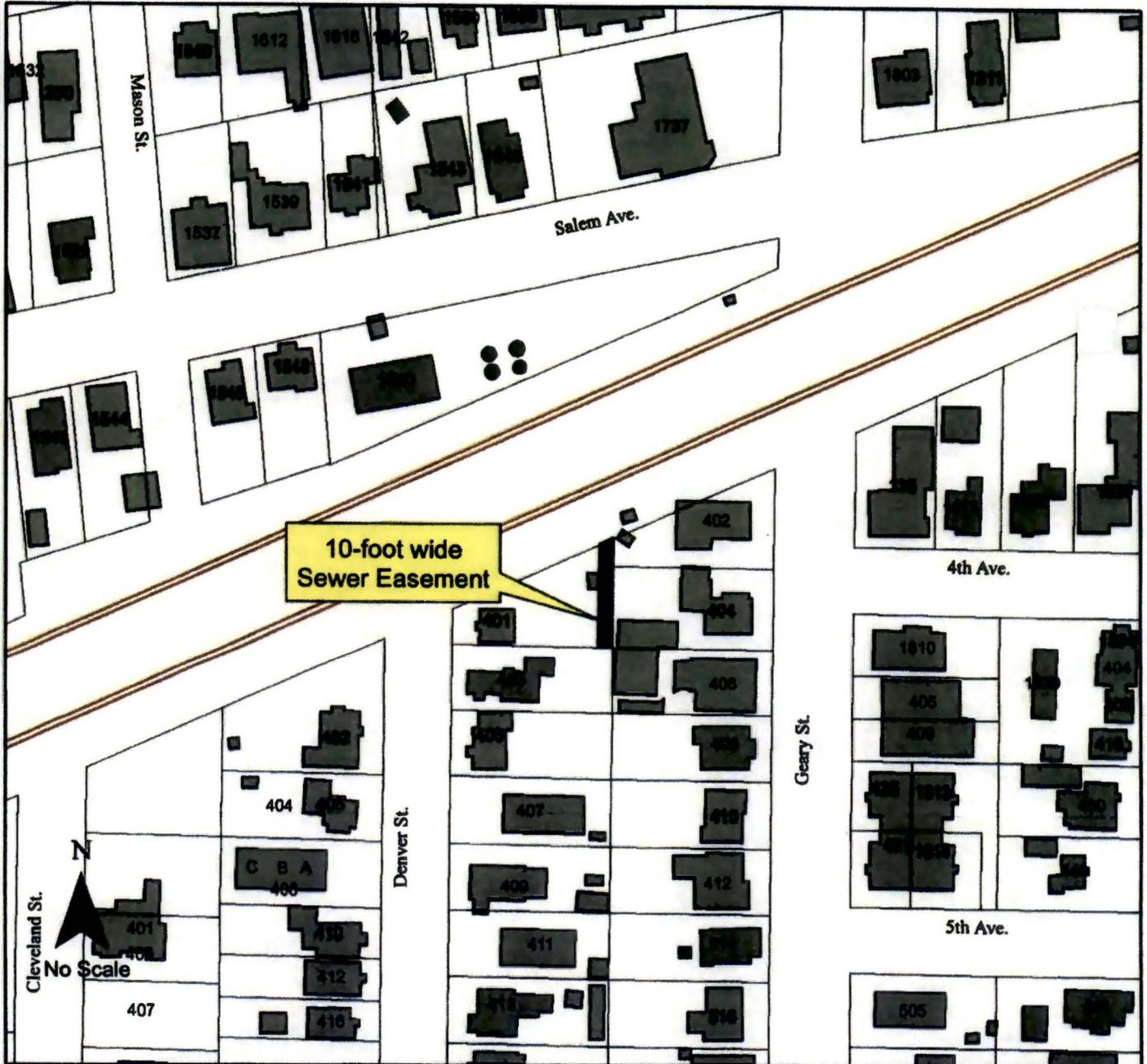
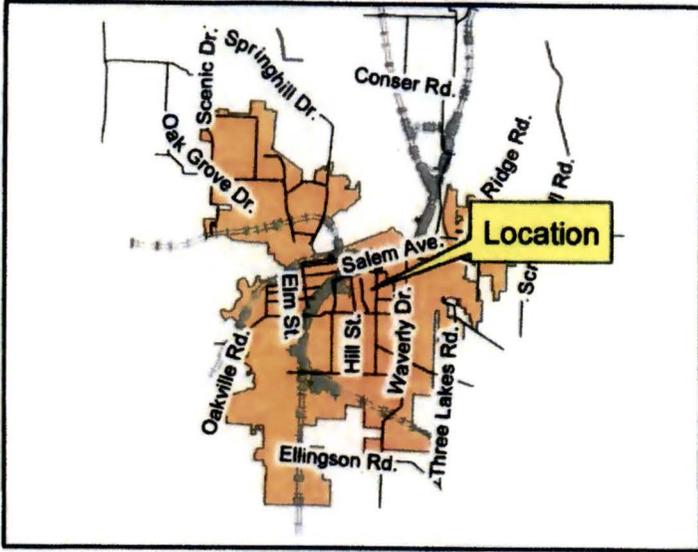
# EXHIBIT C

11S03W05CC- 12100

A 10 foot wide sewer easement,  
as part of SS-19-03,  
2019 sewer point repairs



Geographic Information Services





RESOLUTION NO. \_\_\_\_\_

---

A RESOLUTION ACCEPTING THE FOLLOWING EASEMENT

Grantor

Sharon K Gutierrez

Purpose

Accepting a 10-foot-wide sewer easement, as part of  
SS-19-03, 2019 sewer point repairs.  
11S03W05CC 14700

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby accept this easement.

DATED AND EFFECTIVE THIS 8TH DAY OF APRIL 2020.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

## **EASEMENT FOR PUBLIC UTILITIES**

THIS AGREEMENT, made and entered into this 28<sup>th</sup> day of FEBRUARY, 2020, by and between Sharon K Gutierrez, hereinafter called Grantor, and the CITY OF ALBANY, a Municipal Corporation, herein called "City."

### **WITNESSETH:**

That for and in consideration of the total compensation to be paid by the City, the grantor has this day bargained and sold and by these presents does bargain, sell, convey, and transfer unto the City of Albany, an easement, including the right to enter upon the real property hereinafter described, and to maintain and repair public utilities for the purpose of conveying public utilities services over, across, through, and under the lands hereinafter described, together with the right to excavate and refill ditches and/or trenches for the location of the said public utilities and the further right to remove trees, bushes, under-growth, and other obstructions interfering with the location and maintenance of the said public utilities.

This agreement is subject to the following terms and conditions:

1. The easement hereby granted consists of:  
  
A 10-foot wide sewer easement for City of Albany utilities over an existing sewer line. See legal description on attached Exhibit A and easement maps on attached Exhibits B and C.
2. The permanent easement described herein grants to the City, and to its successors, assigns, authorized agents, or contractors, the perpetual right to enter upon said easement at any time that it may see fit, for construction, maintenance, evaluation and/or repair purposes.
3. The easement granted is in consideration of \$1.00, receipt of which is acknowledged by the Grantor, and in further consideration of the public improvements to be placed upon said property and the benefits grantors may obtain therefrom.
4. The Grantor does hereby covenant with the City that they are lawfully seized and possessed of the real property above-described and that they have a good and lawful right to convey it or any part thereof and that they will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.
5. Upon performing any maintenance, the City shall return the site to original or better condition.
6. No permanent structure shall be constructed on this easement. A shed is not considered a permanent structure and is allowed within the easement.

IN WITNESS WHEREOF, the Grantor has hereunto fixed their hand and seal the day and year written below.

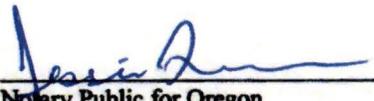
**GRANTOR:**

**Sharon K Gutierrez**

  
\_\_\_\_\_  
Sharon K Gutierrez

STATE OF OREGON            )  
County of Benton        ) ss.  
City of Corvallis        )

The foregoing instrument was acknowledged before me this 28<sup>th</sup> day of February, 2020,  
by Sharon K Gutierrez as her voluntary act and deed.

  
\_\_\_\_\_  
Notary Public for Oregon  
My Commission Expires: 1/6/2023



**CITY OF ALBANY:**

STATE OF OREGON        )  
County of Linn         ) ss.  
City of Albany         )

I, Peter Troedsson, as City Manager of the City of Albany, Oregon, pursuant to Resolution Number \_\_\_\_\_, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

\_\_\_\_\_  
City Manager

ATTEST:

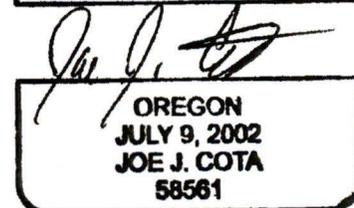
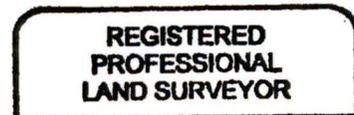
\_\_\_\_\_  
City Clerk

EXHIBIT "A"

Legal Description  
10.00' wide Sanitary Sewer Easement  
for  
City of Albany, Oregon  
located over  
402 Geary Street SE  
Tax Lot 14700, Assessor Map 11S-3W-05CC

A 10.00 foot wide strip of land located over that property conveyed to Sharon K. Gutierrez by Statutory Bargain and Sale Deed recorded in Document Number 2008-23225 in the Linn County, Oregon Deed Records on December 17, 2008 (hereinafter referred to as "Gutierrez Tract"), said strip of land being more particularly described as follows:

Beginning at the northwest corner of Lot 1 of Block 11 of "Bryant's Addition to the City of Albany", a subdivision recorded in the Linn County Book of Subdivision Plats; thence North 65°14'50" East, along the north line of said Lot 1, a distance of 10.88 feet; thence South 01°30'00" East 25.20 feet to a point on the south line of said Gutierrez Tract; thence South 88°30'00" West, along said south line, 10.00 feet to the southwest corner of said Gutierrez Tract; thence North 01°30'00" West 25.20 feet to the Point of Beginning.



RENEWS: 12/31/19

August 7, 2019  
10' WIDE SS EASEMENT – GUTIERREZ  
(19-145) JJC:ls  
File Ref: z:/projects/2019/19-145/surveying/documents/Gutierrez easement.doc

**LEGEND:**

L1 = COURSE DATA, SEE "LINE DATA"  
V. = VOLUME  
PG. = PAGE

**10.00' WIDE SANITARY SEWER EASEMENT**

FOR

**CITY OF ALBANY**

LOCATED OVER

**402 GEARY STREET SE,  
TAX LOT 14700, MAP 115-3W-05CC,**

**LOT 1, BLOCK 11 OF  
"BRYANT'S ADDITION TO THE  
CITY OF ALBANY"**

IN THE

**CITY OF ALBANY, LINN COUNTY, OREGON**

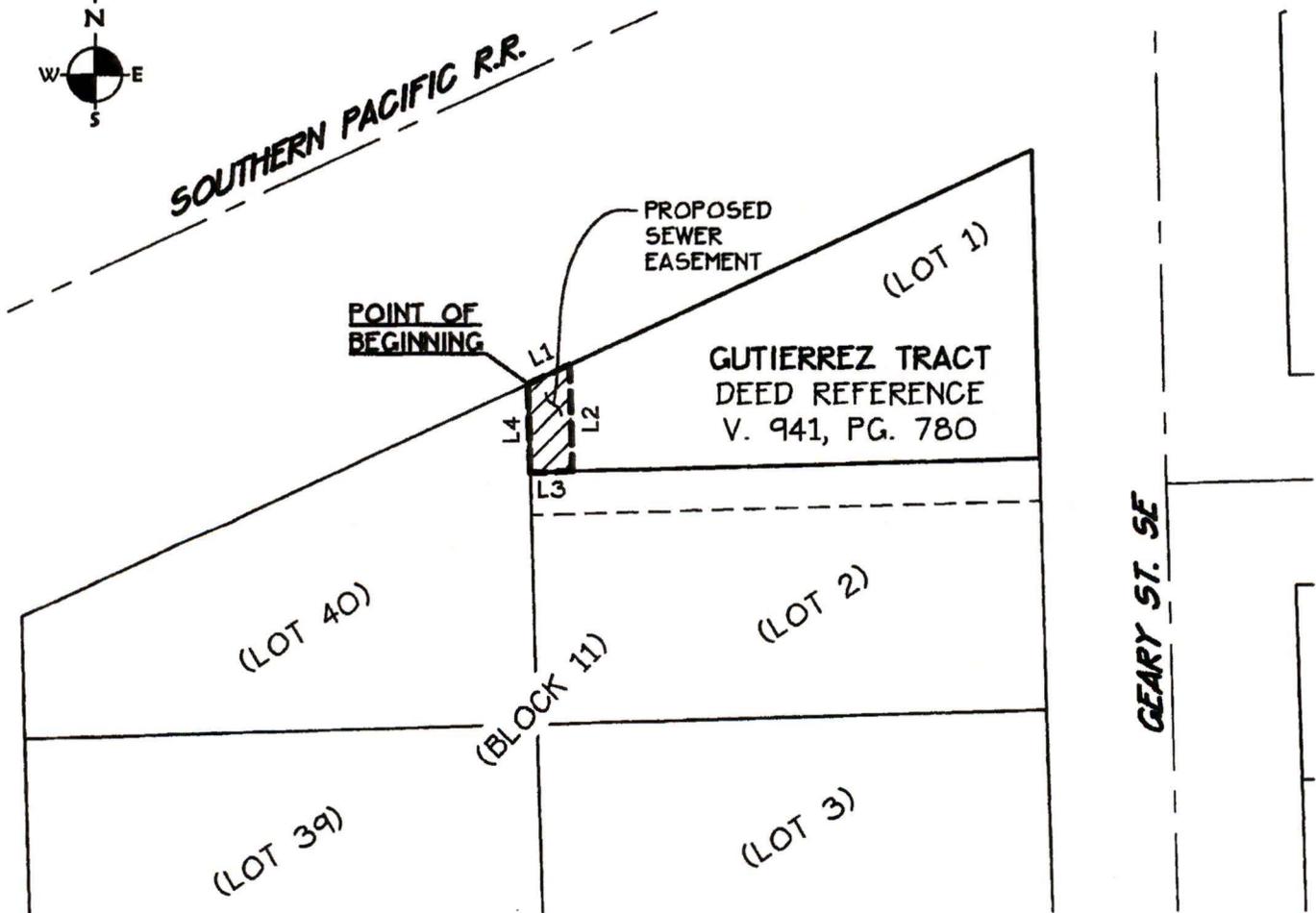
**AUGUST 6, 2019**

**LINE DATA  
(SANITARY SEWER EASEMENT)**

- L1 = N65°14'50"E 10.88'
- L2 = S01°30'00"E 25.20'
- L3 = S88°30'00"W 10.00'
- L4 = N01°30'00"W 20.90'



SCALE: 1" = 40'



Date: 8/6/2019 Time: 15:21  
 Scale: 1=1(P5)  
 File: dwg\2019\19-145\19-145\_ex.dwg (George)

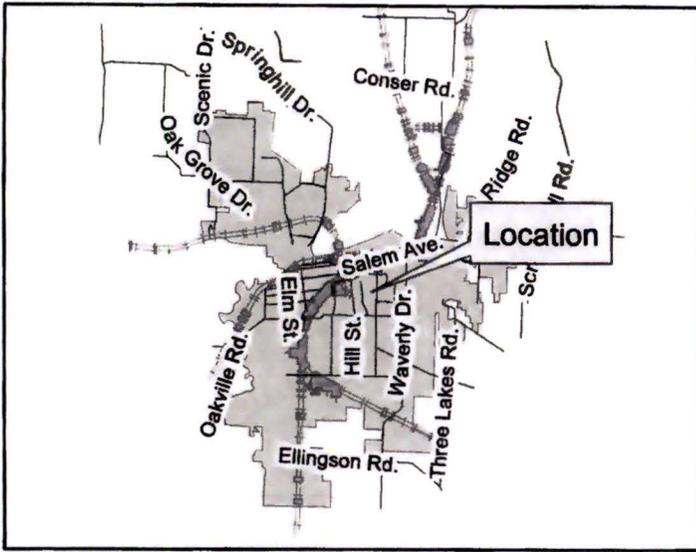


**K & D ENGINEERING, Inc.**  
 276 N.W. Hickory Street P.O. Box 726  
 Albany, Oregon 97321  
 (541) 928-2683

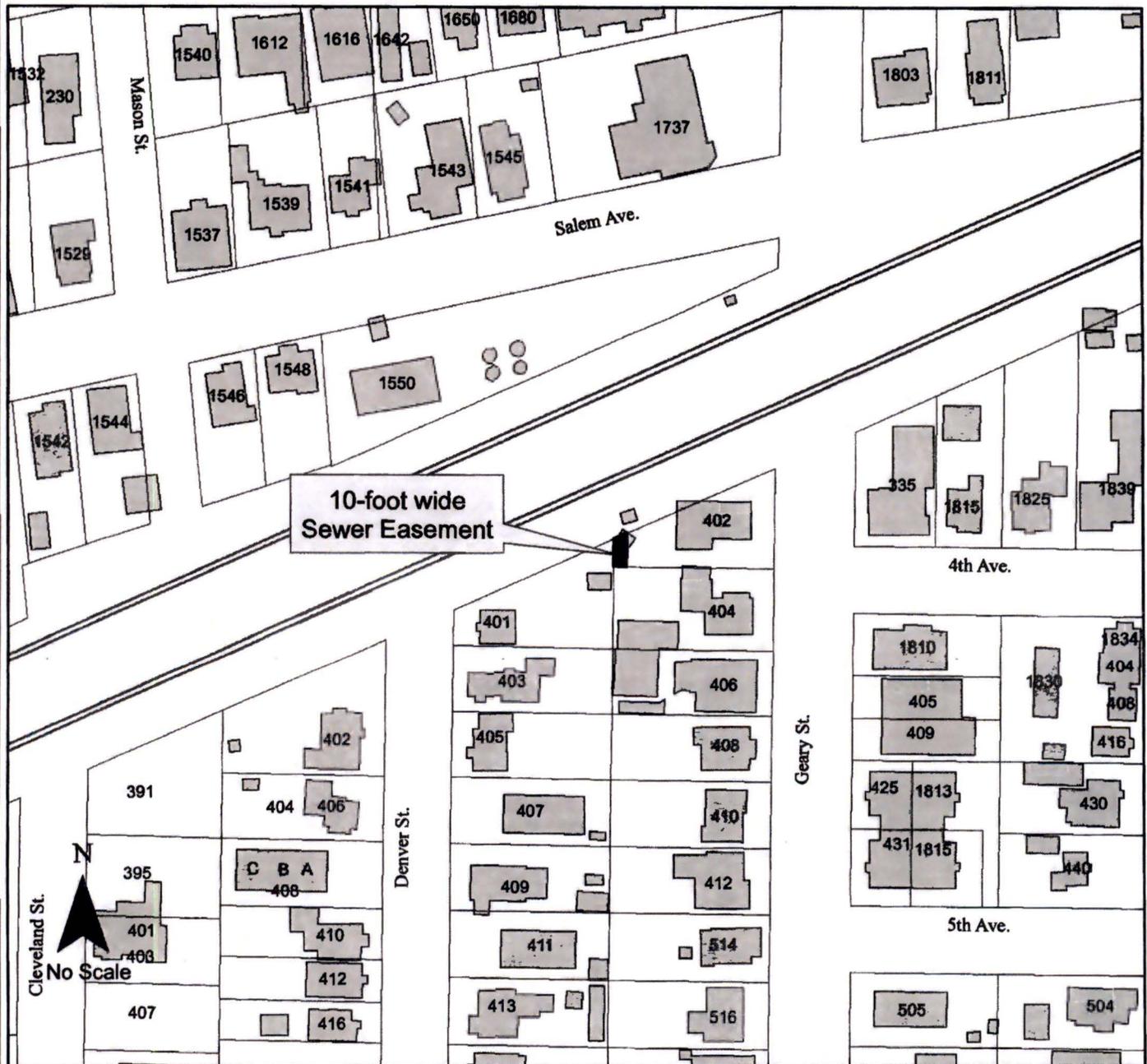
# EXHIBIT C

11S03W05CC- 14700

A 10 foot wide sewer easement,  
as part of SS-19-03,  
2019 sewer point repairs



Geographic Information Services





RESOLUTION NO. \_\_\_\_\_

---

A RESOLUTION ACCEPTING THE FOLLOWING EASEMENT

Grantor

Nora L Sonne and the Estate of Donald A Sonne

Purpose

Accepting a 10-foot-wide sewer easement, as part of  
SS-19-03, 2019 sewer point repairs.  
11S03W05CC 14600

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that it does hereby accept this easement.

DATED AND EFFECTIVE THIS 8TH DAY OF APRIL 2020.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

## EASEMENT FOR PUBLIC UTILITIES

THIS AGREEMENT, made and entered into this 30<sup>th</sup> day of September, 2019, by and between Nora L. Sonne and the Estate of Donald A. Sonne, hereinafter called Grantor, and the CITY OF ALBANY, a Municipal Corporation, herein called "City."

### WITNESSETH:

That for and in consideration of the total compensation to be paid by the City, the grantor has this day bargained and sold and by these presents does bargain, sell, convey, and transfer unto the City of Albany, an easement, including the right to enter upon the real property hereinafter described, and to maintain and repair public utilities for the purpose of conveying public utilities services over, across, through, and under the lands hereinafter described, together with the right to excavate and refill ditches and/or trenches for the location of the said public utilities and the further right to remove trees, bushes, under-growth, and other obstructions interfering with the location and maintenance of the said public utilities.

This agreement is subject to the following terms and conditions:

1. The easement hereby granted consists of:  
A 10-foot wide sewer easement for City of Albany utilities over an existing sewer line. See legal description on attached Exhibit A and easement maps on attached Exhibits B and C.
2. The permanent easement described herein grants to the City, and to its successors, assigns, authorized agents, or contractors, the perpetual right to enter upon said easement at any time that it may see fit, for construction, maintenance, evaluation and/or repair purposes.
3. The easement granted is in consideration of \$1.00, receipt of which is acknowledged by the Grantor, and in further consideration of the public improvements to be placed upon said property and the benefits grantors may obtain therefrom.
4. The Grantor does hereby covenant with the City that they are lawfully seized and possessed of the real property above-described and that they have a good and lawful right to convey it or any part thereof and that they will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.
5. Upon performing any maintenance, the City shall return the site to original or better condition.
6. No permanent structure shall be constructed on this easement.
7. The existing building within the easement can remain. If it is removed, demolished, or destroyed, no new permanent structure can be placed within the easement.

IN WITNESS WHEREOF, the Grantor has hereunto fixed their hand and seal the day and year written below.

**GRANTOR:**

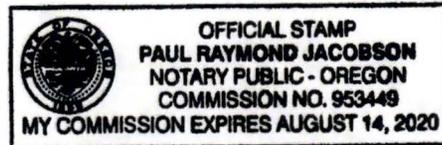
**Nora L. Sonne and the Estate of Donald A. Sonne**

Nora L. Sonne  
Nora L. Sonne

STATE OF OREGON            )  
County of Linn            ) ss.  
City of Albany            )

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of September, 2019, by Nora L. Sonne, on behalf of herself and the Estate of Donald A Sonne, as her voluntary act and deed.

Paul Raymond Jacobson  
Notary Public for Oregon  
My Commission Expires: 8/14/2020



**CITY OF ALBANY:**

STATE OF OREGON            )  
County of Linn            ) ss.  
City of Albany            )

I, Peter Troedsson, as City Manager of the City of Albany, Oregon, pursuant to Resolution Number \_\_\_\_\_, do hereby accept on behalf of the City of Albany, the above instrument pursuant to the terms thereof this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

\_\_\_\_\_  
City Manager

ATTEST:

\_\_\_\_\_  
City Clerk

**EXHIBIT "A"**

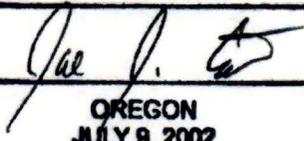
**Legal Description  
10.00' wide Sanitary Sewer Easement  
for  
City of Albany, Oregon  
located over  
404 Geary Street SE  
Tax Lot 14600, Assessor Map 11S-3W-05CC**

A 10.00 foot wide strip of land located over that property conveyed to Donald A. & Nora L. Sonne by Warranty Deed recorded MF Volume 917, Page 238 in the Linn County, Oregon Deed Records on January 21, 1998 (hereinafter referred to as "Sonne Tract"), said strip of land being more particularly described as follows:

Beginning at the southwest corner of Lot 2 of Block 11 of "Bryant's Addition to the City of Albany", a subdivision recorded in the Linn County Book of Subdivision Plats; thence North 01°30'00" West 60.00 feet to the northwest corner of said Sonne Tract; thence North 88°30'00" East, along the north line of said Sonne Tract, 10.00 feet; thence South 01°30'00" East 60.00 feet to a point on the south line of said Sonne Tract; thence South 88°30'00" West 10.00 feet to the Point of Beginning.

August 7, 2019  
10' WIDE SS EASEMENT - SONNE  
(19-145) JJC:ls  
File Ref: z:/projects/2019/19-145/surveying/documents/Sonne easement.doc

**REGISTERED  
PROFESSIONAL  
LAND SURVEYOR**



**OREGON  
JULY 9, 2002  
JOE J. COTA  
58561**

**NINEWE: 12/31/19**

**EXHIBIT "B"**

**10.00' WIDE SANITARY SEWER EASEMENT**

FOR

**CITY OF ALBANY**

LOCATED OVER

**404 GEARY STREET SE,  
TAX LOT 14600, MAP 115-3W-05CC,**

**LOT 2, BLOCK 11 OF  
"BRYANT'S ADDITION TO THE  
CITY OF ALBANY"**

IN THE

**CITY OF ALBANY, LINN COUNTY, OREGON**

**AUGUST 6, 2019**

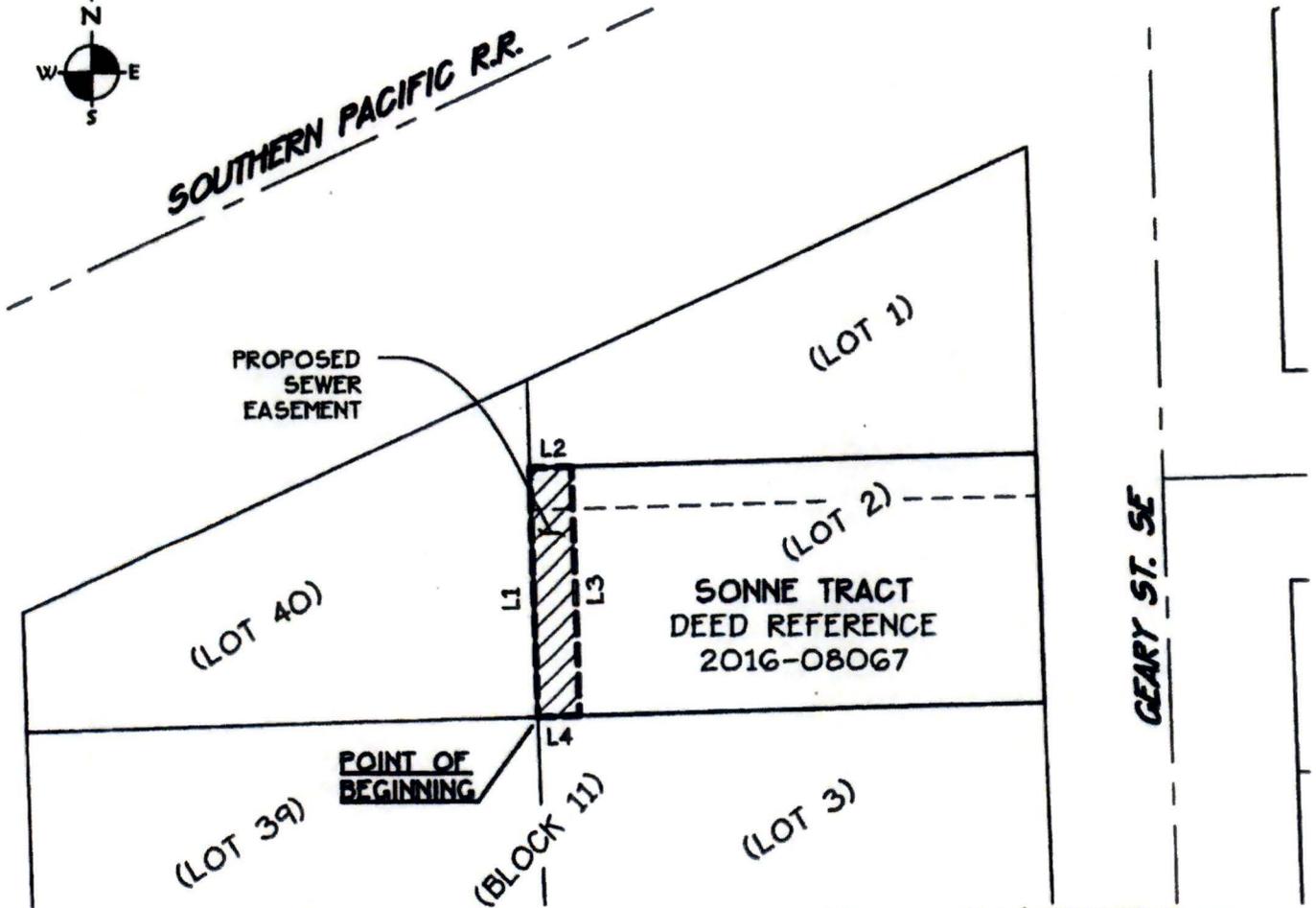
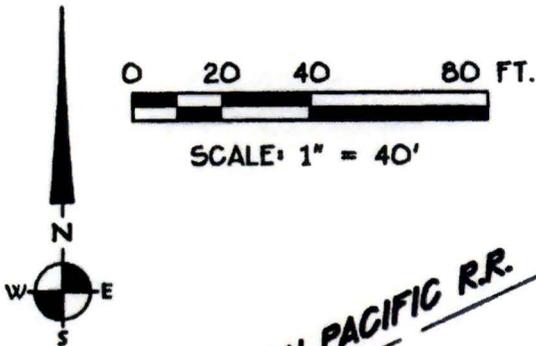
**LEGEND:**

L1 = COURSE DATA, SEE "LINE DATA"

**LINE DATA**

**(SANITARY SEWER EASEMENT)**

- L1 = N01°30'00"W 60.00'
- L2 = N88°30'00"E 10.00'
- L3 = S01°30'00"E 60.00'
- L4 = S88°30'00"W 10.00'



Date: 8/6/2019 Time: 15:21  
 Scale: 1"=1(F5)  
 File: dwg\2019\19-145\19-145\_ex.dwg (George)



**K & D ENGINEERING, Inc.**  
 578 N.W. Hickory Street P.O. Box 785  
 Albany, Oregon 97321  
 (541) 988-8583

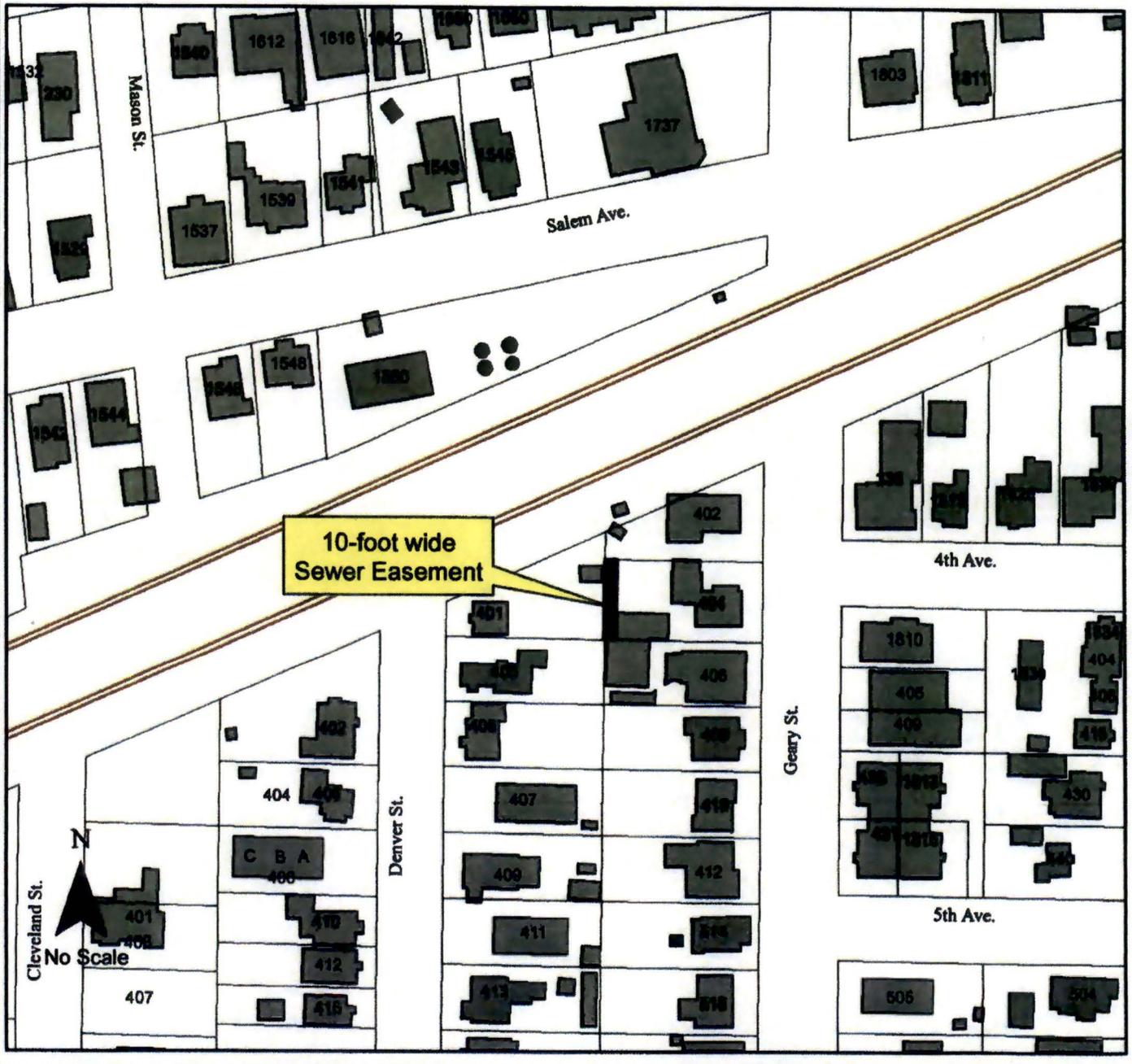
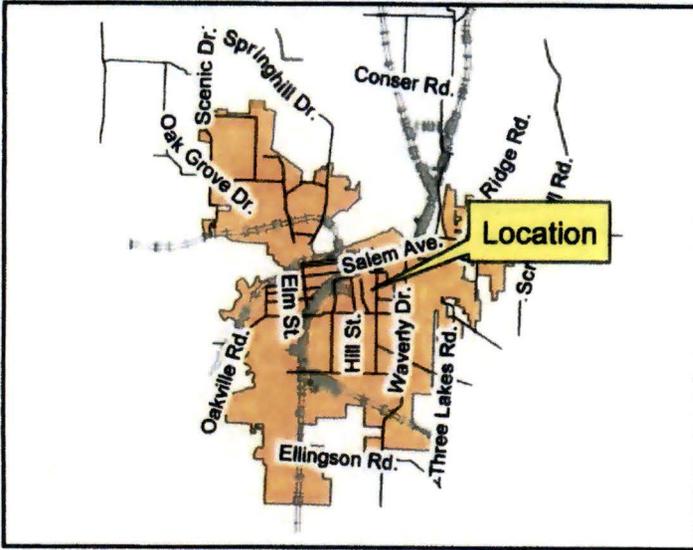
# EXHIBIT C

11S03W05CC- 14600

A 10 foot wide sewer easement,  
as part of SS-19-03,  
2019 sewer point repairs



Geographic Information Services





# MEMO

TO: Albany City Council

VIA: Peter Troedsson, City Manager

*PT 4/3*

FROM: Seth Sherry, Economic Development Manager

DATE: April 1, 2020 for the April 8, 2020 City Council Meeting

**SUBJECT:** Collaborative Tourism Promotion Grant (CTP) Extension

**Action Requested:**

Extend the deadline for CTP project spending until June 30, 2021.

**Discussion:**

The Transient Lodging Tax Advisory Committee awarded most of CTP Grant dollars for the 2019-2020 fiscal year. However, due to COVID-19 related vendor closure, and event postponement, some of these projects will not be completed by the end of June deadline. As a reminder, CTP grant dollars are distributed on a reimbursement basis for pre-approved expenses.

Staff recommends that Council extend the deadline for spending and reimbursement of the CTP grants until June 30, 2021, to allow approved projects to move forward without penalty and receive their awarded grant dollars. CTP funded events and projects are an important part of the economy in Albany and will also play a vital role in our recovery after the COVID-19 crisis is over.

**Budget Impact:**

None.

SD:ss