

CITY OF ALBANY
CITY COUNCIL WORK SESSION
Municipal Court Room
Monday, March 9, 2015
4:00 p.m.

MINUTES

CALL TO ORDER

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

ROLL CALL

Councilors present: Councilors Bill Coburn, Floyd Collins, Bessie Johnson (arrived at 4:07p.m.), Rich Kellum, Ray Kopczynski, and Dick Olsen.

Councilors absent: None.

BUSINESS FROM THE PUBLIC

Cathy Flager, 3300 Countryman Circle NW, asked the City Council to help address a school bus stop safety concern. She distributed a document regarding the school bus stop located at the intersection of Countryman Circle and Valley View Drive [see agenda file]. She said Countryman Circle is a one-lane road, so the bus stop is located at Countryman Circle and Valley View Drive. The paved area on Countryman Circle isn't wide enough for two cars, and vehicles try to get off the road so they aren't blocking traffic. She would like to see gravel added to the area to add more space and make it easier for vehicles to park when dropping off and picking up children. Konopa asked Transportation Systems Analyst Ron Irish if he is aware of this issue. He said he is. Konopa thanked Flager for the information and will have staff look into the issue. Flager said she thinks this issue will get worse if the City doesn't help address it. Councilor Rich Kellum asked if people on the list are asking for help or are willing to help pay for improvements. Flager said the topic of paying for improvements could be broached if that comes up. She said the president of the homeowner's association offered to gravel or pave the area, but the homeowner declined. City Manager Wes Hare said staff will explore solutions and maintain contact with Flager and the other property owners.

Sharon Baum, 2765 Valley View Drive, said she owns the property where people are parking. She would like to be able to landscape the area to discourage parking because it isn't a safe place to park [see agenda file]. She is concerned because she has received two harassment letters in the last week. She doesn't want this to be a problem that creates animosity among neighbors. Her grass has been torn up and she doesn't want that to continue happening.

Mike Williams, 2580 Countryman Place, said his two daughters get off at the bus stop. He said there is not enough room for all of the cars to park and it is dangerous. Councilor Floyd Collins asked how many vehicles typically use that area. Williams said it varies from 2-4 cars, and the cars are out into the roadway. Collins said he has looked into this issue a little bit after receiving some calls. He said there is a 20-foot paved strip of right-of-way and property owners have encroached upon it for their own use. He thinks there is a solution where everyone can get something. He thinks the most important thing is providing something safe for the kids.

Bill Root, 2634 Valley View Drive NW, said the shoulder in front of his property is compacted gravel. There is parking on Valley View, but it is along the south side. At one point, the bus stopped at Hillcrest and Valley View, but now the bus stops at Countryman. He said one solution is to fill in the ditches on Valley View. Konopa said staff will be meeting with the school district to help reach a solution. Kellum said it would be a good idea to see if the school district can put the bus stop back where it was.

RISK MANAGEMENT TRAINING FOR ELECTED OFFICIALS

Barker-Uerlings Insurance representative Steve Uerlings distributed a report from City/County Insurance Services (CIS) [see agenda file]. He shared a short video on elected officials training. He said the City gets a \$1,000 credit for the Council viewing the training video. Uerlings noted that the most prevalent claims for the City are employment issues and law enforcement issues. Hare said the City consults with CIS's pre-loss program on any human resources issue that has the potential of going beyond the City. He said no matter how careful we are, there will always be issues that can end up in the courtroom.

STORMWATER INFORMATION, PART 2

Assistant Public Works Director/City Engineer Jeff Blaine said he is continuing with the stormwater series that began in January 2015. He gave a PowerPoint presentation about stormwater [see agenda file]. The City has adopted both the Erosion Prevention and Sediment Control Program and Post-construction Stormwater Quality Program as part of the Total Maximum Daily Loads (TMDL) Implementation Plan. Both programs apply to private development projects and public infrastructure projects. Staff is working on the Stormwater Master Plan update and has completed the data collection and the hydraulic model development. Staff is in the process of identifying existing and buildout system deficiencies. Blaine said discussions have been occurring between the City and the Department of Environmental Quality (DEQ) regarding regulatory processes. Staff recently received notice from DEQ that a stormwater permit will be required during the next permit renewal cycle. He said Utility Services Manager Mark Yeager will be giving a presentation in the next couple of

months to talk about stormwater regulations and how they apply to the City. Staff also does a limited amount of maintenance activities and small capital projects relating to stormwater, and Assistant Public Works Director/Operations Manager Chris Bailey will be presenting on that topic at a later date.

Collins said, regarding the discussion on stormwater regulations, he would like to see the tie back to the federal law and how it connects to state law and how that connects to the City's TMDL process. He would also like a clear distinction between natural runoff – nonurban versus urban. He said there needs to be a clear explanation as to why the City is doing this and what the objectives are. Hare said Collins makes a good point. He said many people may see this as just another regulation and plenty of informing will need to take place. Kellum said the fact is that stormwater has to be fixed and it is beyond Council's control.

Councilor Dick Olsen asked if the City has to define and analyze where water is going into the river as part of the permitting process. Yeager said staff will be working with DEQ to develop the new permit, and staff will be resisting monitoring of outfalls. He said that doesn't mean the City won't be required to do testing. Olsen said he hopes Lebanon will have to analyze their water since they dump stormwater into Albany's drinking water. Blaine said Lebanon won't have to go through the permit requirement with DEQ because of its population. Assistant City Manager/Community Development and Public Works Director Mark Shepard said staff is working with the Association of Clean Water Agencies in Oregon as well as DEQ. He said we are trying to pull together as the regulations come down and permits get issued.

Kellum asked if we receive stormwater from Wah Chang. Shepard said no, it is just the processed water.

Blaine said the City doesn't have any dedicated stormwater funding. Funds are pulled from the street and storm utilities when the City needs to do stormwater activities. As the requirements to respond to stormwater issues continue to increase, more resources will be pulled away from funds that are already stressed.

Shepard said the memo and a copy of the PowerPoint slides will be sent to the Councilors so they can add it to their binder.

WASTEWATER COLLECTION SYSTEM PLAN EVALUATION

Yeager distributed binders relating to the Wastewater Collection System Facility Plan [see agenda file]. He said staff has been working on the Wastewater Collection System Master Plan for the past couple of years. Yeager recognized CH2M Hill for their technical work on the project. Yeager also thanked Facilities Maintenance and Controls Manager Mike Bryan, Wastewater Collections Supervisor Jeff Gill, Lead Computer Maintenance Management Systems Analyst Dave Twenge, Wastewater Superintendent Kristin Preston, Former Employee Civil Engineer II Chris Goins, and Data Systems Managers Richard Montague and Pete Brandstetter for their contributions to this project.

Yeager gave a PowerPoint presentation [see agenda file]. The Wastewater Collection System is a network of pipes and lift stations that transport sewage from businesses and homes to the wastewater treatment plant for treatment. He said, if the community is going to grow successfully, we have to properly manage the system. The Wastewater Collection System Facility Plan is usually completed every ten years. The objectives of the study included capacity analysis, project future flows, determine required improvements, and develop a prioritized list. The current wastewater collection system is adequate for handling the dry weather summertime flows. The wet weather flows are what drives the capacity question for the City. He said the current system is leaky, and staff is constantly working to fix some of those leaks. He said one problem is that there are a lot of sources of water that can get into the collection system that aren't in our control. Hare asked if this is true for most cities. Yeager said that it is a large problem for many communities. He said staff is committed to working toward a less leaky system. He said, to accurately project capacity, we can't be unrealistic in our expectations about how much progress we can make for getting rid of the leaks in the system.

Yeager said staff has tried to identify the priorities for system improvements. He directed the Council to the binder to review the cost estimates. Engineering hasn't been done on any of the projects and the range of costs that are relative to what is in the document could be 30 percent lower or 50 percent higher. The cost estimates also don't include alternative solutions such as wet weather pumping stations. Included in the binder is a large foldout map which provides an overview of projects. He said items in red indicate high-priority projects, orange items indicate low-priority projects, and purple items indicate new development projects. Projects categorized as high-priority are required because they are in the existing system; they are needed to meet regulatory requirements and to allow future development growth. Olsen asked how the projects will be paid for. Yeager said some portion of the projects will be funded through System Development Charges (SDCs). The sewer system SDCs haven't been updated for a long time and as part of this process, one of the next steps will be for staff to gather more information about updating those SDCs. The challenge the community is going to face is how to respond to the pressure for development if we don't have the necessary improvements. Blaine said when staff comes back to have the funding discussion, alternative construction methods for some projects will have been completed to try to bring the estimated costs down as much as possible.

Kellum asked about the South Albany Area Plan (SAAP) and what that will do to existing infrastructure and needs. Shepard said most flows will go to the Oak Creek Lift Station and will be pumped over to Columbus. Yeager said as development occurs east of I-5 and north of Highway 20, it will create issues for the Cox Creek interceptor. Olsen asked if the map indicates the Albany city limits or the urban growth boundary. Yeager said it is the urban growth boundary.

Councilor Ray Kopczynski asked what is on the CD that is included with the binder. Yeager said it contains more detailed information about the Wastewater Collection System Facility Plan.

Councilor Bessie Johnson asked if minimal fixes are appropriate or if staff should consider doing more. Yeager said it is hard to know what will be needed in the next 50-60 years. He said there is a balancing act between building what is needed and overbuilding. He said if a pipe is built large enough to handle peak flow once or twice a winter, the individuals operating the system end up having problems because the pipe doesn't have sufficient flow to keep things moving. He said going forward, there will be continuing discussion at the State and Federal level regarding the overflow rules and City may not be permitted to overflow at all. Johnson asked how many overflows occurred in the last year. Yeager said there were two overflows from permitted overflow sites since July 2014. He said neither of those times were permitted discharges under the current rules and staff had to report them to DEQ.

Blaine spoke about the Maple Street pumps and Umatilla Street station forced main improvement projects. Those costs are at a level that is manageable within the current Capital Improvement Program (CIP) and will be coming forward as proposed and funded in Fiscal Year 2015-2016.

SENATE BILL 629 "OREGON RIGHT TO REST"

Konopa said she first discovered Senate Bill 629 "Oregon Right to Rest" (SB 629) on Facebook. When she read about SB 629, she saw it as reversing all of the efforts that have been done in Albany to get homeless into housing and would instead enable them to remain homeless. She forwarded the SB onto staff at the Police Department and they believe it would be a big hindrance. She said SB 629 would allow individuals to tent camp anywhere, sleep on the sidewalk, and sleep in their cars in public parking lots. City Attorney Jim Delapoer said SB 629 is so bad that he thinks any reasonable person wouldn't let it go very far. Konopa said it is going to Committee on Thursday, March 9, 2015. She said she has written personal testimony and it would be nice to have Council testify on behalf of the City of Albany that they don't feel it is a good fit for our community. Councilor Bill Coburn said he doesn't have a problem with Konopa speaking on behalf of the City.

MOTION: Coburn made a motion to oppose Senate Bill 629, and Kopczynski seconded it. The motion passed 5-1 with Olsen voting no.

Konopa said she will update the Council after she attends the Committee meeting.

Kellum asked if there are any other bills on the horizon that will affect Albany. He said Linn County is looking at a minimum wage bill. Konopa said she hasn't noticed any other bills recently. She said the League of Oregon Cities (LOC) has identified specific bills that are relevant to municipalities. Hare said the LOC has been monitoring and lobbying on behalf of the minimum wage bills. He said staff hasn't made it a priority to monitor bills that are in the early stages because there are so many of them. He said if any Councilor sees a bill that seems really bad, they can bring it forward for discussion. Collins said it would be nice to know about Senate Bills that are relevant to Albany. Discussion followed.

COUNCILOR COMMENTS

Coburn said he would like to have a discussion in the near future regarding the ordinance relating to requiring one percent of funding for art in public facilities. He said there is a limited amount of space in the fire and police buildings. He asked that this get discussed at the next work session. Konopa said any modification to the ordinance would need to receive public input. Delapoer said staff can provide information about the ordinance, but staff can't spend time to make the measure more likable. He said staff needs to be thoughtful of that aspect and the potential risk. Johnson asked if Council can have the meetings on their own. Delapoer said staff can give the Council the ordinance and make changes, but has to refrain from anything that could be scrutinized. Olsen said we could lose votes on the measure because some people may be upset about changing the art ordinance.

CITY MANAGER REPORT

Blaine distributed information [see agenda file] about the Local Improvement District (LID) public hearing scheduled for Wednesday, March 11, 2015. Collins said when the material comes to the Council on Wednesday; it would be nice to see which property lots have the petitions and waivers. Delapoer said the law is a little unsettled on the waiver and whether they can be viewed as a remonstrance or not. Coburn asked if Councilors have to declare all of the e-mails they have received. Delapoer said the e-mails do need to be disclosed. He suggested the Councilors forward all related e-mails to Blaine and Shepard.

ADJOURNMENT

There being no other business, the meeting was adjourned at 6:08 p.m.

Respectfully submitted,

Reviewed by,

Diana Eilers
Administrative Assistant I

Wes Hare
City Manager