

CITY OF ALBANY AND CITY OF TANGENT
SPECIAL SESSION
Council Chambers
Monday, April 18, 2011
7:00 p.m.

MINUTES

CALL TO ORDER

Mayor Sharon Konopa called the meeting to order at 7:00 p.m.

ROLL CALL

City of Albany City Council

Present: Councilors Dick Olsen, Jeff Christman, Bill Coburn, Floyd Collins, Bessie Johnson, and Ralph Reid, Jr., and Mayor Sharon Konopa

Absent: None

City of Tangent City Council

Present: Councilors present: Councilors Brad Tedrow, James Wagner, and Mayor Seaton McLennan

Absent: Councilors Cindy Bridges and Dan Leahy

PLEDGE OF ALLEGIANCE

Konopa led the Pledge of Allegiance to the flag.

INTRODUCTIONS

The members of the Albany City Council and the Tangent City Council introduced themselves.

Tangent City Coordinator Georgia Edward and Albany City Manager Wes Hare introduced themselves.

Hare spoke to the rumor of a merger of the cities of Albany and Tangent. He explained that neither city is moving in that direction. It was added to this agenda at the request of the Tangent City Council so that the facts can be shared and the rumors dispelled.

Hare said, even if some folks may think that having Tangent become a part of Albany would be an economic value to Albany, it is not true. The larger portion of Tangent's value comes from residential properties, not commercial properties; but the commercial properties tend to cover the bulk of the costs for services. He said if Albany's tax rate was applied to Tangent, the economic gain would be minimal since Tangent has a population that is approximately 1/50th of Albany's population. The point is, it is not an economic advantage for Albany to do that.

Hare wanted to make it clear to the audience that Albany does not have plans to annex Tangent.

BUSINESS FROM THE PUBLIC

Bill Lengkeek, 32230 Tangent Drive, Tangent, expressed his feelings about the possibility of a merger. He was a resident of Albany in 1968 and moved to Tangent in 1991, because it is a nice, small rural community. He desires to stay there and for Tangent to stay a small, rural community. He said, it should keep its measured growth and open spaces. He would not like to see that change.

Mondalee Lengkeek, 32230 Tangent Drive, Tangent, asked, if we are not discussing a merger, what is the point of this meeting? Konopa explained that occasionally Albany meets with other agencies to have joint meetings. Now that Albany is moving towards Metropolitan Planning Organization (MPO) status, it will bring transit dollars to the community and there is a need to discuss regional transportation. There has also been interest in having Call-A-Ride help in Tangent. The other items on the agenda are items that Tangent requested.

Mondalee Lengkeek asked Tangent Councilor Brad Tedrow to elaborate. Tedrow said his understanding is that they will discuss the Urban Growth Boundary (UGB). As long as he has been on the Council, there has not been a discussion about it. He asked, why not see if there are benefits or common interests between the two cities? He said, it got framed as a discussion about a merger on the agenda, but that was not his intent. The intent was to explore the areas of common interest. He apologized for the misunderstanding.

SCHEMULU BUSSNESS

Albany/Tangent merger discussion

Tedrow concurred with Hare that the cities do not have plans to merge. He said that Hare has explained how it wouldn't make sense anyway, and he has nothing to add.

For the benefit of the audience, Albany Councilor Floyd Collins asked staff to outline the procedures that either one of the cities would have to take in the event they ever decided to merge, to put the audience at ease. It would be a long process and would take cooperation from both communities. Hare said historically there has not been much appetite for mergers in the state of Oregon. It is rare and it can't happen without the consent of both jurisdictions. For example, Albany cannot unilaterally annex Tangent. This subject came up because Tangent wanted to create a physical buffer between the two cities in order to maintain their identity. But even that would be difficult under Oregon land use laws because the land between Albany and Tangent is within Linn County's jurisdiction and is not in the control of either city. Furthermore, if Albany wanted to expand the UGB, it is not a simple process; it requires several months to years and involves extensive public input. In summary, Hare said a merger requires the consent of both cities and rarely happens in Oregon.

Urban Growth Boundary discussion

Mayor Seaton McLennan gave the history of how the merger discussion came about. After Tangent's Comprehensive Plan was updated, Tangent City Coordinator Georgia Edward and the Planning Commission Chair wanted to see if there was a way to have something more tangible to identify a boundary around Tangent such as a greenbelt or riparian way. This was in response to hearing from residents about the subject. McLennan said they had no intent to acquire additional land. They first met with Konopa and Hare and asked if Albany intended to move further south; they said no. Then they had other meetings around town and Tangent's Fire Chief mentioned that he was seeing regional land disappear, which is vital to Tangent's economic survival; so he too became concerned. There were subsequent local meetings about the UGB, where Tangent residents expressed that they didn't want to see anything change; so Tangent staff thought they would need something more substantial from Albany, to confirm what Konopa and Hare had already verbalized, such as a written agreement. McLennan explained that Tangent staff met with Albany staff again, and they had a productive meeting. The two cities decided to explore an intergovernmental agreement (IGA) regarding services or perhaps a resolution. Tangent has no desire to annex Albany, but it is appropriate to talk about mutual agreements.

McLennan said another reason to have ongoing conversations is that there have been some decisions from the Albany City Council that could, or have already, impacted Tangent citizens. For example when Target's distribution center came to Albany it impacted Tangent, but Tangent was not consulted. The PepsiCo project also would have impacted Tangent. McLennan suggested crafting an agreement that said that neither city would do something to impact the other city without having a mutual agreement.

Councilor James Wagner said that a concern he has heard was about the potential impact of the PepsiCo project, particularly to traffic at the Columbus Street intersection on Highway 34, which is relatively hazardous already. He said many Tangent residents were relieved when the project did not go through; they weren't necessarily against the project, but they were caught by surprise. It would have benefited both cities to have some sort of mechanism to discuss projects a little earlier in the process. Wagner said absolute agreement from both parties is not necessary, but it sure would have been nice to have been consulted earlier.

Konopa said she remembers that part of the agreement regarding Target was that truck traffic should go through Tangent, not Albany; so Wagner makes a good point that when there is certain land use issues impacting Tangent, Albany should be talking to them.

Hare said that this is an area where an MPO would be of value and asked Community Development Director Greg Byrne to explain. Byrne said that Albany is about to embark on an area study in south Albany that is funded by a grant from the state. It is for transportation planning. Early in the process Byrne contacted McLennan and asked if Tangent wanted to be a stakeholder from the beginning to the end of the area study. McLennan said yes. Byrne said there will be discussions with Oregon Department of Transportation (ODOT) and ODOT Rail as well, so there should be ample opportunity for McLennan to be heard.

Ed Moore, Area Representative with Department Land Conservation and Development, said his region was recently expanded to include Douglas, Josephine, and Jackson Counties. He said he did quite a bit of work in Medford between neighboring cities to work together and preserve their individual identity. They have IGAs between the counties and cities and UGB agreements that identify areas of joint interest. He gave examples of various planning mechanisms used to maintain each city's identity. There are ways to work together.

Councilor Ralph Reid Jr. recalled that when Target went in, Albany was much smaller. Albany was told by ODOT that it has no jurisdiction outside the city limits; so it was up to ODOT to determine the impact of Target to Tangent. This also happened with the PepsiCo project; Albany tried to move traffic away from Tangent but ODOT said they are outside the city limits so aren't part of the evaluation. But now that Albany is working

towards MPO status, we would have the ability to look outside the city to see the impact of a project on other streets.

Communication about issues of mutual concern

McLennan said he looks forward to future discussions and to reinforcing a good relationship between the two cities. He wants to be mutually receptive of each other's issues early on. It would be a positive step towards the residents of Tangent feeling more comfortable that their city can keep its autonomy.

Metropolitan Planning Organization (MPO) status and implications

Cynthia Solie, Executive Director of the Council of Governments (COG), introduced Mark Volmert, Transportation Planner for COG.

Solie gave a PowerPoint presentation (see agenda file) regarding MPOs.

Hare asked Airport & Transit Manager Chris Bailey to speak to transit monies. Bailey described how current Albany Transit dollars are allocated.

Hare added that all the state revenue sharing monies the City receives go to the three transit programs. Volmert said that as an MPO, \$700,000 federal dollars would likely go to the Albany area in comparison to the \$221,000 that is received now.

Solie said that the same material in the PowerPoint was shown to COG members recently. They will be working on more documentation about how to proceed and will be making future presentations of the information. What has been shared today is based on current federal statutes. Solie does not anticipate changes. A 100,000 population threshold was proposed and got a lot of support from around the state. It did not pass so they are thankful; though there would be value in moving forward quickly in conversations to work towards the MPO designation in case a higher population threshold is reintroduced.

Konopa said she and Hare met with COG staff and city of Corvallis staff. It is very helpful that Solie knows the MPO process and can offer guidance.

Collins asked, how to we get ODOT Rail to the table to participate in the discussions? Solie said it is difficult; they are not required to be a part of the MPO structure. Freight and trucking companies are part of the structure and they will also be working with the Federal Highway Administration and Transit Administration.

Collins asked what they foresee as future transportation dollars. Volmert said the current plan is a six-year omnibus transportation bill that expired in 2009 and is the operating document that drives the federal budget. It has been extended on an annual basis and will likely be extended again. A draft rendered a year ago did not move forward. A reauthorization bill will likely not be passed this year or in 2012. The budget was approved last week for 2011 and includes about the same highway and transit monies as the current year, approximately \$50 billion in the federal trust for highways and transit combined. What will happen in 2012 is up for considerable discussion. Federal fuel tax is the source. He expects that in the next few months they will see some draft bills. If there are areas of consensus for 2013-2014, they will focus on that; but for 2011 it will be the same as last year, and for 2012 they will have to wait and see.

Collins asked, when new MPOs come on do other MPOs see a decrease in funding? Solie thinks there will be additional funding since there will be new MPOs. She thinks the new legislation will provide fewer silos of funding and that will give more flexibility for how funds are used. Also they will require more integrated and collaborative planning, but Oregon already does that; so she anticipates continued funding since it achieves multiple goals.

As to the earlier discussion about boundaries between communities, Solie said the plan is based on a transportation land use model. They will be required to look at different scenarios and traffic patterns and how they interact with neighboring cities.

Hare said that one question is the interaction between Albany and Corvallis. Around the country there are many MPOs that include several cities. He is not suggesting that Albany and Corvallis combine MPOs, but they should consider having close ties because planning decisions made in each city will impact the other. Taking a broader look has an advantage. They should be thinking regionally about serious problems for not just Albany, but Corvallis and Tangent too.

Volmert handed out a document titled *Metropolitan Planning Organization* as a resource (see agenda file).

Call-A-Ride service

Reid said that last year Albany offered Call-A-Ride service to Millersburg and they accepted. They are charged a base cost of about \$14 per ride. Perhaps Tangent might think about using the service in the future. By

providing transportation the program prolongs the time people can spend in their own homes and enjoy life as they know it.

Councilor Bill Coburn explained that Call-A-Ride provides rides to citizens who are 60+ or disabled with wheelchair accessible vehicles. There are no limits as to where they can be driven within the city limits and the rides are not limited to specific purposes. The rider is charged \$1 for a one-way trip and the participating city picks up the balance. There are a few folks in Millersburg that use it regularly.

Wastewater Service

Reid said that Albany's sewer lines run to the end of Beta Drive. With the Environmental Protection Agency tightening up requirements for septic, it is something that Tangent might keep in mind. The sewer service could be available on a cost-basis program. Reid described how Albany's sewer partnership with Millersburg works.

BUSINESS FROM THE COUNCIL MEMBERS

Konopa entered a letter into the record. The letter is to the Tangent City Council, from Dale and Ella McDowell regarding the merger discussion (see agenda file).

Collins said that 10-12 years ago when Albany started planning for water, they asked Tangent if it wanted Albany to consider potential water service and fire suppression for Tangent as well. They got a letter from Tangent saying they were relying on wells. Collins said Albany's plan has a reservoir near Tangent, so like Albany's wastewater system, the water system may also work to meet Tangent's needs. McLennan said they have large capacity tanks for fire suppression that are sufficient. He also thinks they have tremendous capacity in the aquifer for residential and some commercial properties. In his experience over the last 30 years, including irrigation on mint fields, he has not seen any negative impact.

Edward said that sometimes Lone Oak Estates, a subdivision, runs low during irrigation in the summer; but they have managed it.

Regarding a resolution, Hare explained that it cannot involve anything binding. Both Councils could do a statement of intent, but it also does not carry much weight. He suggested the cities wait until the MPO is set, because then they would be having the kinds of transportation discussions and agreements that Solie has described.

McLennan looks forward to the MPO discussions.

ADJOURNMENT

There being no further business, the Work Session adjourned at 8:29 p.m.

Respectfully submitted,

Reviewed by,

Mary A. Dibble, MMC
Deputy City Clerk

Wes Hare
City Manager