

CITY OF ALBANY  
CITY COUNCIL WORK SESSION  
Municipal Court Room  
Wednesday, November 29, 2017  
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: Mayor Sharon Konopa and Councilors Rich Kellum, Bill Coburn, Ray Kopczynski, Dick Olsen, Bessie Johnson, and Mike Sykes.

Councilors absent: None.

BUSINESS FROM THE PUBLIC 4:01

None.

URBAN FRINGE DEVELOPMENT – Bob Richardson and Jeff Blaine 4:03

Public Works Engineering and Community Development Director Jeff Blaine defined “urban fringe” as the area between the City limits and the Urban Growth Boundary. There is no urban fringe in the parts of Albany that are in Benton County. Development on properties in Linn County is regulated by the Linn County Code. The City and the County coordinate to manage development in the urban fringe. Blaine used a set of handouts (see agenda file) to describe undesirable and desirable development patterns and explain potential problems.

Blaine said several owners of property in the urban fringe have recently inquired about variances from the county code to develop to greater densities than the code allows outright. Two of the three variance review criteria in the Linn County code (see agenda file) give the City standing in the decision. The City can object to granting a variance.

Blaine said in any case, if a variance is for lot sizes that wouldn’t be allowed inside city limits, the City won’t approve it in the urban fringe. He handed out (see agenda file) an example of a property in the urban fringe where the requested lot sizes meet the city’s Development Code minimum standards, but would not have city utilities or improved streets. The property in the example is eligible to annex into the city, but the owner does not want to annex.

The Council discussed cost and equity issues of infrastructure and service requirements. Konopa asked if the Council within the last couple of years had expressed a policy of not doing petitions and waivers for future improvements. Blaine said they had discussed the issue with the Crocker Lane development, but they eventually did have to use petitions and waivers in that case. Konopa remembered that the Council said they didn’t want to have to use them again.

Councilor Ray Kopczynski said he is not in favor of properties being able to receive City services without annexing into the City. Konopa said that doing a number of “island” annexations a few years ago was very contentious. She would like to prevent that happening again.

Councilor Bessie Johnson said we need to plan ahead and consistently require annexation into the city.

Councilor Rich Kellum said providing services on a property-by-property basis is ineffective and costly. Services should be built out to all affected properties at once. The Council discussed the pros and cons of requiring annexation agreements.

Kopczynski asked what is the next step, if the Council agrees to this policy tonight. Blaine said in future, the policy would be that any developing property eligible to annex to the City would have to do so, unless there’s an overriding reason not to. In that case, staff would bring the issue before the Council for a decision.

Matthew Conser, of The Conser Group, spoke from the audience. He said it was his group that brought the development scenario that provoked this discussion. He said voter-approved annexation is a difficult planning tool. All cities are in a housing crisis that includes all types of housing. He asked the Council to hear all of Blaine’s proposed scenarios before making a decision.

Blaine presented another example where the property in question is not eligible to annex. He asked the Council if it makes sense to consider variance requests for smaller lot sizes on properties not eligible to annex.

Kopczynski said the result would be an island checkerboard. He would not like to allow such variances.

Konopa said she is hearing that annexation agreements should be done for higher density development on annexation-eligible properties, and no density variances should be allowed for properties not eligible for annexation.

Blaine also requested specific direction on a particular application for a minimum-lot-size variance in Linn County. The property is not eligible to annex. The City of Albany did not approve the variance. Linn County staff denied the application. The property owner appealed to the Linn County Planning Commission, which overturned County staff's decision. Albany staff recommends appealing the Planning Commission decision to the County Commissioners. Blaine emphasized that an appeal is not a conflict between the City and the County; it's a way to have a conversation about the issue.

City Attorney Sean Kidd reminded the Councilors not to discuss an appeal with individual Linn County Commissioners. He recommends appealing the decision.

The Council agreed that staff should proceed with an appeal.

#### STREET FUNDING DISCUSSION – Peter Troedsson.

5:30

City Manager Peter Troedsson presented two PowerPoint slides (see agenda file). He said bringing all arterials and collector streets up to standard would require an initial outlay of \$20 million. House Bill 2017 provides some funds, and there are budget resources that could be moved from other projects. Moving these funds would mean cutting levels of other services. Other funding alternatives include creating a street utility, increasing storm water utility rates, raising in-lieu-of franchise fees, issuing general obligation (GO) bonds, forming local improvement districts (LIDs), and setting up a gas tax. In any case, it is essential to inform and educate the public.

Kopczynski said all of these options are good ideas and need to happen, but they will take time. He presented a list of his preferences, in order: 1) instituting a gas tax for repairs to local residential streets only; 2) using Central Albany Revitalization Area (CARA) funds in the urban renewal district; 3) forming a transportation utility to fund repairs to collector and arterial streets; and 4) issuing a GO bond.

Konopa agreed with Kopczynski's priorities. She would like to ask the voters for a gas tax before considering a transportation utility.

Councilor Bill Coburn said it will be very hard to get voters to approve any new tax. He suggests not talking about a gas tax until after we have reinstated the street maintenance funds in the budget. He likes the idea of a GO bond, especially if we are very definite about what we would do with the funds.

Konopa said she feels a gas tax has a better chance on a May ballot than in a November general election. If we put a gas tax on the ballot in May, 2018, that would leave time for some community outreach. Coburn said May of 2018 is too soon. Kopczynski agreed. Troedsson said we can start outreach now, regardless of the direction of discussion.

Coburn asked, shouldn't we use tax dollars on the streets that get the most traffic? Kopczynski said a gas tax won't provide much money but it would be a step into the community process of spending necessary money on streets.

Councilor Dick Olsen said we should be careful about spending CARA money on streets. People want CARA money to do projects that will make downtown more attractive and attract further interest.

Konopa asked staff to come back with some ideas of what can be done with a four-cents-per-gallon gas tax. The Council agreed that it is important to start outreach immediately. Coburn asked if we can do outreach in-house, without spending money on a consultant. Troedsson said he will look into it.

#### COUNCILOR COMMENTS

5:49

Coburn said he will not be at the Executive Session tomorrow night, November 30.

Konopa reminded the Council of the Downtown Twice Around Christmas Parade Sunday, December 3, at 5:00 p.m.

#### CITY MANAGER REPORT

5:50

Troedsson gave the Council copies of a draft support letter for the proposed Millersburg transshipment facility (see agenda file). If they approve, he will bring it back Monday night for signatures.

Troedsson also presented the City Councilor Manual (see agenda file), newly updated by the City Clerk. He thinks it may serve as a guide for the Council as they conduct meetings. He will contact each Councilor about availability for a proposed Council training session/workshop. He recommends having the workshop off-site, using a room at the Main Library.

Konopa asked what the training should cover, and whether it should be open to the public. Troedsson asked Kidd, if we just do training, can we do it as a closed session? Kidd says that is his understanding. He will contact the Ethics Commission to be sure. Olsen said he doesn't see any reason not to have an open session. Konopa said she thinks that is

safest. It's easy for discussion to cross a line. Kopczynski said a facilitator can keep discussion in line. Konopa asked if the training would last all day. Troedsson said it would be about 5 hours, and the facilitator would also meet with Councilors individually beforehand. The cost would be approximately \$3,100. Coburn said he believes the session would be intended for frank discussion among the Councilors about how they function as a body. He is not in favor of an open session, because it would stifle what the Council is trying to accomplish. Troedsson agrees that the intent is to improve effectiveness as a legislative body. If it has to be an open session it will still be worthwhile, but the conversation may be more candid without the public present.

Troedsson said the last community survey was done in 2014. It might be time to do it again. He passed around copies of the questions from last survey (see agenda file). Konopa suggested having a web site survey on funding for the street repairs.

Blaine presented another item for Council direction (see agenda file). Van Vleet Meat is expanding their facility, and an existing sewer line runs under their existing building. The proposed expansion would put the line even farther under the building. It needs to be rerouted around the building before they start construction. The estimate for rerouting the sewer is \$200,000 to \$250,000. If it's done, it needs to be done now before Van Vleet makes their street and site improvements. Public Works would use reserves in sewer funds for the project. No budget action is needed.

Coburn said he would like to be able to tie the project to Van Vleet's development, so as not to spend City funds and then have it turn out not to be necessary. Blaine said if we wait for Van Vleet to finish their expansion, our window to reroute the line will have closed. He said Public Works expects to be able to bid the project in January 2017 and finish by March or April.

The Council agreed that Public Works should proceed with the project.

Konopa said she wished to add language to the letter of support for the transshipment facility. She thinks the fourth paragraph should say, "... to make sure issues are addressed with the capacity constraints along the rail system throughout Albany." The Council wished to leave the language broader.

ADJOURNMENT

6:11

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

Respectfully submitted,

Reviewed by,

Allison Liesse  
Deputy City Clerk

Peter Troedsson  
City Manager