



**City of Tangent**  
P.O. Box 251  
Tangent, OR 97389

**PUBLIC NOTICE & AGENDA TANGENT CITY COUNCIL MEETING**

**MONDAY, JANUARY 9, 2023**

**6:30 P.M.**

**Meeting at City Hall and available on Zoom**

**Work Session**

1. Swearing-In of Mayor, Councilmember 3, and Councilmember 4.
2. Committee Assignments
3. 2023 City Council Goals

**Call to Order → Roll Call → Pledge of Allegiance**

**Adoption of Agenda**

**Miscellaneous Correspondence**

**Citizen Comments:** Three Minute Comments by Members of the Public.

**Consent Calendar**

1. December Meeting Minutes
2. Quarterly Safety Report
3. Financial Reports
4. City Manager's Report
5. Utility Report
6. City Planner's Report
7. Budget Committee Appointment – Brad Tedrow
8. Computer & Tech Assistant Appointment – Greg Jones

**Unfinished Business**

1. Ordinance 22-08 Codified Park Commission – Public Comment – Discussion – Motion
2. Change In Use Fee Under 9.50 – Discussion – Motion
3. Ag Exempt Fee – Discussion – Motion

**New Business**

1. Approval of the Fiscal Year 2022 Audit – Discussion – Motion
2. Hemp & Marijuana Annual License Check – Motion – Vote
3. Separate from COG Wetlands Consortium – Motion – Vote
4. Park Commission Appointments – Motion – Vote
5. Amend Attorney's Contract Limit – Motion – Vote
6. Approve of 2023 City Council Goals & Responsibilities – Motion – Vote

**Others**

**Adjournment**

City Hall  
32166 Old Oak Dr.  
Tangent OR 97389

[www.CityofTangent.org](http://www.CityofTangent.org)  
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Office Hours  
Monday – Friday  
9:00 A.M. – 4:00 P.M.

# **Work Session**

**City Council Goals 2023**

## Work Session Goals

The City Council approves the 2023 Goals for staff to take tasks for the upcoming year. Council members may add a goal with a consensus of the council. Here is a list of current goals and proposed goals for 2023.

### 2022 Goals

No.	Activity	Person Responsible	Progress to Date
1	Tangent Dr. Project – Next Phase	City Manager – County	Nothing new to update
3	Pursue Safe Route to School, including drainage issues on Old Oak Dr. from Blackberry to Old Church and crosswalk to school.	City Manager – County – Legislature	Met with State Senator Gelser on December 20, 2022.
6	Request Albany Transit to Modify Route in Tangent	City Manager – AAMPO	I asked AAMPO and met with ATS.

### 2023 Proposed Goals

No.	Activity	Proposed By	Person Responsible
1	City Business License	City Manager	City Manager
2	50/50 Strategic Plan	City Manager	City Manager
3	Public Water System	City Manager	City Manager
4			
5			
6			
7			

# **Work Session**

## **Committee Assignments**

## Committee Assignment

Principal	Alternate	Responsibility
<hr/>	<hr/>	<b>Council of Government (COG):</b> Meet with other elected officials from the region – Monthly
<hr/>	<hr/>	<b>Transportation Albany Area Metropolitan Planning Organization (AAMPO) Policy Board:</b> Meet monthly on Zoom to forward policies from AAMPO – Monthly
<hr/>	<hr/>	<b>(AAMPO) TAC Committee:</b> Meet with AAMPO members to vote policies into place – Monthly
<hr/>	<hr/>	<b>High Speed Rail:</b> Monitor any potential news about high-speed rail – As Needed
<hr/>	<hr/>	<b>Parks:</b> Sit on the Park Commission – Every other month meeting on the last Tuesday.
<hr/>	<hr/>	<b>Political Issues:</b> Aware of political issues from legislature and county level – As Needed
<hr/>	<hr/>	<b>Sewer:</b> Inform of sewer issues and TMDL – As needed
<hr/>	<hr/>	<b>Personnel Issues:</b> Personnel issues including labor laws, hiring, and termination – As Needed
<hr/>	<hr/>	<b>Community Safety:</b> Aware of safety plan and TRFD Liaison – As Needed
<hr/>	<hr/>	<b>Community Relations:</b> GAPS, Tangent Together, Linn County – As Needed
<hr/>	<hr/>	<b>Financial &amp; Administrative:</b> In house make sure city follow same rules others have to. – As Needed
<hr/>	<hr/>	<b>Bass Estate Building</b> – As Needed
<hr/>	<hr/>	<b>City Plan/Planning:</b> Informed on City Planning issues – As Needed
<hr/>	<hr/>	<b>Small Cities Meeting:</b> Attend quarterly meetings around the area. – Quarterly
<hr/>	<hr/>	<b>Affordable &amp; Rehabilitation Housing:</b> Meets once a quarter. – Quarterly
<hr/>	<hr/>	<b>Wetland Consortium</b> – Questionable
<hr/>	<hr/>	<b>Council President</b> – Monthly

# **Unfinished Business 1**

**Ordinance 22-08 Codified Park  
Commission - Motion - Vote**

## Chapter 2.50

### PARK AND RECREATION COMMISSION

#### Section

- 2.50.010 Establishment
- 2.50.020 Local Law Adopted
- 2.50.030 Membership Regulation
- 2.50.040 Terms in Office
- 2.50.050 Member Role
- 2.50.060 Vacancies and Removal

#### **2.50.010 Park Commission**

There is established a Park and Recreation Commission which shall act as the Park, Recreation and leisure time service advisory committee. These responsibilities will assist the governing body with the development and maintaining park and recreation land.

#### **2.50.020 Local Law Adopted**

No other powers are authorized unless specifically provided for by amendment to this ordinance/code

#### **2.50.030 Membership Regulations**

- (1) The Commission shall consist of five members; all are voting members and are appointed by the Council as vacancies occur and at the last regular meeting of the year for the filling of expiring terms.
  - (a) One seat shall be reserved for an elected official serving on the City Council and be the primary liaison.
- (2) The voting members shall not be employees of the city.
- (3) Members shall be appointed at large from within the City Limits and/or Urban Growth Boundary.
- (4) The concurrence of three members of the Commission shall be necessary to decide any questions before the Commission.
- (5) A quorum of any three members can conduct a work session.
- (6) Commission members shall receive no compensation.
- (7) Member relationship to the Mayor and/or City Council and within the Commission will comply with the spirit and intent of Section 17 of the Tangent Charter of 1982.

### **2.50.040 Terms of Office**

The term of a Commissioner will be three years if the appointment is made to fill a regularly scheduled expiration of a term. In the event of a term becoming vacant prior to the term ending date, the position appointment will be for the balance of that term only.

### **2.50.050 Member Role**

The general role of the Park and Recreation Commission shall cover, but not be limited to:

- (1) To keep the City Council informed on the status and progress of parks and recreation matters.
- (2) To recommend a sound fiscal plan to achieve recreation goals.
- (3) To recommend an adequate system of current and future recreation areas and facilities.
- (4) To assist in providing stability and continuity to general operations.
- (5) To evaluate the services of the parks and recreation system in relation to its objectives.
- (6) To recommend policies, plans, and standards for approval of the City Council.
- (7) Interpret the policies and functions of the Parks and Recreation Commission to the public.
- (9) Prepare a hardscape and maintenance plan for each existing park.
- (10) Carry out such other tasks as may be delegated from the City Council.

### **2.50.060 Vacancies and Removal**

- (1) A position shall be deemed vacant upon the incumbent's death, resignation (subject to a three working day reconsideration period), Council removal (after a hearing for just cause), abandonment of the position, or relocation out of the city limits.
- (2) A member who is absent for three consecutive meetings, or for 50% of any period of twenty-four months without .an acceptable excuse by the members of the Commission shall be considered to be in nonperformance or abandonment of the position of duty, unless found otherwise by the hearing.
- (3) A member who fails to attend a meeting in person at least two meetings in a twelve-month span.

### **2.05.060 Meeting**

- (1) Three voting members of the Commission shall constitute a quorum for decision making. A regular meeting will be bimonthly. A work session can be held by any three



members. Any two voting members can request and be granted a special meeting in compliance with the Oregon Open Meetings Law.

(2) All meetings held by the Commission will be open to the public. The Commission will have no authority to hold “executive” or other private meetings.

(3) In the absence of a Commission quorum, the City Council shall render any necessary decision. The available Commission members shall sit with the Council and offer suggestions, advice and information, but will have no voting authority.

(4) The Council and the Commission shall schedule at least one joint meeting no later than March 31 and October 31, to make a report of its current year’s accomplishments, present the current year’s work program and budget requests, etc. The Council shall make known its priorities and a joint program of work will be agreed to.

(5) Approval of, and accomplishment of, the previous year’s and current year’s program of work shall be a condition of performance.

#### **2.50.070 Recommendations to the Council.**

All recommendations to the Council will be in writing and indicate any alternatives that were considered in the process of arriving at the recommendation(s) put forth.

#### **2.50.080 Expenses.**

The Commission shall have no authority to make expenditures or other monetary agreements on behalf of the city, or to obligate the city for the payment of any sum of money without an approved budget for that purpose. The Council shall approve all grant applications for the city.

#### **2.50.090 Conformity with the Law.**

This ordinance shall not substitute for or eliminate the necessity for conformity with all laws or rules of the United States or the State of Oregon or their agencies, or in any applicable ordinance rule or regulation of Linn County.

# **Unfinished Business 2**

**Change in Use Fee Under Title 9.50 -  
Motion - Vote**

## **Change In Use Fee Under 9.50**

With the approval of 9.50.010(D), a Change in Use Determination process is introduced for the City to evaluate if any change in use, tenant, or ownership of the structure complies with the land development code.

### **9.50.010 – Building & Fire Codes Adopted, Compliance Required**

Change in Use and Change in Tenant Triggers Building Code and Fire Code Compliance Check. Every change in use and every change of tenant or ownership of a commercial or industrial structure in the City shall trigger a review by the City to verify that any change in use, tenant or ownership of the structure complies with the land development code. If that verification review indicates a change in occupancy classification under the Building Code, the owner or tenant shall also obtain a review by Linn County to verify consistency with the Building Code for any such change. A change in use, tenant or ownership may also warrant a review for Fire Code compliance by the Tangent Fire District at the District Fire Chief's discretion.

The City Planner recommends that the Change in Use Determination Fee be set at \$219.00 for the fee covering three hours of the Principal Planner.

**Shall the City Council approve a \$219 for the new Change in Use Determination fee? (Motion, Second, Vote)**

# **Unfinished Business 3**

**Agriculture Exemption Fee Increase -  
Motion - Vote**

## **Agricultural Exempt Building Fee Increase**

This year the City of Tangent received two Agricultural Exempt Building Applications for the first time in over ten years. The first one is off McFarland Road, and while the process for approval was straightforward, the communication was a bit of a miss, with Linn County not notifying the city. The second application came into City Hall first but ensured some floodplain.

City Staff found the city used to have a \$150 fee in place for Agricultural Exempt Buildings, but since it was so long since the last application, it was not charged to the two most recent ones.

After consulting with the City Planner, the Planner agrees the fee should be raised to \$500 for 2023 and beyond, as the \$150 doesn't cover the cost of the Planner and City Engineer.

**Shall the City Council increase the Agricultural Exempt Building Application fee to 500? (Motion, Second, Vote)**

## **Information About Agricultural Exemption**

The exemption allows farm-use buildings to go up and bypass many planning and building processes. However, a building cannot be used for people to reside in and is strictly for agricultural purposes. About 11 years ago, the last application was the site of the former Flawless Fraction, which lost the exemption status when it was clear it was commercial/industrial use.

# **New Business 1**

**Approval of the Fiscal Year 2022 Audit -  
Informative - Discussion**

# **New Business 2**

**Hemp & Marijuana Annual License  
Check - Motion - Vote**

## **Annual Hemp & Marijuana License Check**

In December, the City received a complaint about a potential hemp or marijuana business operating without approval to open. The City Code Compliance Officer and Planner looked into the matter, and it was instead a hemp processing building across the street and outside the city limits that was causing the odor that had drawn complaints.

The City receives notice of new facilities and changes of holders operating under Oregon Liquor Cannabis Control (OLCC), but the Oregon Department of Agriculture (ORA) does not notify. The explosion on May 2021 was a building ODA regulated but has no role in updating the City of Tangent.

The City has looked into the process of doing an annual check on any new businesses related to hemp and marijuana. The process involves emailing the OGA for a list of all businesses in Tangent, and OLCC has a list of businesses in Tangent. The process is less than 30 minutes for city and state staff to coordinate and complete.

Since this action may result in planning or enforcement action afterward, we would need the council to approve having staff annually looking to ensure compliance and take action.

**Does the City Council wish to have City Staff conduct an annual hemp and marijuana license check at the beginning of each calendar year?**



# **New Business 3**

**Separate from COG Wetlands  
Consortium - Motion - Vote**

## **Separate from COG Wetlands Consortium**

In the 2022 December City Council meeting, the City Council raised questions about the City's role in wetland mitigation. Considering the City has spent around \$1,000 annually for the Council of Oregon Governments (COG) Wetland Consortium, progress has not been made since entering the consortium over ten years ago.

The main goal of the COG Wetland Consortium was a cheaper mitigation plan and credits for small cities to develop wetlands. However, the goal appears more unlikely to occur as it's becoming more apparent that the goal of cheaper credits is out of reach.

Recently, the City had considered a more direct approach per project when one business in Tangent Business Park expressed interest in expanding but ran into potential wetlands. This project has been called-off and relocated to another site in Oregon.

The City is asking if the council wishes to stay involved with the wetland consortium or potentially separate. If we separate, we will look at to what extent the City's role is in wetland mitigation and present options at a future city council meeting.

**Does the City Council wish to continue to have the City of Tangent involved with the Cascades Council of Oregon Governments (COG) Wetland Consortium?**

# **New Business 4**

**Park Commission Appointments -  
Motion - Vote**

## Park Commission Appointments

Assuming Ordinance 22-08 was adopted, the City Council needs to appoint the Park Commission members. With the three-year terms, they have been staggered as the following:

Seat Position	Term	
Seat A	1 Year	
Seat B	1 Year	
Seat C	2 Years	
Seat D	2 Years	
Seat E	3 Years	City Councilmember

We have three candidates for the remaining four seats, and all have expressed no particular term desired. Similar to the Planning Commission meeting, there are no term limits so that a person can reapply after their term ends. The four interested parties are:

- Debra Meadows (Debra Brush)
- Seaton McLennan
- Joanne McLennan

Currently, Councilmember Swenson serves as the City councilmember, and at the November meeting, it was agreed that the three-year term could start with a councilmember. However, the council may elect to keep the same member longer or shorter than the three-year term.

The council is asked to consider which volunteer hold which specific seat. The council may wish to keep Councilmember Swenson on the commission or change.

One recommendation if the council wishes to consider:

Seat Position	Term	Assigned
Seat A	1 Year	(Vacant)
Seat B	1 Year	Debra Meadows
Seat C	2 Years	Seaton McLennan
Seat D	2 Years	Joanne McLennan
Seat E	3 Years	City Councilmember

**A Motion, a second, and a majority vote in favor of appointing the Planning Commissioners is needed.**

# **New Business 5**

**Ammend Attorney's Contract Limit -  
Motion - Vote**

### **Ammend Attorney's Contact Limit**

The City Attorney is approaching the set contract limit of \$20,000. This was mainly because of one resident who deliberately ignored all requests of the City to comply over roosters, lost a court case, and eventually was jailed back in September 2022. Since the release of the resident on November 23, the resident has complied with all city requests and appears to have no interest in mounting a challenge since any probation violation will result in jail time.

Due to that case, the projected rate shows the attorney will be over the budget limit by \$15,000 (\$35,000 total.) However, with the above mention case likely coming to a close and no other major pressing issues ahead, it is unlikely that we will continue to the projected total.

However, if the attorney exceeds his budget amount by 10%, an increase in his limit would be best recommended, as it would be the second year in a row the attorney exceeded the budget. Last year the attorney cost went over by \$3,000 while the City was in the middle of litigation during the summer months.

Would the City Council consider amending the contract limit amount between \$2,000 through \$10,000 for the remainder of the fiscal year?

**A Motion, a second, and a majority vote in favor of approving the amended amount.**

# **New Business 6**

**Approve of 2023 City Council Goals &  
Responsibilities - Motion - Vote**

## **Approve of 2023 City Council Goals & Responsibilities**

Assuming the City Council completed the goals and responsibilities for 2023 and 2024, the council must vote to approve the agreed-upon roles and responsibilities.

**A Motion, a second, and a majority vote in favor of approving the amended amount.**