

BROWNSVILLE CITY COUNCIL  
MEETING MINUTES

June 22<sup>nd</sup>, 2010

ROLL CALL: Mayor Ware called the meeting to order at 7:00 p.m. with Councilors Chambers, Gerber, Boyanovsky, Cole, Van Sandt and Shepherd present. Also present were City Administrator Scott McDowell, City Planner Bill Sattler and Public Works Director Karl Frink.

ADDITIONS AND DELETIONS: Mr. McDowell added an item regarding City Hall improvements as an action item.

MINUTES: The Council reviewed the minutes of the May 25<sup>th</sup>, 2010, meeting. Councilor Cole moved that the minutes be approved as written. The motion was seconded by Councilor Van Sandt and was approved unanimously.

PUBLIC HEARINGS OR PRESENTATIONS:

1. Warren Williamson – Country Music Festival. Mr. Williamson said that the concert organization is sponsoring a motorcycle ride event intended to honor four soldiers from the area who had been killed in the line of duty. He said that they are selling sponsorships for \$500 to offset the costs of the event and he wanted to propose to the Council that the City purchase a sponsorship. He said that the City's name would appear on several signs associated with the event. The Council decided to postpone the discussion until later in the meeting.

DEPARTMENT REPORTS:

1. Sheriff's Report. Sgt. Brad Kelly was present. He told Council that Pioneer Picnic had gone well and no particular problems had come up related to the Beer Garden. He said that the fencing for the Beer Garden needed to be improved but it didn't seem to create any issues this year. Sgt. Kelly said that nothing major had occurred in town recently.
2. Planning. Mr. Sattler updated the Council, saying that the final draft of the new flood ordinance was up to a vote later in the meeting. Mr. Sattler reported that a lot of time had been spent in the last month trying to keep the City's computers and technology working due to some upgraded computers and old software. He said that he had sent preliminary abatement letters to about 45 residences in town and would be following up with formal abatement notices to any that had not taken care of their particular issue.
3. Public Works. Mr. Frink said that they have been busy getting ready for Pioneer Picnic. He said that the Millrace pump was turned off due to the heavy rainfall the last few weeks. Mr. Frink said that the vandalism of the downtown public restrooms has continued. Mr. Frink said that the bathrooms had been locked most nights but not every night and that some of the vandalism had occurred during the day. Councilor Cole made a motion to close the downtown bathrooms for a while other than on weekends when there were special events. The motion was seconded by Councilor Chambers and was approved unanimously. Councilor Van Sandt asked Mr. Frink about his comments regarding CES in his report. Mr. Frink said that there are still problems that need to be fixed at the Millrace pump station. He said that he had been trying to get the repairs done for almost a year but they still hadn't been done and CES had not been responsive.
4. City Administrator. Mr. McDowell said that he, Kathy Nida and Jannea Deaver had taken a trip to visit Coburg, Halsey and Millersburg to see what kind of accounting and billing software they are using. Mr. McDowell said that the frontrunner is a company out of Portland and his is continuing to look at other options. Mr. McDowell said a number of people attended the

Emergency Management meeting. He said that the best course of action may be to form a committee that would meet several times a year. Mr. McDowell said that Linn County had fixed the security lights on the back of the Museum and the situation is much better. He said that he and Mr. Frink had met with Jon Erwin regarding the Hwy. 228 water line repair with the goal of being able to go out to bid by July 1. Mr. McDowell said that Chuck Knoll from the Linn County Road Department is not as optimistic about being able to start construction this summer as he had been as there are still a number of approvals from different divisions of ODOT yet to obtain. He said that the painting work on City Hall, the Rec Center and Picture Gallery has been completed and he has received a number of compliments on the new look.

5. Library Report. Ms. Lemhouse provided a written report. Mayor Ware said that the circulation numbers and volunteer hours are up.
6. Court Report. Ms. Nida provided a written report.
7. Council Comments. Councilor Boyanovsky said that he had attended the Rec Board on June 11<sup>th</sup>. He said that Youth For Christ and Parents & Pals will be renting space in the Rec Center. Councilor Boyanovsky said that the Rec Board is putting together a group to investigate alternative gym floor surfaces for the Rec Center.
8. Citizen Comment. None.

#### LEGISLATIVE:

1. Resolution 649 – Appropriations FY 2010-2011. Councilor Cole moved to approve Resolution 649. The motion was seconded by Councilor Gerber and was approved unanimously.
2. Resolution 650 – Water & Sewer Rates Clarification. Mr. McDowell said that based on conversations at Budget Committee meetings and subsequent Council meetings there won't be any changes in the utility rates for the coming year. McDowell recommended the passage of a Resolution to record the fact that the rates will be unchanged as they have increased every year for some time. Councilor Van Sandt moved to approve Resolution 650. The motion as seconded by Councilor Boyanovsky and was approved unanimously.
3. Ordinance 724 – Discharge of Weapons (Second Reading). Councilor Cole moved to read by title only. The motion was seconded by Councilor Gerber and was approved unanimously. Mayor Ware read the title of Ordinance 724. Councilor Shepherd again expressed his opposition, stating that if someone had an accident their homeowner's insurance wouldn't cover them and he said that Councilors could be sued for creating a safety hazard. Councilor Cole moved to approve ordinance 724. The motion was seconded by Councilor Boyanovsky and was approved 4 to 3 with Councilors Shepherd, Cole and Van Sandt voting no.
4. Ordinance 725 – Nuisance Abatement (Clean Up Day) (Second Reading). Councilor Cole moved to read by title only. The motion was seconded by Councilor Boyanovsky and was approved unanimously. Mayor Ware read the title of Ordinance 725. Councilor Cole moved to approve Ordinance 725. The motion was seconded by Councilor Gerber and was approved unanimously.
5. Ordinance 726 – Purchasing Requirements ( Second Reading). Councilor Gerber moved to read by title only. Councilor Van Sandt seconded the motion and it was approved unanimously. Mayor Ware read the title of Ordinance 726. Councilor Cole moved to approve Ordinance 726. The motion as seconded by Councilor Van Sandt and was approved unanimously.
6. Ordinance 727 – Floodplain Development (Second Reading). Councilor Gerber moved to read by title only. The motion was seconded by Councilor Cole and was passed unanimously.

Mayor Ware read the title of Ordinance 727. Councilor Gerber moved to approve Ordinance 727. The motion was seconded by Councilor Van Sandt and was approved unanimously.

ACTION ITEMS:

1. City Hall Work. Mr. McDowell said that the City had six contractors look at the proposed work on the Fire Bays and he had received three bids. One bid was \$24,990, one was around \$15,000 and one was \$13,447. Mr. McDowell recommended accepting the low bid which was from Wenger Construction. Councilor Shepherd moved to award the contract to Wenger Construction. The motion was seconded by Councilor Van Sandt and was approved unanimously.

DISCUSSION ITEMS:

1. County Music Festival Sponsorship Request. Councilor Cole asked Mr. Williamson how much money would go to the families. Mr. Williamson said possibly as much as \$1500, depending on how many sponsorships are sold. Councilor Gerber expressed her concern about the amount of money going to the families and said that it seems like the sponsorship would be more appropriate for the Chamber rather than the City. Councilor Cole suggested considering it as advertising and proposed asking the Chamber to pay one half and the other half would come from the City's transient room tax funds. Councilor Cole then made a motion to that effect. The motion was seconded by Councilor Boyanovsky and was approved six to one with Councilor Van Sandt voting no.
2. Delinquent Sewer Accounts. Mr. McDowell said that when Resolution 649 was being considered he had forgotten to have the Council vote to approve assessing delinquent sewer accounts against property taxes. Councilor Gerber moved to do so. The motion was seconded by Councilor Shepherd and was approved unanimously.
3. Canal Company. Mr. McDowell told the Council that the Canal Company is having a hard time keeping going and has not been having much luck raising money to pay its insurance bill. He said that they would like to disband but not sure how to do so. He said that the City has a 2.27 cubic foot per second non-consumptive water right in the canal and the canal is an important part of the City's storm drainage so the City has an interest in keeping it going. He said that he is not sure of what direction to go and was open to questions or comments from the Council. Mr. McDowell said that he wouldn't want to recommend taking on more responsibilities for the City but that there may be a need to create a special district of some kind or some other remedy. Councilor Gerber asked how the City of Albany handles their millrace. Councilor Shepherd indicated that the City of Albany owns that particular waterway. Shepherd stated that the City of Scio has some form of a drainage district for a ditch in the area. Mr. McDowell said he would continue to investigate options before approaching the Linn County Commissioners, if of course Council chose to proceed.
4. Spaulding Avenue Parking. Mr. McDowell indicated that Assistant Fire Chief Bob Sawyer had expressed some concern about the parking situation on Spaulding Avenue downtown making the center of the street too narrow for a fire truck to get through in the event of an emergency. Councilor Shepherd said that parking of trucks could be prohibited and only cars allowed, which would create more room. Mr. McDowell said that the City has been unsuccessful in being able to enforce any parking regulations so he doubted whether that could be made to work. The Council discussed the issue and decided that there is adequate access to the area from several directions and decided not to take any action.
5. League of Oregon Cities Annual Policy Goals. Mr. McDowell said that the survey is intended to give the League some guidance regarding legislative priorities in the coming legislative session. Mr. McDowell said that he believed protecting cities' water rights should be at the top

of the list given the recent state actions trying to take them away. Community development and UGB issues were also mentioned as priorities. Councilor Gerber said that she would like to see a focus on public transit. Mayor Ware suggested letting Mr. McDowell complete the survey with those suggestions.

6. May Financials. Mayor Ware asked when the City makes bond payments. Mr. McDowell said that they are made in August and December.

CITIZEN COMMENT: Mr. Warren Williamson said that his mother, Sharon Williams, was concerned because the owner of the old Baptist Church had blocked off the alley where it went through the church parking lot. Mr. Sattler explained that the public right of way ends at the church property and what she blocked was on her property so she had a legal right to close it off.

ADJOURNMENT: Councilor Shepherd moved to adjourn. The motion was seconded by Councilor Van Sandt and was approved unanimously. The meeting was adjourned at 8:50 p.m.



City Administrator S. Scott McDowell



Mayor Don Ware