

**BROWNSVILLE CITY COUNCIL
MEETING MINUTES**

March 22nd, 2011

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

PUBLIC: Johnny & Diana Young, Bruce & Gwen Landon, Jeff Cone & Son, George Frasier, Dan Hartsook, Jay Curtis, Leroy Spurlin, Roger Dorsey, Leslie Heckathorn, Kaye Fox, Chenoweth Robertson, Scott Johnson, Ernie Martin, Dave & Tricia Thompson, Rick Dominguez and Charlotte Bates.

ADDITIONS AND DELETIONS: Mr. McDowell added a public hearing on Ordinance 732 and an action item regarding an RFP for a new roof for City Hall.

MINUTES: The Council reviewed the minutes of the February 22nd, 2011, meeting. Councilor Gerber moved to approve the minutes. The motion was seconded by Councilor Cole and was approved unanimously. The Council reviewed the minutes of the January 25th, 2011, meeting as there had been an addition made to them due to an omission regarding the appointment of the Emergency Preparedness Committee members. Councilor Cole moved to approve the minutes. The motion was seconded by Councilor Van Sandt and was approved unanimously.

PUBLIC HEARINGS OR PRESENTATIONS:

1. **Kirk Avenue Truck Traffic.** Mr. Jay Curtis spoke regarding the proposal of asking Linn County to limit truck traffic on Kirk Avenue. Mr. Curtis said that he had looked at Kirk Avenue and found only 2 potholes but 47 utility cuts in the road, which he said were responsible for the bumps in the road. Mr. Curtis said that a number of trucks use the road and that closing it to trucks would add a great deal of additional cost and time to the people who currently use it; not to mention the impact on trash service, delivery trucks and school buses. Mr. Curtis also mentioned his concern about the area on Main Street on the west side at the intersection of Kirk and Main. He said that the street had been widened there to give trucks turning onto Main enough room to make the turn but that the area has been occupied with parked cars for some time. He said that it used to be painted yellow as a no parking zone but the paint has worn away. Mr. Leroy Spurlin also spoke, saying that he had the same concerns as Mr. Curtis. He said that he had farm fields out Northern Drive and a warehouse northwest of town so not being able to drive his trucks on Kirk Avenue would be a serious burden on him.
2. **Mr. George Frasier – Brownsville Rec Center.** Mr. Frasier said that he is currently the President of the Central Linn Rec. Center Association. He said that the group appreciates the City putting on the new roof and painting the building. He said that now they would like to work to focus on the inside of the building. He reported that after extensive research and discussion the Board would like to get more years out of the existing gym floor. He said that the Board would like the floor refinished and sealed and a regular maintenance program established for the floor. He said that in addition to the gym area they would like the hardwood floors in the entire building refurbished including the stage, the bleachers and the coaches office. He said that there had been a lot of turnover on the Board with only one member out of 11 having been on for more than three years. Mr. Frasier said that fundraising efforts had been going well and they are in good financial standing. He said that about 500 kids had participated in the programs in the last year. Mayor Ware thanked him for the report.
3. **Citywide Clean-Up Day – Scott Johnson.** Mr. Johnson was present to represent Sweet Home Sanitation. He said that there been some issues with the Citywide Clean-Up Day as it has been

done for some time and wanted to ask the Council to look at some alternatives. Mr. Johnson said that using volunteers has become more problematic due to liability concerns and that out of town refuse being dumped has been a problem. He said that it has been difficult to sort out recyclables with the system that has been used. Mr. Johnson offered several alternative proposals. He said that the City could keep the current system but that would probably require an increase in rates of about four percent to cover the additional costs. Another alternative would be to have a central drop site and have everyone bring their refuse there for disposal. Sweet Home Sanitation staff would be there to help unload and sort the recyclable materials. They would also verify addresses to be sure those using the service were City residents. Finally, the City could eliminate the Clean-Up Day and Sweet Home Sanitation could pay a franchise fee to the City instead. He said that the franchise fee would be around five percent or about \$10,000 per year. Councilor Gerber asked if reiterated that accommodations could be made for disabled or elderly who might be unable to bring their refuse to the drop-off site. Mr. Johnson said that could be done and they had done it in the past in other cities. The Council discussed some of the details of how it would operate. Mayor Ware asked for a show of hands from the audience as to which alternative they preferred. The vote was evenly split with five for keeping the current system and five for the central drop site alternative; no one voted for the franchise fee. Mr. Roger Dorsey said that he has been on the Fire Department for many years and that when the Clean-Up Day was instituted years ago fire calls went down by nearly half which he attributed to a reduction in trash. Mr. Dorsey said that he thought the biggest problem was people from out of town and the new system should take care of that. Mr. Dave Thompson said that people put out useable stuff early so it could be picked up by anyone who could use it and he would like to see that continue. Ms. Kaye Fox was worried how the change would affect Seniors. Mr. Johnson reiterated that they would be willing to assist Seniors and others who weren't able to bring their items in. Mr. Johnny Young said that he would like the system to remain as it is but wasn't willing to pay any additional charges. Mr. Dan Hartsook said that he wanted the people who brought trash in to be charged and not all the ratepayers. Ms. Gwen Landon said that she knows there's some problems but would like to see it continue as it has been. She said that she is willing to pay a little more to keep it. Councilor Van Sandt suggested having it later in the year after Citywide Garage Sale Day. Mr. Johnson said that it is hard to schedule it during the summer. Councilor Cole said that she thought most people liked the current system and were willing to pay the dollar or so per month to maintain it. Councilor Shepherd said that he thought the central drop-off site idea was the best option. Councilor Gerber said that she would like to see a "swap" area where people could put useable items that others might want. Councilor Cole suggested that they only pickup from people who had subscribed to trash service. Councilor Shepherd moved that the City try the central drop site idea for this year. The motion was seconded by Councilor Boyanovsky. The motion as approved with a vote of five to one in favor of trying the drop-off site option with Councilor Cole voting to keep the current system.

4. Resolution 732 – Vacation of Alley. Mayor Ware opened a public hearing and invited public comment on Ordinance 732, vacating an alley. No one wished to speak and Mayor Ware closed the public hearing.

DEPARTMENT REPORTS:

1. Sheriff's Report. Cpt. Jeff Cone was present. He said that in recent days there had been at least three daytime burglaries in town. He said that they do have a suspect as the person was seen but that no arrest has been made yet.
2. Planning. Mr. Sattler updated the Council. He said that the real estate market has not picked up and that prices still seem to be declining due to the large number of foreclosures on the market. Mr. Sattler said that installation of the new computer software for the City is still underway and that everyone is working to get it going.

3. Public Works. Mr. Frink said that his department had rebuilt fourteen water meters to be reused. He said that his staff had been doing work at the water plant to fix it up as it is constantly exposed to chlorine and other fumes that damage the finishes. Mr. Frink said that they had not been able to do any mowing due to the rainy weather. Mr. Frink said that he was in town when the wind storm hit and he had been able to help clear fallen trees out of the roads but there isn't much that can be done until the power lines have been removed. Councilor Shepherd asked if the wastewater plant generators were on an automatic fill-up program. Mr. Frink said that they only use about 20 gallons of fuel per month so it's easier to take care of it in-house. He said that they refill the generators immediately after they are used. Councilor Cole asked if the chlorine in the water plant was dangerous. Mr. Frink said that it caused corrosion on some items and that those were being replaced with fiberglass, stainless steel and plastic that was not affected by the fumes.
4. City Administrator. Mr. McDowell reminded the Councilor to be sure to complete their SEI forms and said that they can drop them off at City Hall if they want. Mr. McDowell said that he had been notified by the Linn County Cultural Trust that the Brownsville Art Association had been awarded a \$1,000 grant for their storage project. Mr. McDowell said that he had met with City Engineer Jon Erwin regarding the water curtailment issue and the Water Master Plan. He reported that Mr. Erwin had said that the Water Master Plan was good and that he would make a few additions to complete it with the assistance of Mr. John Cunningham. Due to the changes with the new software, Mr. McDowell and Mr. Warthen will be redefining the internal controls policy book to match changes to internal processes. Mr. McDowell said that the Spring newsletter would be going out soon and the deadline for submitting articles was the coming Friday.
5. Library Report. Ms. Lemhouse provided a written report.
6. Court Report. Ms. Nida provided a written report.
7. Council Comments. None
8. Citizen Comment. Ms. Kaye Fox said that she wanted to tell the Council that Jo Ann McQueary of the Linn County Sheriff's Department would be hosting two presentations to the Seniors regarding emergency preparedness.

LEGISLATIVE:

1. Ordinance 732 (Vacating An Alley). Councilor Gerber moved to read by title only. The motion was seconded by Councilor Boyanovsky and was approved unanimously. Mayor Ware read the title of Ordinance 732. Councilor Cole moved to approve Ordinance 732. The motion was seconded by Councilor Shepherd and was approved unanimously.

ACTION ITEMS:

1. Appoint Budget Committee Member. Mr. McDowell said that Theresa Wilhelm had applied for the open position on the Budget Committee. Councilor Van Sandt moved to appoint her. The motion was seconded by Councilor Cole and was approved unanimously.
2. Croquet Court Agreement. Councilor Gerber stated that she was withdrawing from the discussion due to a conflict of interest. Mr. McDowell said that he had modified the agreement as had been requested at the last meeting. He said that he had put in hours of operation and reduced the water allotment proportionate to the reduced land area being utilized. Councilor Shepherd asked if he had received the key to the area and Mr. McDowell said that he had. Councilor Cole moved to approve the agreement. The motion was seconded by Councilor Van Sandt and was approved unanimously with Councilor Gerber abstaining.

3. Community Gardens Agreement. Mr. McDowell said that both the Calapooia Food Alliance and the Linn County School District are parties to the agreement as the community garden is located on school property. He said that he was asking Council for comment before he took the agreement to the School Board. Councilor Shepherd inquired as to the term of the agreement. Mr. McDowell said that the draft called for a three year term and was a rolling agreement meeting that it can simply be reviewed for continuance.
4. Linn County Pioneer Picnic Association Letter. Mr. McDowell said that he had been sending this letter annually to the Picnic Association to clarify the role of the City and the Association in preparing for Pioneer Picnic. He said that the content of the letter had been reviewed and approved by the Park Board and Leisa Keyser of the Picnic Association. Councilor Gerber moved to approve the letter as drafted. The motion was seconded by Councilor Shepherd and was approved unanimously. Mr. McDowell said that the City normally sends a letter to Linn County supporting the Picnic Association's request for road closures for the two parades. Councilor Shepherd moved to instruct Mr. McDowell to send a letter supporting the road closures. The motion was seconded by Councilor Cole and was approved unanimously.
5. Pioneer Park and Calapooia River Erosion. Mr. McDowell said that he and Mr. Sattler had met with Tara Davis and Tim Otis of the Calapooia Watershed Council. He said they had reported that OWEB had not funded the Reach 2 project at this time due to some concerns that had recently been raised about possible archeological sites in the area. Mrs. Davis said that a preliminary archaeological survey will be done and if that is negative she thought OWEB would fund the project in the current grant cycle if the application was resubmitted. However, if a follow-up investigation is needed the time required would push it past the deadline for the current cycle. Councilor Cole moved to approve reapplying to OWEB in conjunction with the Calapooia Watershed Council. The motion was seconded by Councilor Boyanovsky and was approved unanimously.
6. Linn County and Court Clerk Agreement. Mr. McDowell said that he had continued to work on options to handle the Municipal Court when Mrs. Nida retires later in the year. Council has discussed this item at several meetings in the past. Councilor Cole moved to have Mr. McDowell and Mayor Ware move forward with attempting to negotiate an agreement with Linn County. The motion was seconded by Councilor Gerber and was approved unanimously.
7. Roof RFP. Mr. McDowell said that the Budget Committee and the Council had previously approved replacing the roof on City Hall. He said that he would like to put out an RFP to see if there is enough money in the budget this year to do the work or to make any adjustment for fiscal year 2011-2012. Councilor Gerber moved to approve the RFP. The motion was seconded by Councilor Van Sandt and was approved unanimously.

DISCUSSION ITEMS:

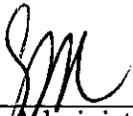
1. Carsow Information. Mr. McDowell said that there had been some questions about the language of a drainage easement along the west side of the properties on the north end of Filbert Street. He said that the language granted an easement to the City and said that the City could work in the easement if it should choose to do so but did not place any obligation on the City to do so. Mr. McDowell said that Mr. George Carrsow had hired Mr. Larry Northern who had worked on the drainage ditch there and had done a great job of fixing it so that it should not overflow across Oak Street any more.
2. Joling Property. Mr. McDowell said that he had spoken with Mr. Joling and Mr. Joling would accept the agreement if there was a cap placed on his cost. Mr. McDowell said that because the City is involved he would need to have some environmental testing done on the trailers and that might drive the price over the \$5,000 figure. Councilor Gerber moved to have the City pay the

cost of the environmental testing and contract with Sweet Home Sanitation to remove the trailers with a maximum removal cost of \$5,000. The motion was seconded by Councilor Boyanovsky and was approved unanimously.

3. Council Goals 2011-2013. Mr. McDowell said that he had included the goals in the Council packet and asked if there were any questions. He said that he will make up a poster and put them on the wall of the Council Chambers.
4. ODOT Right of Way (Welcome Sign Area). Mr. McDowell said that ODOT had told him that since the City maintains that area they might transfer the property to the City but then they decided they couldn't do that. Mr. McDowell said that the City should really have some type of permit for the sign and the consensus of the Council was to have him pursue that with ODOT.
5. February Financials.

CITIZEN COMMENT: Ms. Kaye Fox suggested that the Croquet Court key be kept by the Pioneer Park Caretakers.

ADJOURNMENT: Councilor Shepherd moved to adjourn. The motion was seconded by Councilor Boyanovsky and was approved unanimously. The meeting was adjourned at 8:55 p.m.



City Administrator S. Scott McDowell



Mayor Don Ware