

BROWNSVILLE CITY COUNCIL
MEETING MINUTES

May 24th, 2011

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

PUBLIC: Tori Jager, Chuck Knoll, Daineal Malone, Steve Chambers, Scott Johnson, Ernie Martin, Ed Sherwood, Leslie Heckathorn & Sherri Lemhouse.

ADDITIONS AND DELETIONS: Mr. McDowell had a number of additions. Action items regarding the award of the City Hall roof contract, Pioneer Park basketball court lines and nets, a budget line item addition and an ODOT signage issue were added. A discussion item regarding the Senior Center was added.

MINUTES: The Council reviewed the minutes of the April 26th, 2011, meeting. Councilor Gerber moved to approve the minutes as presented. The motion was seconded by Councilor Cole and was approved unanimously. The Council then reviewed the minutes of the May 12th, 2011, Budget Committee meeting. Councilor Chambers noted that she was not present at the meeting and her name should be removed from the roll call. Councilor Cole moved to approve the minutes with that correction. The motion was seconded by Councilor Shepherd and was approved unanimously.

PUBLIC HEARINGS OR PRESENTATIONS:

1. Budget Hearing Fiscal Year 2011-2012. Mayor Ware opened a public hearing to take input on the proposed fiscal year 2011-2012 budget. No one wished to comment and the hearing was closed.
2. Gateway Project – Linn County Engineers Office. Mr. Chuck Knoll and Ms. Daineal Malone were present to update the Council on the Gateway Project. Mr. Knoll said that Ms. Malone had been the primary engineer on the project for Linn County. He said that the project is out to bid and that the bids will be opened at 9:45 a.m. next Tuesday, May 31st at the Linn County Courthouse. The pre-construction conference will be scheduled in June with all of the contractors and subcontractors. The project is on schedule for completion by October 21st, 2011. Mr. Knoll said that Ms. Malone will be the onsite inspector for the project. Councilor Cole expressed concern that the crosswalk across Main Street has been relocated so close to Hwy. 228 as well as the lack of a catch basin on the northeast corner of Hwy. 228 and Main Street. Ms. Malone said that the intersection will be re-graded and new pavement overlaid which should take care of any drainage issues at the intersection. Several other Councilors also expressed concern about the crosswalk location. Mr. Knoll explained that the subject has already been debated with ODOT and they are not willing to change the design. His suggestion was to wait until the project was completed then approach the Linn County Road Department with the proposal for an additional crosswalk further north on Main Street as an item separate from the Gateway project. Councilor Shepherd was concerned about having enough lighting at the intersection. Mr. Knoll said that there would be more lighting than at present and again suggested waiting until the project was completed to evaluate the situation. He said that electrical wiring will be installed so if the City wants to install more lights the wiring will be available. Mr. McDowell expressed his concern with the way ODOT solicits public input and then seemingly ignores the public input during the design phase of projects. McDowell thanked Mr. Knoll and Ms. Malone for the hard work on this project. Councilor Van Sandt inquired about the impact of construction on neighboring property owners. Mr. Knoll said that the contractors would be responsible for notifying property owners of upcoming work that would affect them. Mr. McDowell said that a question had come up from ODOT about what to put on

the directional sign pointing downtown. He said that the sign would be limited to three items. Councilor Van Sandt made a motion to request that the sign list the Museum, Pioneer Park and Downtown. The motion as seconded by Councilor Cole and was approved unanimously.

3. Sweet Home Sanitation – Mr. Scott Johnson. Mr. Johnson said that ads had been placed in *The Times* to get the word out to Seniors and others who might need assistance with their trash. He said that they will have a standard garbage truck available if pickups are needed. He said that they will have someone at the drop site checking identification to verify residency. Councilor Cole asked about the idea of having a drop site for a charity available. Mr. Johnson said that they had contacted a number of charities but had not yet received a commitment from any of them. He said that they will continue to pursue the idea. Councilor Cole asked how many requests for pickup assistance had been made. Mr. Johnson said perhaps six to twelve so far. Councilor Shepherd asked if the Council should have a formal lease agreement with Sweet Home Sanitation to lease them the Rec Center parking lot for the day. He said that he had heard rumors that people intended to try to rummage through the dumpsters and said that by renting the site to Sweet Home Sanitation they could prevent that. Mr. Johnson said that they did not intend to have the public on the site for safety reasons. He said that their staff would do the unloading and sorting for recycling. Mr. McDowell said that the City can control access to public property and that Sweet Home Sanitation would be acting as the City's agent so he didn't believe there was a need to enter into a lease agreement. Council then discussed the franchise agreement with Mr. Johnson. Mr. McDowell said that he had found that the franchise agreement has a perpetual six year rolling term which basically means it never comes up for review. He said that all the City's agreements are gradually being brought to a term of three years and wanted to consider doing that with the franchise agreement; among other items of interest. Mr. Scott Johnson said that the reason for the six year term is because of the large capital investment required in the sanitation business. The longer term gives them more security in making large investments in expensive equipment. He said that he would be glad to meet with Mr. McDowell and discuss the matter with him.

DEPARTMENT REPORTS:

1. Sheriff's Report. Sgt. Brad Kelley said that there are good leads in the recent burglaries and that an arrest has been made. Sgt. Kelley said that Deputies Sutton and Putney had obtained the loan of a radar reader board for Brownsville for a while. Mayor Ware addressed how bad the speeding problem is based on Deputy Sutton's report. Mr. McDowell said that speeding will always be an issue for someone in town and he appreciated the Sheriff's Office effort running traffic enforcement.
2. Planning. Mr. Sattler updated the Council. Mr. Sattler said that the partially constructed home on North Avenue has been sold and the new owner is busy finishing it which will improve the appearance of the neighborhood. Mr. Sattler told the Council that having City Hall designated as a ballot drop site has been very successful with many people taking advantage of the service. Mr. Sattler said that he and Mr. McDowell had been spending time identifying potential nuisance issues and he had sent around thirty letters notifying residents of the issues and reminding them of Clean-Up Day coming up.
3. Public Works. Mr. Frink said that he had received the report of the DEQ inspection and no non-compliance issues had been found. He said that Public Works has been dealing with a few sewer line problems around town and they have all been cleared up. Frink mentioned that he is working on the emergency response plans for all utility facilities Mr. Frink said that Public Works has been busy with Spring cleanup and mowing, particularly getting the cemetery and Pioneer Park ready. He said that the new Caretakers have started working at Pioneer Park. He also mentioned that Mr. Mark Hanft is working out nicely as the Temporary Public Works Operator. Mr. Frink said that the roads in Pioneer park have been graded and new gravel added. Councilor Cole asked about a report of vandalism to the downtown bathrooms. Mr.

Frink said that there had been some incidents of minor vandalism but it had not been too bad yet. Councilor Chambers asked how often the portable toilets are serviced. Mr. Frink said that they are serviced every Wednesday. He explained that the vendor has a regular service route and that is when they are in the area. He said that it is very expensive to have additional servicing at different times. Councilor Chambers said that the Pioneer Picnic Association is thinking about having additional portable toilets for Picnic. Mr. McDowell said that the normal use agreement for Pioneer Park calls for the parties using the park to provide additional portable toilets if needed. Mr. McDowell said that this has always been an issue with Picnic and this year it will be particularly bad with the absence of the destroyed bathrooms. The Council discussed then need for event organizers to provide additional portable toilets as needed and the consensus of the Council was to have Mr. McDowell send a letter reminding groups using Pioneer Park of that issue.

4. City Administrator. Mr. McDowell said that Emergency Preparedness Committee will be meeting on May 25th, 2011 at the new Fire Hall. He said that the Committee is making good progress and there will be an open house at the Fire Hall on June 4th, 2011. Mr. McDowell reported that the archeological survey in Pioneer Park had not turned up anything of cultural significance so the erosion project will not be affected. He said that the Calapooia Watershed Council is waiting on an update for the funding request. McDowell said that it will probably be September before a decision is made in the next round of funding decisions. Mr. McDowell said that the City had been given the Peter Jensen award by the Calapooia Watershed Council. He talked about the Council and the community's continued support and efforts in this area. It really is a Brownsville award because of those efforts. The auditors will be in on June 21st and 22nd for their preliminary investigation, then returning the first week of August to complete the annual audit. Councilor Cole asked about progress on the Joling property. Mr. McDowell said that the environmental assessment was done and some problems were detected. Mr. McDowell said that he did not want to get into the details until he had an opportunity to discuss it with the property owner but that things are moving as quickly as possible.
5. Library Report. Ms. Lemhouse was present. She updated the Council on activities celebrating the Library's 100th anniversary and provided some history of the Library. She said that there had been a nice article in the Eugene *Register-Guard* about the Library and another article in the Albany *Democrat-Herald*. Ms. Lemhouse said that on the day of the anniversary celebration there had been 120 visitors to the Library.
6. Court Report. Ms. Nida provided a written report.
7. Council Comments. Councilor Shepherd said that the Canal Company had its annual meeting and discussed insurance issues and elected officers. Councilor Boyanovsky said that he is the representative to CWCOG and that they had passed their new budget.
8. Citizen Comment. None.

LEGISLATIVE:

1. Resolution 663 Second State Revenue Sharing (Receiving Services) Councilor Cole moved to approve Resolution 663. The motion was seconded by Councilor Boyanovsky and was approved unanimously.

ACTION ITEMS:

1. Advertise Nuisance Abatement Changes. Councilor Geber moved to approve advertising notice of the changes in the nuisance ordinance. The motion was seconded by Councilor Boyanovsky and was approved unanimously with Mayor Ware and Councilor Cole abstaining due to a conflict of interest.

2. City Hall Roof Contract Award. Mr. McDowell provided the results from the RFP. He reported that interpreting the submissions was a little difficult due to the many variables and options involved. Mr. McDowell went through the bids and recommended awarding the contract to Snow Peak out of Lebanon, Oregon. He also recommended upgrading the shingles to a 50-year shingle. Mr. McDowell said that one option was the possibility of putting a standing seam metal roof on the “steeple” area of the building, which would cost about \$4,000 more than shingles. The Council discussed whether this needed to be referred to the Historic Review Board before deciding that they preferred to stick with shingles for the whole roof. Councilor Chambers moved to go with shingles for the whole roof and to go with the 50-year rated shingle product. The motion as seconded by Councilor Shepherd and was approved six to one with Councilor Boyanovsky voting no. Councilor Cole moved to award the contract to Snow Peak. The motion was seconded by Councilor Geber and was approved unanimously.
3. Basketball Court Lines and Nets. Mr. McDowell said that Public Works received a request from a Rec Board member asking that the City have the new Pioneer Park basketball court re-stripped and new nets installed. He thought the cost would be about \$325. Councilor Shepherd asked what was in the agreement. Mr. McDowell said that he wasn’t aware of any type of agreement regarding the basketball courts. There was a recommendation made to have the Council make a donation to the Rec Board in that amount rather than paying directly. Councilor Shepherd said that he was concerned about setting a precedent and preferred not to pay anything. Councilor Gerber said that she wasn’t sure if the Rec Board agreed with the request and the consensus of the Council was to take no action at this time.
4. Addition to Budget Line Item for City Hall Roof. Mr. McDowell said that he would like to add \$15,000 to the budget allocation for the City Hall Roof as contingency funds in case problems are encountered during the work. He said that with an old building surprises can come up and he wanted to be sure to have enough budgeted to cover anything might occur. Councilor Shepherd suggested adding more and made a motion to add \$20,000 to the budget for the work. The motion as seconded by Councilor Gerber and was approved unanimously.
5. ODOT Signage Question. Already done.
6. Best Pots Disposal Question. Mr. Frink said that he had been contacted by Best Pots. He said that they will be providing portable showers at the Willamette Country Music Festival and they had asked if they could dispose of the used shower water through the City’s sewer system. Councilor Cole asked what the impact would be. Mr. Frink said that there should not be any impact to the system. He said that they were discussing perhaps 3,000 gallons. The consensus of the Council was to continue discussions and try to negotiate a disposal fee. The matter will be discussed further at the June Council meeting.

DISCUSSION ITEMS:

1. Pioneer Park Restrooms. The Council discussed what options were available to replace the lost bathrooms in Pioneer Park. Several Councilors suggested having public meetings on the matter. Councilor Shepherd suggested having the Rec Board look into using volunteers to avoid having to pay prevailing wage if the City builds the restrooms. The Council decided to get more information and continue the discussion in September or October.
2. Sweet Home Sanitation Contract Review. Already done.
3. Joling Property. Already done.
4. April Financials.

5. Senior Center. Mr. McDowell said that he had received another list of requests from the Senior Center regarding the Community Room. He said that he has regularly been receiving requests asking the City to change the room, buy new items or do work. Mr. McDowell said this has been using a lot of staff time to deal with and a process is needed to deal with these issues. Issues regarding normal wear and tear and maintenance items are expected however their event requests that have been outside that particular scope. His suggestion was to make these items a matter for negotiation when the lease is renegotiated. The consensus of the Council was in agreement. Mayor Ware will discuss the issues with the Senior Center Board.

CITIZEN COMMENT: Mr. Ed Sherwood said that he would like to have an agenda for the meeting. Mr. McDowell said that normally they are available and were just overlooked. He will have them available at the next meeting.

EXECUTIVE SESSION: Council entered executive session at 9:17 p.m. for the following purpose: Oregon Revised Statutes, Chapter 192.660 governs the conditions for a public body to convene in an Executive Session. The City will invoke Section (i) to review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing. Council returned to open session at 9:31 p.m.

ADJOURNMENT: Councilor Shepherd moved to adjourn. The motion was seconded by Councilor Boyanovsky and was approved unanimously. The meeting was adjourned at 9:31 p.m.



City Administrator S. Scott McDowell



Mayor Don Ware