

BROWNSVILLE CITY COUNCIL
MEETING MINUTES

August 23rd, 2011

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

PUBLIC: Kaye Fox, Steve LaCoste & Jason Cota.

ADDITIONS AND DELETIONS: Mr. McDowell asked to delete Legislative item (C), Ordinance 734, and to change Discussion item (A) to "Park Events".

MINUTES: The Council reviewed the minutes of the July 26th, 2011, meeting. Councilor Cole moved to approve the minutes as presented. The motion was seconded by Councilor Van Sandt and was approved unanimously.

PUBLIC HEARINGS OR PRESENTATIONS:

1. Mr. Steve LaCoste – Park Avenue Closure Request. Mr. LaCoste told the Council that NAPA will be having a sale on September 7th and would like to close half of Park Avenue to park a large trailer full of inventory for the sale. The closure would be from 8:00 a.m. until 6:00 p.m. from Main Street to the Linn County Museum. Councilor Shepherd moved to approve the request. The motion was seconded by Councilor Van Sandt and was approved unanimously.
2. Mr. Jack Burrell – K&D Engineering – Alley Vacation. Mr. Jason Cota was present to represent K&D Engineering and to answer any questions regarding the alley vacation proposal. Mr. Sattler explained the request. Councilor Cole asked if he saw any problems and Mr. Sattler said that he did not and recommended approval. Mayor Ware asked for public comment and there was none. The Council chose to deal with the matter at that time rather than waiting until later in the meeting. Councilor Gerber moved to read Ordinance 733 by title only. The motion was seconded by Councilor Shepherd and was approved unanimously. Mayor Ware read the title of Ordinance 733. Councilor Gerber then moved to approve Ordinance 733. Councilor Van Sandt seconded the motion and Ordinance 733 was approved unanimously. Mr. Sattler asked the Council to also approve entering into the proposed encroachment agreement and the new easement agreement. Councilor Cole moved to authorize Mr. McDowell and Mayor Ware to execute those agreements. The motion was seconded by Councilor Van Sandt and was approved unanimously. Mr. Sattler reported that Public Works Superintendent Karl Frink and himself would work with Mr. Cota to secure the exact dimensions of the easement based on field conditions.

DEPARTMENT REPORTS:

1. Sheriff's Report. Sgt. Brad Kelley reported on the Willamette Country Music Festival. He said that there were quite a few minor altercations and some other potentially serious incidents but fortunately there had not been any major injuries. He said that there would need to be changes made in the security arrangements for next year.
2. Planning. Mr. Sattler told the Council that he was in the process of preparing a grant application for the Technical Assistance Grant Program through the Department of Land Conservation and Development (DLCD). He said that the funding would be used for consulting work with the goal of expanding the Urban Growth Boundary in order to bring in additional Light Industrial property. Mr. Sattler updated the Council on the ongoing work on the Library's

computer system. He said that the group doing the abatement work had been delayed but that the work should be finished.

3. Public Works. Mr. Frink said that results of the water system inspection had come in and that there were a few items to be done. He said that the cross connection ordinance needs to be updated and that the operations and maintenance manuals needed to be rewritten to be more "user friendly." Mr. Frink noted that the manuals had previously been reviewed and approved by the Drinking Water Division. Mr. McDowell noted that the review had been very positive overall and that there were just a few details to be addressed. Mr. Frink said that Public Works was fixing a drainage issue on Howe Street by rebuilding the ditch and leveling the culverts. Mr. Frink said that Public Works was mowing again due to the late rains this year. Councilor Van Sandt asked how things had gone with the Music Festival in relation to camping in Pioneer Park. Mr. Frink said that there had not been any problems. Councilor Shepherd said that he had heard complaints about watering in Pioneer Park on the weekends. Mr. Frink said that to keep the park green they need to water seven days a week to keep up with it.
4. City Administrator. Mr. McDowell said that Erwin Engineering was finishing the plans for the Oak Street Improvement project and that he expected to have a special Council meeting on October 11th to award the contract. Mr. McDowell reported that the Gateway project has gone fairly smoothly. Mr. McDowell said that OWEB had denied funding for the Watershed Council's Reach 2 project which would have included Pioneer Park. Mr. McDowell said that he is setting up a meeting with various agencies and a representative from the Governor's office to see what options might be available. He said that there had been many good applications received for the Administrative Assistant position. Mr. McDowell said that he had narrowed the field to 16 candidates to be interviewed in the first round of interviews from which six would be selected for the final round of interviews.
5. Library Report. Ms. Lemhouse provided the Council with a written report.
6. Court Report. Ms. Nida provided a written report.
7. Council Comments. Councilor Boyanovsky said that he went to the Rec Board meeting the previous evening.
8. Citizen Comment. Ms. Kaye Fox said that the packet she received didn't contain a copy of Ordinance 734. Mr. McDowell said that was because it had been deleted from the agenda. She said that she had emailed Mr. Sattler about her neighbor who had not raked their grass after mowing. The Council did not express any interest in pursuing an ordinance requiring people to rake their grass clippings.

LEGISLATIVE:

1. Resolution 669 – GASB 54 Implementation. Councilor Cole moved to approve Resolution 669. The motion was seconded by Councilor Shepherd and was approved unanimously.
2. Ordinance 733 – Alley Vacation. Done.
3. Ordinance 734 – Deleted from Agenda. McDowell indicated that he would forward the requested changes once the information was obtained from Michael Perry, the State Cross Connection Specialist.
4. Ordinance 735 – Amending Brownsville Municipal Code, Chapter 8. Councilor Gerber moved to read by title only. The motion was seconded by Councilor Cole and was approved unanimously. Mayor Ware read the title of Ordinance 735. Councilor Cole asked Mr. McDowell how the Park Board had reacted to her proposal to extend Pioneer Park hours in the Summer. Mr. McDowell said

that they preferred to leave the rules as they are for security reasons. Councilor Gerber asked the status of the Festival of Tents. Mr. McDowell said that it is not as large as in past years but it is still ongoing; organizers are in transition.

ACTION ITEMS:

1. Authorize South Oak Street Waterline Project Advertisement. Councilor Gerber moved to approve the advertisements. The motion was seconded by Councilor Shepherd and was approved unanimously with Mayor Ware and Councilor Cole abstaining due to a conflict of interest.
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2. Authorize Pioneer Park Restrooms Town Hall Meeting. Councilor Van Sandt moved to advertise the Town Hall meeting to discuss the restrooms on September 27th at Council in *The Times*. Councilor Cole seconded the motion and it was approved unanimously with Mayor Ware and Councilor Cole abstaining due to a conflict of interest. Mr. McDowell said that he will be sending invitations to local groups. He said that he anticipated using 30-40 minutes of the meeting for the discussion.
3. Approve Holloway Heights Encroachment Agreement. Done.
4. Authorize Department of Land Conservation and Development Grant Application. Councilor Gerber moved to authorize applying for the Technical Assistance grant previously described by Mr. Sattler. The motion was seconded by Councilor Van Sandt and was approved unanimously.

DISCUSSION ITEMS:

1. Sweet Home Sanitation Contract. Deleted.
2. Backhoe Purchase. Mr. McDowell said that there is \$40,000 in the budget towards purchasing a new backhoe. Mr. McDowell indicated that the backhoe is as vital to Public Works Department as the phone system was to City Hall; it is used all the time in their work. He said that he is looking into what is called a lease/purchase program but it is basically an installment purchase plan. He anticipated the price of a new backhoe to be in the \$70,000 to \$90,000 range. Mr. McDowell said that he will put together specifications for an RFP. Councilor Shepherd advised that Linn County is having a lot of problems with their CAT backhoes.
3. Pioneer Park Restroom Discussion Invitations. Mr. McDowell asked the Council to forward him any names and contacts for any groups that they thought should be invited to the discussion.
4. July Financials. No discussion.
5. Park Events & Philosophy. Councilor Gerber suggested that the Council discuss their philosophy of what types of uses they wanted to promote in Pioneer Park. She said that the big events take over the park and residents may not feel comfortable trying to use the park during those summer weekends. Councilor Gerber asked if the Council wanted those types of events to promote tourism or would they rather see the park more accessible for residents to use. Councilor Cole asked if the Park Board had discussed the matter. Mr. McDowell said that they had not but suggested that the matter should start with the Council and they could possibly refer it to the Park Board if they chose. He suggested that the September meeting stay focused on the restroom issue and that the Park Board could be invited to the October Council meeting to discuss this if the Council desired. Councilor Gerber said that she would like to get public input on the matter. Councilor Shepherd said that he liked things as they are and didn't see any need

to discuss the issue. Mr. Frink said that this summer there had been some new groups using the park and some lessons had been learned which should make future events go more smoothly. He said that the groups' use fees and camping fees help support the operation of the park. Councilor Cole said that the events were good for local businesses. Mr. McDowell said that he will discuss the subject with the Park Board at their next meeting.

CITIZEN COMMENT: Mrs. Kaye Fox asked about the hay bales located on McFarland Cascade Property on Highway 228. City Planner Bill Sattler indicated that McFarland has allowed an individual to store hay bales on the property and are within their rights based on the zoning ordinance.

Mayor Ware called an Executive Session at the end of the regular agenda, 8:17 p.m., using the following Oregon Revised Statute:

14) EXECUTIVE SESSION

- A. Oregon Revised Statutes, Chapter 192.660 governs the conditions for a public body to convene in an Executive Session. The City will invoke Section (e) To conduct deliberations with persons designated by the governing body to negotiate real property transactions.

Mayor Ware re-opened regular session at 8:28 p.m. the motion was made by Councilor Cole, seconded by Councilor Gerber to continue researching the disposal of certain City property. The motion passed unanimously.

A motion was made by Councilor Cole, seconded by Councilor Shepherd to authorize the Mayor & City Administrator to negotiate with Antioch Ministries and to sign any necessary documents for the removal of the mobile homes on said property and to secure necessary easement.

ADJOURNMENT: Councilor Shepherd moved to adjourn. The motion was seconded by Councilor Van Sandt and was approved unanimously. The meeting was adjourned at 8:30 p.m.



City Administrator S. Scott McDowell



Mayor Don Ware