

BROWNSVILLE CITY COUNCIL
MEETING MINUTES

November 29th, 2011

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

PUBLIC: Debbie Berry, Angela Pellerin, Rick Dominguez, Mike Nida and Kaye Fox.

ADDITIONS AND DELETIONS: Mr. McDowell added an Action Item regarding Kirk's Ferry Trading Company and their liquor license application and deleted the agenda item regarding Water Resources.

MINUTES: The Council reviewed the minutes of the October 25th, 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. **Katie McCord.** Mr. McDowell introduced Ms. McCord to Council. She recently began working for the City as Administrative Assistant.
2. **Eugene Kennel Club.** Ms. Debbie Berry introduced Ms. Angela Pellerin who will be chairing the dog show in 2012. Ms. Pellerin said that the 2011 dog show had done well but there had been a large deficit from 2010 they were still trying to cover and 2011 had been slightly in the red. She said that she had received excellent feedback from the people who attended the show in Brownsville with many saying that it reminded them of how dog shows used to be. Mayor Ware said that there had been a few issues during the show where residents were asked to pay for parking when entering Pioneer Park. Mr. McDowell said that those type of issues would be addressed in an operating agreement should the Council decide to authorize the event for 2012. Councilor Cole moved to authorize Mr. McDowell to move forward with negotiating an agreement with the Eugene Kennel Club for their event in 2012. The motion was seconded by Councilor Shepherd and was approved unanimously. Councilor Gerber expressed her concern about the size of the event, saying that the park could not accommodate a much larger crowd.
3. **Emergency Preparedness Committee – Mike Nida.** Mr. Nida said that the EPC has developed a Memorandum of Agreement which would be entered into with various local individuals and entities that would be willing to participate in providing assistance in the event of an emergency. Mr. Nida said it would be good to have the agreements in advance of any such event. Mr. McDowell said it would also be to the City's advantage in order to allow the City to be reimbursed for expenses in some circumstances. Mr. McDowell said that some of the EPC is participating in FEMA's NIMS training. Mr. McDowell encouraged the Councilors to also participate in the training through the FEMA website and said he would send them information on how to do so. Councilor Gerber made a motion to express the Council's support for the work of the EPC and directing them to move forward with the Memorandum of Agreement. The motion was seconded by Councilor Cole and was approved unanimously.
4. **Pioneer Park Erosion.** Mr. McDowell gave a presentation of photos of the erosion issues in Pioneer Park. McDowell has met with River Design Group and the Calapooia Watershed Council on several occasions. Mr. McDowell said that it was important to consider ongoing operations and maintenance costs associated with a stabilization effort. McDowell indicated that River Design Group provided a proposal in the \$200,000-\$225,000 range. Mr. McDowell

said that it is important to consider all options including retreating. It is very difficult to recommend a project that has a relatively high probability of being destroyed by the Calapooia. Mr. McDowell said Council should decide if they really want to see a stabilization project constructed or if an aggressive retreatment strategy would be acceptable to the community. The City should examine all options very closely before attempting to seek funding through political means. He suggested having a public meeting in January with Mr. Scott Wright and the Calapooia Watershed Council presenting options. Councilors Van Sandt and Gerber expressed their support for some type of work to stabilize the bank. Councilor Shepherd asked what the process would be to work on getting funding for the project. Mr. McDowell indicated that the major funding source, OWEB, has been approached twice and the project has been denied both times. McDowell said that is why it is important for Council to be able to say that they have examined all possibilities. Councilor Van Sandt made a motion to have a public meeting in January and to advertise the meeting. The motion was seconded by Councilor Cole and was approved unanimously.

DEPARTMENT REPORTS:

1. Sheriff's Report. Sgt. Kelly was unable to attend.
2. Planning. Mr. Sattler told the Council that had received a \$1,000 grant from DCLD but had not heard back on the Technical Assistance Grant. He said that he had received a letter of approval from the Department of Environmental Quality regarding the Total Maximum Daily Load plan update.
3. Public Works. Mr. Frink said that things had been fairly quiet. He said that a sewer lift station pump had failed when a 6" sewer cap came through the collection system. He said that the inmate work crew will be picking up leaves in Pioneer Park on Saturday and the Public Works employees will be working to supervise them. Mr. Frink said that if anyone wants leaves to come down on Saturday and they will load the leaves for you. Mr. Frink said that there had been many inquiries about what was being done at Kirk's Ferry Park and that they redoing the fencing and making changes that have been approved by the Park Board two years ago.
4. City Administrator. Mr. McDowell reported hat Commissioner Nyquist had visited to discuss the Gateway Project and the Willamette Country Music Festival. Mr. McDowell said that he had heard that several Councilors received telephone calls from the media after the last Council meeting and recommended that Councilors refer any inquiries to Mayor Ware or himself so that information put out for public consumption could be consistent. He said that Pat Manning had cleaned out a long section of the drainage ditch running north out of town. McDowell reported that Westech has indicated that installed a surge protector system for the electronics at the Water and Wastewater plants would be cost prohibitive. McDowell was recently recognized for the work he did with the League of Oregon Cities in creating a Council training video.
5. Library Report. Ms. Lemhouse was present and provided a report to Council. Councilor Van Sandt said that the Friends of the Library book sale would begin on the next Saturday.
6. Court Report. Ms. Nida provided a written report.
7. Council Comments. Councilor Gerber said that she had discussed the contract with Mrs. Joni Nelson and the Gerber's wouldn't be renewing the contract with the Croquet Club so the City should turn off the water line serving the courts.
8. Citizen Comment. Mr. Rick Dominguez said that he had purchased the Family Bible Church building downtown to use for the American Legion meeting hall. He said that the Festival of Trees will be using the space and he hoped other groups could use it as well, such as the

Seniors. Ms. Kaye Fox said that the Seniors Executive Board hadn't made a decision on whether to move. She said that the next General Meeting will be on December 14th, 2011 and there will be a vote on what to do. She said that the Seniors had contributed \$650 to make the first payment on the building. She asked if the portable restroom was being removed from Kirk's Ferry Park. Mr. McDowell said that is in the process of being removed.

LEGISLATIVE:

1. Resolution 671 – Sewer Construction Fund Transfer. Councilor Cole moved to approve Resolution 671. The motion was seconded by Councilor Van Sandt and was approved unanimously.

ACTION ITEMS:

1. Fire Department Recognition. Councilor Shepherd wanted to recognize the fine work of the Brownsville Rural Fire District in keeping the fire at the Corner Café from spreading. McDowell was asked to forward a recognition letter to the Department.
2. Final Proof Survey – Jon Erwin. Mr. McDowell reported that Staff including City Engineer Jon Erwin had met with Ann Reece from the Oregon Water Resources and that the meeting had gone well. McDowell explained that the Legislature had passed a law curtailing municipal water rights that had not yet been implemented. He reported further that the City has some water rights that have not been proven and that it appears there will be time to do a final proof survey so that they are may not be subject to curtailment. He said that a test has been done of flow from the infiltration gallery but that the results are not yet available. Another survey will be done of the well system. Councilor Gerber moved to support and move forward with the final proof surveys. The motion was seconded by Councilor Cole and was approved unanimously.
3. Kirk's Ferry Liquor License. Councilor Cole moved to recommend approval of the liquor license application and to authorize Mr. McDowell and Mayor Ware to execute any needed documents. The motion was seconded by Councilor Shepherd and was approved unanimously.
4. River Design Group Proposal. Already covered, no further discussion.

DISCUSSION ITEMS:

1. Gateway Street Trees & Vegetation. Mr. McDowell said it appeared a few of the trees will need to be moved and/or trimmed due to sight line issues. He said that there is a one year warranty on the trees and that next year they will be pruned into shape. The City is responsible for the trimming of these trees and vegetation.
2. Rec Center Phone Service & Restrooms. Councilor Boyanovsky reported that the Rec Board had said that they would help in any way they could in replacing the restrooms in Pioneer Park. He said that the Rec Board has been paying for phone service but that they didn't believe there was a real need for it other than for the security system so they are asking that the City pay for the line. Councilor Van Sandt moved to have the City take over the cost of the line since it was in keeping with the agreement with the Central Linn Rec Board. The motion was seconded by Councilor Gerber and was approved unanimously.
3. Sharing Hands Capital Campaign. Councilor Cole said that Sharing Hands is trying to raise money to support their move and she thought the Council should give them \$1,000, the amount that was given to Meals on Wheels. Councilor Cole made a motion to that effect but it did not receive a second. The Council discussed their policy on funding nonprofits and decided that contributions should be made on an individual basis.

4. Christmas Decorations. Mr. McDowell indicated that the Chamber had been given permission to decorate a City tree next to the downtown restrooms and that they did 20 wreaths for downtown decorations. McDowell and Frink worked with Pacific Power to place the decorations.
5. October Financials. No discussion.

CITIZEN COMMENT:

EXECUTIVE SESSION. The Council adjourned to an Executive Session pursuant to ORS 192.660 at 8:50 p.m. The Council returned to regular session and adjourned at 9:10 p.m. A motion was made by Councilor Van Sandt, seconded by Councilor Shepherd to authorize the Administrator to move forward with a lot line adjustment for public property on Main Street.

Mayor Ware indicated that December 16th was the deadline for returning necessary evaluation documents to him for compilation.

ADJOURNMENT: The Council returned to regular session and adjourned at 9:10 without taking further action.



City Administrator S. Scott McDowell



Mayor Don Ware