



CITY OF BROWNSVILLE

Council Meeting
Tuesday – January 25th, 2011

Regular Session 7:00 p.m.

Table of Contents

1	Agenda
Minutes	
3	December 28 th , 2010
Reports	
7	Administrator
10	Planning
11	Public Works
13	Library
14	Court
16	Sheriff
19	Resolution 659
20	Resolution 660
21	Ordinance 731
23	Brownsville Senior Center Agreement
25	LDS Church Request
26	Pioneer Park Appraisal Information
27	Emergency Preparedness Candidates
31	Rec Floor Report
32	Court Clerk Update
34	LOC Information
36	CIS Quarterly Report
41	Financials

January

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

February

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28					

March

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		



CITY OF BROWNSVILLE

Council Meeting

City Hall – Council Chambers

Tuesday, January 25th, 2011

AGENDA

Regular Session

7:00 p.m.

- 1) CALL TO ORDER
- 2) ROLL CALL
- 3) PLEDGE OF ALLEGIANCE
- 4) ADDITIONS OR DELETIONS TO AGENDA
- 5) MINUTES: December 28th, 2010
- 6) PUBLIC HEARINGS OR PRESENTATIONS
 - A. Marilee Frazier – Brownsville Senior Center
 - B. Alice Tetamore – Brownsville Art Association
- 7) DEPARTMENT REPORTS:
 - A. Sheriff
 - B. Planning
 - C. Public Works
 - D. Administration
 - E. Library
 - F. Court
 - G. Council
- 8) CITIZEN COMMENTS (Non-agenda & Agenda items)
- 9) LEGISLATIVE:
 - A. R 659 – Authorize Applying for Grant Funds on behalf of the Brownsville Art Association
 - B. R 660 – Authorize Transfer for NPDES Renewal
 - C. Ordinance 731 – Revising Nuisance Ordinance

This Agenda is a list of the subjects anticipated to be considered at the meeting, but the City Council may consider additional subjects as well. The location of the meeting is accessible to physically challenged individuals. Should special accommodations be needed, please notify S. Scott McDowell, City Administrator, at (541) 466-5880 in advance. Thank You.

10) ACTION ITEMS:

- A. Elect Council President
- B. Apply for Oregon Parks & Recreation Department
- C. Apply for Cultural Coalition Grant on behalf of BAA
- D. Appoint Members of the Emergency Preparedness Committee
- E. Appoint Member of the Library Advisory Board
- F. Acknowledge LDS Church Service Project
- G. Compton Drainage Request

11) DISCUSSION ITEMS:

- A. Joling Property
- B. December Financials

12) CITIZEN QUESTIONS & COMMENTS

13) COUNCIL QUESTIONS & COMMENTS

14) ADJOURN

This Agenda is a list of the subjects anticipated to be considered at the meeting, but the City Council may consider additional subjects as well. The location of the meeting is accessible to physically challenged individuals. Should special accommodations be needed, please notify S. Scott McDowell, City Administrator, at (541) 466-5880 in advance. Thank You.

BROWNSVILLE CITY COUNCIL
MEETING MINUTES

December 28th, 2010

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

PUBLIC: Rick Dominguez, Mike Nida, Kaye Fox, Leslie Heckathorne, Jo Ann McQueary, Steve Chambers, Jim & Debbie Berry, Lorraine & Al Still, Angela Pellerin and Brianne Skipworth.

ADDITIONS AND DELETIONS: Mr. McDowell added three items regarding agreements with the Senior Center, the Calapooia Food Alliance and the Croquet Club.

MINUTES: Council reviewed the minutes of the November 22nd, 2010 meeting. Councilor Van Sandt had a correction on the motions regarding the passage of Resolution 730. Councilor Gerber had made the motion and it was seconded by Councilor Van Sandt. Councilor Gerber then moved to approve the November 22nd, 2010 minutes with that correction. The motion was seconded by Councilor Shepherd and was approved unanimously.

PUBLIC HEARINGS OR PRESENTATIONS:

1. American Legion – Rick Dominguez. Mr. Dominguez told the Council that the Presbyterian Church is ceasing operation and the building may be made available to a local organization for use. He said that the American Legion is interested in using the building. He said that he thought the Legion would make good use of the building and would preserve it. Mr. Dominguez provided the Council with copies of a letter from the Albany Legion supporting their effort. Mr. Dominguez said that he knew some would be concerned about the Legion serving alcohol and said that the Brownsville Legion would not have alcohol in the building. Councilor Shepherd asked Mr. Dominguez to clarify what he was asking of the Council. Mr. Dominguez said that he would like a letter from the Council expressing support for the Legion's proposal. Mr. McDowell told the Council that he had received a letter from the leaders of the Presbyterian Church saying that they would begin meeting on January 19 to hear proposals for possible uses of the building and anyone interested in the building should apply. Councilor Shepherd moved to have the Council send a letter supporting the Legion's proposal. The motion was seconded by Councilor Chambers. Mr. Sattler said that the Legion's proposal would be a Conditional Use which would go to the Planning Commission and that since the Council is the appeal body for Planning Commission decisions it would create difficulties for the Council to have gone on record as officially supporting the application. Mayor Ware asked if the individual Councilors could express their support and Mr. Sattler said that would be preferable. Councilor Shepherd withdrew his motion and the Council decided to act individually if they desired.
2. Debbie Berry – Eugene Kennel Club. Ms. Berry said that she is the Chairperson for the 2011 Kennel Club show and she has been in contact with Mr. McDowell for several months to see if it would be possible for the Kennel Club to use Pioneer Park for their annual dog show event. She said that the event has been held at the Lane County Fairgrounds for a number of years but the rental fees had become too high for the Kennel Club to afford. Ms. Berry said that the event would bring many people to town and would be a benefit to the City. Councilor Shepherd asked if the event would be open to the public. Ms. Berry said that the event is free and open to the public and in addition there would be other events at the same time such as a free dog health clinic. Councilor Gerber expressed concern about possible damage to the soccer fields.

Ms. Berry said that it should only be a concern if there should be a lot of rain to soften the ground but that heavy rain that time of year is highly unlikely. Ms. Berry said that she had discussed this issue with Mr. McDowell and the Kennel Club is prepared to put down a substantial damage deposit which could be used to pay for any needed repairs. Councilor Shepherd asked what the Park Board had decided. Mr. McDowell said that they were in favor of the proposal so long as a damage deposit was obtained. Ms. Berry said that she attended many of these events and she doubted there would be any damage at all to the fields based on her past experience. Councilor Gerber moved to approve the proposal from the Eugene Kennel Club. The motion was seconded by Councilor Van Sandt and was approved unanimously.

DEPARTMENT REPORTS:

1. Sheriff's Report. Sgt. Brad Kelly was not available and Ms. Jo Ann McQueary was present from the Sheriff's Office. She said that Neighborhood Watch is continuing to meet and she has recorded some radio spots to advertise the organization.
2. Planning. Mr. Sattler updated the Council. He said that the City has been upgrading computers to prepare for the new billing system and that has been keeping him busy. Mr. Sattler said that he would be taking a week of vacation after Christmas and said that he would have an agenda item later regarding the Oak Street alley.
3. Public Works. Councilor Gerber asked if there had been flooding in Pioneer Park. Mr. Frink said that it hadn't been bad and has been dropping. Councilor Chambers asked if Public Works had reduced the amount of sidewalk cleaning they were doing downtown due to complaints. Mr. Frink said that they had. He said that the complaints were mainly about noise and some complaints about the debris stirred up. Mr. Frink said that legally the business owners were responsible for maintaining the sidewalks adjacent to their properties. Mayor Ware asked if there had been any more problems with the downtown bathrooms. Mr. Frink said that there had not been any issue since the bathrooms were reopened.
4. City Administrator. Mr. McDowell said that he and Mr. Sattler had met with the Chamber's Executive Board to discuss the signboard issue and that the Chamber would attempt to work with the downtown business owners to find a solution. Councilor Chambers noted that there were now three signboards placed on one corner and thought that was excessive. Mr. McDowell said that he, Mr. Frink and Mr. Erwin had met with ODFW about their plan to restrict the City's water supply during summer months. He said that the City's water would be capped at 575,000 gallons per day in the future which would place an upper limit on how much development would be possible in the area. Mr. McDowell said that he has taken this issue to the state legislators but didn't know how much response he would get due to the specific impact this issue has on Brownsville. Mr. McDowell said that the Calapooia Watershed Council had applied for grant funds for the Reach 2 project which would include Pioneer Park. He said that the funding decision would be made in January but they have already been told that the project would not be fully funded. Mr. McDowell said that he had met with Mr. Knoll and Ms. Malone from the Linn County Road Department regarding the Gateway Project. He said that they are continuing to negotiate with ODOT over final details on the plans such as the location of crosswalks. Mr. McDowell said that they hope to go to bid in January as if the project is completed by June ODOT has agreed to overlay the pavement area of the project. He said that the contracting regulations prevented the City from hiring local contractors to do the sign work and it would have to go through the general bidding process. Mr. McDowell said that the fire bay remodeling project has been nearly completed by Public Works. He said that a glass door had shattered but it was not due to vandalism it was just a failure of the glass. He said that Kathy Nida planned to retire in 2011 and he is looking at the possibility of sharing a court clerk with Harrisburg and Halsey. Mr. McDowell said that he has been asked to be on the OPRD board that reviews grant applications and he thought it would be a good opportunity for the City to look at the process.

5. Library Report. Ms. Lemhouse provided a written report.
6. Court Report. Ms. Nida provided a written report.
7. Council Comments. Councilor Boyanovsky said that there had not been a Rec Board meeting last month.
8. Citizen Comment. Ms. Kaye Fox asked how many open positions there are on City committees. Mr. McDowell said that currently there is one on the Library Board, seven on the new Emergency Preparedness Committee and probably one on the Park Board.

LEGISLATIVE:

1. Resolution 658 – Sensus Water Meters. Mr. McDowell said that several years ago the City began buying touch read meters to gradually convert the whole system. He said that he wanted to purchase two handheld reading devices so they could be integrated with the new billing software. Mr. Frink said that about twenty percent of the system is currently set up for the touch read system. Councilor Gerber moved to approve Resolution 658. The motion was seconded by Councilor Boyanovsky and was approved unanimously with a correction of the date in the resolution to December.

ACTION ITEMS:

1. Ads for Library Board, Emergency Preparedness and Park Board Openings. Councilor Van Sandt moved to approved placing the ads. The motion was seconded by Councilor Gerber and was approved five to zero with Mayor Ware abstaining due to a conflict of interest.
2. Oak Street Alley Deed of Dedication. Mr. Sattler said that he would like a motion from the Council to initiate the alley vacation process which would involve notices to property owners and advertisements of a public meeting. Councilor Boyanovsky moved to proceed. The motion was seconded by Councilor Chambers and was approved unanimously.
3. Agreements with Seniors, Community Gardens and Croquet Club. Mr. McDowell said that the operating agreements with these groups are soon to expire and he needs to negotiate new agreements with these various groups. Councilor Van Sandt moved to direct Mr. McDowell to renegotiate those agreements. The motion was seconded by Councilor Boyanovsky and was approved unanimously. Councilor Shepherd asked about the water usage allowed in the agreements with the Community Gardens and Croquet Club. Mr. McDowell said that would be an item of negotiation and the agreements would come back to Councilor for final review and approval.
4. Gary Compton – Storm Drainage Issue. Mr. Compton addressed the Council regarding a drainage problem he is having. He said that he lives on the north end of Ash and a major drainage ditch runs along the west side of his property. Mr. Compton said that the drainage ditch backs up at times and floods the rear of his yard as well as making his entire property wet. Mr. Compton said that there is an undersized culvert in the ditch at the City Limits and he would like the City to contact the property owners and have them clean out the ditch and replace the undersized culvert. Councilor Shepherd said that Linn County has been dealing with the same issues and that the problem areas in this ditch lie outside the City Limits so the City staff couldn't work on it or provide materials. He said that the solution is for the neighbors to work together to take care of the problem. Mr. Compton said that it might be helpful for Mr. McDowell to contact some of the property owners. Mayor Ware asked if the problem has been getting worse. Mr. Compton said that the last three years have been worse than prior years. Councilor Chambers noted that this is the second winter with large amounts of water at her

home which is also new. Councilor Shepherd suggested the possibility of removing the culvert as farmers often don't need to get equipment into their fields in the winter when it is wet. Councilor Van Sandt suggested having Mr. Frink look at the situation. The Council discussed how they wanted to proceed and reached a consensus to have Mr. McDowell call some of the property owners to see if he could assist in coordination but not to authorize any work outside of the City Limits. Mr. McDowell told the Council that there had also been some flooding on the north end of Oak Street and he had provided some sandbags to the property owner.

DISCUSSION ITEMS:

1. Millrace and Canal Company Clarification. Mr. McDowell summarized the situation by saying that he had been contacted by the Canal Company to see what the City and County could do to assist. He said that Linn County was not interested in participating and the Council didn't want to raise fees to pay for electricity and maintenance. He said that the City had signed a contract with Pacific Power to have them run power to the pump station and would be liable for about \$10,900 if the pumps were not operated. Mr. McDowell said that the Watershed Council has expressed concern as they fought with the State to get a great deal of grant money for the pump station and they are concerned about how it would reflect on them if the City abandoned the pump station. Mr. McDowell said that the money could be found to pay for the power if the Council decided to do so and it would be up to the Budget Committee to find funds for maintenance and repair. Mr. Frink said that the installation is a very basic agricultural type pump station and it is not possible to run it at a reduced flow, it is either on or off and it would cost about \$10,000 to install a variable frequency drive and it could cost several thousand to install a timer to turn it on and off. Councilor Gerber said that the City does have an interest in maintain the millrace for storm drainage and not using it could create serious credibility issues.
2. Nuisance Abatement Policy. Mayor Ware said that he wanted to make a decision on this matter at this meeting. He said that the Council needed to decide on the wording of the ordinance and whether to keep the same process. He also said that they should decide if they wanted to respond to complaints or seek out problems. Councilor Shepherd said that he wanted to adopt the Sweet Home ordinance on page 12 of the Council Packet. Councilor Gerber asked other Councilors to review the wording and have suggestions for the next council meeting. Councilor Shepherd made a motion to have Mr. McDowell prepare an ordinance reflecting that language. The motion was seconded by Councilor Boyanovsky and was approved with Councilors Chambers and Van Sandt voting no.

CITIZEN COMMENT: Ms. Kaye Fox spoke again and asked if the Kirk Avenue project was going to take place because her property sometimes floods in the winter. Councilor Shepherd said that the Kirk Project wouldn't fix her flooding because the tail race will still back up. Mr. Mike Nida said that he was in favor of not spending any City time or money on the Millrace.

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



City Administrator Report

January 25th, 2011

From: S. Scott McDowell
To: Mayor & Council
Re: General Business

Renewing Brownsville Senior Center Agreement – Marilee Frazier will be giving a brief report regarding the activities the Seniors have done since moving into the space. The full Lease Agreement is in the agenda packet for your review. The only major change is the phone service. The Seniors didn't feel it was necessary to continue phone service. The other change was trying to get the scheduled tightened up a bit due to the use of the room.

Potential Park Usage Agreement – The Chamber of Commerce is interested in sponsoring a circus on May 28th or 29th, 2011. A special session of Park Board was called on January 20th, 2011 for consideration of the proposal...

R 659: Authorizing Applying for Brownsville Art Grant – Passing this resolution authorizes the City forwarding a grant request on behalf of the Brownsville Art Association.

R 660: Authorizing transfer of funds for the NPDES Renewal – Passing this resolution moves money from the contingency account to cover the costs of the permit renewal.

O 731: Nuisance Abatement & Junk – Council agreed at the last meeting that the Nuisance Ordinance did need to be updated. I was asked to put the language together for consideration for the January meeting. Council agreed that the City should take a proactive approach to enforcement issues. Council would like to see staff make personal contact if possible either by phone or in person. Give the citizen two weeks to clean up the violations. If nothing happens, send a formal letter outlining the violations and giving them another week or two. If no action is still taken by the citizen, the Staff shall begin the nuisance abatement process as outlined in the current ordinance. Council was going to work on any changes and "wordsmith" the section below prior to next meeting. (This is also in ordinance form, slated for a first reading...)

CODE SECTION – OPEN STORAGE AT RESIDENCES.

- A. At a residence, no person shall store parts of vehicles, machinery or equipment; lumber, plywood or building materials; buckets, cans or bottles; truck canopy, bikes or toys; household furniture and household furnishings manufactured, built or designed for inside use (out of the elements) and other personal property manufactured, built or designed for inside use or interior use (out of the elements); and personal property that is manufactured, built or designed for attachment to a structure as shutters, doors and windows, in front or street side yards at all, or interior side yards if a backyard is available for storage. "Yard", for this subsection, shall include driveway.
- B. At a residence, no person shall store an appliance (operable or inoperable) or plumbing fixture in view of a public street.

- C. At a residence, no person shall leave a burn barrel exposed to public view from a public street when burn season is closed.
- D. At a residence, no person shall store lumber, plywood or building materials in view of a public street unless each type of item is stacked in a uniform formation one upon another with edges flush.
- E. At a residence, no person shall leave oil, fuel, chemical barrels or similar containers exposed to public view from a public street for a period in excess of three days. This section does not prohibit barrels, containers or tanks attached to a residential unit and used as a reservoir for oil or fuel.
- F. At a residence, no person shall leave accumulations of limbs, branches and/or brush on property for longer than one entire burn season that can be seen from the public street.

Goal Setting Session – *Please mark your calendars!* The City has retained Mr. Joseph Bailey of LBCC to facilitate a goal setting session for Council on Saturday, February 26th, 2011 from 10:00 a.m. to 2:00 p.m. in the Community Room.

Elect Council President – Council elects a Council President every odd year according to the Municipal Code. The Council President is to serve as Mayor, in the absence of the Mayor, and to assist with Council personnel issues.

Apply for Oregon Parks & Recreation Department – The funding cycle is ready for 2011. Last year the City forwarded a proposal for the skateboard park at Kirk's Ferry Park. The City was unsuccessful in securing funding. Should the City reapply for the skateboard park, a restroom facility for Pioneer Park or should the City apply for any funds? Park Board may forward a recommendation.

Oregon Department of Fish & Wildlife (ODFW) & Erwin – No new news to report this month.

Calapooia Watershed Council & Reach 2 – The City should be hearing word on this grant determination any day. I hope to have an update at the meeting. Public Works has removed the restroom in Pioneer Park due to the latest erosion of the river bank as reported in *The Times* and the *Albany Democrat-Herald*.

Gateway Project – I hope to have an update for Council meeting. So far we have not had any direct contact with the County for the last several weeks. The last time we talked the County was hoping to have the project out for bid in January or early February.

Software Update – The City is working diligently on a few kinks with the new software package. Staff has made some headway recently. The City did move back the Utility Billing conversion to the end of February. The City wanted to make sure that the General Ledger conversion was working properly before we went any further. The City has "hired" Boldt, Carlisle & Smith's Joshua Morrow to come down and help close out the old system but we are running into some scheduling concerns.

Drainage – I plan on meeting with Gary Compton and George Carrsow in the near future.

Visit Linn Coalition – VLC will be meeting in January to finalize its website strategy and the Strategic Plan. I plan to have an oral update.

City Hall/Fire Bays Improvements – Public Works has finished their work. The lights have been hung and the false ceiling is finished. Public Works did a great job on this space! Alice Tetamore of the Brownsville Art Association was thrilled. The Association will be painting the space and officially moving in very soon.

Rec Center Floor Update – Mark Running, Jon Smith and I visited Sweet Home Boys & Girls Club to review their composite flooring system. The system was manufactured by Sports Court out of Salt Lake City, Utah. We have a host of questions for the Sweet Home Director which I will be getting answers to soon. Next steps include providing the Rec Board with the Sossie Report, Rec Board considering best options, consider useful life of the building and forwarding determinations to Park Board and Council.

OPRD Nomination – Appointments should be made by the end of January 2011. I would be serving on the Oregon Parks and Recreation Department's grant advisory committee. The commitment consists of nearly a week of time in the first or second week of June. The State pays for mileage and accommodations. The appointment is a four year term.

Court Clerk Contract Update – I hope to have an oral report for Council. Judge Lemhouse continues to gather the financial impact of this possibility.

Other Agreements – I am also currently working on the Croquet Court Agreement and the Community Gardens Agreement.

Worked Based Learning Program – *From last meeting:* The City and Central Linn High School are working on an opportunity that would allow a student to come in and work on the sidewalk program or continue the work at the Cemetery. The City's insurance carrier is highly recommending Council having an adopted, current sidewalk program on file. The student would work on breaking the town into sections and assessing the current condition of sidewalks. The project would start at the beginning of 2011. The program is for school credit.

Jay Warthen Internship – *From last meeting:* Mr. Warthen and I are working on a complete handbook of internal financial controls that will serve as a guide for employees and for the City Auditor. Council will be asked to review the final document. Mr. Warthen has forty-five (45) hours to complete for his credit.

Kirk Avenue – *From past meetings:* Linn County is waiting to finalize the Gateway project before starting on Kirk. Mr. Darrin Lane indicated that he is still struggling with making the street work given the code requirements of building a street and the fact that Brownsville is an historic town.

Respectfully Submitted,



S. Scott McDowell

To: Brownsville City Council
From: Bill Sattler, City Planner
December 17, 2010

1. Building Permits. Andrew Wenger will be starting on the how home for the Steins in the near future.
2. Real Estate. Reading the national news I saw Oregon identified as one of the eight worst markets in the country. We still have a very large number of foreclosures on the market and home that have been listed for some time are seeing price reductions. There are some amazing prices right now for anyone with cash who wanted to invest.
3. Historic Review Board. Nothing new for them to review.
4. Oak Street Alley. The public hearing at Council is set for the March, 2010 meeting.
5. Shortridge Easement / Encroachment Agreement. I just received the legal descriptions for the encroachments so I will be drafting an agreement for review.
6. Computer Issues. We're still working on getting the new billing and accounting software set up and operating. It appears that things are starting to come together, it's really a complex process with porting over all the old data, accounts, etc., to the new programs. We've been making some little upgrades here and there which have really helped out around the office in speeding up the computers and making them easier to use.
7. Depot Property. I met with the new owner of the property last week. He is looking around for some type of project he could do which would make economic sense. We discussed the possibility of some type of senior housing which he thought was a good idea. Not a nursing home environment but more along the lines of small homes or apartments with low upkeep and some group facilities perhaps such as a gym and restaurant. That conversation seemed to go well and he expressed interest in the idea so we'll see if we get any follow-up on it.
8. Washburn Subdivision Proposal. This property is being marketed actively. We've agreed to extend the approval timeline on the subdivision proposal so a new purchaser could take over the project.
9. DEQ. I'll be meeting with a DEQ rep on Friday, January 21, to discuss the approved TMDL plan. Hopefully they'll be satisfied with what we've done but as the regulations are so vague we'll just have to see how it develops.

Public Works Report

January 20, 2011

Karl Frink, Public Works Superintendent

Water:

- *Billing Support*- Follow through on customer service support and requests.
- *Meter reading* – Water meters have been read for the month of January.
- *Distribution System* – Five small water leaks have been repaired. One water meter has been replaced.
- *Cross Connection Program*- I continue to work on the annual inspections of the water system to identify and correct any unsafe condition that may exist.
- *Water Treatment Plant* – Nothing to report at this time.

Sewer:

- *North Lagoons* – The discharge from this facility is is nearing completion. Thus far we have discharged approximately 33 million gallons of effluent
- *South Lagoons*- Discharge from this facility is under way. Public works encountered many problems with the carrier water system clogging with duck weed and debris from the lagoons.
- *Collection System*- There was one sewer main blockage this month located at Templeton and Washington Street. A large grease ball caused the blockage.
- *Misc.* – Public works completed the process of collecting the necessary samples and related data for the NPDES permit renewal. Westech engineering completed the application and has submitted the documents to DEQ for approval. I have not heard anything back regarding this matter. DEQ has also requested two additional annual reports from the City. A recycled water use report and an Inflow and Infiltration report is also due.

Streets:

- *Mowing/Tree Maintenance* – Tree maintenance continues on an as needed basis.
- *Asphalt/ Gravel Road Maintenance* – The grading of the streets has been delayed due to other pending projects. Public works will grade streets upon completion of the current projects.
- *Storm Drainage* – Several drainage ditches have been inspected and some will be cleaned as needed to ensure proper drainage. Catch basins will be cleaned in February.
- *Signs*- Public Works continues to work on street sign repairs as needed.

Parks:

- *Pioneer Park* – Leaf clean up has begun. The Linn County Sheriff's Office was able to provide assistance one day, otherwise public works is performing the work. Public Works has almost completed the removal of the park restrooms. The electricity work is under way to relocate the lift station motor control panel. The sewer has been capped off, and water disconnected.
- *Blakely Park* – Public works has maintained this park as needed. The leaves will be cleaned up upon completion of the City Hall project and the restroom removal at Pioneer park.
- *Kirk's Ferry Park* – Public works has maintained this park. The leaves will be cleaned up upon completion of other projects.

- *Remington Park*- Public works has maintained this park. The water has been shut off and the system winterized for the year.

Cemetery:

- *Grounds* – Several grave sites have been marked this month.

Library:

- *Grounds*- Public Works has been maintaining this facility as needed. The leaves will be cleaned up upon completion of other pending projects.
- *Buildings*- Several small items have been repaired at this facility.

Downtown

- *Restrooms* – This facility is cleaned as needed.
- *Garbage cans* – Down town garbage cans are emptied every Friday, or more frequently as noticed.
- *Parking Lot* – Nothing to report this month.
- *Misc.* – Public works has reduced our downtown cleaning due to an excessive amounts of complaints.

City Hall:

- *Buildings* – The painting portion of the fire bays is complete. The suspended ceiling has been installed and the lighting is nearly complete. The remaining light fixtures are on back order and will be installed once they arrive.
- *Grounds* – The area behind City Hall is mowed and maintained as needed.
- *Community Center*- Nothing to report at this time.

Rec. Center:

- *Grounds*- Public works will be cleaning up leaves upon completion of other pending projects projects.
- *Buildings*- Nothing to report at this time.

Public Works:

- *Grounds*- Nothing to report at this time.
- *Buildings*- Nothing to report at this time.
- *Misc.* – Preventative maintenance is being performed on all the vehicles and equipment.

Library Advisory Board

Librarian's Report

December 2010

During December different details directed my duties here at the library. Duties included web training for the Follett Software. This will help me determine which Learning Videos would best benefit our Library Staff. I also began researching how to best enter patrons into the computer. Follett Software is set up for a school. One question to answer was should each family member have their own file? Or do the kids go on the parents' file. I decided to put the kids on the parent's file. Each family members name will be individually searchable. I have begun to enter patron details in the computer. This is a long and tedious process. The majority of the inventory has been entered. The State Library purchased a web based learning program for Oregon Libraries called Learning Express. There is a link to this great service on our new website: www.brownsville.plinkit.org. Kill-A-Watt Meters have been in our library for four months. The first reporting to the Energy Trust of Oregon was completed on December 14. Finally, the new Library Sign has been installed.

In December 2010 received 16 new books for the library and one returned to the supplier. Volunteers donated 148.5 hours; of these, 18 hours were for the computerized inventory. There have been 171 books into the inventory. There were 895 materials checked out. 86 Non-fiction books; 417 adult fiction books; 69 large print books; 156 children's books; 97 junior books; 10 junior reference books and 60 audio materials.

Respectfully submitted,

Sherri Lemhouse

Librarian

BROWNSVILLE MUNICIPAL COURT
CHECKBOOK RECONCILIATION

MONTH: DEC 2010

Beginning Balance		<u>113.00</u>
Deposits		+ <u>2045.00</u>
Charge back fee deposited		+ <u>00.00</u>
Disbursements:		
Checks	<u>2045.00</u>	
NSF'S	<u>0.00</u>	
Total Disbursements	-	<u>2045.00</u>
Total NSF's	-	<u> </u>
Charge back Fees	-	<u> </u>
ENDING BALANCE		<u>113.00</u>
Bail	-	<u> </u>
		<u>\$113.00 Account Balance</u>

DISBURSEMENT RECONCILIATION:

To General Fund	<u>1702.50</u>
STATE	<u>25.00</u>
LEMLA	<u>7.00</u>
County	<u>59.50</u>
Unitary	<u>200.00</u>
Court Security	<u>20.00</u>
IDPF	<u>3.00</u>
Restitution	<u>0.00</u>
DUII Surcharge	<u>27.00</u>
Refund's/Misc-Bank Supplies	<u>1.00</u>
TOTAL:	<u>2045.00</u>

DEPOSIT RECONCILIATION:

Receipts #082420 through #082460

Total: \$ 2045.00

BROWNSVILLE MUNICIPAL COURT MONTHLY REPORT
 STATISTICAL REPORT FOR THE MONTH OF DEC 2010

Offense Class	Pending First Day	Filed	Terminated	Pending Last day	Trials
Misdemeanors	2	0	2	0	0
Violations	1	7	5	3	0
Contempt/Other	51	2	4	49	0
TOTALS	54	9	11	52	

BALANCE SHEET FOR MONTH OF DEC 2010

COURT PAYMENTS

COURT REVENUE		COURT PAYMENTS	
Total deposits +	\$2045.00	City	1702.50
Total bail forfeits +	0.00	Restitution	0.00
Total bail/Bank fees -	0.00	Unitary Assessment	200.00
Total Refund/Rest -	1.00	Jail Assessment	59.50
Total NSF's -	0.00	LEMLA	7.00
TOTAL COURT REVENUE	<u>2044.00</u>	Intoxicated Driver	3.00
Credit given for Community Service	\$ 0.00	State Misc.	25.00
Other Credit Allowed Against Fines	\$ 0.00	Court Security	20.00
TOTAL NON-REVENUE		DUII Surcharge	27.00
CREDIT ALLOWED	<u>\$ 0.00</u>	TOTAL COURT PAYMENTS	<u>\$ 2044.00</u>

TOTAL CASH PAYMENTS TO:

CITY	\$ 1702.50
STATE	\$ 235.00
COUNTY	\$ 59.50
JUD.DEPT	\$ 47.00
REFUND/RESTITUTION	\$1.00

ACCOUNTS RECEIVABLE:

BEGINNING	\$ 85,451.70
ENDING	\$ 84,211.70



LINN COUNTY SHERIFF'S OFFICE

Tim Mueller, Sheriff
1115 SE Jackson Albany, OR 97322
Phone: (541) 967-3950
www.LinnSheriff.org

2010

MONTHLY REPORT TO THE CITY OF BROWNSVILLE FROM THE LINN COUNTY SHERIFF'S OFFICE

FOR THE MONTH OF:

DECEMBER

TRAFFIC CITATIONS: -----	2
TRAFFIC WARNINGS: -----	8
TRAFFIC CRASHES: -----	0
ADULTS CITED / VIOLATIONS: -----	2
ADULTS ARRESTED: -----	6
JUVENILES CITED / VIOLATIONS: -----	0
JUVENILES ARRESTED: -----	0
COMPLAINTS/INCIDENTS INVESTIGATED: -----	43

TOTAL HOURS SPENT IN: BROWNSVILLE 239

70 PERCENT COVERAGE OF TWO DEPUTIES PER MONTH= 202 HOURS

**Tim Mueller,
Sheriff, Linn County**

By: Sgt. Brad Kelley

PATRL_RPT#2 City Incident Report

CAD Call#	ENTRY DATE	ENTRY TIME	CALL DESCRIPTION	STR EET	## ADDRESS	CITY	UNI T	CD	DESCRIPTION
103650332	12/31/10	22:32:21	DISTB-OTHER	220 S MAIN ST	Brownsville	756			No Additional Report Necessary
103650059	12/31/10	4:59:26	ALARM-POLICE	203 W BISHOP WY	Brownsville	721			No Additional Report Necessary
103640368	12/30/10	22:25:02	CRIM MISCHIEF	622 KIRK AV	Brownsville	721			Incident Report
103640304	12/30/10	17:51:19	ASSAULT REPORT	622 KIRK AV	Brownsville	721			Incident Report
103630171	12/29/10	12:46:03	THREATS	218 W BLAKELY AV	Brownsville	781			No Additional Report Necessary
103630084	12/29/10	8:53:33	ALARM-POLICE	402 N MAIN ST	Brownsville	759			No Additional Report Necessary
103630026	12/29/10	2:46:24	BURGLARY REPORT	419 N MAIN ST	Brownsville	723			Incident Report
103620244	12/28/10	16:39:12	COURT SECURITY	800 W BISHOP WY	Brownsville	768			No Additional Report Necessary
103610222	12/27/10	14:43:37	WARRANT SERV	137 SPAULDING WY	Brownsville	703			Cancelled Duplicate Call
103590007	12/25/10	0:35:02	CRIM MISCHIEF	108 E BLAKELY AV	Brownsville	721			Incident Report
103580256	12/24/10	23:13:21	CRIM MISCHIEF	108 E BLAKELY AV	Brownsville	721			Incident Report
103570248	12/23/10	18:43:40	CRIM MISCHIEF	613 CALAPOOIA AV	Brownsville	758			Incident Report
103570194	12/23/10	15:52:37	SUSP-CIRCUMSTANCES	100 HAUSMAN AV	Brownsville	703			No Additional Report Necessary
103570183	12/23/10	15:10:17	WELF CHECK	927 PINE ST	Brownsville	703			No Additional Report Necessary
103550361	12/21/10	22:54:58	CRIM MISCHIEF	711 N MAIN ST	Brownsville	752			No Additional Report Necessary
103550249	12/21/10	17:01:13	DISTB-DOMESTIC	316 WASHBURN ST	Brownsville	740			Incident Report
103550219	12/21/10	15:17:05	ASST-OUTSIDE AGENCY	718 N MAIN ST	Brownsville	781			No Additional Report Necessary
103550175	12/21/10	12:29:02	WARRANT SERV	317 E BISHOP WY	Brownsville	781			Civil process attempted, not served
103540327	12/20/10	20:57:47	Tf Moving Viol	400 MOYER ST	Brownsville	721			WARNING - MOVING VIOLATION
103540325	12/20/10	20:52:49	JUV-COMPLAINT	189 WASHBURN ST	Brownsville	769			No Additional Report Necessary
103540314	12/20/10	20:22:14	TRESPASS	528 KIRK AV	Brownsville	752			No Additional Report Necessary
103540112	12/20/10	10:16:01	PERS-MISSING	382 KIRK AV	Brownsville	759			MDT Narrative Update
103540075	12/20/10	8:22:09	SUSP-VEHICLE	300 WALNUT AV	Brownsville	762			No Additional Report Necessary
103530216	12/19/10	15:36:37	TRESPASS	729 N MAIN ST	Brownsville	702			No Additional Report Necessary
103530149	12/19/10	11:48:14	CHILD ABUSE REPORT	718 N MAIN ST	Brownsville	787			Incident Report
103530056	12/19/10	2:57:51	SUSP-VEHICLE	203 W BISHOP WY	Brownsville	756			No Additional Report Necessary
103530054	12/19/10	2:53:52	SUSP-VEHICLE	100 SPAULDING AV	Brownsville	756			No Additional Report Necessary
103520342	12/18/10	23:06:33	TRESPASS	622 KIRK AV	Brownsville	756			Incident Report
103520341	12/18/10	23:05:35	TRESPASS	219 GALBRAITH ST	Brownsville	756			Incident Report
103520323	12/18/10	21:55:46	THEFT-RPT	323 KIRK AV	Brownsville	756			Incident Report
103520166	12/18/10	12:52:07	THEFT-RPT	668 CALAPOOIA AV	Brownsville	703			Incident Report
103510210	12/17/10	13:20:17	ALARM-POLICE	518 KIRK AV	Brownsville	703			No Additional Report Necessary
103490332	12/15/10	21:43:09	Tf Speed Viol	811 N MAIN ST	Brownsville	711			CITE ISSUED - SPEEDING VIOLATION
103480180	12/14/10	12:45:06	THEFT-RPT	222 AVERILL ST	Brownsville	702			Incident Report

PATRL_RPT#2 City Incident Report

CAD Call#	ENTRY DATE	ENTRY TIME	CALL DESCRIPTION	STR EET	## ADDRESS	CITY	CD UNI	T DESCRIPTION
103470114	12/13/10	9:20:20	WARRANT SERV	208	HOLLOWAY HTS	Brownsville	703	Civil process atmpred, not served
103460269	12/12/10	20:24:34	SUSP-PERSON	220	S MAIN ST	Brownsville	757	MDT Narrative Update
103460201	12/12/10	15:17:21	911 HANGUP	555	ASH ST	Brownsville	752	No Additional Report Necessary
103450251	12/11/10	15:45:31	TRAFF-DUII	200	N MAIN ST	Brownsville	752	WARNING - MOVING VIOLATION
103450216	12/11/10	13:58:51	Trf Equipment Viol	430	N MAIN ST	Brownsville	752	WARNING - EQUIPMENT VIOLATION
103450006	12/11/10	0:15:16	Trf Moving Viol	298	S MAIN ST	Brownsville	757	WARNING - MOVING VIOLATION
103430368	12/09/10	23:45:20	Trf Equipment Viol	255	N MAIN ST	Brownsville	703	WARNING - EQUIPMENT VIOLATION
103430361	12/09/10	23:25:24	SUSP-CIRCUMSTANCES	404	KAY AV	Brownsville	703	No Additional Report Necessary
103430221	12/09/10	14:41:08	Trf Speed Viol	100	PARK AV	Brownsville	756	WARNING - SPEEDING VIOLATION
103420157	12/08/10	11:01:30	BITE-DOG/ANIMAL	405	KAY AV	Brownsville	756	CAD Report
103410296	12/07/10	18:03:15	Trf Moving Viol	600	WASHBURN ST	Brownsville	757	CITE ISSUED - MOVING VIOLATION
103410124	12/07/10	10:11:54	THEFT-RPT	146	SPALDING AV	Brownsville	752	Incident Report
103390283	12/05/10	21:47:23	JUV-RUNAWAY RPT	222	PUTNAM ST	Brownsville	703	No Additional Report Necessary
103380206	12/04/10	14:59:12	Trf Speed Viol	100	PARK AV	Brownsville	756	WARNING - SPEEDING VIOLATION
103370165	12/03/10	11:49:43	PARKING COMPL	100	PARK AV	Brownsville	756	MDT Narrative Update
103370161	12/03/10	11:44:16	Trf Cell Phone Use	100	S MAIN ST	Brownsville	756	WARNING - CELL PHONE USE VIOLATIOI
103360156	12/02/10	9:57:58	WARRANT SERV	217	KIRK AV	Brownsville	721	No Additional Report Necessary

RESOLUTION NO. 659

A RESOLUTION APPLYING FOR GRANT FUNDS FROM THE LINN COUNTY CULTURAL COALITION ON THE BEHALF OF THE BROWNSVILLE ART ASSOCIATION.

WHEREAS, the Brownsville Art Association is a local arts organization with the purpose of promoting and encouraging the arts of all kinds and at all skill levels; and

WHEREAS, the Brownsville Art Association intends to partner with Linn-Benton Community College, East Linn Artists Association, Central Linn School District, the City of Brownsville and as many other partners as possible with the intention of maximizing educational, training, exhibition and studio opportunities; and

WHEREAS, there has been a considerable investment of time and energy in providing a Community Arts Center in the heart of Brownsville; and

WHEREAS, the completion of the interior of the Community Arts Center in Brownsville will provide a suitable, safe, and efficient arts education, exhibit and studio space; and

WHEREAS, the City of Brownsville is applying on behalf of the Brownsville Art Association for a grant award through the Linn County Cultural Coalition; and

NOW, THEREFORE BE IT RESOLVED that the Brownsville City Council duly authorizes the Mayor and/or the City Administrator to serve to serve as the necessary official for the execution of an award, contract or otherwise; the City shall be responsible for the fiduciary and reporting responsibilities of the award.

PASSED by the Council and approved by the Mayor this 25th day of January, 2011.

Don Ware, Mayor

ATTEST:

S. Scott McDowell, City Administrator

RESOLUTION NO. 660

A RESOLUTION AUTHORIZING TRANSFERS WITHIN CERTAIN FUNDS FOR THE FISCAL YEAR 2010-2011 BUDGET FOR NPDES PERMIT RENEWAL 2011

WHEREAS, the City was notified by the Department of Environmental Quality (DEQ) in late 2010 that certain sampling, testing and other requirements were necessary for the extension of the National Pollutant Discharge Elimination System (NPDES) permit; and

WHEREAS, the NPDES permit is the document that allows the City to discharge wastewater into the Calapooia River which is vital to municipal wastewater operations; and

WHEREAS, the City contracted with Westech Engineering of Salem, Oregon to execute the technical aspects and the filing of the application with DEQ; and

WHEREAS, the City and Westech Engineering was under the impression that this review was not due for two more years as this permit was just issued in 2008; and

WHEREAS, the City finds it necessary to transfer funds to provide for this expenditure; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROWNSVILLE, a Municipal Corporation of the State of Oregon, that the following funds are transferred:

<i>From:</i>		
210-010-950-000-00-00	Sewer Contingency	\$ 2,400.00
<i>To:</i>		
210-010-635-000-00-00	Sewer Engineer	\$ 2,400.00

PASSED AND ADOPTED by the City Council of the City of Brownsville this 25th day of January 2011.

_____ S. Scott McDowell City Administrator	_____ Don Ware Mayor
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ORDINANCE NO. 731

AN ORDINANCE REVISING TITLE 8, HEALTH AND SAFETY, CHAPTER 8.30 NUISANCES OF THE BROWNSVILLE MUNICIPAL CODE OF THE CITY OF BROWNSVILLE, OREGON;

WHEREAS, Title 8, Health and Safety, Chapter 8.30 Nuisances, of the Brownsville Municipal Code (BMC) sets regulations for certain violations relating to junk within the City of Brownsville, and;

WHEREAS, Council desires to add and clarify certain regulations of Section 8.30.120;

NOW THEREFORE, the City of Brownsville ordains as follows:

SECTION 1. That Section 8.30.120, Nuisances affecting public peace – Junk, currently reads as follows:

8.30.120 Nuisances affecting public peace – Junk.

A. No person shall keep any junk outdoors on any street, lot or premises, or in a building that is not wholly or entirely enclosed, except doors used for ingress and egress.

B. Junk means scrap or waste metal, rope, rags, batteries, paper, trash, rubbish, debris, waste or junked, dismantled vehicles or machinery or parts thereof that have no value except for scrap value.

C. This section shall not apply to junk kept in a duly licensed junkyard or automobile wrecking house.

D. Within 30 days of cleanup day, no person shall place items for pickup to the curbside or store items outdoors until seven days prior to the scheduled cleanup day. Items left at the curbside or on a property seven days after cleanup day may also be cited for immediate removal. If the City Administrator or designee notices a violation exists, he or she may post an abatement letter or hand-deliver a notice to the property owner. The property owner shall have 24 hours to remove the materials. [Ord. 725 § 1, 2010; Ord. 588 § 32, 1989; 1981 Compilation § 4-5.32.]

SECTION 2. That Section 8.30.120, Nuisances affecting public peace – Junk, be revised as follows:

Proposed Changes:

8.30.120 Nuisances affecting public peace – Junk.

A. At a residence, no person shall store parts of vehicles, machinery or equipment; lumber, plywood or building materials; buckets, cans or bottles; truck canopy, bikes or toys; household furniture and household furnishings

manufactured, built or designed for inside use (out of the elements) and other personal property manufactured, built or designed for inside use or interior use (out of the elements); and personal property that is manufactured, built or designed for attachment to a structure as shutters, doors and windows, in front or street side yards at all, or interior side yards if a backyard is available for storage. "Yard", for this subsection, shall include driveway.

- B. At a residence, no person shall store an appliance (operable or inoperable) or plumbing fixture in view of a public street.
- C. At a residence, no person shall leave a burn barrel exposed to public view from a public street when burn season is closed.
- D. At a residence, no person shall store lumber, plywood or building materials in view of a public street unless each type of item is stacked in a uniform formation one upon another with edges flush.
- E. At a residence, no person shall leave oil, fuel, chemical barrels or similar containers exposed to public view from a public street for a period in excess of three days. This section does not prohibit barrels, containers or tanks attached to a residential unit and used as a reservoir for oil or fuel.
- F. At a residence, no person shall leave accumulations of limbs, branches and/or brush on property for longer than one entire burn season that can be seen from the public street.
- G. Within thirty (30) days of Clean-Up Day, no person shall place items for pickup to the curb side or store items outdoors until seven (7) days prior to the scheduled Clean-Up Day. Items left at the curb side or on a property seven (7) days after Clean-Up Day may also be cited for immediate removal. If the City Administrator or designee notices a violation exists, he or she may post an abatement letter or hand deliver a Notice to the property owner. The property owner shall then have twenty-four (24) hours to remove the materials.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this ____ day of _____, 2011.

Mayor

City Administrator

Rental Agreement

BETWEEN: City of Brownsville (City)
AND: Brownsville Senior Center (BSC)
DATE: February 2011

RECITALS

- A. BSC is interested in entering into a rental agreement with the City to provide office, closet and meeting space for BSC purposes.
- B. City believes that BSC provides a valuable public service and desires to provide office space to support their mission and work in the community.

FOR AND IN CONSIDERATION OF THE MUTUAL OBLIGATION HEREIN, THE PARTIES AGREE:

DELIVERABLES. Are as follows:

OFFICE SPACE: The City will grant the use of the former Communications Room for an office, the use of the closet for requested storage space and the use of the Community Room during the following times:

Day	Time	Purpose
<u>Monthly</u>		
First Monday	11:00 a.m. to 12:00 p.m.	American War Mothers
Second Wednesday	11:00 a.m. to 3:00 p.m.	Potluck
Third Thursday	5:00 p.m. to 10:00 p.m.	Games & Waffle Supper
	TBA	Board Meeting
Every Friday	9:00 a.m. to 11:00 a.m.	Weigh 2 Go
Every Wednesday	1:00 p.m. to 3:30 p.m.	SHIBA
<u>Weekly</u>		
Wednesday	9:00 a.m. to 4:00 p.m.	Open Visitation

Any other weekly times would be scheduled through City Hall.

AMENITIES: Permission to access the wireless Internet signal available at City Hall. The use of electricity for operations including computers, printers, necessary lighting and the like are included. The use of natural gas for warming the space is included. Due to minimal use the phone will be removed in March 2011. The City will provide the BSC with messages via e-mail. It may become necessary to explore other options for voice mail.

The City is concerned about keeping the room free of clutter due to the many uses in the space and reserves the right to determine the location and quantity of furniture if a conflict should arise. Furniture owned by the BSC shall be used as part of the Community Room. Any damages incurred to the furniture shall be the responsibility of the BSC. The City shall provide janitorial service, however incidental cleaning is the responsibility of whomever is using the Community Room. Due to the nature of the Community Room the BSC may have to arrange tables, sweep and remove trash. Hopefully, this will be minimal.

COMPENSATION. City believes the fair market value of rent, amenities and utilities to be \$350 per month. City will contribute \$200 per month as an in-kind contribution to support the BSC. The BSC shall remit the balance of \$150 per month for use of the space and utility costs on a monthly or quarterly basis to be determined.

TERM. The term of this Memorandum shall commence upon execution hereof and shall continue for one year with an additional option year to be revisited and renegotiated in January 2012. The option may be exercised by reporting this intention to the City Council at any time during the year.

ENTIRE AGREEMENT. This document embodies the entire agreement between the parties. There are no promises, terms, conditions or obligations other than those contained herein. This agreement shall supersede all prior communications, representations or agreements, either verbal or written, between the parties.

MODIFICATION AND WAIVER. No change or modifications of this agreement shall be valid or binding upon the parties hereto, nor shall any waiver of any term or condition thereof be deemed a waiver of such term or condition in the future, unless such change or modification or waiver shall be in writing signed by all the parties.

INTENT. The intent of this Agreement is to cooperatively work together to create a working relationship that will be mutually beneficial for both parties.

EARLY TERMINATION. The Agreement may be dissolved by either party upon providing thirty (30) days written notice.

City:

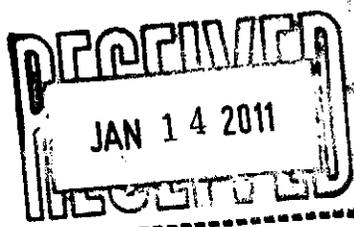
BSC:

Don Ware, Mayor

Marilee Frazier,
Brownsville Senior Center President

Date:

Date:



LDS Church

Requested date for Cleaning Headstones in the Pioneer Cemetery:

Saturday August 27th 2011 9am-noon to be followed by a BBQ

Estimated size of group- 35-60

Contact Person: Pres Darrel White 541-974-3008

01/18/2011

Building Detail Report

DB

Site: 008 PARK AVENUE PARK
Building: BRW008008.04 RESTROOM
 PARK AVE
 BROWNSVILLE, OR 97327
Department: 2009 2009 APPRAISAL
 100.00%
Year Built: 06/01/1970
Year Acquired: 01/01/1970
No. of Stories: 1
Square Footage: 480
Basement: No
Adds/Renovations: Yes
Occupancy: NA Not Applicable
Frame Type: JM Joisted Masonry
ISO Class: 2 JOISTED MASONRY
Fire Protection: X NONE



General Building Characteristics

Exterior Walls: CONCRETE BLOCK	Ceiling DRYWALL	Partitions: CONCRETE BLOCK
Roofing: METAL	Finish:	Features: ,
Foundation: CONCRETE FOUNDATION WALLS	Services: ELECTRICAL, PLUMBING,	
Floor Finish: SEALER		

<u>Valuation</u>	<u>Cost Exclusion</u>		<u>Cost Less</u>
<u>Conclusions (Actual)</u>			<u>Exclusion</u>
Construction	96,000.00	0.00	96,000.00
Total Insurable Value			96,000.00

Jan. 6, 2011

To: The city of Brownsville

I am interested in working
on the Emergency Preparedness
Comm. I do have some experience,
for I'm on the Lion Co. Stockholders
Comm. for Vulnerable Pop. Group. (3 yrs.)
I hope you will consider me.

Christine Harrison

S. Scott McDowell

From: Kaye Fox [kfox003@centurytel.net]
Sent: Tuesday, January 11, 2011 9:48 PM
To: S. Scott McDowell
Subject: EPC

Hi Scott:

I would like to serve on the Emergency Preparedness Committee. My chosen path in Brownsville is to work with and for the seniors. I want to be up on things so that our seniors will be informed and well prepared. Some of our seniors may need an extra hand to be prepared and that is where we come in. To give help where help is needed. Let me know if you have any questions. I look forward to serving the citizens of Brownsville.

Thank You for your help in this matter.

Sincerely, Kaye Fox

January 12, 2011

To whom it may concern,

By this letter I am expressing my interest in becoming a member of the Emergency Preparedness Planning committee.

I feel that my 17 years experience as a volunteer firefighter, 8 years of emergency communications as a 911 dispatcher and 8 years as a Safety Manager will be assets to the committee.

Please feel free to contact me if you have questions/concerns regarding this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Nida", with a horizontal line extending to the right.

Mike Nida

S. Scott McDowell

From: cen97770@centurytel.net
Sent: Thursday, January 13, 2011 11:18 AM
To: admin@ci.brownsville.or.us
Subject: Disaster preparedness committee

January 13, 2011

S Scott Mc Dowell
P.O. Box 189
Brownsville, Or 97327

Dear Mr. Mc Dowell

I am interested in being a member of the Disaster preparedness committee. I live 2 miles south on Gap Rd.

Per our conversation , on January 12, 2011, I would not be available for your first meeting. I would be available after that.

Sincerely,

Kneil Stucky
26202 Gap Rd
Brownsville, Or 97327

541-466-5662
kncstucky@centurytel.net



City of Brownsville
From the desk of S. Scott McDowell

01.11.2011

Explanation: This is an e-mail message from Mike Sossie from 01.07.2011. Mr. Sossie was recommended very highly by Mr. Scott Christian of the Albany YMCA.

Hello Scott,

Thank you for taking time to meet me this morning to look at your floor. Here are a few notes about the floor:

- Fir flooring, long lengths, some wood boring beetle damage.
- Sanded down to verge of its useful life. Could be sanded one more time by careful crew with good results but likely some minor issues due to thin wood and nails starting to show.
- Measures about 81 X 50
- Bad area off playing area under garbage can could be patched. I would charge \$300 for a patch that would blend well. Other areas or individual boards would be \$100 each. Patched areas would need to be sanded flat and so would be much lighter than the rest of the floor for a year or two until UV light darkened up the wood.
- There are signs of minor peeling in area one of the basketball keys. No way to know if this will be a problem in the future. Should notify contractor and ask them to try to lightly sand through peeling coat in this area before applying maintenance coat.
- Strongly suggest that you do not "treat" dust mops. This does not really help and causes dust to actually stick to floor. Also contributes to peeling and costs money for mop treatment. Just clean dust mops should work fine. Floor is very clean which is the best thing you can do to help it last.

Recommendations: I would stay on top of maintenance coats to get as much life out of the floor as possible. There is a good build of finish on the floor now. Would plan to sand again in 10-20 years which would be the last time. Would spec that floor receives 2 seal coats and 6 finish coats when it is sanded. A good contractor will know that this is to get some build on it for its last lifecycle. For now, looks like a maintenance coat every two years is sufficient. My cost to lightly sand and apply a coat would be .35 cents per foot - \$1,417.50 for one coat or .45 cents - \$1,822.50 to apply two coats.

Please call anytime with any questions.

thx,
Mike Sossie
541-979-6095

From: Wyatt, Ralph [rwyatt@co.linn.or.us]
Sent: Monday, January 10, 2011 1:38 PM
To: Lemhouse, Jad
Cc: S. Scott McDowell; Judy@cityofhalsey.com; Hawkins, Michelle
Subject: RE: Court Clerk

Judge Lemhouse – I don't know of any objections to the concept (since the County already does it with Harrisburg) so the real basis for an agreement is financial – will the funding provided support the services provided? (as I read this email, the services would be provided by an existing employee, not an additional JP employee). I would suggest that we wait until after the Halsey January 18th meeting to see what the interest/funding level is to consider the next step. As stated, funding will be the real deciding factor since none of us have any dollars to spare.

Thanks, Ralph.

-----Original Message-----

From: Lemhouse, Jad
Sent: Wednesday, January 05, 2011 1:51 PM
To: Wyatt, Ralph
Cc: 'S. Scott McDowell'; 'Judy@cityofhalsey.com'
Subject: Court Clerk

Ralph:

I've had some recent discussions with Scott McDowell (Brownsville) and Judy Cleeton (Halsey) about court staff. The Brownsville clerk is retiring at the end of 2011 and the Halsey clerk doesn't have the time availability or the case load to develop the necessary skill level for efficient operations. Both cities are interested in having a professional court clerk to handle municipal court operations, but, the positions together amount to a less than ½ time position.

Our discussions have recently focused on having a justice court clerk take over the court clerical duties for the 2 cities. The cities would compensate Linn County for a fixed amount of clerk-time, similar to what is done in Harrisburg. What I've suggested is that Halsey would require 0.1 FTE and Brownsville 0.3 FTE. That would leave 0.6 FTE of the clerk's time for justice court work.

Using the current year's salary data as illustration, the total annual cost is \$62,955; at 0.1 FTE Halsey's cost would be \$6,295.50; Brownsville's cost would be \$18,886.5; Linn County's cost would be \$37,773. These numbers are for illustration only; the actual numbers would not be determined until we complete our budget process in the Spring.

However, Judy is concerned that the cost for Halsey would be too great as compared to the benefit to the city it (the cost is greater than what the city usually takes in from court operations). She will discuss the cost issue with the City Council on the 18th. Halsey may be interested in assigning municipal court jurisdiction to the Justice Court, to be exercised in Harrisburg (about 9 miles south of Halsey).

What I've looked at is the number of hours the clerk would not be available for duty in the justice court. Since the County pays the clerk, we would need to recover the cost of the time not available to the justice court. That would include time spent on travel between offices and the time spent on municipal court matters while the clerk is on duty in a justice court office. (Our common court software would be set up to allow remote access to any court data base from any court office.)

Such an arrangement would provide a number of advantages to both the cities and the justice court. It might be useful at this point to set up a meeting with you, Scott, Judy and I, and perhaps one of the Board members to see if this might be done. We would want to move this along so that it would become a part of the '12 budget process, since the position would begin on Jan 1, 2012.

Judge L.

TOOLS for the *New City Councilor*

Who Does What?

An Overview of an Individual Councilor's Role

By Chad Jacobs, LOC General Counsel

Councilors, rightly so, generally view themselves as leaders of their respective cities. Most everyone would agree that all councilors possess a certain level of individual leadership skills, or else they would not have been chosen by their neighbors to serve on the council in the first place. But what individual councilors must recognize is that once elected to city council they became part of a larger group—the council, and that it is the council as a group that leads the city.

Limitations of Power

As a general rule, individual city councilors have no authority to take actions or make decisions on behalf of the city. Rather, most city charters vest power to the council as a body to take actions or make decisions. It is important for individual councilors to recognize this limitation in order to avoid causing conflict with other councilors or city staff. In addition, recognizing this limitation will help councilors avoid taking actions that might be beyond the scope of their authority, as taking such actions could subject individual councilors to legal liability such as being personally responsible for the unauthorized expenditure of city funds.

This limitation on an individual councilor's power affects how a councilor conducts business on behalf of his or her city. Councilors generally must conduct all of their business as a group at meetings that are open to the public, and may not take actions as an individual acting alone. As a result, this limitation generally precludes individual councilors from taking administrative actions on behalf of the city, such as entering into contracts or waiving penalties for late water bill payments.

In addition, the limitation generally precludes councilors from monopolizing staff time with individual requests that have not been approved by the council as a body. In fact, many cities have specific council rules that address this issue. For example, Council Rule 14.9 for the city of The Dalles provides that the "Mayor and Councilors will not direct staff to initiate any action or prepare any report that is significant in nature, or initiate any project or study without the approval of a majority of the Council." It is important for councilors to appreciate this aspect of the limitation as misunderstandings may arise even when a councilor intends

only to ask for information. An employee receiving a direct request from a councilor can easily jump to erroneous conclusions or misinterpret the councilor's intent. As such, the best way for councilors to get information about administrative matters is to make the request during a regular council meeting or to a specific designated manager or administrator.

There are, of course, exceptions to this general rule. Some charters, city ordinances or council rules delegate authority to individual councilors or groups of councilors to take limited actions or make limited decisions on behalf of the city. As explained in further detail below, the most common of these exceptions are for the mayor; the council president or mayor pro tem; and council committees.

Authority of the Mayor and Presiding Officer

The mayor's authority beyond that of a regular councilor will vary from city to city depending on the city's charter and the form of government. In most cities the mayor presides over council meetings and participates in discussions. In many cities, the mayor may vote only to break a tie; while in other cities, the mayor votes on every matter before the council. Some charters may also provide the mayor the authority to veto ordinances approved by the council (and a procedure to override the veto). Depending on charter provisions, the mayor may appoint certain staff members, such as the city manager, city attorney and police chief, subject to council approval. Similarly, with council approval the mayor may also appoint members to various city committees. Most mayors also sign all ordinances and other records of proceedings approved by the council, and in small cities they may sign all orders to disburse funds.

In addition to the mayor, who ordinarily presides over city council meetings, most cities also have a council president or mayor pro tem, who presides over the council in the mayor's absence and may perform other functions of the mayor at those times. The functions of the mayor or other presiding officer are to: call the meeting to order; announce the order of business as provided in the agenda; state motions, put them to a vote, and announce the result of the vote; prevent irrelevant or frivolous debate or discussion; maintain order and decorum; and otherwise enforce the council's rules and appropriate parliamentary procedures.

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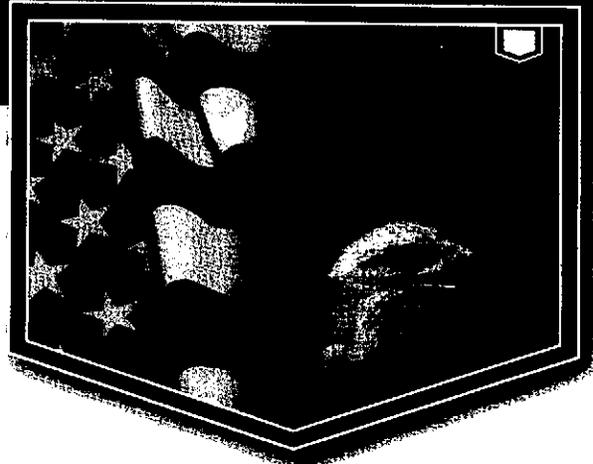
Other Powers of a Council

The power to establish committees is usually found in the charter, in an ordinance or in council rules. In addition, some committees, such as the budget committee, are required and governed by state law. Once created, a council committee has the authority delegated to it by the council. Some councils have standing committees with jurisdiction to discuss and deliberate upon matters within their specific subject matter. For example, standing committees may be assigned to develop recommendations to the full council; exercise oversight over certain city departments or groups of departments (e.g., public safety committee, public works committee); or be charged with working on a continuing problem (e.g., economic development). Other councils do not use standing committees, but rather special or ad hoc committees to address a specific subject or issue. For example, some cities use a special committee to interview potential employees who are hired directly by the council. In either case, it is important to remember that the committee may exercise only the power that the full council has delegated to it.

Finally, councils may delegate authority to individual councilors to take certain actions or make certain decisions on behalf of the council. For example, some smaller cities divide the various administrative duties related to running a city among the various councilors. This type of council delegation is usually contained in a formal council ordinance or resolution but sometimes is done by consensus or motion. As with the other situations discussed above, the ability of the individual councilor to act on behalf of the city in these situations extends only as far as the council has provided authority in its delegation.

As charters, ordinances and council rules vary from city to city, it is important for councilors to seek the advice of their city attorneys regarding the specific powers and duties that they possess as individual councilors. Nonetheless, keeping in mind the general rule that the council must act as a body will go a long way towards achieving an efficient and cohesive council. ■

Editor's Note: This article is necessarily general due to the complexities of and variations between the many city charters, ordinances and council rules that govern the powers and duties of individual councilors. Accordingly, this article is not intended to provide legal advice. Councilors have the right and are encouraged to seek legal advice from their respective city attorneys.



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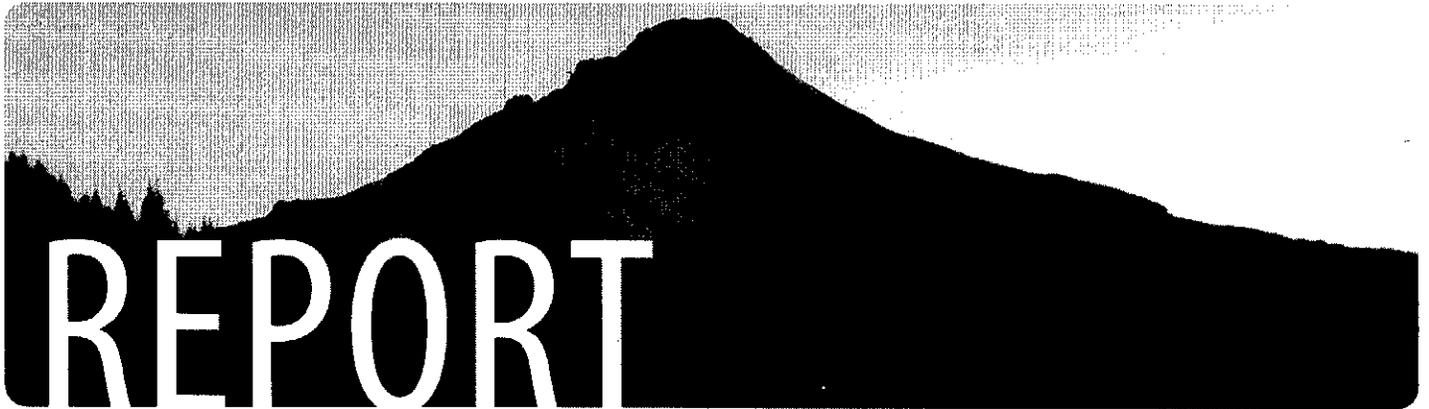
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CIS Quarterly Report to Members

January 2011

New Distribution Credits

BOARD APPROVES \$4.49 MILLION FOR 2011-12

In recognition of members' good loss experience – and the challenging economic conditions they face – the CIS Board of Trustees at its December 17 meeting approved \$4.496 million in distribution credits from the CIS Property/Casualty Trust for the year beginning July 1, 2011.

Members will receive information about their specific distribution credits via the CIS Members Only Portal by mid-February.

Under a policy adopted in 2009, the Board annually reviews the status of the loss funds to determine whether reserves are sufficient to pay expected claims, and whether there are any funds available for distribution to members. In December 2009, the Board closed out coverage years through 1999-2000 and distributed \$5.4 million in credits.

Under normal circumstances, the Board in 2010 would only have closed out one additional coverage year – 2000-01 – and distributed the \$1.88 million available for that year. But given the difficult economic conditions faced by many cities and counties

READ MORE ON NEXT PAGE

HAVE YOU REGISTERED FOR
THE CIS CONFERENCE?

Now's the time to register for the 10th Annual CIS Annual Meeting and Risk Management Conference, February 16 – 18 at the Embassy Suites in Tigard. This year's theme – "Journey of Trust" – highlights the achievements of members working together to pool losses and control risk since the CIS Trust's founding 30 years ago.

Once again, CIS is providing a grant to each member entity to fund one person's registration, meals and lodging for this special learning and networking opportunity. Visit www.cisoregon.org/conference/ to check out the Conference program and to register.

503-763-3800 800-922-2684
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Quarterly Report • January 2011

Page 2 of 5

continued from previous page ...

this year and the ability of reserves to support an additional distribution, the Board decided to also distribute funds from 2001-02, bringing the total distribution to \$4.496 million. *While this decision provides additional rate relief to members in 2011-12, it makes it unlikely that there will be another distribution for 2012-13.*

Distribution Details

The new distribution includes available funds through coverage year 2001-02 in the Liability, Property, and Auto Physical Damage lines of coverage, and, for the first time, Workers' Compensation. According to the CIS Rules for distributions, members may apply their credits in each line of coverage to invoices for the same line of coverage.

Distribution credits must be used within a three year period; the 2011-12 credits will expire at the end of the 2013-14 year. Members may use them all at once, or spread them over three years. Distribution credits must be used against invoices associated with the specific lines of coverage in the distribution (e.g., liability credits against liability contributions, property credits against property contributions, etc.). The only exception is in situations where, if over the three renewals, the credit for a particular coverage exceeds the contribution for that coverage – which was the case last year for several members' Auto Physical Damage credits. In those situations, a credit remaining at the end of the three year period can be applied to another line of coverage that was included in the same distribution.

“...the CIS Board of Trustees at its December 17 meeting approved \$4.496 million in distribution credits from the CIS Property/Casualty Trust for the year beginning July 1, 2011.

Members will receive information about their specific distribution credits via the CIS Members Only Portal by mid-February.”



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Quarterly Report • January 2011
Page 3 of 5

Other Board Action

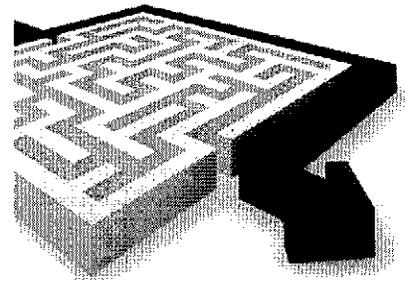
At its December meeting, the Board heard good reports from CIS' independent financial auditor and independent actuary about CIS' financial health and the adequacy of rates and reserves to meet the cost of expected P/C Trust claims.

CIS BENEFITS

For CIS Benefits, the Board:

- Adopted a new direction for CIS' Healthy Benefits program, focused on making the most of Regence and Kaiser resources; providing options for wellness support services no longer provided by Health Future; supporting members' efforts to conduct health fairs, screenings and other wellness events; and working toward an incentive program for employees and spouses who have a healthy lifestyle and take advantage of preventive care benefits. More information will be provided during the CIS Conference.
- Agreed to look at plan designs that include value-based benefits: additional benefits that reduce the cost of care in the long term, or that add additional copays for services that don't have proven outcomes. An example would be waiving the copays for insulin and supplies for diabetics to encourage compliance. Surgical weight loss provided under certain "best practice" conditions is another value-based benefit under consideration.
- Voted to discontinue Regence Traditional plans effective 8/1/2011, offering only Regence Preferred Provider plans. Only a very few members still have Traditional plans in place. An exception to the termination date will be made for members with in-force collective bargaining contracts that expire after 7/31/11; continuation of those plans will be honored through the remainder of the bargaining contract.

READ MORE ON NEXT PAGE



PROPERTY/CASUALTY TRUST

For the P/C Trust, the Board:

- Decided, in the CIS Liability coverage agreement to increase to \$5,000 (from \$2,500) the deductible for failing to contact or follow the advice of either CIS' pre-loss attorney or an attorney approved by CIS, before taking an employment-related action that results in a claim.
- Considered several P/C Trust program enhancements that will be discussed further at the Board's February 16 meeting.



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Quarterly Report • January 2011

Page 4 of 5

continued from previous page ...

- Agreed to seek in its contracts with Regence, Kaiser, and ODS, and Willamette Dental patient safety language that requires the insurer/administrator not to pay hospitals/providers (nor charge patients) for services that are required because the hospital/provider didn't comply with patient safety standards. This is one of the contracting standards recommended for all employers by the Public Employers Health Purchasing Committee of the Oregon Health Policy Board.
- Made changes to the CIS Benefits Rules that will be outlined at the CIS Annual Conference.

Board Refines its Vision for CIS

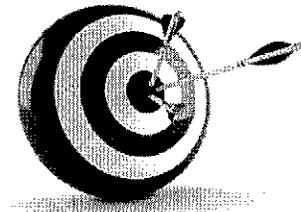
As part of its annual retreat, the Board of Trustees reviewed and refined its vision, goals and mission for CIS, printed in their entirety below. The Board's vision focuses CIS staff efforts in service to members, and lets you know what you should expect from us. Staff is committed to carrying out the Board's mission in 2011 and beyond, providing each of our members with TRUST-worthy results, delivered in trustworthy ways.

CIS VISION STATEMENT (adopted by CIS Board of Trustees, February 2003, amended December 2010)

CIS has an outstanding reputation based on superior member service and performance. Built on the foundation created by LOC and AOC, we have loyal and long-standing partnerships with our Members. Our Members value our role in helping them invest jointly in their long-term future, knowing that as the ultimate owners of CIS assets, unallocated surplus accrues to their benefit.

We strive to provide the best coverage/plans at the best rates and establish the standards that apply in our marketplace. We offer broad and comprehensive risk management and risk financing to all eligible entities, regardless of size or region.

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Quarterly Report • January 2011

Page 5 of 5

continued from previous page ...

We are constantly adapting to the ever-changing needs of our Members. Members recognize the value of CIS's breadth of coverage and services, and they understand that their contribution to CIS is an investment in long-term protection.

We are fair in our pricing, which is based on industry conditions and driven by financing Members' anticipated losses and program expenses. We recognize and reward good loss experience; we acknowledge poor performance and set prices appropriately. We work with poorer performers, helping them to improve their loss ratios through a combination of adequate pricing and aggressive risk management. Members take responsibility for reducing their own claims in order to lower losses and minimize their annual contributions. We stand firmly on pricing that is based on sound actuarial principles, sustainability, and long-term stability.

Each Trust and line of coverage is financially viable; all have sufficient reserves.

CIS is highly valued because we are a reliable partner with our Members, providing superior risk financing and risk management services across all coverage lines in a thoroughly professional manner.

CIS GOALS

- *CIS offers LOC/AOC members the best coverage/plans at the best rates.*
- *CIS works with its Members to aggressively manage risk across all lines of coverage.*
- *CIS ensures that each Trust it administers is financially viable.*
- *CIS administers the Trusts and delivers products and services so that they are highly valued by LOC/AOC-members.*

MISSION STATEMENT

To deliver TRUST worthy results in trustworthy ways.



MEMBERSURVEY

The annual CIS Member Survey will be sent out this week via e-mail to all CIS members and local agent contacts. This brief survey allows you to share your thoughts about the job CIS is doing for your entity. Please take a few minutes to complete the survey – your feedback is very important to us. The survey results will be announced at the CIS Annual Meeting and Risk Management Conference.

MONTH END RECAP

	Dec-10		YTD	%	Unexpended
	REVENUE	EXPENDITURES			
1 GENERAL	\$ 14,063.40	\$ 31,103.10	\$ 483,968.10	36.22	\$ 852,371.90
2 WATER	\$ 19,929.64	\$ 24,718.54	\$ 259,140.28	34.26	\$ 497,159.72
3 SEWER	\$ 26,148.13	\$ 13,934.25	\$ 134,018.42	19.94	\$ 538,081.58
4 STREETS	\$ 10,216.33	\$ 7,932.72	\$ 75,604.85	16.97	\$ 369,895.15
5 WATER BOND	\$ 811.54				
6 SEWER BOND	\$ 3,720.70		\$ 354,174.20	90.34	\$ 37,885.80
7 SEWER DEBT FEE	\$ 11,016.90		\$ 64,986.18	52.41	
8 BUILDING & EQUIPMENT	\$ 175.98	\$ 1,560.96	\$ 17,661.54	4.33	\$ 390,038.46
9 WATER RESERVE	\$ 20.64				
10 HOUSING REHAB	\$ 84.54				
11 WATER SDC	\$ 76.00				
12 SEWER SDC	\$ 98.09				
13 STORMWATER SDC	\$ 14.97				
14 BIKEWAY/PATHS	\$ 78.42				
15 LIBRARY TRUST	\$ 2.58				
16 CEMETERY	\$ 260.00				
17 TRANSIENT ROOM TX	\$ 0.43				
18 SEWER CONSTRUCTION	\$ 4.25				
19 LAND ACQUISITION	\$ 53.16	\$ 795.00	\$ 37,722.00	27.31	\$ 145,078.00
20 COMMUNITY PROJECTS	\$ 86,775.70	\$ 80,044.57			
	\$ 86,775.70	\$ 80,044.57			

KeyBank Accounts	2010-2011	YTD	% of Total
General	\$ 14,473.94	\$ 1,427,489.39	27.31%
Land Use (Deposits)	\$ 4,554.00		
Water	\$ 14,700.00		
Park	\$ 50.50		
Court	\$ 113.00		
			Totals
		\$ 54,627.00	
		\$ 360,000.00	
Oregon State Treasury			
	\$ 4,260,623.52		
		\$ 1,678,788.00	
		\$ 7,730,852.00	