



## Council Minutes

September 25<sup>th</sup>, 2012

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

PUBLIC: Kaye Fox, Jay Marsh, Chris Majdecki, Kevin Keenan, Jim Hagan & Rick Dominguez.

ADDITIONS AND DELETIONS: None.

MINUTES: The Council reviewed the minutes of the September 4<sup>th</sup>, 2012, meeting. Councilor Cole moved to approve the minutes. The motion was seconded by Councilor Shepherd and was approved unanimously.

### PUBLIC HEARINGS OR PRESENTATIONS:

1. Mr. Jim Hagan – 604 Calapooia. Mr. Hagan told Council that Mr. McDowell had told him he needed to remove a dog kennel and a shed that he had placed next to his home on the south end of the Sage Street right-of-way. He said that he doesn't understand why he can't use the area as it is a dead end and is not being used. Mr. McDowell said that private uses of the public right-of-way leads to many problems and that it is the City's policy to prevent it. He said the City sent a letter to Mr. Hagan in September, 2011, and the property still has not been removed. He said that he has contacted Mr. Hagan several times in an effort to get the items removed. Councilor Shepherd said that the City needed to maintain its policy and not set a precedent of allowing private use of the right of way. The Council was in consensus that the items need to be removed.
2. Kevin Keenan – 378 Kirk. Mr. Keenan was present to file a complaint regarding his neighbor at 382 Kirk, Mr. Jay Marsh. Mr. Keenan said that Mr. Marsh had an accumulation of items piled in his driveway and he thought it was unsightly and in violation of the City's nuisance ordinance. Keenan reviewed that since Marsh has been on the property they have done a bark business, metal reclamation business and this summer added garage sale to the list. Mr. Chris Majdecki of 400 Kirk said that he was in support of Mr. Keenan and wanted the City to make Mr. Marsh clean up his property. Mr. Marsh was present and said that his father in law had lost his home and he had recently had to move his father in law and his possessions here to move in with him. He said that his father in law has a lot of stuff and that's what is in the driveway. Mr. Marsh said his father in law is a packrat and he is struggling with him to get rid of the stuff. Mr. McDowell gave a history of some of the issues that the City had dealt with regarding Mr. Marsh over the years. Councilor Shepherd moved to move ahead with enforcing the City's nuisance ordinance against Mr. Marsh. The motion was seconded by Councilor Cole and was approved unanimously. Mr. McDowell showed some photographs of other areas he is dealing with regarding nuisance abatement and explained the "garage sale" tactic used by property owners and renters to get around cleaning up their properties.

### DEPARTMENT REPORTS:

1. Sheriff's Report. The Sheriff's Department provided a written report.



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2. Planning. Mr. Sattler said that a large parcel off Washburn Avenue has sold and the new owners are working on a partition in order to build two homes on the property. He said that they have applied for a variance to create a third lot at the same time and that the hearing will be at the Planning Commission in about six weeks.
3. Public Works. Mr. Frink reported that there hasn't been any progress in getting the punch list for Oak Street completed but that the City recently did hear that the contractor was planning on coming back to town. He said that the Park Caretakers had completed their work for the year and that they had done a wonderful job this summer. Mr. Frink said that there had been another resignation and that another new employee has been hired. Councilor Cole thanked Mr. Frink for dealing with the lighting issue at the Library she had raised.
4. Administrator's Report. Mr. McDowell said that he had gone with Boldt, Carlisle and Smith to do the City's payroll work and that they will start with the October payroll. He said that the final proof survey of the City's water rights is proceeding forward. Mr. McDowell said that the Willamette Country Music Festival is having some issues with the County Commissioners and he has been trying to assist them as he can but the debriefing session has not yet been set. McDowell indicated that Deb Dyson is no longer representing the Canal Company due to a change in her practice. McDowell will wait to hear how the Canal Company leadership chooses to proceed. McDowell reported that Boldt, Carlisle & Smith were still working on the audit for FY 2011-2012 and that he really appreciates their effort. McDowell said that he and Councilor Boyanovsky had spoken with the Rec Board regarding the buildings being left open after being used. He said that they understood it is a serious problem and they are working to take care of the situation.
5. Library Report. Ms. Lemhouse provided a written report. Mayor Ware said that there has been an increase in activity at the Library.
6. Court Report. The Municipal Court provided a written report.
7. Council Comments. Councilor Boyanovsky said that the Rec Board had some issues regarding the Kennel Club and keeping the fields watered for use. He said that needs to be resolved next year.
8. Citizen Comment. Ms. Kaye Fox said that she would like to see the City enforce the day use only policy at Kirk's Ferry Park as kids have been hanging out there in the evenings. She said that the Seniors are setting up a walking program inside the Rec Center during the winter.

### LEGISLATIVE:

1. Resolution 690 – Special Circumstances Purchase (TAG). Councilor Cole moved to approve Resolution 690. The motion was seconded by Councilor Boyanovsky and was approved unanimously.
2. Resolution 691 – Transfer Water Administration Funds. Councilor Cole moved to approve Resolution 691. The motion was seconded by Councilor Shepherd and was approved unanimously.



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### ACTION ITEMS:

1. Calapooia River Financing Options. Mr. McDowell went through the various options for financing the waterline repairs. He said that borrowing the money would result in a monthly charge of around \$5 per month per customer. He said that Mayor Ware & Councilor Shepherd had looked into refinancing the entire water system indebtedness and due to the years remaining on the term of the debt it would be too cost prohibitive. McDowell said that he thought the best option would be to self finance the expense which would not require raising rates so steeply. Council would certainly want to look at the rates closely next June. Councilor Shepherd move to accept Mr. McDowell's recommendation to self-fund the work. The motion was seconded by Councilor Cole and was approved unanimously.
2. Authorize Chamber of Commerce Memorandum of Understanding. Mr. McDowell said that the agreement is close to being signed and he was looking for authorization for Mayor Ware and himself to execute the agreement once the Chamber Executive Board agrees to terms. Mr. McDowell said that Sharon McCoy had reviewed the agreement for the Chamber and had approved it but that the Executive Board had not yet approved it. He said the Executive Board would meet on October 5<sup>th</sup> to review the document. Councilor Gerber moved to authorize Mayor Ware and Mr. McDowell to execute the agreement pending Chamber approval. The motion was seconded by Councilor Shepherd and was approved unanimously.
3. Uerlings-Barker Insurance Agreement. Mr. McDowell said that they had submitted a quote of \$1,900 per year to act as the City's insurance agent. Councilor Boyanovsky moved to accept the quote and to retain their firm. The motion was seconded by Councilor Cole and was approved unanimously.
4. Restroom Ribbon Cutting. Mr. McDowell reported that the Park Board would like to have a dedication ceremony. The Council approved the idea by consensus. Mr. Frink was asked what he would do about the portable toilets in the park. He said that he would like to remove them all except during baseball season as they are very expensive to rent. Council decided to leave the ADA unit across from the Water Treatment Plant for the winter months.
5. Arbor Day Proclamation. Mayor Ware proclaimed October 20<sup>th</sup> as Arbor Day for Brownsville.

### DISCUSSION ITEMS:

1. Christmas Decorations. Mr. McDowell said that there are 36 large lamp posts downtown and that the Chamber is buying 18 banners for Christmas decorations. He said that the City is buying 18 brackets from Advanced Mechanical to hold them. He said that Norm's Electric would be helping hang the decorations the last week of November. McDowell made the decision to with Norm's Electric because Pacific Power has expanded their territory and coordination is becoming increasingly difficult due to scheduling conflicts.
2. August Financials.



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COUNCIL COMMENTS: None.

CITIZEN COMMENT: None

ADJOURNMENT: Councilor Shepherd moved to adjourn. The meeting was adjourned at 8:25 p.m.

A handwritten signature in cursive script, appearing to be "SM", written above a horizontal line.

City Administrator S. Scott McDowell

A handwritten signature in cursive script, appearing to be "Don Ware", written above a horizontal line.

Mayor Don Ware



# CITY OF BROWNSVILLE

## Council Meeting

City Hall – Council Chambers  
Tuesday, September 25<sup>th</sup>, 2012

### 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: September 4<sup>th</sup>, 2012
- 6) PUBLIC HEARINGS OR PRESENTATIONS
  - A. Majdecki & Keenan – Nuisance Abatement Jim Hagan Issues
- 7) DEPARTMENT REPORTS:
  - A. Sheriff
  - B. Planning
  - C. Public Works
  - D. Administration
  - E. Library
  - F. Court
  - G. Council
  1. Josh Kometz & Andrew James
  2. Payroll Option
  3. Final Proof Survey
  4. WCMF
  5. Audit Outcomes
  6. ROW Outcome
  7. Canal Co.
  8. Public Buildings & Rob
- 8) CITIZEN COMMENTS (Non-agenda & Agenda items)
- 9) LEGISLATIVE:
  - A. Resolution 690 – Special Circumstances Purchase (TAG)
  - B. Resolution 691 – Transfer Water Administration Funds

This Agenda is a list of the subjects anticipated to be considered at the meeting, but the 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 City Administrator S. Scott McDowell at (541) 466-5880 in advance. Thank You.

**10) ACTION ITEMS**

- A. Calapooia River Crossing – Financing Options**
- B. Authorize Chamber MOU**
- C. Uerlings-Barker Insurance Agreement**
- D. New Restroom Ribbon Cutting**
- E. Arbor Day Proclamation**

**11) DISCUSSION ITEMS:**

- A. Christmas Decorations**
- B. August Financials**

**12) CITIZEN QUESTIONS & COMMENTS**

**13) COUNCIL QUESTIONS & COMMENTS**

**14) ADJOURN**

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