



Council Minutes

October 23rd, 2012

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

PUBLIC: Kaye Fox, Rick Dominguez, Sherri Lemhouse & Sergeant Brad Kelley

ADDITIONS AND DELETIONS: None.

MINUTES: The Council reviewed the minutes of the September 25th, 2012, meeting without exception. Councilor Gerber moved to approve the minutes. The motion was seconded by Councilor Cole and was approved unanimously.

PUBLIC HEARINGS OR PRESENTATIONS:

1. Mr. Rick Dominguez – Gateway Flag Pole Proposal. Mr. Dominguez told the Council that the American Legion would like to place two flagpoles at the Hwy. 228 / Main Street intersection in the new gateway sign features. He said that the Legion would buy the poles and maintain the flags. He said that electricity would be needed to light the flags at night. He said that he knew that Linn County was in charge of the Main Street right of way but wanted the Council's recommendation to Linn County. Councilor Cole said that she was not in favor of the proposal as she thought the area was too visually cluttered at present and didn't want to make the situation worse. Councilor Van Sandt said that she might support one but wanted to ensure that they were properly maintained. Councilor Chambers said that she was in favor and didn't think there were too many flags. Councilor Gerber said that the City has flags in front of City Hall and the Library and didn't see the need for more. Councilor Boyanovsky suggested moving ahead with exploring the idea and to contact Linn County to see what their requirements would be. He made a motion to have Staff follow up with Linn County to determine their requirements. The motion was seconded by Councilor Chambers and was approved unanimously.
2. Sherri Lemhouse – Library Report. Ms. Lemhouse gave the Council an update on activities at the Library. She said that 68 kids had participated in the Summer Reading Program and said that Parents and Pals is meeting at the Library now. She said that there are youth programs on Tuesdays and Fridays. The adult Book Club and the Stitchery Group are meeting at the Library. Ms. Lemhouse said that Sandra Weingarten is leaving after serving as a volunteer since 1986 and she would be honored for her service in December.

DEPARTMENT REPORTS:

1. Sheriff's Report. Sgt. Kelley said that things had quieted down with the weather change. Councilor Cole said that the Sheriff's report showed five adults had been arrested and asked if that was typical. Sgt. Kelley said that it just depends on the circumstances, as for example if someone is stopped at Dari Mart passing through town and has a warrant, that would count as an arrest in Brownsville. It doesn't necessarily reflect activities within Brownsville.



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2. Planning. Mr. Sattler said that the Planning Commission would be meeting to consider a Variance application on behalf of two persons wishing to develop a large parcel off of Washburn. They hope to build two new homes on the land and would like to create a third lot from the 3.76 acres.
3. Public Works. Mr. Frink reported that Houck Construction had done some work on Oak Street but had not finished the punch list items remaining. He said that the irrigation has finished at the North Sewer Plant for the year without any problems. Mr. Frink said that there has been a long history of complaints about Public Works cleaning the sidewalks in the downtown area. He said that there were complaints no matter what Staff did so he has decided to quit cleaning the sidewalks and leave it up to the property owners as it is ultimately their responsibility. Mr. Frink said that City Engineer Jon Erwin recently finished up the Claim of Beneficial Use to further the process of certifying the City's water rights in an attempt to avoid issues with ODFW's curtailment of water use. Mr. McDowell said that the water rights research had turned up an older claim from 1912 that should still be possible to use and that some work would be needed to get the well going. He said that Mr. Erwin is looking into the cost of the work.
4. Administrator's Report. Mr. McDowell said that Boldt, Carlisle & Smith will be doing the payroll for the City in the future with October being the first run. He said that Barker Uerlings has reviewed the City's insurance coverage and are looking at the flood coverage for the City Shops. The other issue that has come up is for coverage for mobile equipment as the deductible is very large compared to the cost of the equipment. McDowell explained that those items should still be covered at replacement cost in the event of a major fire or theft. Coverage is being expended to accurately reflect what a loss would look like at the City Shop. McDowell reported that Elizabeth Coleman held a successful Arbor Day celebration and thanked the officials for coming out. McDowell reported that the issue with the Canal Company and the IRS had been resolved favorably. The City is waiting to see if the Canal Company hires a new attorney. McDowell explained the Christmas decorations. The City, the Chamber and Norm's Electric are working together to make this happen. He explained the decline of Pacific Power's role in the project.
5. Library Report. Ms. Lemhouse provided a written report in addition to her oral report.
6. Court Report. The Municipal Court provided a written report.
7. Council Comments. Councilor Boyanovsky said that the he had received an email from Cascades West COG saying that on December 6th an LOC representative would be giving a presentation on property takings at the Cascade West Council of Governments offices in Albany.
8. Citizen Comment. NONE

LEGISLATIVE:

1. Resolution 692 – Declaring an Insurable Interest. Mr. McDowell said that due to the odd situations of the millrace pump station and the Gateway improvements the City has an interest in improvements on land it doesn't own. McDowell recommended that the City formalize the fact that it has an insurable interest in the pump station and the Gateway improvements for insurance purposes. Councilor Gerber moved to approve Resolution



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692. The motion was seconded by Councilor Shepherd. Councilor Van Sandt asked about the cost of the insurance. Mr. McDowell said he wasn't sure of the total because the Mill Race appurtenances had yet to be calculated. The motion passed unanimously.

ACTION ITEMS:

1. Appointed Officials and Possible Advertisements. Mr. McDowell said that as usual a number of appointed positions are up at the end of the year. He said that most would be asked to be reappointed but there could be some openings and asked for approval to advertise any open positions. Councilor Van Sandt moved to approve advertising as needed. The motion was seconded by Councilor Cole and was approved unanimously with Mayor Ware abstaining due to a potential conflict of interest.
2. Reschedule December Council Date. Mr. McDowell said he wanted to move the December meeting to December 18th to avoid Christmas. The proposal was approved by consensus. Councilors Boyanovsky and Cole indicated that they will not be able to be present.
3. City Hall Office Hours. Mr. McDowell said that he would like to change the hours City Hall is open to the public from 8 until 5 to 8:30 until 4:30. He said that Staff would be there 8 until 5 but that it would give them some time to work without interruption. Councilor Shepherd disagreed with closing at 4:30. Mr. McDowell said that if anyone couldn't make it during those hours they could arrange an appointment for any other time and explained several instances of when Staff has met with citizens at odd times. He also explained all of the ways citizens have to make payments. He said that he would like to start November 13th and see how it works. Councilor Cole moved to approve the proposal. The motion was seconded by Councilor Boyanovsky and was approved six to one with Councilor Shepherd voting no.

DISCUSSION ITEMS:

1. MOU Updates. Mr. McDowell indicated that he met with Ms. Tetamore from the Brownsville Art Association and found one significant change needed to be made in that the insurance coverage for general liability and contents should be provided by the Art Association. There was mutual agreement regarding the flooring provisions of the MOU. In reviewing the agreement with the Chamber, he added provisions regarding the Christmas decorations and the flower baskets to the MOU. The City has also explained the need for 60 days notice which is to adequately inform those people contacting City Hall. The Rec Board has a copy of their MOU and he has not received any response from them yet. The Festival of Tents, Willamette Valley Cycling Tour and the Willamette Agility Group are all planning events in the Park for 2013. Councilor Cole said that she would like to see a three year review provision in the Sweet Home Sanitation agreement and Mr. McDowell said that he agreed and is working on it. Mr. McDowell said that the Eugene Kennel Club would like to come back next summer. Councilor Gerber said that there has been problems with the soccer fields last summer due to their not being watered in advance of the dog show. Councilor Chambers suggested that there must be a way to water the fields to some extent to preserve the grass without getting so wet as to cause ruts. Councilor Shepherd noted that the revenue generated by the event was helpful to support the additional seasonal Staff. Mr. Frink noted that the fields have only been watered for one year out of the last 12. Councilor Chambers said that the Council should do what it can to bring events to town.



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2. Nuisance Abatement Updates. Mr. McDowell updated the Council on some nuisance abatement projects he's working on and showed them photos of some sites.
3. September Financials.

COUNCIL COMMENTS: Councilor Chambers said that the play equipment at Remington Park needs to be repaired, replaced or removed.

CITIZEN COMMENT: Ms. Kaye Fox asked to have the Senior Center added to the City's web site. Mr. McDowell asked her to prove the information she would like added.

EXECUTIVE SESSION: The Council adjourned to Executive Session at 9:11 p.m. pursuant to ORS 192.660 Section (e) and (i).

Mayor Ware & Council returned to Regular Session at 9:52 p.m.

Council made a motion to appoint Mayor Ware, Councilor Shepherd and Councilor Van Sandt to work with McDowell to negotiate a possible real estate transaction.

ADJOURNMENT: Councilor Shepherd moved to adjourn. The meeting was adjourned at 10:01 p.m.

Handwritten signature of S. Scott McDowell.

City Administrator S. Scott McDowell

Handwritten signature of Don Ware.

Mayor Don Ware