



Council Minutes

December 18th, 2012

ROLL CALL: Mayor Ware called the meeting to order at 7:02 p.m. with Councilors Shepherd, Chambers, Gerber, and Van Sandt present. City Administrator Scott McDowell, Public Works Director Karl Frink, and Assistant Clerk Tammi Morrow were also present. Councilor Cole and Boyanovsky were excused.

PUBLIC: Kaye Fox, Linda McCormick and J.D. Cochran.

ADDITIONS AND DELETIONS: Mayor Ware issued a proclamation for Sandra Weingarten as a long standing member of the Library Advisory Board.

MINUTES: The Council reviewed the minutes of the November 27th, 2012 meeting. *Councilor Gerber moved to approve the minutes as presented. The motion was seconded by Councilor Van Sandt and was approved unanimously.*

PUBLIC HEARINGS OR PRESENTATIONS:

1. Linda McCormick & Stand By Me Anniversary Date. Ms. McCormick was present to request that the City designate July 23rd as the official annual Stand By Me date each year. The 30th anniversary for the movie will be in 2016, and July 23rd of that year will fall on a Saturday which would allow a large weekend celebration with various festivities throughout town. Linda McCormick researched the available dates, and said that she thought the 23rd of July had no other conflicts with the City events calendar. If the event happens to fall during the week, fans would entertain themselves and the festivities would probably be on a lesser scale. Linda has also been in touch with the City of Astoria and gotten information about a similar event they have that is featured around the movie *the Goonies*. Fans will connect through Facebook, email, etc., with very little being required of the City for the event. *Councilor Gerber moved to approve July 23rd as the official City of Brownsville Stand By Me date. The motion was seconded by Councilor Van Sandt and was approved unanimously.*
2. 1022 Oak Street – Porter/Schoning. Mr. McDowell reported on progress of the fence issue from last meeting. He has made contact with the renter and posted the official notice in the yard. Mickey (the property manager) called and asked what needs to be done. Mickey indicated that he wished to come into compliance with the City. Mr. McDowell informed him that there are currently two options available to make this happen: 1) paint over the graffiti on the fence and make the fence free standing, or 2) remove the fence altogether. At this point Mickey requested a time extension to get the project completed, and was granted the new deadline of 12/21/12. Mr. McDowell reminded the Councilors that all parties have now been afforded due process.

DEPARTMENT REPORTS:

1. Sheriff's Report. No report presented.
2. Planning. No report presented.



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3. Public Works. Mr. Frink reported that the crew has completed the Oak Street project as requested; they are working on one high spot in the pavement near the northwest corner of Center Street. Mr. Frink then reported that the National Pollutant Discharge Elimination System (NPDES) permit has been submitted to DEQ, and the City should be receiving a new certificate soon. All of the Christmas decorations have been hung around town and everything is looking great. The crew has trimmed a few trees from the last wind storm, but really there was minimal damage overall. Raking leaves, and keeping the storm drainage areas clear continue to be high priorities, which has occupied about 90% of time spent over the last month. An inmate work crew was also here working on raking leaves in Pioneer Park. Mr. Frink reported that another small area of graffiti spray paint was found in town. Mayor Ware asked how the downtown sidewalks have been looking since Public Works has stopped tidying them. Mr. Frink responded by stating that for the most part, the people have started to take care of the sidewalks themselves and that it seems to be working well, he has heard no complaints. Mr. Frink concluded his report by stating that the backhoe has been delayed in shipping, but should arrive after the first of the year.
4. Administrator's Report. Mr. McDowell reported that Mary Camarata from DEQ had been in contact and stated that there may be some potential funding for the City in regards to the stabilization project. Jon Erwin and John Cunningham continue to work on the Water Master plan. It is approximately 90% finished, and Mr. McDowell hopes to submit it to the State before the Christmas holiday. McDowell directed the Council's attention to their packets where they found a meeting/holiday placard for the upcoming year. He made special note of two sessions in February which will include goal planning and facilities tour.
5. Library Report. No report this month, but everything seems to be going well.
6. Court Report. No report this month.
7. Council Comments. Councilor Van Sandt commented that the sale at the library went very well, and it seemed to help to have the sale over a week long span of time.
8. Citizen Comments. Mayor Ware called for citizen's comment but asked for each citizen to identify themselves by name and address and to please limit their comments to no longer than 3 minutes. Mrs. Kaye Fox, 203 Kirk Avenue, commented that she has been elected as the new president of the Brownsville Senior Center, and that at their last meeting, they had 28 members. They also had a Christmas luncheon with over 60 people attending. Mayor Ware commented that he thought there were over 70! Mrs. Fox said upcoming projects will be working on a newsletter, bylaws, articles of incorporation, and their 501(c)(3) status.

LEGISLATIVE:

1. O 736L: Solid Water Franchise. *A motion was made by Councilor Van Sandt to read O 736L: Solid Waste Franchise by title only, and for Mr. McDowell to*



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simplify the title wording. The motion was seconded by Councilor Gerber, and the motion passed unanimously.

ACTION ITEMS:

1. Authorize Mower Request for Quotes (RFQ). *A motion was made by Councilor Van Sandt to authorize Mr. McDowell and Mr. Frink, Public Works, to request quotes for the purchase of a new mower. The motion was seconded by Councilor Shepherd. The motion passed unanimously.*
2. Mayor – Weingarten Proclamation. *Mayor Ware made a Proclamation thanking Sandra Weingarten for her almost 30 years of service to the City of Brownsville through her volunteer service to the Library. A motion was made by Councilor Van Sandt to make a public thank you proclamation to Sandra Weingarten for her many years of volunteer service to the City Library. The motion was seconded by Councilor Gerber. The motion carried unanimously.*

DISCUSSION ITEMS:

1. Nuisance Abatement Updates. Mr. McDowell reported that the City is making substantial progress at 382 Kirk Avenue. In all, 7 tons of garbage was hauled off. There is still an air compressor there, but it has been sold, and will be removed soon. The occupants are talking about building a fence but were cautioned that if they are doing anything with metal on the property, it would need to be under a Conditional Use Permit. The occupants indicated that they understood this, and that they have no intention of continuing with the metal business at this time.
903 Ash - Mr. McDowell reported that Sweet Home Sanitation is coming out on Friday to take a load of trash from the property. Mr. McDowell conveyed that there are extenuating circumstances that he is uncomfortable discussing in a public forum. Mr. McDowell indicated that there will be a few more abatements coming up, but overall, the City is making progress in this area.
2. Possible Nuisance Legislation. Mr. McDowell revisited the possible nuisance legislation discussed last month that would require garage sales to operate under a permit program. The main purpose of the legislation is to prevent ongoing garage sales for more than a specified time frame. Councilor Chambers remarked that she did not like limiting the amount of garage sales each year to just two a year, and she thought the cost of the permit should be less than \$5 to keep the cost to a minimum. She did state that she understood why the City needs such legislation. Mr. McDowell will bring the legislation to the January meeting.
3. November Financials. Mr. McDowell reported that the monthly financials will get back to normal soon.

CITIZEN COMMENT: J.D. Cochran, 1030 Oak Street, wanted to be present for the due process in case the other party appeared. She stated that she understands that City's position, and expressed her gratitude to Mr. McDowell and the City Council for all the assistance. She requested that the City stand firm on their position.



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COUNCIL COMMENTS: Councilor Van Sandt congratulated Kaye Foxe on her election to President of the Senior Center. She also expressed appreciation to Linda McCormick for being so actively involved with the Stand By Me celebration.

EXECUTIVE SESSION: The Council adjourned to Executive Session at 7:36 p.m. pursuant to ORS 192.660 Section (e) and (i).

Mayor Ware & Council returned to Regular Session at 8:04 p.m.

A motion was made by Councilor Shepherd, seconded by Councilor Van Sandt to move Mr. McDowell to Step 7 on the pay scale effective January 1st, 2013.

ADJOURNMENT: Councilor Van Sandt moved to adjourn, seconded by Councilor Gerber. The motion was passed unanimously. The meeting was adjourned at 8:09 p.m.

A handwritten signature in blue ink, appearing to be "SM", written over a horizontal line.

City Administrator S. Scott McDowell

A handwritten signature in black ink, appearing to be "DW", written over a horizontal line.

Mayor Don Ware