



CITY OF BROWNSVILLE

Council Meeting

Tuesday – May 29th, 2012

Regular Session 7:00 p.m.

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CITY OF BROWNSVILLE

Council Meeting

City Hall – Council Chambers
Tuesday, May 29th, 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: April 24th, 2012
May 10th, 2012 – *Budget Committee Meeting*
- 6) PUBLIC HEARINGS OR PRESENTATIONS
 - A. Art Association – Flooring Request
 - B. Visit Linn Coalition – Dave Furtwangler
 - C. Downtown Merchants – Cruise-In Concept
 - D. Halloween Fundraiser – Scott Smith & Debbie Jensen
 - E. Budget – Fiscal Year 2012-2013 & State Revenue Sharing
- 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)

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.

9) LEGISLATIVE:

- A. R 679 – Declaring Election to Receive State Revenue Sharing
- B. R 680 – Setting Fees for Municipal Court
- C. R 681 – Pioneer Park Restrooms Transfer
- D. R 682 – General Budget Transfers [Part #2 of #3]
- E. O 736 – French Street Vacation

10) ACTION ITEMS

- A. Holloway Heights (Dust Control)
- B. Authorize Linn County Sheriff's Office Contract Renewal

11) DISCUSSION ITEMS:

- A. Canal Company
- B. FEMA Update
- C. April 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

April 24th, 2012

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

PUBLIC: Kaye Fox, Heather Tinseth, Steve Chambers, Scott Smith, Debbie Jensen, Desiree & Tim Housley and cast members from the zombie film.

ADDITIONS AND DELETIONS: Mr. McDowell added Resolution 676 under Legislative, a street vacation request under Action Items and a Discussion item regarding Mr. Mark Hetrick.

MINUTES: The Council reviewed the minutes of the March 27th, 2012, meeting. Councilor Cole noted one typographical error. She moved to approve the minutes with that correction. The motion was seconded by Councilor Shepherd and was approved unanimously.

PUBLIC HEARINGS OR PRESENTATIONS:

1. Scott Smith – Road Closure Request. Mr. Smith said that LB Productions is filming a zombie movie and would like to use Spaulding Avenue between Main and Averill on April 29th in the late afternoon and evening. He said that they would like to close the street around 4 p.m. and work until 11 p.m. or so. Councilor Cole said that only the Brownsville Fitness Center is open on Sunday evening and she didn't think the road closure would be a problem. Councilor Gerber asked if the owners of the Fitness Center had been consulted. Mr. Smith said that he was sure they would be fine with the plan but then said he hadn't specifically asked them. Councilor Shepherd said that Henshaw Lane is a Linn County Road and that they would need a permit from Linn County if they were planning to film there. Mr. Smith said that they would not be using Henshaw Lane. Councilor Cole moved to approve the use of Spaulding as requested and to allow the closure of Spaulding from 4 p.m. to 12 a.m. on April 29th. The motion was seconded by Councilor Gerber and was approved unanimously.
2. Desiree & Tim Housley. Ms. Housley said that they live at the east end of Washington Street and have an issue with the traffic of the school buses using the street and traffic going to the Community Garden. She suggested that the School District should have an access directly onto Hwy. 228 so the buses wouldn't have to use Washington Street. Mayor Ware asked if they had spoken with the School District. Ms. Housley said that they hadn't had any success with them. Councilor Cole asked if they had spoken with the School Board. Ms. Housley said that they hadn't. Councilor Shepherd said that the school has been using that street for the buses for many years and he didn't expect them to change that but he suggested that Ms. Housley talk to the School Board. Ms. Housley said that they would like the street to be maintained better. Mr. McDowell said that the City has a contract to have the street ground and returned to gravel so that it could be better maintained than it is currently with the failing pavement.
3. Joe Ervin – Park Avenue Closure Request. Mr. Ervin was not able to be present but Mr. McDowell said that he could explain the request. Mr. McDowell said that Mr. Ervin is hoping to put on a 5K/10K run/walk as a fundraiser for Central Linn. He would like to

use Library Park as a staging area. Mr. McDowell said that there are no objections from the neighbors. He said Mr. Ervin would like to close that section of Park Avenue between 4 p.m. and 9 p.m. on Saturday, June 16th. Councilor Gerber made a motion to approve the request. The motion was seconded by Councilor Shepherd and was approved unanimously.

DEPARTMENT REPORTS:

1. Sheriff's Report. Sgt. Kelley was not able to be present but provided a written report.
2. Planning. Mr. Sattler said that he has seen a surge in interest in property in the last month or so and has met with quite a few different people interested in various properties. He said that this is significantly busier than the last several years. Mr. Sattler said that people are particularly interested in some of the homes with large lots and larger pieces of vacant land. Mr. Sattler said that one of the Library computers acquired a particularly nasty virus he has been working several days to remove. He said that the Planning Commission approved the request by Kris & Pam Solberg to operate a hair studio from their residence on Amelia Avenue. The Spring Newsletter went out and was able to include the annual Water Quality Report to save on postage and labor. Councilor Cole corrected one section of his report saying that the Historic Review Board is merely investigating the possibility of becoming a Certified Local Government.
3. Public Works. Mr. Frink said Public Works has been busy keeping up with mowing. Mr. Frink said that they had discharged 21.9 million gallons from the wastewater plant without a problem and that there will be an additional 17 million gallons discharged before the end of the season. Mr. Frink said that several sites had been painted due to a recent outbreak of graffiti. He said that the remodeling of the kitchen in the Pioneer Park pavilion has been completed and he thinks it came out well. Mr. Frink said that there is a roof leak at the Rec Center and he is working with Snow Peak Roofing to get it repaired.
4. Administrator's Report. Mr. McDowell indicated that he had had spoken with Sgt. Kelley regarding the parking issue discussed at the last Council meeting and that Sgt. Kelley had spoken with several people around town about the issue. Mr. McDowell said that Sgt. Kelley had spoken with the local deputies about the City's position on animal complaints. Mr. McDowell reported that Senator Merkley will be in town on May 3rd at 4 p.m. to discuss several issues facing the City. He asked that if Councilors had suggestions for issues they'd like discussed to e-mail them to him as soon as possible. Mr. McDowell mentioned that the Notice to Proceed has been issued on the South Oak Street project which starts the clock on the construction period. He said that the contractor is having a little trouble locating the proper pipe due to the closure of a key local supplier. Mr. McDowell discussed how the State is increasing various fees the City has to pay and is taking a larger cut of the Municipal Court proceeds. Mr. McDowell reported that the seasonal Public Works employee has been hired and he is just waiting for the final paperwork to be completed. The Pioneer Park Caretakers will be here around the middle of May. Mr. McDowell reported that the Emergency Preparedness Committee will be present at the Bloom'n'BBQ event at Central Linn Elementary School. Mr. McDowell discussed the ongoing issues regarding the County possibly taking over Kirk Avenue and rebuilding the street. Mr. McDowell said that since the project was proposed more than 10 years ago there have been a lot of changes. Budgets are also much tighter. Mr. McDowell said that the proposed project on Kirk Avenue has a lot of challenges as the County would be obligated to rebuild it to certain standards and that the current right of way is too narrow, meaning that property would have to be acquired from neighboring properties. In addition, the City would have to do some large storm drainage projects

before the street work could be done along with substantial changes to water services along Kirk. Councilor Cole asked if the project was a low priority at this time due to the other big issues being faced by the City and Mr. McDowell agreed with that assessment. Mr. McDowell reported that Snow Peak Roofing had looked at the Rec Center roof and found that it is in need of replacement. He estimated the cost at \$30,000 to \$40,000 based on the cost of the recent roofing project for City Hall. McDowell also reported that the City has assisted the Pioneer Picnic Association in apply for an Oregon Heritage Tradition designation through the State. He continued by saying that Ken Lamb from ODOT dropped off the necessary permit for this year's Picnic Parade.

5. Library Report. Ms. Lemhouse provided a written report.
6. Court Report. The Municipal Court provided a written report.
7. Council Comments. None.
8. Citizen Comment. Ms. Kaye Fox said that there is a pothole at the corner of Kirk and Averill that needs to be fixed.

LEGISLATIVE:

1. Resolution 676 – Pioneer Park Restrooms. Mr. McDowell gave a brief history of restroom project and said that he had obtained proposals from five area contractors. He gave a summary of the bids, saying that the low bid was \$75,280 from Karo Construction. Councilor Cole moved to award the bid to Karo Construction. The motion was seconded by Councilor Shepherd and was approved unanimously. Councilor Chambers asked when the work would start. Mr. McDowell said that the paperwork would start the next day and that he would like to see it finished by Pioneer Picnic but realistically he was hoping for July 4th but that it was hard to predict because of materials delivery and sub-contractor scheduling.
2. Resolution 677 – Workers' Compensation Annual Resolution. Mr. McDowell explained that the Council adopts a resolution each year stating the intent to cover City volunteers. Councilor Gerber moved to approve Resolution 677. The motion was seconded by Councilor Shepherd and was approved unanimously.
3. Resolution 678 – Verifying Services for State Revenue Sharing. Councilor Cole moved to approve Resolution 678. The motion was seconded by Councilor Shepherd and was approved unanimously.
4. Proclamation – Older Americans Month. Mayor Ware proclaimed May as Older Americans Month.

ACTION ITEMS:

1. Park Restrooms. Mr. McDowell said that this item was placed in the agenda for a possible transfer of funds but nothing needed to be done at this time based on the bids that were received.
2. Willamette Country Music Festival Camping. Mr. McDowell told Council that there is an arrangement to create 30 camping spaces for RVs for the Music Festival. They would be rented for a flat rate for the entire event, not by the night, to keep down the come and go traffic. Mr. McDowell reported that Ms. Anne Hankins said that the Music Festival was

limited on how many camping spaces they could have by their permit so the City would rent the spaces and the Music Festival would provide names of people to contact. Mr. McDowell said that the Rec Center had approved the plan and will make arrangements so there is no conflict with sports. Councilor Shepherd moved to approve the proposal. The motion was seconded by Councilor Boyanovsky and was approved unanimously.

3. OLCC Liquor License Renewals. Councilor Cole said that she would like to send recommendations that the renewals be approved. The consensus of the Council was to have Mr. McDowell send a letter to OLCC recommending approval. Councilor Gerber made a motion to that effect. It was seconded by Councilor Chambers and was approved unanimously.
4. Advertise for Library Advisory Board Member. Councilor Gerber moved to approve the advertisement. The motion was seconded by Councilor Cole and was approved unanimously with Mayor Ware abstaining due to a potential conflict of interest.
5. Authorize Oregon Emergency Management & FEMA Contract. Councilor Cole moved to approve the agreement and to authorize Mr. McDowell and Mayor Ware to execute any necessary documents. The motion was seconded by Councilor Shepherd and was approved unanimously.
6. Schroeder Law Contract. Mr. McDowell reported that Schroeder Law had reviewed the City's water rights and researched their history and status. Mr. McDowell recommended retaining Schroeder Law to assist with working with the State regarding keeping the City's reserve water rights. Councilor Cole moved to authorize Mr. McDowell to hire Schroeder law to represent the City in the water rights matter. The motion was seconded by Councilor Boyanovsky and was approved unanimously.
7. Change May Council Meeting Date. Mr. McDowell requested that the May Council meeting be moved to May 29th to work better with required timeline for approving the 2012-2013 Budget. Otherwise, Council would need to have two meetings in June. Councilor Gerber made a motion to move the date to May 29th. The motion was seconded by Councilor Cole and was approved unanimously.
8. Authorize Cascades West Council of Governments (COG) Agreement. Mr. McDowell recommended using Scott Wilson of the COG to assist with payroll issues dealing with Oregon Prevailing Wage Law compliance on the S. Oak Street Waterline project and the Pioneer Park Restroom project this year. He said that the City contracted with Mr. Wilson and the COG during the Wastewater Improvements Project a few years ago. He said that the work would be paid for by funds from the projects but additional funds may need to be transferred to include these and other associated costs such as permits. Councilor Cole moved to approve retaining Mr. Wilson by contracting with COG. The motion was seconded by Councilor Gerber and was approved unanimously.
9. French Street Vacation Request. Mr. Sattler said that he had received a request to vacate a portion of French Street. He said that the residents had requested that the western 15' of the right of way be vacated. This would allow the Catholic Church to build an addition they need and would legalize the Vanderark's yard which is currently in the City right of way. Mr. Sattler noted that the right of way of the small, one block long street is 66' wide. The reduction proposed would bring the street width down to 51' which is typical for City streets. Mr. Sattler said that there are no City utilities in the 15' proposed to be vacated. Councilor Gerber moved to proceed with the vacation process which would

involve scheduling a public hearing and considering an ordinance to vacate the property. The motion was seconded by Councilor Cole and was approved unanimously.

DISCUSSION ITEMS:

1. Pioneer Park Erosion. Mr. McDowell recommended that the Council wait until October or November to decide what to do with the riverbank in Pioneer Park. He said that the work could not proceed until late summer of 2013 at the earliest and that would give the Council more time to evaluate the situation. Mr. McDowell said that two of the stabilization projects just downstream from Pioneer Park had suffered heavy damage during the high water this winter and the impact couldn't be assessed fully until water levels drop. Mr. McDowell said that someone had filed a report with the State seeking an archeological investigation of an old garbage dump in Pioneer Park. He said that this was potentially a serious problem with the attempt to seek federal assistance for the waterline project but that he had spoken with the office of the State Archeologist and he believes that the archeological work previously conducted in March 2011 is adequate and no further work will be needed. Mr. McDowell said that if items are discovered during the course of the work they will be documented.
2. FEMA Update. Mr. McDowell explained that the City had submitted an application to repair and mitigate the broken waterline across the Calapooia by boring the line underneath the river, but that certain rules prevent FEMA from accepting the City's proposal. FEMA can only restore the waterline (or any damage for that matter) as it existed prior to the incident. McDowell said that if the line is broken underneath the Calapooia River the repair would cost about \$415,000, but if the line is broken in the 45 degree portion in the actual river bank the cost would be around \$222,000 according to Erwin Engineering. Mr. McDowell said that the City had received an extension of time to submit the 'Scope of Work.' FEMA cannot proceed until the Scope of Work is defined. The City cannot define the Scope of Work until the water level falls in the Calapooia. McDowell reported that Brian Dorst of FEMA has indicated that the worst-case scenario, if the 45 degree line is damaged, would be that FEMA would authorize paying up to 75 percent of the \$222,000 to make the repair only. FEMA does allow mitigation efforts and the best-case scenario, again if the 45 degree line were broken, would mean FEMA could fund up to 75 percent of \$444,000. Mr. McDowell suggested using the mitigation money to pay for the boring mitigation effort as originally submitted by the City. The cost estimate to do that work was \$496,000. Digging the line deeper under the river is the City's best opportunity to truly fix the problem. He said that the line would be bored about 10' below the river bed which should be adequate to protect it against future movements of the river. The City is currently at a stand-still until the Scope of Work can be defined.
3. Clean-up Day Outcome. Mr. Frink reported that the Cleanup had gone well this year. Councilor Shepherd agreed.
4. Public Buildings. Mr. McDowell said that various public spaces the City rents out are being well used but that there is a problem with the facilities being left unlocked when the events are finished. Mr. McDowell said that there is a concern about someone entering the buildings and vandalizing them, noting that there has been a recent rash of vandalism around town. Councilor Cole suggested the possibility of a security deposit. Councilor Shepherd suggested that the deposit be done annually for regular renters to avoid having to do it every time. Councilor Gerber suggested a "fine" if the rooms are left unlocked. Councilor Gerber suggested sending a letter to all the people who rent the rooms reminding them of the need to lock up and having them sign an agreement that

they are responsible for any damage if the rooms are left open and assess them a penalty for leaving them unlocked. Mr. McDowell reported that there has also been an ongoing problem with patrons of the Art Center parking in front of the fire bays. He said that the situation needs to be resolved or the City will have to prohibit all parking in front of the Art Center. Mr. McDowell said that he had had a discussion with Alice Tetamore about the possibility of installing tile in the Art Center and he will invite the Association to the next meeting to discuss this further. Mr. McDowell reported that there has been a recent situation where the Art Center agreed to let the Cavy Breeders use the space for their August show, but then recently told them that the space was not available. Mr. McDowell asked them to follow the agreement they had made and if they didn't want the Cavy Breeder to use the space they needed to find them an agreeable alternative and asked the Council for endorsement of that position. Councilor Shepherd made a motion to enforce the agreement to allow the Cavy Breeders to use the space. The motion was seconded by Councilor Cole and was approved unanimously.

5. Mark Hetrick. Mr. McDowell said he received a call Friday from Mr. Hetrick asking if the City is interested in seeking USDA grant funds for the purpose of bringing fiber optic data service to Brownsville. Mr. McDowell said Staff would follow up and try to get more information if Council was interested. Council agreed to move forward by consensus.
6. March Financials. No discussion.

CITIZEN COMMENT: Ms. Fox thanked the Mayor for the Older Americans Month proclamation.

COUNCIL COMMENTS: No comments.

ADJOURNMENT: Councilor Cole moved to adjourn. The motion was seconded by Councilor Shepherd and was approved unanimously. The meeting was adjourned at 8:55 p.m.

City Administrator S. Scott McDowell

Mayor Don Ware



Budget Committee Minutes

May 10th, 2012

Members of the Budget Committee met this day in regular session at City Hall, Brownsville, Oregon at 7:00 p.m.

Present: Mayor Don Ware, Councilor Mandy Cole, Councilor Gary Shepherd, Councilor Rob Boyanovsky, Councilor Lynda Chambers, Councilor Nan Van Sandt, Councilor Carla Gerber Ed Hudson, Marilyn Grimes, Rick Dominguez, Theresa Wilhelm, Don Andrews, Budget Officer S. Scott McDowell and City Planner Bill Sattler.

Absent: June Schlosser & Kaye Fox.

Public: None.

Presiding: Ed Hudson.

The minutes of the May 3rd, 2012, Budget Committee meeting were reviewed. Councilor Cole moved that the minutes be approved as presented. The motion was seconded by Councilor Van Sandt and was approved unanimously. Mr. McDowell noted that the minutes of the current meeting would be reviewed by City Council at their May 29th meeting.

PROPOSED USES OF STATE REVENUE SHARING. Mr. McDowell said that as was discussed at the last meeting the City has historically used revenue sharing funds to help pay the power bill for street lights. The consensus of the Budget Committee was in agreement with recommending continuing this use.

BUDGET OVERVIEW AND QUESTIONS. Mr. McDowell indicated that he had made the adjustments requested at the last meeting. On page 12, Water Fund Operations, he had increased Line 26 from \$20,000 to \$30,000 and reduced Line 11 from \$45,000 to \$35,000. On page 35, Community Projects Fund, Line 15 City Hall Repair was increased to \$45,000 and Line 19 was reduced by \$10,000. On page 34, Land Acquisition Fund, line 18 was reduced to zero and Line 17 was increased to \$9,975 in order to appropriate the money in case it was needed during the year. Mr. McDowell said that the Oak Street Water Line Project is experiencing some delays and he thought it would be wise to appropriate some money in case the work extended into the next fiscal year. He said that the money could be taken from the funds allocated for the new waterline to the reservoir and from street funds.

Councilor Cole asked if there would be a water or sewer rate increase planned for the next fiscal year. Mr. McDowell said that the budget provides for a 3 percent increase. The Committee discussed the merits of regular small increases versus sporadic large increases and the consensus was that it is much better to have small increases each year to allow for inflation. Mr. McDowell said that ideally the City would have a Utility Rate Study done which would project needed utility rates and provide a good basis for setting & raising rates. Councilor Cole asked about the cost of performing the rate study and Mr. McDowell said that he is exploring options to try to reduce the cost. He said that he didn't believe it should be included in the proposed budget but possibly in fiscal year 2013-2014.

APPROVE THE 2012-2013 BUDGET & RECOMMEND TO COUNCIL.

Councilor Gerber moved to approve the full permanent tax rate of \$6.9597 per \$1,000 assessed valuation. The motion was seconded by Councilor Cole and was approved unanimously.

Mayor Ware moved to approve the levy amount needed for the Wastewater Bond Debt in the amount of \$285,624. The motion was seconded by Councilor Shepherd and was approved unanimously.

Councilor Van Sandt moved to approve the levy amount needed for the Water Bond Debt in the amount of \$59,000. The motion was seconded by Councilor Cole and was approved unanimously.

Councilor Gerber moved to acknowledge the 2012 pay scale modifications. The motion was seconded by Councilor Cole and was approved unanimously.

Councilor Van Sandt moved to acknowledge the Cost of Living Adjustment for the upcoming fiscal year as 3.6 percent. The motion was seconded by Councilor Cole and was approved unanimously.

Councilor Gerber moved to approve the 2012-2013 Budget as amended and to recommend the same to Council. The motion was seconded by Councilor Cole and was approved unanimously.

ADJOURN. The Budget Committee adjourned at 7:16 p.m. having completed their work for the year.

ATTEST:

S. Scott McDowell
Budget Officer

Don Ware
Mayor



City Administrator Report

May 29th, 2012

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

May 10th, 2012: Budget Committee Meeting – Council annually approves the last Budget Committee minutes for the official record.

Art Association Flooring Request – Alice Tetamore and members of the Art Association will be present to request permission to install tile flooring. The Association has picked out a tile and have a donation campaign in place. They also have a flooring expert who is willing to supervise the installation of the tile. Council should review the request. Flooring is not part of the original contract. John Mulder and I discussed the flooring when the initial contract was being put together. The Association decided to leave the floor in its current condition. At that time, they were very comfortable with the concrete floor because nothing would be ruined if paint or other materials spilled. Included in the packet is the current agreement that is scheduled to run through March 2013. Staff planned on bringing the contract to Council's attention in November 2012 to begin renegotiations. As previously discussed with Council, the Association would like to remove several of the groups who are included in the current agreement.

Whatever is done should be practical with any future use of the space. Council did not execute several requests from various groups who were renting space from the City over the last few years which saved a lot of time, money and energy.

Visit Linn Coalition: Dave Furtwangler – Members of the Visit Linn Coalition will be on hand to provide a brief slideshow demonstration of the group's efforts to promote tourism in Linn County.

Downtown Merchants: Cruise-In Concept – Members from the Downtown Merchants are scheduled to discuss the use of Spaulding Avenue for a weekly car show.

Halloween Fundraiser: Scott Smith & Debbie Jensen – Scott & Debbie are awaiting a decision from the Chamber Executive Board regarding the possibility of adding a Halloween event to the Chamber event roster. The concept is one the Park Board has been discussing for several years. Scott & Debbie attended the May Park Board meeting as directed by Council. Park Board tentatively approved the concept and directed them to meet with the Chamber Executive Board. Basically, the concept features a "haunted" walk around the West Ball Diamond complete with concessions & games for kids. The Chamber Board is checking on logistics issues such as insurance coverage to determine additional costs. All logistical details would be tended to by a 7 to 10 member committee for this event.

Budget Hearing: Fiscal Year 2012-2013 & State Revenue Sharing – This is the annual public hearing for citizens and other folks to comment on the proposed budget from the Budget Committee. The new LB form was published in accordance with State Law. Mayor Ware will open the hearing for the fiscal year discussion first and then open a second hearing for possible uses of State Revenue. Council has the ability to make any changes to the budget as they deem necessary. Any changes will be directed to the Budget Officer for inclusion in the final numbers that will be adopted by Council at the June meeting. The Budget Officer will also complete the annual appropriations resolution for Council's approval at the June meeting.

Council will also be considering a Utility Rate Resolution at the June meeting. The rates are projected to increase by a total of 3% starting July 1st.

679: Declaring Election to Receive State Revenue Sharing – This resolution is necessary to continue receiving State Revenue Sharing funds. Council passes this annually and it is submitted to the Department of Administrative Services in accordance with State Law.

R 680: Setting Fees for Municipal Court – Judge Lemhouse requested revisions to the current resolution in order to standardize fees in Linn County.

R 681: Pioneer Park Restrooms Transfer – This resolution is requested to move additional funds for this project. Funds will be covering permitting, the installation of electrical service & the Cascade West Council of Governments agreement to name a few.

R 682: General Budget Transfers – This resolution transfers money within various accounts to ensure financial accuracy for the current fiscal year. The City passes this resolution annually. Due to several complications with Microfund, Council may be asked to pass another transfer resolution in June. The City Auditor has been retained to perform general accounting services in June. Next fiscal year Council will see more of these kinds of resolutions throughout the year in order to be in compliance with recent changes in State Law.

O 736: French Street Vacation (First Reading) – Council authorized City Planner Bill Sattler to proceed with the vacation of a portion of the City right-of-way along French Street at the request of the Holy Trinity Catholic Church.

Holloway Heights (Dust Control) – For the last three years, Council has directed Staff to procure dust control for Holloway Heights at the request of those residents. The cost of the dust control is prorated to the property owners along Holloway Heights. Each year nearly all the costs are reimbursed to the City by the property owners.

Linn County Sheriff's Office Contract Renewal – Included in the packet you will find the 2012 – 2013 Law Enforcement Agreement. The agreement is consistent with past agreements with the only difference being the amount to be paid. The cost is up 5% from last year as presented at the Budget Committee meetings. Council will be asked to authorize the Mayor's signature for the execution of this agreement.

Canal Company – Please review the information in the packet as it will be the basis for Council discussion. Thanks!

FEMA Update – The City was notified that FEMA will be leaving the area on June 13th, 2012 and that the field office will be closed by the middle to end of July. FEMA Representative Gerry Alloway indicated that the City would need to coordinate the entire effort through Oregon Emergency Management. He indicated that OEM is not interested in moving forward with any projects after FEMA leaves the State. Staff is in the process of determining exactly how this is going to work. I met with Ryan Quigley to review the height of the Calapooia River and it is still too high. Ryan Quigley did finish the new estimate as required by FEMA. I hope to have an oral report for Council meeting.

U.S. Senator Merkley Visit – The City had a delightful visit with Senator Jeff Merkley on May 3rd. Mayor Ware, Councilor Shepherd, Councilor Chambers, Chamber President Mandy Cole, Linn County Commissioner Will Tucker, Linn County Road Master Darrin Lane and I met with the Senator and his Staff. Several topics were discussed including the Gateway project, the FEMA project and the financial impacts caused by unfunded mandates. Alice Tetamore provided an overview of Art Association activities at City Hall, Tricia Thompson opened the Linn County Museum for a quick tour and Commander Rick Dominguez and Marilee Frazier were at the American Legion/Senior Center for a tour and visit. Everyone seemed to have a nice time!

Public Buildings – Staff has not had time to develop an agreement for the various civic organizations as discussed at last Council meeting.

Park Caretakers – The City received a call a little over a week ago that Richard & Katie Watkins from Arizona were not going to be able to make it to Brownsville for the Summer! Staff scrambled around and hired Vern & Ann Moore from Nevada. The Moore's are planning on being here this week.

Insurance Agent – The City Administrator has been responsible for reviewing, approving and renewing all of the City's insurance coverage for the last 25 years. Council may want to consider entering into an agreement with an insurance agent to provide these services and do the necessary annual reviews. There are two major factors at play, 1) renewals always come up during budget and project season (April & May) and 2) continuity of services. If the City should decide to retain an insurance agent, that person will be responsible for taking care of all City coverages and exposures. There are many things a new City Administrator, as I did, would have to learn in a hurry. I think it may be in the best interest of the City to delegate this major responsibility to an agent in the future. Right now this topic is just "food for thought." The City has been approached by a certified agent who works directly with Citycounty Insurance Services (CIS). I will be investigating this further.

General Election Information – Councilors Gerber, Van Sandt & Chambers are up for re-election this year. Below is the information necessary for filing candidacy:

Hello Scott,

The filing deadline, pursuant to ORS 249.722 is no sooner than May 30th, 2012 and No later than 5:00 pm August 28th, 2012 for the November 6th, 2012 General Election.

Pursuant to ORS 254.095 the last day for city elections officers to file with the county clerk a statement of candidates and measures is September 6th, 2012.

Sincerely,

Derrick Sterling
Supervisor of Elections

Pioneer Park Restrooms – Karo Construction has started this project by digging out the foundation and laying the necessary conduit. The City is in the process of getting utilities to the site including sanitary, water and electricity. The block was delivered head of schedule.

WCMF & RV Outcome – We are still working out the details. We do not foresee any problems with filling all of the available spaces based on the lengthy waiting list as reported by the WCMF.

Oregon Emergency Management & FEMA Contract – The City executed the agreement as discussed at the last meeting. The City may be contacting the State in the near future to discuss future logistics when FEMA pulls out of the area.

Schroder Law Contract & Meeting – The City has a meeting scheduled with the necessary personnel on May 31st to discuss options and strategies regarding the City's water rights and issues surrounding the curtailment determinations made by Water Resources.

Clean-Up Day Outcome – Scott Johnson & Ernie Martin will attend the June Council meeting to give an oral report.

Water Billing – The City has a few internal utility policies that may need to be reviewed and modified soon. The City has "made arrangements" for folks who are late on their utility payments. A few years ago I mentioned this at a Council meeting explaining that several utilities in the valley have went away from making any exceptions for customers unable to pay for services. What has happened in Brownsville is that there is a list of 12 to 20 people who are always on the delinquent list. Recently, there has been a moderate increase in the number of customers asking for arrangements. The City should consider shutting off service earlier and outline specific guidelines for all arrangements being made. The reason is that the people who are always making arrangements are basically taking advantage of the City by continuing to be late.

If folks are late on any of the other utility bills such gas, electric, cell phone, television or otherwise their services would be shutoff.

I know we can craft a policy that will help people who need assistance in time of need while at the same time not creating chronic abuse from a few customers.

The other issue with this policy is in regards to the landlord/tenant relationship. Over the course of decades, some renters have left town without paying their utility bill. Nearly all Landlords complain about this aspect of their business because they are ultimately responsible for paying the utility bill for the property. This issue was brought to Council in 2008 and Council's position was that is the "cost of doing business." It should be the Landlords responsibility to protect themselves from this happening by either including utility bills in the rent or requiring more in the way of a deposit.

The concern is that the City should probably not be extending "credit" to these customers in the event they decide to leave a sizeable utility bill in their wake however the City's current policy makes no distinction as to not show preference to a certain group of customers. Staff will make some specific recommendations.

Public Buildings – *From last meeting:* The City continues to experience problems with building security stemming from groups not locking doors after they are finished using City facilities. The Rec Center has been left open Sunday through Monday or Friday through Saturday at least a dozen times during the last year. City Hall has also been found unlocked from time to time. The City has sent letters, posted signs and really it should be common sense to lock the facility but the end result is doors are being left open. Staff's concern is the possibility of vandalism. Council and Staff have put a lot of time and effort into making our facilities first rate. I would like to hear any ideas Councilors may have to help this concern. One option would be to charge an annual deposit for service groups who use City facilities however this could pose a financial hardship to those groups and would really not produce the result of getting the buildings closed nor would it help cover the cost of any potential vandalism.

Animal Ordinance – *From last meeting:* Council requested Staff review of this ordinance. Mr. & Mrs. Tinseth has dropped off several ordinances from around the area. Time has not been a resource that could be devoted to this task. I do, however want to point out a few items to keep them fresh in everyone's mind. Mayor Ware indicated at last meeting that every 10 years or so this issue comes in front of Council. Every time, Council decides to keep the ordinance in place. I have talked with Bruce Cleeton, Harrisburg City Administrator, and Craig Martin, Sweet Home City Administrator, about their recent ordinance revisions. Mr. Cleeton indicated the revamp of their ordinance in 2009 had more to do with their Comprehensive Plan review as required by the Department of Land Conservation & Development. Mr. Martin said that Sweet Home Council had responded to concerns about noise and odor. The change Sweet Home made was primarily in regards to lot sizes and prohibitions of livestock in certain zones of town.

The situation Council is currently facing is a bit more complex in that putting a restriction on a specific zone or lot size really would not address the issue since Whitacre's lot is 1.58 acres and the Ortiz's lot is 1.05 acres. Many people throughout town have miscellaneous varieties of animals and have over the years. Overall, complaints have been low. The City has experienced several complaints over the course of the last few years primarily about noise. I have discussed the noise issue with

Sergeant Brad Kelley who is spreading the word to the deputies on how to handle this issue. The odor issue is left unaddressed.

What is being asked of Council?

Is Council interested in banning certain kinds of animals? It is difficult to craft any change to the ordinance that doesn't bar people from having certain kinds of animals. Many people live in Brownsville because they are able to have farm animals on residential lots.

OPRD Update – I will be leaving Monday to be a part of the Oregon Parks & Recreation Grant Advisory Committee June 4th – 7th in Sunriver.

Art Association & City Hall Parking – Every year Santiam Spokes has their annual Strawberry Century Bicycle Tour. They have used Brownsville for a number of years. Last year there was incident regarding parking in front of the fire bay doors. I contacted Mr. Rod Sell and explained that the City has been having trouble with people parking their rigs where they shouldn't be. He explained that they did their best to communicate that last year and he said they would re-double their efforts to make sure that the Fire Department can access their vehicles. Below is an e-mail I recently sent to the Sheriff's Office:

S. Scott McDowell

From: S. Scott McDowell [admin@ci.brownsville.or.us]
Sent: Tuesday, May 15, 2012 4:44 PM
To: Serzeant Brad Kelley (bkelley@le.linn.or.us)
Cc: Kevin Rogers (chief@brownsvillefire.com)
Subject: Brownsville - Parking in front of the Fire Station
Attachments: BRFD Parking Concern.jpg

Good Afternoon Brad:

Attached is a picture that illustrates this issue. Folks from the Art Association and other events are parking in front of the Fire Station bay doors. Folks are okay if they park north of the signs that are typically set out, however the City has given multiple warnings and people continue to park in front of the bay doors. I would like to request that anyone who is not a firefighter be cited and possibly towed for parking in this sensitive area. Please let me know if you have any questions or concerns. Thanks!

S. Oak Street Water Line – The project broke ground on Monday, May 21st. The M. L. Houck crew got off to a great start laying 160 feet of pipe in four hours. They did experience a delay due to the rain on Tuesday and worked steadily throughout the week. The plan is to start on the storm drainage next week while testing the water line at the same time. The week after, which should be the second week of June, they will finish the pavement and any punch list items. They have a very experienced crew that works very well together. Ryan Quigley is providing inspection services for the project. FEI is providing testing services for the project.

Washington Street Grinding – North Santiam Paving Company executed this project on May 15th. The City has received many compliments from area residents as to the new condition of the street. North Santiam Paving Company did a fantastic job at a very reasonable price. Public Works did a fantastic job coordinating with the contractor

to ensure that City appurtenances were raised appropriately. The City did have to authorize an additional \$4,770 for rock. We found that the asphalt was laid directly on top of what appeared to be dirt, without the additional rock the roadway would've become a complete muddy mess. The City has retained the services of Mr. Greg Tilley to perform dust control for Washington Street. Mr. Tilley is scheduled for the week of June 18th. Tilley comes highly recommended by the Linn County Road Department.

Emergency Preparedness Committee – The EPC is busy planning events for this year. They are planning on having a table at the Fire Open House on Saturday, June 2nd and will also be involved at the Pioneer Picnic and the Fourth of July breakfast. The group is also working through the overall emergency plan for the City.

ODOT Outcome – I spoke with Permit Specialist Ken Lamb who indicated that he would work on the permits for the Welcome Sign parcels of property the City maintains. The City has sent him the information that has received no response.

From past meetings: Spoke with Tony Jones regarding this issue. Hopefully, the City will see some progress soon.

From April & July meeting: The City recently heard from the Department regarding obtaining a permit to know the welcome sign areas coming into the town from the East and West. We will be working with Permit Specialist Ken Lamb to finalize this piece.

Kirk Avenue – Mayor Ware and McDowell briefly discussed some options. McDowell's in the process of determining Linn County's thoughts on this project.

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 in an historic setting.

Water Master Plan – *From the several last meeting:* Due to the uncertainties with Oregon Water Resources, the City has extended the contract with Mr. John Cunningham for the completion of the Water Master Plan until April 2012. Mr. Jon Erwin is still compiling data for the final proof survey which will be submitted to the State this Winter.

From November meeting: During a recent meeting with Ms. Ann Reece of Oregon Water Resources, staff learned that an official Water Conservation Plan would be required as part of the Water Master Plan. Due largely to the fish persistence requirements they are mandating water curtailments for municipal sources. McDowell is working out the particulars with Mr. Erwin and Mr. Cunningham. At this time, it is very difficult to say when the Water Master Plan will be ready. It is officially due to the State by December of 2012.

From last meeting: Staff along with Mr. Erwin and Mr. Cunningham will be meeting with Ann Reece, Water Rights Services Division, to discuss the curtailment issues at her office in Salem on October 28th, 2011. The City is trying to determine the exact impact of the curtailment as being promulgated by the State of Oregon.

Sweet Home Sanitation Contract Review – Still waiting to review the contract.

From August meeting: Scott Johnson and I met to discuss some of the finer points of the contract. He will be providing Council with some financial comparisons of other waste services in our area. He has agreed in part to an annual report and has agreed in principle to doing a review every three years in keeping with all other Council contracts.

Pioneer Picnic & Oregon Heritage – Just last week, the Picnic was designated by the State as an Oregon Heritage Tradition. Below is the e-mail from the State:

Scott and Leisa:

Good news! The Oregon Heritage Commission voted unanimously yesterday to designate the Linn County Pioneer Picnic as an Oregon Heritage Tradition. It is only the third event so designated, with the other two being the Oregon State Fair and the Pendleton Round-Up.

The Heritage Commission will be providing you a special Oregon Heritage Tradition logo that the Picnic can use for educational and promotional purposes.

I'd like to coordinate with the two of you on the official announcement of the designation. As far as timing, some possibilities are a week or two before this year's event, at the event, or at a city council meeting. Let's talk about what will work.

Kyle

Kyle Jansson
Coordinator
Oregon Heritage Commission
725 Summer St. NE, Suite C
Salem, OR 97301-1266
(503) 986-0673
FAX (503) 986-0793
kyle.jansson@state.or.us

Respectfully Submitted,



S. Scott McDowell



To: Brownsville City Council
From: Bill Sattler, City Planner

May 24, 2012

1. Building Permits. We're definitely seeing an uptick, in that we just issued the first new single family home permit in quite a while. It is a large new home being built on School Hill. I've also been contacted by another person who seems to be seriously interested in another lot on School to build a house.
2. Real Estate. I'm still taking a lot of calls about property and seeing some interest from people interested in acquiring some bare land to build on. Lot prices have fallen by 50-60 percent over the last few years and are starting to look more attractive to people. I have one person currently doing a property line adjustment to make a buildable lot with the intent of building a new home on the lot when the lot line adjustment is completed. We currently have a number of lots available in town, both in newer developments and older neighborhoods, quite a change from 10 years ago when I constantly had people coming into the office wanting to build a house but completely unable to find a lot to build on.
3. Computer Projects. Fortunately things have been relatively quiet during the last month and hopefully will continue that way for a while. I finally managed to get Scott's computer away from him for a few minutes to do some upgrades and have been hearing less cursing coming from his office.
4. Historic Review Board. The HRB is hosting a public presentation on the 29th, unfortunately the same date as Council. The topic is called "Preservation 101" and is being given by representatives from SHIPO. The topic of the presentation is supposed to be an introduction to historic preservation, what resources are available to homeowner and what the benefits can be.
5. French Street Vacation Proposal. I have included a draft vacation ordinance in the packet this month for a first reading. No action is necessary at this time. At the June Council meeting we will schedule a public hearing to allow for public input and the Council will vote on the Ordinance at that time.
6. Minutes. Just as an FYI, this last month I've been doing minutes for Council, Planning Commission, Emergency Preparedness Committee, Budget Committee and Safety Committee. Needless to say that has been taking a good chunk of my time.
7. Abatements. It looks like summer is getting here and we'll soon be starting the first round of weed abatement notices. If you have any particular properties you'd like us to look at please let us know. We go around town and try to find the problem areas but we often can't see into back yards or may not notice what you notice if it's a neighbor or such.
8. Vacation. I've taken a week of vacation over the last month, a day or two at a time to try to get my accumulated hours down and to get some work done around the house in this nice weather we've been having.



Library Advisory Board

Librarian's Report

April 2012

This month the library applied for a grant with the Brownsville Community Foundation. We received a part of what was requested. Together with a private donation we were able to purchase a Cricut die cut machine for library use. This enables staff to promote and celebrate library programs in a more dynamic and creative way. In their May meeting, the Friends of the Library approved an additional \$100 for supplies. All together the library has received \$300 toward purchase of the Cricut and supplies. The very first project completed was a promotion entitled 'Growing Up in My Library'. Todd Karo of Karo Construction in Brownsville donated a piece of molding. Volunteer Beth Kropf painted this with paint already on hand. This has been hung in the Children's Room where young patrons' height can be recorded as they grow up in our library. Children and parents alike have been delighted with this new feature at our library. Each child measured receives a paper 'medal' that was also cut with the Cricut machine.

Along with having fun and growing at our library we have received 88 new books for the library. The Friends of the Library have donated 58 of these books. We also purchased 20 give-a-way books for our Summer Reading Program. Volunteers donated 147.5 hours to our library. There were 1,147 materials checked out. 139 Non-fiction books; 456 adult fiction books; 64 large print books; 173 children's books; 229 junior books; 10 junior reference books and 76 audio materials.

Respectfully submitted,
Sherri Lemhouse,
Librarian

**BROWNSVILLE MUNICIPAL COURT MONTHLY REPORT
STATISTICAL REPORT FOR THE MONTH OF APRIL 2012**

Offense Class	Pending First Day	Filed	Closed	Pending Last Day	Trials
Misdemeanors	90		13	77	0
Violations	34	8	8	34	
Contempt/Other					
TOTALS	124	8	21	111	0

BALANCE SHEET FOR THE MONTH OF APRIL 2012

Court Revenue

Total Deposits +	\$ 2,429.00
Total Bail Forfeits +	\$ 1,060.00
Total Bail/Bank Fees -	\$ 850.00
Total Bail Held -	\$ -
* Total Refund/Rest -	\$ 60.00
Total NSF's -	\$ -

Court Payments

City	\$1,967.85
Restitution	\$ -
Unitary Assessment	\$ 570.86
Linn County	\$ 40.29
State Misc.	\$ -
DUII Surcharge	\$ -

TOTAL COURT REVENUE

\$ 2,579.00

TOTAL COURT PAYMENTS

\$2,579.00

Credit given for Community Service \$ -

Other Credit Allowed Against Fines \$ -

TOTAL NON-REVENUE CREDIT ALLOWED \$ -

TOTAL CASH PAYMENTS TO:

CITY	\$ 1,967.85
STATE	\$ 570.86
COUNTY	\$ 40.29

*REFUND/RESTITUTION \$ 60.00

ACCOUNTS RECEIVABLE:

BEGINNING	\$ 2,673.56
ENDING	\$ 3,434.56

BROWNSVILLE MUNICIPAL COURT
CHECKBOOK RECONCILIATION

MONTH: Apr-12

Beginning Balance	\$	2,673.56
Deposits	\$	2,429.00
Charge back fee deposited	\$	-
Disbursements:		
Checks	\$	1,668.00
NSF's	\$	-
Total Disbursements	-	\$ 1,668.00
Total NSF's	-	\$ -
Charge Back Fees	-	\$ -
ENDING BALANCE	\$	3,434.56
Bail	-	\$ -
Account Balance	\$	3,434.56

DISBURSEMENT RECONCILIATION:

*written on 05/23/12

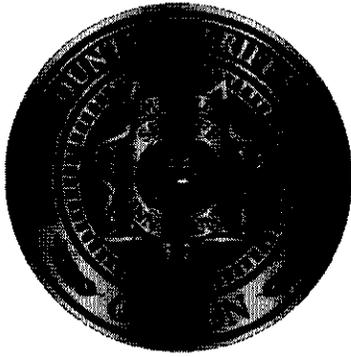
To General Fund	\$	1,967.85
STATE		
County	\$	570.86
Unitary	\$	40.29
Resitution	\$	-
DUII Surcharge	\$	-
Refund's/Misc-Bank Supplies	\$	60.00
TOTAL:	\$	2,639.00

DEPOSIT RECONCILIATION:

Receipt: 04/06/2012 through 04/30/2012
Total: \$ 2,429.00

**BROWNSVILLE MUNICIPAL COURT
JAIL AND COURT SECURITY ASSESSMENT - ORS 137.309
Apr-12**

CODE NUMBERS	AMOUNT	DESCRIPTION
55-3-103-10	\$ 40.29	JAIL ASSESSMENT
TOTAL:	\$ 40.29	



LINN COUNTY SHERIFF'S OFFICE

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

2012

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

FOR THE MONTH OF:

APRIL

TRAFFIC CITATIONS: -----	2
TRAFFIC WARNINGS: -----	19
TRAFFIC CRASHES: -----	0
ADULTS CITED / VIOLATIONS: -----	1
ADULTS ARRESTED: -----	3
JUVENILES CITED / VIOLATIONS: -----	2
JUVENILES ARRESTED: -----	0
COMPLAINTS/INCIDENTS INVESTIGATED: -----	48

TOTAL HOURS SPENT IN: BROWNSVILLE 323

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	STREET #	ADDRESS	CITY	DESCRIPTION
121210215	4/30/12	14:27:51	Trf Speed Viol	800	W BISHOP WY	Brownsville	WARNING - SPEEDING VIOLATION
121200298	4/29/12	22:14:33	DISTB-NOISE	128	SPAULDING AV	Brownsville	No Additional Report Necessary
121190299	4/28/12	20:30:41	WELF CHECK	200	PARK AV	Brownsville	No Additional Report Necessary
121180387	4/27/12	20:39:26	WARRANT SERV	220	S MAIN ST	Brownsville	No Additional Report Necessary
121180123	4/27/12	10:18:02	ASST-OUTSIDE AGENCY	100	NORTH AV	Brownsville	No Additional Report Necessary
121180118	4/27/12	10:01:30	TRESPASS	157	SPAULDING AV	Brownsville	No Additional Report Necessary
121160335	4/25/12	17:26:13	TRAFF-OTHER VIOL	300	WASHBURN ST	Brownsville	Incident Report
121160303	4/25/12	16:08:06	VACATION CHK	700	CALAPOOIA AV	Brownsville	NARN Extra Patrol
121160282	4/25/12	15:32:58	ALARM - POLICE	204	N MAIN ST	Brownsville	No Additional Report Necessary
121160228	4/25/12	13:21:26	TRESPASS	704	CALAPOOIA AV	Brownsville	No Additional Report Necessary
121150461	4/24/12	22:44:56	ALARM - POLICE	101	PARK AV	Brownsville	No Additional Report Necessary
121150365	4/24/12	17:52:12	WELF CHECK	905	ASH ST	Brownsville	No Additional Report Necessary
121150220	4/24/12	12:49:35	TRESPASS	749	AMELIA AV	Brownsville	No Additional Report Necessary
121140322	4/23/12	22:56:54	DISTB-OTHER	1111	OAK ST	Brownsville	No Additional Report Necessary
121140019	4/23/12	3:01:25	SUSP-CIRCUMSTANCES	217	KIRK AV	Brownsville	No Additional Report Necessary
121130275	4/22/12	20:08:02	PARKING COMPL	388	KIRK AV	Brownsville	No Additional Report Necessary
121130270	4/22/12	19:56:17	PARKING COMPL	382	KIRK AV	Brownsville	No Additional Report Necessary
121130266	4/22/12	19:50:06	PARKING COMPL	308	KIRK AV	Brownsville	MDT Narrative Update
121130245	4/22/12	18:21:27	WELF CHECK	333	WILSON AV	Brownsville	No Additional Report Necessary
121130175	4/22/12	14:36:51	TRAFF-OTHER VIOL	378	KIRK AV	Brownsville	No Additional Report Necessary
121130156	4/22/12	13:28:21	HARASSMENT RPT	220	S MAIN ST	Brownsville	No Additional Report Necessary
121130098	4/22/12	9:31:08	ALARM - POLICE	737	WEST VIEW ST	Brownsville	No Additional Report Necessary
121120248	4/21/12	15:54:49	Trf Speed Viol	105	E BISHOP WY	Brownsville	WARNING - SPEEDING VIOLATION
121120245	4/21/12	15:44:25	Trf Speed Viol	800	LOUCKS WY	Brownsville	WARNING - SPEEDING VIOLATION
121120237	4/21/12	15:14:40	Trf Speed Viol	800	LOUCKS WY	Brownsville	WARNING - SPEEDING VIOLATION
121110415	4/20/12	22:43:59	DISTB-OTHER	419	N MAIN ST	Brownsville	Incident Report
121110339	4/20/12	18:33:44	Trf Seatbelt	200	N MAIN ST	Brownsville	WARNING - SEATBELT VIOLATION
121110296	4/20/12	16:51:05	DISTB-OTHER	200	PARK AV	Brownsville	No Additional Report Necessary
121110266	4/20/12	15:37:33	MINOR IN POSSESSION/A	200	PARK AV	Brownsville	Incident Report
121110246	4/20/12	14:50:33	Trf Moving Viol	600	N MAIN ST	Brownsville	WARNING - MOVING VIOLATION
121110238	4/20/12	14:38:45	Trf Speed Viol	400	E WASHINGTON A	Brownsville	WARNING - SPEEDING VIOLATION
121110219	4/20/12	14:00:24	Trf Speed Viol	800	LOUCKS WY	Brownsville	CITE ISSUED - DWS/NO ODL
121110206	4/20/12	13:37:50	Trf Citz Compl	137	SPAULDING AV	Brownsville	No Additional Report Necessary
121110160	4/20/12	11:50:40	Trf Speed Viol	800	LOUCKS WY	Brownsville	WARNING - SPEEDING VIOLATION
121110126	4/20/12	10:29:51	Trf Speed Viol	800	LOUCKS WY	Brownsville	WARNING - SPEEDING VIOLATION

PATRL_RPT#2 City Incident Report

CAD Call#	ENTRY DATE	ENTRY TIME	CALL DESCRIPTION	STREET #	ADDRESS	CITY	DESCRIPTION
121110027	4/20/12	2:51:08	SUSP-CIRCUMSTANCES	117 N	MAIN ST	Brownsville	No Additional Report Necessary
121100360	4/19/12	20:50:17	TRESPASS *IN PROGRES	217	KIRK AV	Brownsville	No Additional Report Necessary
121100277	4/19/12	16:07:23	PROP-FOUND	331 E	BLAKELY AV	Brownsville	Incident Report
121100184	4/19/12	12:15:46	NARCOTICS OFF	331 E	BLAKELY AV	Brownsville	Incident Report
121090066	4/18/12	7:54:14	911 HANGUP	849	NORTHPOINT LC	Brownsville	No Additional Report Necessary
121080429	4/17/12	23:06:06	Trf Moving Viol	1	PARK AV	Brownsville	WARNING - EQUIPMENT VIOLATION
121080423	4/17/12	22:38:10	Trf Equipment Viol	300	WASHBURN ST	Brownsville	WARNING - EQUIPMENT VIOLATION
121080309	4/17/12	16:27:47	Trf Speed Viol	800	LOUCKS WY	Brownsville	WARNING - SPEEDING VIOLATION
121080293	4/17/12	15:58:37	Trf Speed Viol	800	LOUCKS WY	Brownsville	WARNING - SPEEDING VIOLATION
121070343	4/16/12	20:01:05	SUSP-VEHICLE	600 N	MAIN ST	Brownsville	No Additional Report Necessary
121070187	4/16/12	12:26:33	SUSP-PERSON	120	FIELDS CT	Brownsville	No Additional Report Necessary
121070112	4/16/12	9:12:59	Trf Speed Viol	800	LOUCKS WY	Brownsville	WARNING - SPEEDING VIOLATION
121070105	4/16/12	9:05:02	Trf Speed Viol	700 W	HWY 228	Brownsville	WARNING - SPEEDING VIOLATION
121060164	4/15/12	13:58:38	OUT - FOOT PATROL	200 N	MAIN ST	Brownsville	MDT Narrative Update
121050344	4/14/12	23:00:10	WARRANT SERV	100	SPAULDING AV	Brownsville	No Additional Report Necessary
121050340	4/14/12	22:45:18	Trf Equipment Viol	100	SPAULDING AV	Brownsville	WARNING - EQUIPMENT VIOLATION
121050325	4/14/12	21:43:00	Trf Equipment Viol	100	PARK AV	Brownsville	WARNING - EQUIPMENT VIOLATION
121040354	4/13/12	18:20:24	ASST-OUTSIDE AGENCY	613	CALAPOOIA AV	Brownsville	Incident Report
121040227	4/13/12	13:27:58	FRAUD	1118	OAK ST	Brownsville	Incident Report
121030284	4/12/12	16:21:01	WELF CHECK	1055	FILBERT ST	Brownsville	No Additional Report Necessary
121020279	4/11/12	17:01:29	DISTB-OTHER	903	ASH ST	Brownsville	No Additional Report Necessary
121010023	4/10/12	2:06:07	SUSP-VEHICLE	100	PARK AV	Brownsville	MDT Narrative Update
120990273	4/08/12	21:12:41	HAZ-TRAFFIC	200 N	MAIN ST	Brownsville	No Additional Report Necessary
120990264	4/08/12	20:54:40	SUSP-CIRCUMSTANCES	518	CALAPOOIA AV	Brownsville	No Additional Report Necessary
120980292	4/07/12	18:54:19	DISTB-DOMESTIC	305	KIRK AV	Brownsville	Incident Report
120970376	4/06/12	17:48:18	Trf Speed Viol	811 N	MAIN ST	Brownsville	WARNING - SPEEDING VIOLATION
120970358	4/06/12	17:11:14	ASST-OUTSIDE AGENCY	405	KIRK AV	Brownsville	No Additional Report Necessary
120970017	4/06/12	1:14:58	SUSP-PERSON	220 S	MAIN ST	Brownsville	No Additional Report Necessary
120950390	4/04/12	22:21:18	Trf Moving Viol	200	KIRK AV	Brownsville	WARNING - MOVING VIOLATION
120950287	4/04/12	15:22:55	WELF CHECK	405	KIRK AV	Brownsville	No Additional Report Necessary
120950269	4/04/12	15:16:49	Trf Citz Compl	990	WASHBURN ST	Brownsville	NARN Extra Patrol
120940264	4/03/12	17:22:53	Trf Speed Viol	380	KIRK AV	Brownsville	WARNING - SPEEDING VIOLATION
120920233	4/01/12	20:07:05	TRESPASS	906 N	MAIN ST	Brownsville	No Additional Report Necessary
120920222	4/01/12	19:00:26	Trf Moving Viol	298 S	MAIN ST	Brownsville	CITE ISSUED - DWS/NO ODL

RESOLUTION NO. 679

**A RESOLUTION DECLARING THE CITY'S
ELECTION TO RECEIVE STATE REVENUES**

The City of Brownsville ordains as follows:

Section 1. Pursuant to ORS 221.770, the City hereby elects to receive state revenues for fiscal year 2012-2013.

Passed by Council this 29th day of May, 2012.

Approved by the Mayor this 29th day of May, 2012.

Don Ware
Mayor

S. Scott McDowell
City Administrator
Attest

I certify that a public hearing before the Budget Committee was held on May 3rd and May 10th, 2012 and a public hearing before the City Council was held on May 29th, 2012, giving citizens an opportunity to comment on use of State Revenue Sharing.

S. Scott McDowell
City Recorder

R 679

RESOLUTION NO. 680

A RESOLUTION SETTING FINES & PAYMENT OPTIONS FOR THE MUNICIPAL COURT AND REPEALING ANY RESOLUTIONS IN CONFLICT HEREWITH

WHEREAS, The Council of the City of Brownsville operates a Municipal Court under the authority of the Charter and State Law; and,

WHEREAS, internal fines, fees, costs, assessments and miscellaneous charges are necessary for the operation and effectiveness of the Court; and,

WHEREAS, the Municipal Judge has the power to levy fines, fees, costs, assessments and miscellaneous charges at his/her discretion as provided by Law;

NOW, THEREFORE, BE IT RESOLVED BY THE BROWNSVILLE CITY COUNCIL, THAT:

SECTION I. All fines, fees, costs, assessments and other amounts entered as judgments in the Municipal Court (“court monetary obligations”) are due and payable upon the entry of judgment. The Municipal Court may, in its discretion and upon terms and conditions set by the Court, allow persons to satisfy court monetary obligations on a delayed or an installment payment basis. The payment of court debt on a delayed or an installment basis shall be memorialized by a written agreement signed by the judgment debtor that states the terms of the installment payment agreement.

SECTION II. The following fees for court actions shall be added to and become a part of any judgment entered in the Municipal Court, provided that the Court may, in its discretion waive or, upon conditions set by the Court, suspend any such fee:

Failure to Appear Notice/Rescheduled Appearance	\$15.00
Show Cause Citation (Served by Regular Mail)	\$15.00
Late Payment Letter	\$15.00
Installment Payment Agreement	\$15.00
Warrant of Arrest	\$150.00
Bad or Dishonored Check	\$35.00*

*Minimum Fee for Bad or Dishonored check.

SECTION III. Any unsatisfied judgment may be reported to a credit reporting agency. A judgment remains unsatisfied until all fines, fees, costs, assessments and other amounts are paid in full. Any judgment in default of payment may be assigned to the Oregon Dept. of Revenue for collection. Once a judgment has been assigned, the assignment shall not be recalled, except by order of the Municipal Court.

SECTION IV. Court costs in the following amounts shall be added to every disposition that is not a dismissal. The term “disposition” means judgment, diversion, deferment, suspension of sentence or other action by which a matter pending in the Municipal Court is concluded or abated permanently or temporarily.

For offenses punishable by fines, but not incarceration	\$10
For offenses punishable by incarceration	\$25

This Resolution shall replace Resolution 597.

Introduced and adopted this 29th day of May 2012.

Don Ware, Mayor

S. Scott McDowell, City Administrator

RESOLUTION NO. 681

**A RESOLUTION AUTHORIZING TRANSFERS WITHIN
THE COMMUNITY PROJECTS FUND FOR
THE PIONEER PARK RESTROOM PROJECT**

WHEREAS, Council awarded the Pioneer Park Restroom Project to Karo Construction at the April 24th, 2012 Council meeting; and

WHEREAS, Council entered into an agreement with the Cascade West Council of Governments to provide prevailing wage review for the project at the same meeting; and

WHEREAS, the City has agreed to fund other costs associated with the construction of the project including but not limited to building permits and bringing the necessary utilities to the new building; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BROWNSVILLE, a Municipal Corporation of the State of Oregon, that that the following funds be transferred in the *Community Projects Fund* as follows:

<i>From:</i> 916-000-812-000-00-00	Building Repair – City Hall	\$ 10,000.00
<i>To:</i> 916-000-816-000-00-00	Buildings – Parks	\$ 10,000.00

PASSED AND ADOPTED by the Council of the City of Brownsville this 29th day of May 2012.

Don Ware, Mayor

ATTEST:

S. Scott McDowell, City Administrator

RESOLUTION NO. 682

A RESOLUTION AUTHORIZING TRANSFERS WITHIN CERTAIN FUNDS FOR THE FISCAL YEAR 2011-2012 BUDGET

WHEREAS, Council would like to maintain accurate expenditures for each and every fiscal year; and

WHEREAS, several line items are over spent annually depending on factors outside the control of Council and Staff; and

WHEREAS, moving funds from the contingency line items to the over spent line items will give a more accurate reflection of expenditures for each fiscal year; and

WHEREAS, funds were moved in accordance with Oregon Local Budget Law; and

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

General Administration

To:

100.010.665.000.00.00	Office Supplies	\$ 76.04
100.010.831.000.00.00	Computer Software	\$ 3,266.44
	Total	\$ 3,342.48

From:

100.010.950.000.00.00	Contingency	\$ 3,342.48
	Total	\$ 3,342.48

Park & Rec/Cemetery

To:

100.020.649.000.00.00	Misc. [CLRC]	\$ 47.22
100.020.659.000.00.00	Miscellaneous	\$ 291.91
100.020.661.000.00.00	Operating Supplies	\$ 549.59
100.020.871.000.00.00	Equipment – Operations	\$ 310.00
	Total	\$ 1,198.62

From:

100.020.950.000.00.00	Contingency	\$ 1,198.62
	Total	\$ 1,198.62

Law

To:

100.050.634.000.00.00	Computer/Software	\$ 267.60
100.050.665.000.00.00	Office Supplies	\$ 290.91

Total \$ 558.51

From:

100.050.950.000.00.00	Contingency	\$ 558.51
-----------------------	-------------	-----------

Total \$ 558.51

General Operations

To:

100.060.669.000.00.00	Miscellaneous	\$ 3,176.05
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Total \$ 3,176.05

From:

100.060.679.000.00.00	Misc. [Expense Reimburse]	\$ 2,176.05
-----------------------	---------------------------	-------------

100.060.950.000.00.00	Contingency	\$ 1,000.00
-----------------------	-------------	-------------

Total \$ 3,176.05

Water Administration

To:

200.010.671.000.00.00	Dues	\$ 1,032.17
-----------------------	------	-------------

Total \$ 1,032.17

From:

200.010.950.000.00.00	Contingency	\$ 1,032.17
-----------------------	-------------	-------------

Total \$ 1,032.17

Total Amount Transferred \$ 9,307.83

PASSED AND ADOPTED by the City Council of the City of Brownsville this 29th day of May 2012.

Don Ware, Mayor

ATTEST:

S. Scott McDowell, City Administrator

AFTER RECORDING RETURN TO:
City of Brownsville
PO Box 188
Brownsville, OR 97327

ORDINANCE 736

**AN ORDINANCE VACATING A PORTION OF FRENCH STREET IN THE
CITY OF BROWNSVILLE, LINN COUNTY, OREGON.**

WHEREAS, the City of Brownsville owns a 66' right of way for French Street; and

WHEREAS, the City has been petitioned by the adjoining property owners to initiate a vacation of a portion of the French Street right of way; and

WHEREAS, the City Council has found that there is no public interest in maintaining ownership of that portion of the right of way; and

WHEREAS, the City of Brownsville has complied with the requirements of Chapter 271 of the Oregon Revised Statutes;

NOW, THEREFORE, THE CITY OF BROWNSVILLE DOES ORDAIN AS FOLLOWS:

The following parcel of property in the City of Brownsville, Linn County, Oregon, is hereby vacated. Said property is shown on attached Exhibit A and more particularly described as follows:

A strip of even width consisting of the westernmost 15' of the right of way of French Street running between the south side of the Washington Avenue right of way and the north side of the Blakely Avenue right of way in Brownsville, Oregon

Passed by the Council and approved by the Mayor this July ____, 2012.

Mayor Don Ware

Administrator Scott McDowell



LINN COUNTY SHERIFF'S OFFICE

Tim Mueller, Sheriff

1115 SE Jackson Street, Albany, OR 97322

Phone: (541) 967-3950

www.LinnSheriff.org

April 25, 2012

The Honorable Don Ware
Mayor of Brownsville
P.O. Box 188
Brownsville, Oregon 97327

RE: Agreement – Law Enforcement Services

Dear Mayor Ware:

Enclosed please find two (2) originals of our 2012/2013 Law Enforcement Agreement.

The Linn County Board of Commissioners has determined that the municipal law enforcement agreements will be increased by 5% this coming year. The County will continue to absorb costs such as corrections, dispatch, vehicle maintenance etc., in an attempt to keep costs down.

The majority of this increase is due to rising costs in personnel services, which includes health care and PERS increases.

Please sign both copies and *return to us as soon as possible*. After the County signs the agreements, an original will be sent to you.

If you have any questions, I can be reached at (541) 967-3950.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Mueller".

Tim Mueller
Linn County Sheriff

TM/mk
Enclosures
c: file

AGREEMENT – LAW ENFORCEMENT SERVICES

THIS AGREEMENT MADE AND ENTERED into this 30th day of June, 2012, by and between LINN COUNTY, OREGON a political subdivision, of the State of Oregon, and the SHERIFF OF LINN COUNTY, hereinafter called COUNTY, and the CITY OF BROWNSVILLE a municipal corporation of the State of Oregon, hereinafter called CITY.

WITNESSETH:

WHEREAS, the City is desirous of contracting with the County for the performance of the hereinafter described law enforcement functions within its boundaries by the County, through the Sheriff thereof, and

WHEREAS, the County is agreeable, with approval of the Sheriff to rendering such services on the terms and conditions hereinafter set forth herein, and

WHEREAS, such contracts are authorized and provided for by the provisions of ORS 190.010 and ORS 206.345.

NOW THEREFORE, in consideration of the mutual promises and covenants herein contained, it is mutually agreed as follows:

1. The County agrees, through the Sheriff of the County, to provide police protection within the corporate limits of the City to the extent and in the manner hereinafter set forth. The police services shall encompass duties and functions of the type within the jurisdiction of and customarily rendered by the Sheriff of the County pursuant to the statutes of the State of Oregon, and those duties associated with the enforcement and compliance with the Ordinances of Brownsville under those Ordinances duly authorized and enacted by the city. Such services shall include the enforcement of the State statutes and the municipal ordinances of the City.

2. The rendition of such service, the standards of performance, the discipline of officers, and other matters incident to the performance of such services and the control of the personnel so employed, shall remain in the Sheriff. However, it is understood that two (2) deputies will be assigned to devote seventy percent (70%) of their time to enforcement for the CITY.

3. For the purpose of performing such functions, the County through the Sheriff shall furnish and supply all necessary labor, supervision, equipment, radio communication facilities and supplies necessary to maintain the level of services to be rendered hereunder.

4. The County hereby covenants and agrees to hold and save the City and its officers, agents and employees harmless from all claims whatsoever that might arise against the City, its officers, agents, or employees by reason of any act of the County, its officers, agents, or employees in the performance of the duties required by the terms of this agreement.

5. The City grants to the County and the Sheriff, full municipal police authority.

6. The term of this contract shall be from July 1, 2012 through and including June 30, 2013. However, the service of the Sheriff shall continue to be performed and the authority granted to the Sheriff to enforce the ordinances of the City shall continue until thirty days after notice is given by either party that such services or authority is discontinued.

7. In consideration of the services provided for hereinabove, the City agrees to pay in cash the sum of \$ 123,178.00, said sum to be paid in quarterly installments.

IN WITNESS WHEREOF The City by resolution duly adopted by its City Council cause this agreement to be signed by its Recorder, and the County by order of its County Court and attested by the Clerk of the said County, and subscribed by the Sheriff of Linn County, all on the day and year first above written.

LINN COUNTY, a political subdivision
of the State of Oregon

By _____
Chairman Date

Commissioner Date

Commissioner Date

Sheriff Date

ATTEST:

Linn County Clerk

CITY OF BROWNSVILLE

By _____
Mayor Date

ATTEST:

City Recorder

APPROVED AS TO FORM:

Linn County Legal Counsel



Brownsville Canal Company

May 7th, 2012

The Brownsville Canal Company recently had their annual meeting to discuss general business. Treasurer Mandy Cole reported that there were issues with the Company's current tax status. Cole indicated they have until December 2012 to re-instate their 501 status. Attorney Deb Dyson will be reviewing the necessary paperwork. The membership re-elected the current officers to serve for another year. President John Holbrook, Vice President Gary Shepherd and Treasurer Mandy Cole.

Treasurer Cole reported on efforts to secure liability insurance. She reported that it cost \$1,388 to provide a \$2,000,000 of general liability insurance policy on the land that is owned by the Company. Member Joni Nelson suggested that the insurance company be made aware of the dam removal. Most of the liability revolved around issues involving the swimming hole and since it is no longer there, the policy may cost less. Treasurer Cole indicated that she would check on this issue.

President Holbrook discussed a few operational issues. Member Don Ware challenged the group to either move forward or dissolve. Discussion ensued. The City Administrator reviewed the following issues with members of the Canal Company:

County Involvement: McDowell reviewed the research that was completed over the last two years. McDowell met with Linn County Administrator Ralph Wyatt and County Road Master Darrin Lane about possibly developing an agreement that would assist the Company in collecting dues and covering insurance costs. The County was not interested in being involved.

City Involvement: McDowell clarified that the City of Brownsville is providing operational expertise and maintenance of the equipment only. The City does not own the equipment or appurtenances, the Company does. Resolution 611 articulates these details. The City purposefully denied ownership to avoid possible mandates in the future. Mandates that could include a new fish screen, pumps and the like.

Water Rights: Several property owners have water rights, however those water rights are for water to come directly out of the Calapooia River according to Water Master Michael Mattick. Basically, property owners taking water out of the canal could technically be considered theft of service. Linn County was adamant about the fact that the Company needs to take responsibility for the conveyance of the water and charge users for the service. McDowell explained that the Company needs "teeth" to levy charges to benefitting property owners in order defray costs, require membership or otherwise. What has happened over the course of time is that people have gotten away with taking advantage of the benefits without putting any financial resources into the continued effort of providing water in the Mill Race. Most of the property owners who have water rights do not reside in Brownsville city limits.

The best case scenario would be some type of annual payment for services by those property owners who use water from the Mill Race and an annual dues or payment from those properties who receive other benefits such a storm water conveyance due to the Mill Race.

The City owns the largest water right which is for storm drainage and aesthetic purposes.

Storm Water: Every property owner from Averill Street to the Cemetery benefits from the Mill Race. The open ditch allows for runoff water to efficiently make it back to the Calapooia River. Before the Mill Race was built, low areas along Kirk Avenue would've been too saturated to improve.

Health: When water does not run through the Mill Race, mosquitoes and other insects breed in the stagnant water.

Calapooia Watershed Council Grants: The Watershed Council was successful in obtaining hundreds of thousands of dollars of grant money to construct the current pump system. Funders have a reporting requirement of up to 10 years. Shutting down the Mill Race could have an indirect effect of damaging future funding efforts.

Liability Insurance: Many property owners are benefiting from the coverage provided by the Company without participating.

Operations & Maintenance: The City is currently providing O & M to the equipment only. The Company should develop a 15 or 20 year maintenance plan for the proper cleaning and grading of the ditch. If the Company could set dues and fees, they could collect the amounts needed to properly maintain their asset.

Dispersion of Property: Member Gary Shepherd explained that in the bylaws the property that is owned by the Company, should the Company dissolve, is to be returned to the founding members. Some determination would need to be made regarding the property prior to dissolution.

McDowell continued by saying that the major problem is that the Company has no way of collecting necessary revenue. John Holbrook discussed the advantages of a taxing district. Member Don Ware made a motion to investigate the possibility of entering into an agreement with the City of Brownsville and to instruct Deb Dyson to contact Mr. McDowell. The motion was seconded member Nelson and approved unanimously.

Additional Thoughts: The best case scenario would be an agreement between the City and the Company that would allow for the generation of revenue based on the benefits as described above. Currently, all the citizens of Brownsville are paying for these benefits for a few property owners. If the company could at least pay for their annual expenses and start putting back funds for the maintenance of the ditch, this effort would then be successful. The agreement would be mutually beneficial because the City has no jurisdiction in the County.

Steps

1. Determine Canal Company's ability to partner.
2. Develop an agreement that includes the ability to charge for services.
3. Develop a "policing" element that does not include City Staff.
4. Best for City: We bill the Company for a portion of our costs, they in turn bill those using water rights. The City sends an invoice in conjunction with the Company. All the home receiving storm drainage benefits pay an offset for insurance and upkeep. Develop a logo for the Canal Co. The City will handle the billing aspects.

Guesstimate – 80 homes in town... 16 out of town... 6 with water rights...

If the annual charge is \$50, which includes dues the yield would be \$4,800.

Water Right Properties – \$400 per year... \$2,400 for a:

Grand Total: \$7,200

Roughly \$65 covers the electricity and offsets some equipment maintenance issues.

The City could offset their \$400 for administration; mailing the bills and taking payments.

A handwritten signature in black ink, appearing to be the initials 'SM'.

Memorandum of Understanding

BETWEEN: City of Brownsville (City)
AND: Brownsville Art Association (BAA)
DATE: April 2010

RECITALS

- A. BAA is interested in entering into a Memorandum of Understanding with the City to utilize the Fire Bays at 255 N. Main Street for BAA purposes.
- B. City believes that BAA provides a valuable public service and desires to provide the above mentioned space to support their mission and work in the community.

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

USE OF SPACE. BAA will be allowed to use the Fire Bays for the purpose of providing an art center that would serve as a hub for the local arts community by not only providing a place for arts education and group meetings, but a public space for local artists to come together and create art and share that art with the community.

SCHEDULING. The City will be responsible for scheduling the space for all uses. BAA has scheduling priority as outlined below:

BAA shall have access to the space on regular occurrences at least three times a week; actual times may be added and amended as necessary.

The space will be available for the following uses in the prescribed times frames:

Santiam Spokes Bicycle Club (Early Summer)

Willamette Country Music Festival Pre-Launch Party (Mid Summer)

Sharing Hands Food Drives – Thanksgiving & Christmas

Calapooia Food Alliance – Winter Market (First two weeks in December)

FEEES. The intention of this Memorandum is for the operation of the space to be a pay as you go system in order to cover the costs of operational items such as heat and electricity. A per use charge for the space will be established by the BAA for groups using the space. The money will be collected and receipted by the City. The implementation of this system is to be determined by both parties.

IMPROVEMENTS. The following is a list of items:

- ♦ *Install heating by the winter of 2010. (City)*
- ♦ *Replace door panels with glass for visual purposes. (Both)*
- ♦ *Install lockers for individuals and groups utilizing the space. (BAA)*
- ♦ *Improve the lighting with full spectrum fixtures. (Both – Cost Share)*
- ♦ *Install ceiling and remove water piping. (City)*
- ♦ *Install drywall along the south wall. (City)*
- ♦ *Paint the entire space. (BAA)*

PROPERTY. Any damages incurred to the furniture or personal items shall be the responsibility of the BAA. Cleaning of the space shall be provided by the groups using the space and ultimately the responsibility of the BAA.

SIGNAGE. Any directional signage or identification signage shall be the responsibility of the BAA. The City reserves the right of approval before any modifications are made.

TERM. The term of this Memorandum shall commence upon execution hereof and shall continue for a period of three years to be revisited and renegotiated in January 2013. The BAA shall provide a written or oral progress report annually.

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. The original proposal as submitted by BAA, as attached, is included for documentation purposes only.

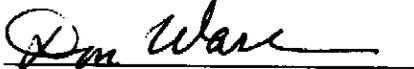
MODIFICATION AND WAIVER. No change or modifications of this agreement shall be valid or binding upon the parties hereto, nor shall any waiver of any term or condition thereof be deemed a waiver of such term or condition in the future, unless such change or modification or waiver shall be in writing signed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

INTENT. The intent of this Memorandum 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 ninety (90) days written notice.

City:

BAA:



Don Ware, Mayor



John Mulder
Art Association President

Date: 10-12-2010

Date: 05 NOV 10

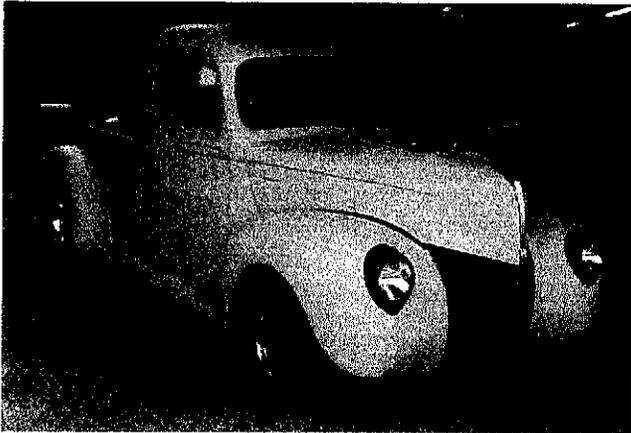
Footnote: Agreement was approved by Council at the March 22nd, 2010 meeting.

DESTINATION BROWNSVILLE CRUISE-IN

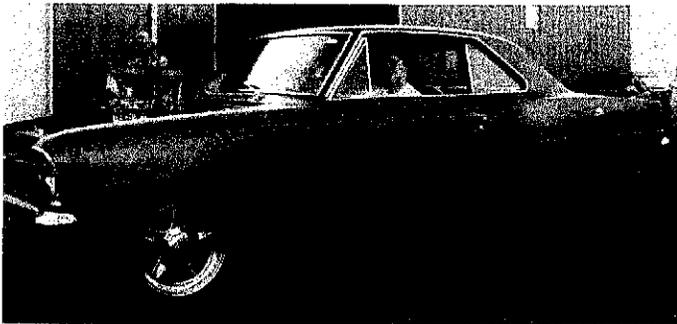
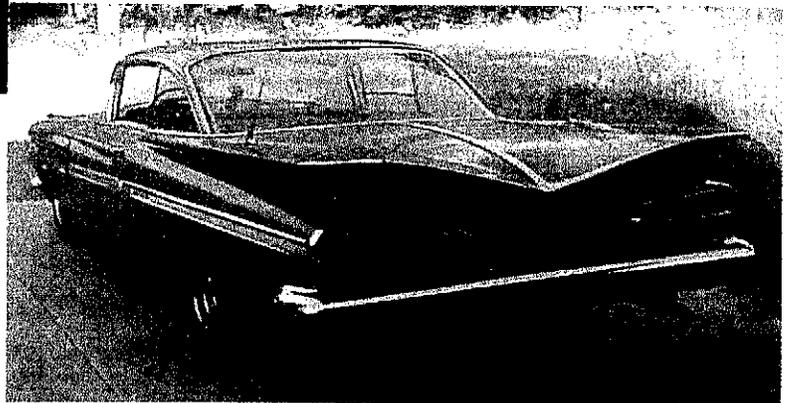
N. Spaulding Ave, Brownsville, OR

Come Join us every Saturday for
Destination Brownsville from 4pm until ????

We will meet on Spaulding Ave, downtown
Historic Brownsville. Enter from Main St to
show off our cars and start the summer right.



Event will start the second
Saturday of May and continue
through Labor Day.



7th and 8th Grade Baseball team will be
selling hot dogs to raise money for their
summer sports activities

We Proudly Support Our Troops
and their Families



For Questions call Laura at 541-731-7316

Providing pathways to safety, stability, and self-sufficiency.

CARDV is pleased to announce the opening of the Advocacy Center at the beginning of May 2012. The Advocacy Center is a highly visible location for clients to easily access services. An Open House will be held shortly after, please watch for the date.

A successful capital campaign to raise \$750,000 was launched in October 2010 to build and furnish the Advocacy Center. Due to the early success of Phase I of the campaign, which raised a total of \$860,000, we are now launching Phase II with the revised goal of raising a total of \$1 million by June 30, 2012. Phase II of this capital campaign will support the increased costs of maintaining the new building.

We want everyone to have the opportunity to be part of this exciting, new direction in providing sustainable, long-term support to survivors of domestic and sexual violence. The goals of the Advocacy Center are safety, stability, and self-sufficiency.



CARDV Staff with Project Staff in front of Advocacy Center.

Anyone can participate, regardless of gift size--this is how we will get there:

- 1,000 gifts of \$50
- 2,000 gifts of \$25
- 4,000 gifts of \$10

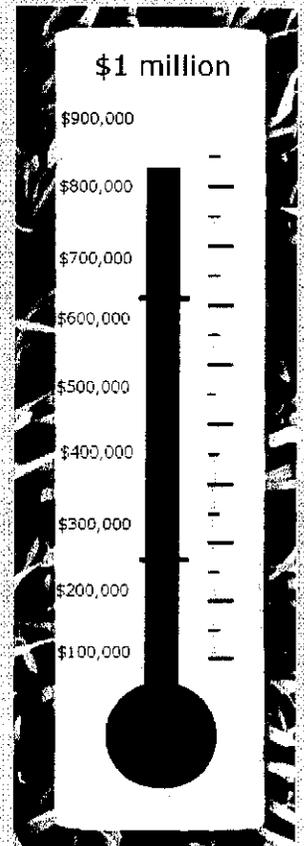
Act now! Gather five of your friends together and ask them to each give \$10 for a \$50 donation. Tell your doctor, dentist, insurance agent about this great new service and ask them for a \$25 donation. After May 1, come by the Advocacy Center-- located at 2208 SW 3rd Street in Corvallis-- to drop off a donation. YOUR HELP WILL MAKE THE DIFFERENCE.

Thank you,

Toni Ryan, Executive Director



Center Against Rape and Domestic Violence
P.O. Box 914
Corvallis, OR 97339



24/7 hotline:
(541) 754-0110
(800) 927-0197

Administrative Phone
(541) 758-0219

www.cardvservices.org



City comptroller accused of embezzling millions

Prosecutors say Dixon, Ill., official stole \$30 million over the last six years

Mon, 2012-04-30 14:09

[American City and County](#)

[Larry Conley](#)

It is one of the biggest cases ever of alleged municipal fraud: The longtime chief financial officer of the small town of Dixon, Ill., is accused of stealing \$30 million from the city's coffers. Federal prosecutors charge that Rita Crundwell, Dixon's comptroller and treasurer for three decades, stole more than the annual police and fire department budgets combined in each of the last six years, according to the [Chicago Tribune](#).

Authorities say Crundwell raided city coffers to finance an extravagant lifestyle that included operating champion horse breeding farms, buying a \$2.1 million luxury motor home and \$340,000 in jewelry since mid-2006. The salary in her city job was \$80,000 a year.

Government finance experts say there was a complete breakdown of financial safeguards in the northwestern Illinois town of 16,000 people. City officials did not notice huge amounts of disappearing tax dollars, a local bank did not alert the mayor about a city bank account controlled by Crundwell, and an annual audit by two independent accounting firms raised no red flags about transfers of hundreds of thousands of dollars in and out of the account.

It all combined for a "perfect storm of embezzlement," a former Internal Revenue Service agent told the Tribune. City officials said Crundwell was a long-serving, trusted employee who effectively had unfettered control of the city's finances.

Dixon's commission form of government, with each council member responsible for a particular city function, may also have helped keep the alleged fraud from being detected. The system, rare among Illinois municipalities, weakens financial oversight, Michael Pagano, dean of the College of Urban Planning and Public Affairs at the University of Illinois at Chicago, told the newspaper.

A similar commission style of government was in place in Bell, Calif., where the mayor, city manager, city council members and other officials were accused of fraud. The officials were accused of bilking the city out of \$5.5 million by paying themselves huge salaries for mostly non-existent duties.

Mark Item As: News

User-Submitted Content Status: Accepted

Source URL: <http://americancityandcounty.com/law-enforcement/city-comptroller-accused-embezzling-millions>

Survey: Most people like local government, but don't like the feds

Unfavorable rating for the federal government is the highest in 15 years

Fri, 2012-04-27 16:33

American City and County

Larry Conley

The closer the government, the more people like it, according to a new study. The [survey](#) by the Pew Research Center for the People and the Press found that most people have a favorable opinion about local and state governments, but they have a decidedly unfavorable opinion of the federal government.

The numbers are awful for the federal government. Only 33 percent of Americans surveyed gave a favorable rating to the federal government, with nearly twice as many, 62 percent, reporting an unfavorable view. That is the lowest positive rating for the federal government in 15 years.

By contrast, 61 percent of people in the survey have a favorable opinion about their local government, and 52 percent feel favorably about state government. The results reflect a widening gap between people's attitude about government. Ten years ago, according to the Pew survey, roughly two-thirds of Americans offered favorable assessments of all three levels of government.

Opinions about local government have been the most consistent during the last decade, according to the Pew Center. In 2002, 67 percent of people said they had a favorable opinion of local government, compared to 61 percent in 2012. The 10-year range for state government was 62 percent to 52 percent favorable, while favorable opinions about federal government fell from 64 percent to 33 percent.

The survey also reflects partisan views. For example, 51 percent of Democrats say they have a favorable opinion of the current federal government, compared with 27 percent of independents and 20 percent of Republicans.

Republicans are more satisfied with state government, with 62 percent reporting a favorable view, compared to 50 percent of Democrats and 49 percent of independents. Several of the states favored by Republicans have Republican governors and Republican majority legislatures.

The telephone survey also asked people's opinions about how government performs in specific areas such as [efficiency](#) and [handling money](#). It was conducted April 4-15 among 1,514 adults nationwide.

Mark Item As: News

User-Submitted Content Status: Accepted

Source URL: <http://americancityandcounty.com/citizen-engagement/survey-most-people-local-government-don-t-feds>

Subject: Thank you
From: RICHARD JOAN JOHNSON <rjonasenh@msn.com>
Date: Thu, 26 Apr 2012 20:52:48 -0700
To: <clerk@ci.brownsville.or.us>

Dear Ms Deaver (Janna, if I may),

Thank you VERY much for your helpfulness in giving me more information re my great-aunt, Susanna Alicia (McMillan) Moore. I never did find her headstone at the Masonic graveyard, but the information re birth and death dates filled some gaps that have existed for some time.

The area around Brownsville is very similar to her home in the Skookumchuck Valley near Bucoda, Washington Territory; a small river lined with cottonwoods, surrounded by fertile green fields with treed hills in the background. Very similar—and perhaps part of an answer to why she came to Brownsville. And perhaps not—I probably will never know. I do know her first husband, John W. Hanley was a convict serving time in the SEATCO TERRITORIAL PRISON near Bucoda for stealing horses in Walla Walla. I found him in a record dated 1880, when she was twenty years old, very probably an unsophisticated young farm girl who happened to get to know her future husband in some way or other, as is the way of all mankind. The rest is part speculation and part history.

Her parents, Marcus and Elmina C.L. (Moyer) McMillan came over the Oregon Trail from Michigan to Thurston County, Washington Territory, arriving in December 1852. Marcus's brother Milton accompanied them as far as present-day Woodland, WA and was last known in the 1880 census, Linn County, Oregon. Did Susanna go to Brownsville to be with her uncle? Conjecture and possibilities.

Again, sincerely appreciated,

Richard E. Johnson, Jr.

**Member, Citizen's Advisory Board member, Washington State Library
Former City of Lacey, WA councilmember
Past president and current board member, Olympia (WA) Genealogical Society
Former Board member, Washington State Genealogical Society**

"He that would have the fruit must climb the tree."----Thomas Fuller, MD (1732)

Cascades West Area Commission on Transportation

Staffed by Oregon Cascades West Council of Governments

Notes from April 26, 2012 CWACT Meeting

1. Connect Oregon 4 Program

The Connect Oregon 4 program, approved during the 2011 session of the Legislative Assembly, provides \$40 million of state lottery-backed bonds for multi-modal projects. It is very similar to the first three Connect Oregon programs with air, rail, marine and public transit projects eligible for funding. The first three Connect Oregon programs were each funded at \$100 million.

ODOT received 70 applications requesting more than \$84 million. In the CWACT area eight proposals were received requesting a combined total of \$14.1 million.

After the initial review by ODOT staff for feasibility and completeness the applications were forwarded to appropriate state advisory modal committees for review and prioritization. The applications were thereafter forwarded to regional review committees (ACTs).

At the March 22 CWACT meeting the 8 applicants in the CWACT area provided a brief presentation of their projects and answered questions from members. The CWACT Technical Advisory Committee met on April 11 to review the applications and make prioritization recommendations to CWACT.

Following a discussion CWACT members, by consensus, approved the following project prioritizations as recommended by the TAC (listed in order of priority):

#1. **City of Newport** \$448,500

Rehabilitate runway at Newport Airport, bringing it up to FAA design standards; improve drainage, lighting and safety areas. Part of local match for an \$8.1 million FAA grant.

#2. **Two projects combined: Union Pacific Railroad** replacement of a rail bridge near Harrisburg with Connect Oregon funding at \$5 million (rather than the requested \$8.2 million) with the following conditions: (1) UPRR to deed, without additional compensation, to Benton County the Bailey Branch and Hull Oakes Lead with all existing rail improvements; (2) the bridge may be used for high speed rail service; and (3) bridge construction to start by the end of 2014. **Benton County** had submitted a Connect Oregon application requesting \$2 million to acquire the Bailey Branch and Hull Oakes Lead and provide rail improvements necessary to restore service.

#3. **Port of Newport** \$483,600

Complete final construction components of the International Terminal Renovation project including the west wing retaining wall, a moorage dolphin, walkway installation and paving.

#4. City of Corvallis \$368,740

Remove and upgrade 2,500 feet of a rail spur at Corvallis Airport Industrial Park , rehabilitate existing loading dock, construct new loading dock and repave 14,000 sq. ft. of truck parking.

#5. City of Corvallis \$1,600,000

Construct a transit operations and maintenance facility. Part of local match for a proposed (and not yet secured) \$8 million Federal Transit Administration grant.

#6. City of Corvallis \$567,208

Construction of 15,000 sq. ft. concrete apron at Corvallis Airport to accommodate air freight transfer activities. Additional pavement of 15,000 sq. ft. of ground vehicle parking and pavement of access road.

#7. City of Corvallis \$445,104

Rehabilitate Corvallis Airport main hanger including new roof, siding and windows.

The four ACTs in ODOT Region 2 on May 3 will prioritize all proposed projects in the region. In June the Statewide Review Committee, which includes representatives from modal committees, ACTs and other transportation stakeholders, will prioritize all projects in the state. The Oregon Transportation Committee will make its project selection decision in August.

2. Discussion about the Corvallis Area Metropolitan Planning Organization

Ali Bonakdar, Director of the Corvallis Area Metropolitan Planning Organization, in accordance with the CAMPO-CWACT protocol, provided a report and sought input and comment on the CAMPO 2012-2015 Transportation Improvement Program and the updated Corvallis Area Metropolitan Transportation Plan.

Information is available at: <http://www.corvallisareampo.org>

3. Federal Legislative Update and Urbanized Area Designation

Mark Volmert provided an update on activities during the past month.

In late March Congress extended, for the ninth time, the existing multi-year transportation bill (SAFETEA-LU) through June 30. Last week the House passed a bill that extended SAFETEA-LU through September 30. This action serves as a path for the bill approved by the Senate (MAP-21) in February to move to a conference committee. It is unknown whether the conference committee will be able to craft a compromise bill that will be acceptable to both chambers and the President.

Volmert reminded CWACT members that the Senate's bill is an 18 month bill rather than the 5-6 year term of omnibus transportation authorization bills in the past. It does not balance the Highway Trust Fund (which includes the Highway Account and the Mass Transit). Currently the annual revenue for the Highway Trust Fund is about \$35 billion and the current annual level of spending is about \$50 billion. The current carry-forward balance that is funding this gap will be reduced to about \$3 billion by September. The

Senate's bill proposes the use of funds from several accounts, including non-highway accounts, to cover the shortfall through September 2013.

The Census Bureau's Urbanized Area maps were published in late March. As expected, an Albany Urbanized Area was designated by the Census Bureau which includes Albany, Millersburg, Tangent, Linn County and Benton County. The City of Jefferson and a very small portion of Marion County are also in the Albany Urbanized Area.

Under current federal law, the Albany Urbanized Area is eligible to form a Metropolitan Planning Organization (MPO). The Corvallis Area MPO was formed following the Census Bureau's designation of the Corvallis Urbanized Area in 2002. The jurisdictions in the Albany Urbanized Area, together with ODOT representatives, are discussing formation items including potential organization options and time frames.

4. ODOT Tolling and Congestion Pricing Presentation

The 2007 Oregon legislature directed the Oregon Transportation Commission to develop tolling policy recommendations so that if the state decides to pursue tolling it will have a consistent framework and foundation on which to develop, implement and evaluate potential projects.

In response to this direction, the OTC took a deliberate and transparent approach to analyze and understand potential effects of tolling/pricing to determine if and how tolling could be applied in Oregon. The first step, with the preparation of seven white papers, was to review and assess the potential implications of highway tolling and pricing. The papers were completed in February 2009 and ODOT discussed the papers with CWACT at its April 2009 meeting.

At the direction of the Legislative Assembly, ODOT has continued to study how tolling and congestion pricing of transportation facilities around the country and the world have been implemented. This study has culminated in proposed tolling and congestion pricing amendments to the Oregon Highway Plan and the Oregon Transportation Plan.

ODOT staff member Robert Maestre discussed draft amendments to the Oregon Highway Plan and the Oregon Transportation Plan. Although the proposed tolling and pricing amendments have limited direct impact on the CWACT area, CWACT members thought it was helpful and appropriate to discuss the amendments as they related to the statewide transportation infrastructure.

Information is available at: <http://www.oregon.gov/ODOT/TD/TP/Tolling.shtml>

5. Appointment of CWACT Ex-Officio (Non-Voting) Member of Mid-Willamette Valley Area Commission on Transportation (MWACT)

CWACT Members welcomed Newberg Mayor Bob Andrews to the meeting. Andrews has been appointed as MWACT's ex-officio (non-voting) liaison member of CWACT. CWACT members named Lincoln City Mayor Dick Anderson as CWACT's ex-officio liaison member of MWACT.

6. ODOT Area Manager's Report

Frannie Brindle announced that she has been appointed as the Region 2 Area 5 (Lane County) Manager. Amy Ramsdell has been appointed as the Interim Area 4 Manager.

ODOT has combined the application/selection for the Transportation Enhancement Program grants and the Bicycle/Pedestrian Program grants. \$20 million is available for projects beginning in 2013. Project proposals (Notice of Intent questionnaires) are due by June 6. Information is available at:

http://www.oregon.gov/ODOT/TD/AT/TE_OBPAC.shtml.

7. CWACT Member and Lincoln County Commissioner Don Lindly

Commissioner Don Lindly is retiring on June 1. He has served on CWACT since it was chartered by the Oregon Transportation Commission in 1999 and served as CWACT Chair five times (serving for a total of five years). CWACT members expressed their appreciation for Lindly's exceptional efforts on a very long and diverse number of transportation challenges and opportunities, including his service on several statewide and regional transportation committees and task forces in addition to CWACT.

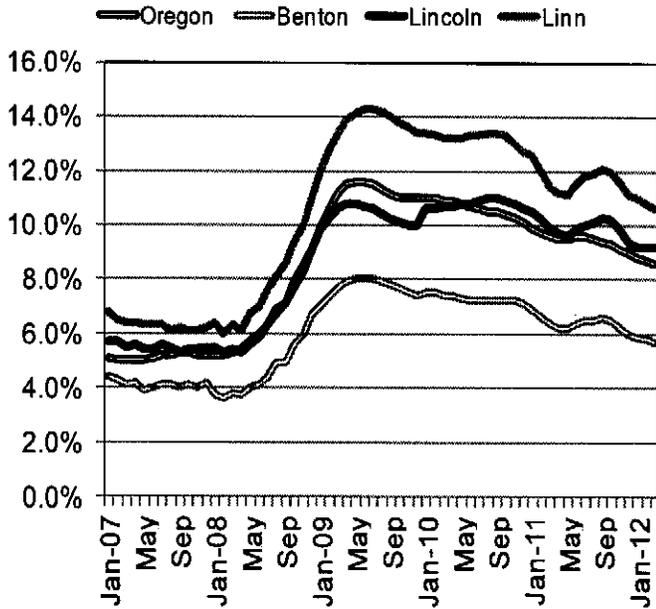
For additional information or to provide comments and suggestions please contact:

Mark Volmert (541) 924-8430 mvolmert@ocwcog.org

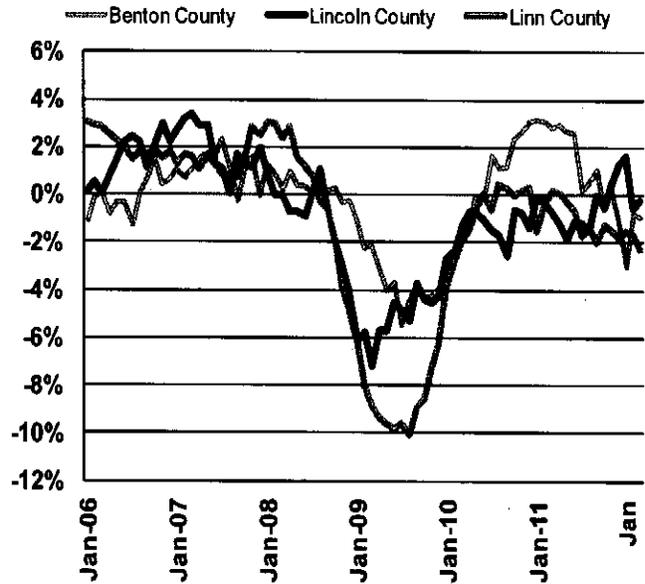
CWACT website: ocwcog.org/cbindex.asp?cbid=101

Benton, Lincoln, and Linn Counties Indicators - April 2012

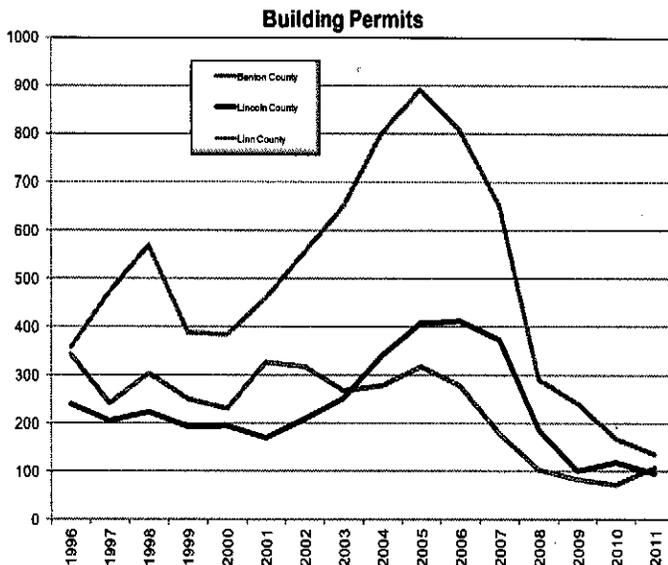
**Benton, Lincoln, and Linn Counties
Unemployment Rate**
Through March 2012 (Seasonally adjusted)



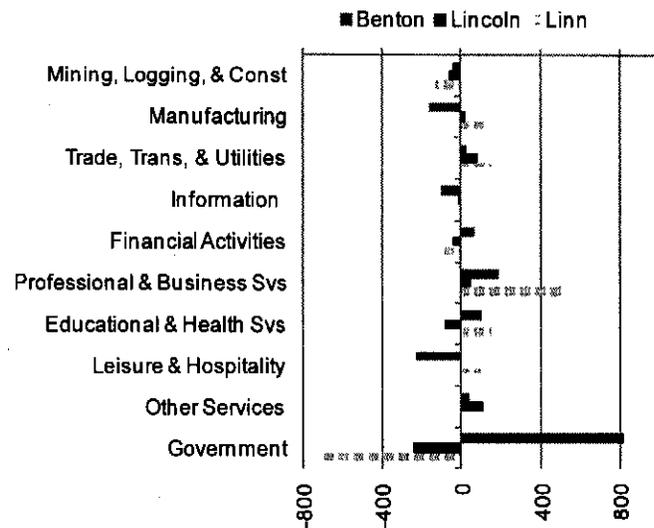
**Benton, Lincoln, and Linn Counties
Non-farm Payroll Employment Change**
% change from a year earlier – March 2012



Annual Building Permit Activity—1996 to 2011
U.S. Census
Benton, Lincoln, and Linn Counties



**Benton, Lincoln, and Linn Counties
Industry Employment Change**
Change from 2 years earlier — March 2012



Questions or want to be on the distribution list?

Email me!

Will Summers—Workforce Analyst—William.A.Summers@state.or.us

541-223-4954

MONTH END RECAP

	April 2012		YTD	%	Unexpended	
	REVENUE	EXPENDITURES				
1 GENERAL	\$ 11,431.03	\$ 31,442.44	\$ 456,432.56	38.27%	\$ 736,190.44	1
2 WATER	\$ 20,334.96	\$ 20,220.70	\$ 207,095.59	28.03%	\$ 531,704.41	2
3 SEWER	\$ 26,699.10	\$ 13,898.17	\$ 163,345.49	17.27%	\$ 781,654.51	3
4 STREETS	\$ 12,476.57	\$ 7,442.48	\$ 103,466.62	20.02%	\$ 413,233.38	4
5 WATER BOND	\$ 513.88		\$ 356,624.94			5
6 SEWER BOND	\$ 13,893.70		\$ 108,731.87			6
7 SEWER DEBT FEE	\$ 11,541.03		\$ 9,286.50			7
8 BUILDING & EQUIPMENT	\$ 212.17	\$ 900.00		2.48%	\$ 365,813.50	8
9 WATER RESERVE	\$ 24.06					9
10 HOUSING REHAB	\$ 98.56					10
11 WATER SDC	\$ 88.61					11
12 SEWER SDC	\$ 114.36					12
13 STORMWATER SDC	\$ 17.46					13
14 BIKEWAY/PATHS	\$ 84.53					14
15 LIBRARY TRUST	\$ 3.01					15
16 CEMETERY	\$ 0.87					16
17 TRANSIENT ROOM TX	\$ 4.96		\$ 49,103.70	21.71%	\$ 177,096.30	17
18 SEWER CONSTRUCTION	\$ 66.70					18
19 LAND ACQUISITION						19
20 COMMUNITY PROJECTS						20
	\$97,605.56	\$ 73,903.79				
	\$97,605.56	\$ 73,903.79				

KeyBank Accounts

General	\$ 17,931.03
Land Use (Deposits)	
Water	\$ 16,206.71
Park	\$ 9,749.50
Court	\$ 3,305.22

Oregon State Treasury	\$ 4,536,527.05
<i>Community Improvements</i>	\$ -

2011-2012	YTD	% of Total
Appropriated	\$ 1,345,355.40	24.83%

DEBT Payments	Totals
Water	\$ 54,627.00
Wastewater	\$ 360,000.00

Total Debt	\$ 1,678,788.00
Water	\$ 1,678,788.00
Wastewater	\$ 7,730,852.00