



Council Minutes

January 22nd, 2013

ROLL CALL: Mayor Ware called the meeting to order at 7:04 p.m. with Councilors Shepherd, Chambers, Gerber, Cole, Boyanovsky, and Van Sandt present. City Administrator Scott McDowell, Public Works Director Karl Frink, and Administrative Assistant Tammi Morrow were also present.

PUBLIC: Brad Kelley, Alice Tetamore, Scott Johnson, Holly Johnson, Flo Brewer, Dr. Lori Garcy and Cindy Choat.

ADDITIONS AND DELETIONS: None.

MINUTES: The Council reviewed the minutes of the December 18th, 2012 meeting. *Councilor Cole moved to approve the minutes with the following correction: On page 5, under action items, the motion was seconded by Councilor Shepherd. The motion to approve the December 2012 minutes was seconded by Councilor Van Sandt and was approved unanimously.*

PUBLIC HEARINGS OR PRESENTATIONS:

1. Oath of Office. Councilors Chambers, Gerber, and Van Sandt were sworn into office by Mr. McDowell. The proper documents were signed and will be filed appropriately.
2. Brownsville Art Association – Alice Tetamore. Alice Tetamore from the Brownsville Art Association was present to request the City submit a grant to the Linn County Cultural Coalition on behalf of the Brownsville Art Association. This grant will be used to expand the art programs they are offering. The City will be responsible for the execution of an award and the fiduciary and reporting responsibilities of the grant. *Councilor Shepherd moved to approve R 699 authorizing a grant application on behalf of Brownsville Art Association. The motion was seconded by Councilor Van Sandt and was approved unanimously.*
3. Sweet Home Sanitation – Scott Johnson. Scott Johnson from Sweet Home Sanitation was present to discuss proposed rate increases. Councilor Cole had questions about the length of the contract. The contract will automatically renew in 6 years, but will be reviewed in 3 years so future Councilors will understand what the contract responsibilities. *Councilor Cole moved to adopt O 737 which defines the Solid Waste Franchise Agreement as an emergency ordinance that will take effect immediately. The motion was seconded by Councilor Gerber and was approved unanimously. Councilor Van Sandt moved to approve R 700 authorizing Sweet Home Sanitation's rate increases. The motion was seconded by Councilor Cole and was approved unanimously.*
4. Eugene Kennel Club – Flo Brewer. Flo Brewer, President and 2013 Show Chair for the Eugene Kennel Club, was present to request the use of Pioneer Park for a dog show scheduled for September 5th - 8th, 2013. She stated that at last year's event they hosted over 700 dogs/owners from several states and Canada. She



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stated statistics from AKC (American Kennel Club) surveys show that a 2 day show typically brings in \$100,000 - \$250,000 into the community. Councilor Cole commented that she would like to see the Kennel Club continue to utilize local area businesses, the Lions Club, the Central Linn Recreation Association (CLRA), local student organizations, etc. Ms. Brewer commented that she is looking for ways to help get the show participants downtown in the evenings to support the community businesses. Councilor Gerber asked about the use of the soccer fields during this event. There was a conflict last year on the night before the event. Mr. McDowell commented that there were some extenuating circumstances last year, and is requesting for the CLRA to not schedule soccer games in the park during this event. Ms. Brewer stated that the set up would start on Thursday, not Wednesday, so she is expecting no conflicts with the scheduling. Councilor Boyanovsky stated that he will attend the CLRA meeting on Monday January 28, 2013 and make sure that they know the dates of this event and schedule accordingly. Councilor Chambers stated that she is glad to see this event return, as it was a very fun show.

DEPARTMENT REPORTS:

1. Sheriff's Report. Officer Brad Kelley reported on several small instances around town dealing with graffiti and a burglary. No arrests have been made. The suspicious person that was seen around town is rumored to have headed to the south. Officer Kelley reported that the Willamette Country Music Festival (WCMF) has reached an agreement with the Linn County Sheriff's Office to supply security for the festival again this year. Councilor Van Sandt was concerned about the traffic and asked if there was any way that the WCMF could divert the traffic off the highway better. Officer Kelley said that the festival folks continue to try to make improvements each year.
2. Public Works. Mr. Frink reported that the public works crew has been very busy with the leaf collection in Pioneer Park this fall. They filled 13 30-yard dumpsters with leaves this year. 90% of the work was done by the Public Works – they did a fantastic job. There was one sewer backup this month that had to be cleaned. Mr. Frink reported the City is in compliance with the new sewer discharge requirements, and it has been a mostly seamless operation. The North Plant is discharging 23 million gallons, and the South Plant is discharging 14 million gallons. Mr. Frink then reported that the National Pollutant Discharge Elimination System (NPDES) final permit has been received, and the chlorine discharge has been changed accordingly. Road grading has been put on hold due to the cold weather and the frozen roads. The restrooms downtown are in good shape. The two new public works employees are off to Excavator Safety & Confined Space training soon. The antiquated water treatment plant computer was discussed. This computer system is the “brains” of the system. Mr. Frink contacted The Automation Group (TAG) out of Eugene to get their input and a bid for a new computer system. TAG informed Mr. Frink and Mr. McDowell that our computer system is basically a 1998 model with 1990 technology capabilities. Their estimate for a patch for the system that will get us through approximately the next 10 years is \$40-\$50,000. Technology is changing so fast that we are



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having a hard time keeping up. Councilor Van Sandt inquired as to whether it would be a Windows 7 based program. Mr. McDowell responded that most all operating systems are built on that platform these days. Mr. McDowell stated that this computer problem is a ticking time bomb and should be addressed. The appropriate fund transfers will be made if/when the system is upgraded.

3. Administrator's Report. Mr. McDowell reported that the USDA annual report has been submitted. Mr. McDowell received feedback that the City of Brownsville is the first city organization to e-file this report! The Census data has also been submitted. Mr. McDowell spent some extra hours compiling all the information for the Census. This job will probably be delegated to the Auditor in the future. The new backhoe will be delivered on Friday at 10:00 a.m. The new color copier has been received, and it has turned out to be a great office tool. Mr. McDowell has been in contact with Anne Hankins from the Willamette Country Music Festival, and she says that the festival planning is going well. She predicts that all the tickets will be sold out by April. It is believed that Ms. Hankins will be meeting with the Chamber to discuss their interactions with the festival this year. Mr. McDowell reported that the City will no longer be offering the Notary Public Service as it has for the past few years. This service has been grossly overused and taken advantage of, and so at this time, we are discontinuing this service. There are two other Notary Publics in town. McDowell reminded the council of two special upcoming sessions – February 7th, 2013 for Council Goal Setting and February 9th, 2013 for the City Tour and luncheon.
4. Library Report. No report this month, but everything seems to be going well.
5. Court Report. No report this month.
6. Council Comments. Councilor Boyanovsky commented that he would be attending the Central Linn Recreation Association meeting next week. He will initiate the discussion about the soccer schedule during the Eugene Kennel Club's show in September.
7. Citizen Comments. No public comment.

LEGISLATIVE:

1. R 696: Appointing Pro Tempore Judges (Annual). *A motion was made by Councilor Cole to approve R696, appointing Pro Tempore Judges. The motion was seconded by Councilor Van Sandt, and the motion passed unanimously.*
2. R 697: Disbursement of Transient Room Tax. *A motion was made by Councilor Cole to approve R 697, authorizing payment of \$500 from the Transient Room Tax to the Chamber of Commerce for economic development. The motion was seconded by Councilor Boyanovsky, and the motion passed unanimously.*
3. R 698: Budget Transfers. *A motion was made by Councilor Gerber to approve a General Fund transfer of \$ 5,000 from Contingency to the Auditor line item for additional auditor fees, and a Water Administration Fund transfer of \$6000*



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from Contingency to the Legal line item for additional legal services. The motion was seconded by Councilor Cole, and the motion passed unanimously.

ACTION ITEMS:

1. Elect Council President. *A motion was made by Councilor Cole to elect Councilor Van Sandt as Council President. Councilor Cole stated that she felt that Councilor Van Sandt has been very involved and that this position would be very good experience for her. The motion was seconded by Councilor Shepherd, and the motion passed unanimously.*
2. Cascade West Council of Governments Representative. Councilor Boyanovsky stated that he would be willing to continue to be the City's representative, but would like to have an alternate representative appointed as well. Councilor Chambers volunteered to be the alternate representative. Mayor Ware then appointed Councilor Boyanovsky as the primary Cascade West Council of Governments Representative and Councilor Chambers as the alternate.

DISCUSSION ITEMS:

1. Boldt, Carlisle, & Smith FY 2011-2012 Audit. All Councilors should have received a copy of the 2011-12 audit. Mr. McDowell asked if there were any questions on this report.
2. Zoning Issues Update. Mr. McDowell revisited the zoning issues regarding Recreational Vehicle (RV) inhabitants, garage sales, and possibly an internal permit system. He would like to get some clarification from Council before proceeding on these issues. Mr. McDowell stated that there needs to be some procedure for the City to be notified if an RV is being utilized within city limits, and he felt that staff would operate best under an internal permit system. Discussion followed. *Councilor Cole made a motion to authorize Mr. McDowell to rewrite the current ordinances to create a permit system for RVs to be utilized within City limits. Councilor Van Sandt seconded the motion, and the motion passed unanimously.* The permit system for garage sales was discussed. The fee could range from \$5, \$3, or nothing, with a maximum duration of 72 hours per sale. Also to be considered would be the number of sales each person could have each year. Councilor Chambers stated that she did not like the limit of only having two garage sales a year; she stated that she would be more comfortable with at least four sales a year permitted. Councilor Gerber thought that perhaps we could do away with the total number allowed per year, and make the permit a \$0 fee. Councilor Boyanovsky stated that he liked to think of garage sales as a nice little freedom to have, and that if a person wanted to put up a spur of the moment sale on a Saturday morning, city residents should be able to do that. Councilor Chambers remarked that if a person did that with a new garage sale ordinance, he would be in violation of the city garage sale code. Councilor Cole remarked that people have abused the system in the past, and that is why we have to implement some rules and regulations. Councilor Shepherd reminded the Council how much money the random ongoing garage sales have cost the City of Brownsville. *Councilor Chambers made a motion to direct staff to proceed with preparing an Ordinance for garage sale permitting. Councilor Shepherd*



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seconded the motion, and the motion was passed unanimously. Mr. McDowell recommended that Council enact an Ordinance for creating an Internal Building Permit system for setbacks. This Ordinance is part of a general developmental piece that Council will soon be initiating. This Ordinance and fee will help defray costs for staff to implement the new Ordinance. Mr. McDowell reassured the Council that temporary structures are allowed by Ordinance. *Councilor Cole made a motion for staff to create/rewrite an Ordinance for internal Building permits. Councilor Boyanovsky seconded the motion, and the motion passed unanimously.*

3. Emergency Preparedness Committee. Mr. McDowell reported that the Emergency Preparedness Committee (EPC) has been on hiatus since July 2012. The Council would like to see this committee reinstated. Mr. McDowell recommended restructuring the committee by making it less political by having it appointed by the City Administrator. *Councilor Gerber made a motion to rewrite the EPC Ordinance to reflect that the committee positions being appointed by the City Administrator. Councilor Van Sandt seconded the motion, and it passed unanimously.*
4. Pioneer Park Retreatment. The Park Board would like to request a joint meeting to discuss ideas for the Park Retreatment. The Council is very receptive to hearing their ideas and getting their input.


CITIZEN COMMENT: No citizen comments at this time.

COUNCIL COMMENTS: No Council comments at this time.


EXECUTIVE SESSION: The Council adjourned to Executive Session at 8:25 p.m. pursuant to ORS 192.660 Section (e) and (i).

Mayor Ware & Council returned to Regular Session at 8:36 p.m.

ADJOURNMENT: Councilor Van Sandt moved to adjourn. The meeting was adjourned at 8:47 p.m.



City Administrator S. Scott McDowell



Mayor Don Ware